



## COVERSHEET

<b>Minister</b>	Hon Simeon Brown	<b>Portfolio</b>	Energy
<b>Title of Cabinet paper</b>	Proposed Changes to the Offshore Renewable Energy Bill	<b>Date to be published</b>	24 April 2026

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
September 2025	Proposed Changes to the Offshore Renewable Energy Bill	Office of the Minister for Energy
15 September 2025	Proposed Changes to the Offshore Renewable Energy Bill CAB-25-MIN-0317.01 Minute	Cabinet Office
2 September 2025	Regulatory Impact Statement: Proposed changes to the Offshore Renewable Energy Bill	MBIE

### 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.

Some information has been withheld for the reasons of confidential advice to government, legal professional privilege, free and frank opinions, and confidential information entrusted to the government.



# Cabinet

## Minute of Decision

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*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.*

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### Proposed Changes to the Offshore Renewable Energy Bill

**Portfolio(s)**          **Energy**

On 15 September 2025, following reference from the Cabinet Economic Policy Committee, Cabinet:

- 1          **noted** that the Transport and Infrastructure Committee and offshore wind developers have recommended changes to the Offshore Renewable Energy Bill to address potential conflicts between offshore wind and seabed mining projects;
- 2          **noted** that the decisions below relate to the creation of a power to make secondary legislation, and that the detail of area/s the Minister for Energy and Minister for Resources (the Ministers) may designate under the power are yet to be determined;
- 3          **agreed** the Offshore Renewable Energy Bill is amended to create a new power for the Ministers to jointly make, or recommend the making of, a secondary legislation instrument ('the instrument'), eg a Gazette notice or Order in Council, to designate an area or areas in New Zealand's Exclusive Economic Zone and/or territorial sea in which, while the instrument is in force:
  - 3.1          no new prospecting, exploration or mining permits for minerals other than petroleum under the Crown Minerals Act 1991 (CMA) ('seabed minerals permits') can be applied for or granted in the designated area;
  - 3.2          no existing seabed minerals permits can be extended in space within or into the designated area;
  - 3.3          there is a stay on any seabed minerals permit applications that relate to the designated area and that have been received but not yet determined;
  - 3.4          there may be provision for appropriate spacing or buffer zones between offshore renewable energy (ORE) permits and CMA permits, if required;
- 4          **agreed** that the restriction on seabed minerals permits would apply for a specified period of time and be amended or expire if/when:
  - 4.1          no round notice for ORE feasibility permits is issued for the designated area within a certain timeframe of the instrument coming into force;
  - 4.2          no feasibility permit applications are received for the designated area within a defined timeframe;

- 4.3 no feasibility permits are granted for the designated area within a defined timeframe;
- 4.4 a feasibility permit (if any) ends for whatever reason and no commercial permit is granted in that area;
- 4.5 the holder of an ORE feasibility or commercial permit receives the required consents under environmental consenting legislation to enable it to build and operate an ORE development;
- 5 **agreed** that if ORE feasibility permits are granted, then the restrictions on seabed minerals permits would then be narrowed to cover only the area of any offshore renewable energy feasibility permit/s that may be awarded;
- 6 **agreed** that the process to prepare the instrument includes consultation with relevant iwi/hapū and other parties to consider impacts on other interests and coordination of different activities, and that the Ministers would take into account the impact on existing mining permit holders when determining the area to be designated;
- 7 **agreed** to amend the Crown Minerals Act 1991 and the Offshore Renewable Energy Bill, as required, to give effect to the above decisions;
- 8 **authorised** the Minister for Energy to issue drafting instructions to the Parliamentary Counsel Office to draft an Amendment Paper to the Offshore Renewable Energy Bill to implement the above decisions;
- 9 **authorised** the Minister for Energy, in consultation with the Minister for Resources, to make any further policy decisions and minor and technical changes to policy decisions above, consistent with the general policy intent, as required to finalise drafting of the Amendment Paper;
- 10 **noted** that the power to place any restrictions on seabed minerals permits will be jointly exercised by the Ministers, who will consider appropriate allocation of space to enable the continued operation of existing users;
- 11 **authorised** the Ministers to approve the final Amendment Paper in lieu of taking the paper to the Cabinet Legislation Committee;
- 12 **noted** that the Ministers intend initially to use the power to designate an area in South Taranaki to support the first feasibility permit round for offshore renewable energy;
- 13 **directed** officials, when developing the detail of the instrument, to work with CMA minerals permit holders and offshore wind developers to identify areas that could be designated in South Taranaki that account for the interests of both sectors.

Rachel Hayward  
Secretary of the Cabinet

*Secretary's Note: This minute replaces ECO-25-MIN-0137.*

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