MINISTRY OF BUSINESS, INNOVATION & EMPLOYMENT
HĪKINA WHAKATUTUKI

COVERSHEET

Minister	Hon Shane Jones	**Portfolio**	Resources
Title of Cabinet paper	Regulating hydrogen resources through the Natural Environment Bill framework	**Date to be published**	3 November 2026

List of documents that have been proactively released		
Date	**Title**	**Author**
8 September 2026	Regulating hydrogen resources through the Natural Environment Bill framework	Office of Minister for Resources
16 September 2026	Regulating hydrogen resources through the Natural Environment Bill framework ECO-26-MIN-0181 Minute	Cabinet Office
8 September 2026	Regulatory Analysis Summary - Regulating hydrogen resources	MBIE
16 July 2026	BRIEFING-REQ-0034749 Regulating white and orange hydrogen resources	MBIE
November 2025	Enabling the Regulation of Natural and Orange Hydrogen: Policy Direction	Office of Minister for Resources
19 November 2025	Enabling the Regulation of Natural and Orange Hydrogen: Policy Direction ECO-25-MIN-0193 Minute	Cabinet Office

Information redacted **YES**

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Some information has been redacted for the reasons of privacy of natural persons and legal professional privilege.

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ECO-25-MIN-0193

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.

Enabling the Regulation of Natural and Orange Hydrogen: Policy Direction

Portfolio **Resources**

On 19 November 2025, the Cabinet Economic Policy Committee (ECO):

1 **noted** that the Coalition Agreement between the National Party and the New Zealand First party 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 in May 2025, the Cabinet Economic Policy Committee (ECO) approved the release of a discussion document on regulatory proposals for natural and orange hydrogen development, and invited the Minister for Resources to report back in the second half of 2025 seeking decisions on a final regulatory approach [ECO-25-MIN-0062];

3 **noted** that, in approving the release of the discussion document, ECO noted that the intention was not to narrow options that may surface during consultation, and that a full range of feasible options will be considered following feedback from the public consultation;

4 **noted** that the Crown Minerals Act 1991 (CMA) provides a familiar, tested framework, but it was not designed with hydrogen in mind, which creates regulatory uncertainty and may discourage investment in natural and orange hydrogen;

5 **noted** that industry submitters were largely supportive of regulating natural and orange hydrogen under the CMA, and that industry feedback supported vesting ownership of all natural and orange hydrogen in the Crown;

6 **noted** that iwi and hapū submissions were largely opposed to regulating natural and orange hydrogen under the CMA, preferring a bespoke regime;

7 **agreed** to continue exploring regulating natural and orange hydrogen through the CMA, the Resource Management Act 1991 or bespoke legislation, without vesting ownership of natural and orange hydrogen in the Crown, including investigating an option for the Crown to have exclusive management and use rights akin to geothermal resources;

8 **noted** that further policy work will include:

8.1 determining how natural and orange hydrogen could be regulated under the CMA or other legislation, including what existing or new requirements should apply;

8.2 further consideration of impacts on property rights and implications under the Treaty of Waitangi; and

8.3 engaging with iwi and hapū on developing policy proposals;

9 **noted** that the Minister for Resources intends to report back to ECO in March 2026, seeking final policy decisions for regulating natural and orange hydrogen.

Rachel Clarke
Committee Secretary

Present:
Hon David Seymour
Rt Hon Winston Peters
Hon Nicola Willis (Chair)
Hon Brooke van Velden
Hon Shane Jones
Hon Simeon Brown
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston
Hon Tama Potaka
Hon Chris Penk
Hon Penny Simmonds
Hon Andrew Hoggard
Hon Mark Patterson
Hon James Meager
Hon Scott Simpson
Simon Court MP

Officials present from:
Office of Hon Penny Simmonds
Officials Committee for ECO