



COVERSHEET

Minister	Hon Shane Jones	Portfolio	Resources
Title of Cabinet paper	Regulatory Proposals for Natural and Orange Hydrogen Development: Release of Discussion Document	Date to be published	24 June 2025

List of documents that have been proactively released

Date	Title	Author
1 May 2025	Regulatory Proposals for Natural and Orange Hydrogen Development: Release of Discussion Document	Office of Minister for Resources
7 May 2025	Regulatory Proposals for Natural and Orange Hydrogen Development: Release of Discussion Document ECO-25-MIN-0062 Minute of Decision	Cabinet Office

Information redacted

NO

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Note the discussion document attached to the Cabinet paper is being withheld as it has already been publicly released.



Cabinet Economic Policy Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Regulatory Proposals for Natural and Orange Hydrogen Development: Release of Discussion Document

Portfolio

Resources

On 7 May 2025, the Cabinet Economic Policy Committee:

- 1 **noted** that the National – NZ First Coalition Agreement contains a commitment to ‘ensure the government's energy settings allow for the exploration of natural geological hydrogen in New Zealand, to maximise future energy resilience’;
- 2 **noted** that enabling natural and orange hydrogen development could contribute to New Zealand’s economic growth, and energy security and resilience, and that a clear and certain regulatory approach is vital for encouraging investment;
- 3 **noted** that the discussion document *Regulatory proposals for natural and orange hydrogen development* (the discussion document), attached under ECO-25-SUB-0062, states that the Government is not considering state ownership (i.e. nationalisation) of all hydrogen in its natural state;
- 4 **noted** that the two high-level options being presented in the discussion document for feedback are:
 - 4.1 including hydrogen in the definition of a mineral under the Crown Minerals Act 1991 (CMA) to regulate it as a mineral;
 - 4.2 excluding hydrogen in the definition of a mineral under the CMA and regulating it as a non-mineral natural resource (e.g. through the Resource Management Act 1991);
- 5 **noted** that the intention of the discussion document is not to narrow options that may surface during consultation, and a full range of feasible options will be considered following feedback from public consultation;
- 6 **noted** that in addition to other topics, the work on hydrogen falls within the scope of the Natural Resources and Environmental Management Kaupapa Inquiry by the Waitangi Tribunal and updates on this work will be provided to them;
- 7 **noted** that the Regulatory Impact Assessment requirements have been met for the discussion document;
- 8 **approved** the release of the discussion document for an approximately six-week consultation period from May to June 2024;

- 9 **authorised** the Minister for Resources to make minor graphical, proofing, and technical amendments to the discussion document prior to public consultation;
- 10 **invited** the Minister for Resources to report back to Cabinet in the second half of 2025 with a final regulatory approach to natural and orange hydrogen.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Winston Peters
Hon David Seymour
Hon Nicola Willis (Chair)
Hon Chris Bishop
Hon Shane Jones
Hon Erica Stanford
Hon Paul Goldsmith
Hon Tama Potaka
Hon Andrew Hoggard
Hon Nicola Grigg
Hon Scott Simpson
Hon Mark Patterson
Hon James Meager
Simon Court MP

Officials present from:

Office of the Prime Minister
Office of Hon James Meager
Ministry of Business, Innovation and Employment
Officials Committee for ECO