**Submission template**

**Consultation on approaches to managing feasibility activities**

This is the submission template for responding to the consultation document on approaches to managing feasibility studies for offshore renewable energy. The Ministry of Business, Innovation and Employment (**MBIE**) seeks your comments by **5pm on Friday, 14 April 2023**.

Please make your submission as follows:

1. Fill out your details under the “Your name and organisation” heading and, if applicable, check the boxes underneath on privacy and confidentiality.
2. Fill out your responses to the discussion document questions in the table: “Responses to consultation document questions”. Your submission may respond to any or all of the questions. Where possible, please include evidence to support your views, for example references to independent research, facts and figures, or relevant examples. If you would like to make other comments not covered by the questions, please provide these in the “Other comments” section.
3. Before sending your submission:
   1. delete this first page of instructions; and
   2. if your submission contains any confidential information, please:

* State this in the cover page or in the e-mail accompanying your submission, and set out clearly which parts you consider should be withheld and the grounds under the Official Information Act 1982 (**OIA**) that you believe apply. MBIE will take such objections into account and will consult with submitters when responding to requests under the OIA.
* Indicate this on the front of your submission (eg the first page header may state “In Confidence”). Any confidential information should be clearly marked within the text of your submission (preferably as Microsoft Word comments).

1. Submit your submission by:
2. emailing this template as a Microsoft Word document to [offshorerenewables@mbie.govt.nz](mailto:offshorerenewables@mbie.govt.nz); or
3. mailing your submission to:

Ministry of Business, Innovation and Employment

15 Stout Street

PO Box 1473, Wellington 6140

Attention: Offshore Renewable Energy Submissions

Please direct any questions that you have in relation to the submissions process to [offshorerenewables@mbie.govt.nz](mailto:offshorerenewables@mbie.govt.nz).

**Release of Information**

Please note that submissions are subject to the OIA and may, therefore, be released in part or full. The Privacy Act 2020 also applies. MBIE intends to publish a summary of submissions on our website at [www.mbie.govt.nz](http://www.mbie.govt.nz). Should any part of your submission be included in the summary of submissions, MBIE will seek your permission to publish your information, and ensure it does not refer to any names of individuals.

**Submission on approaches to managing feasibilityactivities**

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| --- | --- |
| **Name** |  |
| **Organisation**  **(if applicable)** |  |
| **Contact details** |  |

**Release of information**

Please let us know if you would like any part of your submission to be kept confidential.

I would like to be contacted before the release or use of my submission in the summary of submissions that will be published by MBIE after the consultation.

I would like my submission (or identified parts of my submission) to be kept confidential, and **have stated below** my reasons and grounds under the Official Information Act that I believe apply, for consideration by MBIE.

I would like my submission (or identified parts of my submission) to be kept confidential because… [Insert text]

[To check the boxes above: Double click on box, then select ‘checked’]

# Responses to questions

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| Chapter 3: Why does the government need to enable feasibility activity now? | |
|  | Do you agree with the proposed policy objectives outlined in the discussion document? Why or why not? |
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|  | Are there other objectives that we should consider that are not captured above? If so, what are they are why are they important? |
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|  | Do you agree with the proposed criteria for assessing the proposals for regulating offshore renewable energy? Why or why not? |
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|  | Are there other criteria that we should consider that are not captured above? If so, what are they are why are they important? |
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|  | Do you agree that the criteria should be equally weighted? Why or why not? |
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| Chapter 4: Proposals for managing feasibility activities | |

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|  | What role do you think government should have in gathering feasibility information for offshore renewable energy development? |
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|  | Do you agree that, at least in the short-to-medium term, a developer-led approach to gathering feasibility information is appropriate for Aotearoa New Zealand? Why or why not? |
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|  | Is there another approach not considered above that may be more suitable? |
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|  | Do you agree with the two shortlisted options (permitting and collaborative) that we have identified? If not, what other viable options might we be looking at? |
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|  | Assuming a developer-led process to propose sites and assess feasibility, do you think the permitting approach or the collaborative approach would deliver a better outcome for Aotearoa New Zealand and why? |
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|  | How could a collaborative approach be designed to enable the objectives set out above, and what could the government do to support collaboration? |
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|  | Have we captured a complete list of trade-offs between the two shortlisted options? What else, if anything, should we be considering? |
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| Chapter 5: Māori involvement in the assessment of feasibility |

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|  | What broad opportunities do you see for iwi, hapū, and/or whānau to be involved in the feasibility stage of development (both before and during studies)? |
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|  | Are the above requirements sufficient to achieve this? How can the requirements be implemented to reduce undue burden on mana moana or developers? |
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|  | What information/mātauranga Māori and process/tikanga will be important for developers to incorporate into their feasibility plans, and how should iwi, hapū, and/or whānau be involved in gathering this information? |
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|  | What mechanisms for monitoring and enforcing these requirements are appropriate (regular reporting by developers that is reviewed by iwi etc)? |
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|  | How should the adequacy of iwi involvement be assessed? What does good faith and meaningful participation look like? |
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| Chapter 6: Considerations for a permitting framework | |
|  | Do you agree that developers should be required to meet prequalification criteria to be eligible for exclusive feasibility rights? |
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|  | Are our proposed criteria appropriate? Are they complete? If not, what are we missing? |
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|  | How should we consider material changes to permit holders’ status and capability? Do you think mechanisms to review permit criteria would be appropriate? |
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|  | Do you agree that a feasibility licence should last for five years with an option to extend for a further two years? |
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|  | Do you agree that a feasibility licence should be subject to ‘use-it or lose-it’ provisions, with permits not exercised within 12-months lapsing? What circumstances would trigger the use it or lose it provisions? |
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|  | How should government best deal with the issue of overlapping applications? |
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|  | Do you agree that a single national entity should hold responsibility for inviting and assessing applications? |
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|  | Do you agree that the Minister of Energy and Resources, acting on advice from officials, should make the final decision on applications for permits? |
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|  | Do you agree with charging fees sufficient to recover the costs of inviting, and assessing feasibility permit applications, and monitoring permit holders? |
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|  | What other steps would ensure that processes are transparent and fair for developers? |
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|  | Do you think that public submissions should be sought on permit applications? What other steps would ensure sufficient opportunity for iwi , hapū, whānau, and stakeholders to inform decision-making? |
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|  | Do you agree that permit-holders should regularly report on the progress of their feasibility studies? How frequently should the reporting be? |
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|  | What reporting standards should the Government set to make the disclosures meaningful? |
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|  | Who should have access to this information? How should it be shared? |
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|  | Do you agree that developers not complying with obligations could face compliance actions, with risk loss of rights to conduct feasibility studies as a last resort? What sorts of non-compliance could lead to the loss of these rights? |
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|  | How could a collaborative approach be designed to enable the objectives set out above, and what could the government do to support collaboration? |
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| Chapter 7: Information on existing uses, interests, and values | |
|  | Are there other uses, interests, and values not covered above that can be readily mapped? What are they? |
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|  | Of the uses, interests, and values identified above, which ones do you consider should be prohibitive, ie the existence of those uses, interests, and values in a given area should exclude an area from consideration for offshore renewable energy generation? Why? |
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|  | What opportunities do you envisage for offshore renewable energy developments and other uses, interests and values to co-exist, or be co-located in the same space? |
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|  | How could conflicts with existing uses, interests and values be managed? |
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|  | What uses, interests and values cannot readily be mapped? How should these be taken into account when considering the feasibility of establishing offshore wind farms? |
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| Any other comments? | |
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