



COVERSHEET

Minister	Hon Simeon Brown	Portfolio	Energy
-----------------	------------------	------------------	--------

List of documents that have been proactively released

Date	Title	Author
14 December 2023	Offshore renewable energy	MBIE
18 December 2023	Iwi Engagement in Offshore Renewable Energy	MBIE
1 February 2024	Offshore renewable energy: Timing and design of permitting regime	MBIE
1 March 2024	Offshore renewable energy: Regime design and next steps for Cabinet decisions	MBIE
15 March 2024	Offshore Renewable Energy – Alignment with Fast-track Approvals Bill	MBIE
28 March 2024	Offshore renewable energy regulatory regime: Draft Cabinet Paper	MBIE
18 April 2024	Offshore renewable energy – Interaction with environmental consents	MBIE
17 May 2024	Offshore renewable energy regulatory regime – Next steps	MBIE
21 May 2024	Offshore renewable energy – decommissioning requirements	MBIE
22 May 2024	Offshore renewable energy regulatory regime - Timeline	MBIE

Information redacted

YES

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.

- Privacy of natural persons
- Commercial information
- Confidentiality
- Confidential advice to Government
- Free and frank opinions
- Legal professional privilege
- International relations
- Constitutional conventions



AIDE MEMOIRE

Offshore renewable energy regulatory regime - Timeline

Date:	22 May 2024	Priority:	High
Security classification:	In Confidence	Tracking number:	2324-3565

Information for Minister(s)

Hon Simeon Brown
Minister for Energy

Contact for telephone discussion (if required)

Name	Position	Telephone	1st contact
Melanie Beatson	Manager, Offshore Renewable Energy and Hydrogen	Privacy of natural persons	✓

The following departments/agencies have been consulted

--

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments



AIDE MEMOIRE

Offshore renewable energy regulatory regime - Timeline

Date:	22 May 2024	Priority:	High
Security classification:	In Confidence	Tracking number:	2324-3565

Purpose

To provide further information on the timing of the offshore renewable energy regulatory regime, following our meeting on 20 May 2024.

Privacy of natural persons



Melanee Beatson
Manager, Offshore Renewable Energy and Hydrogen
Energy Markets, MBIE

22 / 05 / 2024

Timeline

1. You have asked for further information on the timeline for the offshore renewable energy regime, including on the timelines we were working to since work began on the regime.
2. A summary of timelines is attached at **Annex One**.

We have developed our understanding of what is required since the first target was released under the Emissions Reduction Plan

3. The first Emissions Reduction Plan (ERP1) in May 2022 had a target of having the regime in place by July 2024.
 - ▶ *Develop regulatory settings to enable investment in offshore renewable energy (such as offshore wind farms) and innovation. Regulatory settings are expected to be in place by July 2024.*
4. At the time of the ERP1 commitment, work had not begun and a team had not been recruited to deliver the regime:
 - a. The May 2022 Budget included funding to establish the team to deliver the regulatory settings.
 - b. The first core members were in place in October 2022. A permanent manager started in May 2023.
5. At the time of the ERP1 target, the size, nature and legislative instruments required to enable offshore renewable energy was not known. Since then:
 - a. It became clear that new legislation and regulations would be required (i.e. it was not appropriate to amend existing regulations or legislation).¹
 - b. We have learnt more about what is required to deliver the regime, through policy work, studying overseas examples including Australia, engagement with industry and public consultation.
6. Under the previous Government, we had been working to a timeline of Cabinet policy decisions by the end of 2023. However, this timeline became unachievable because:
 - a. the timing of the second consultation was delayed (by two months to finish in November 2023), and
 - b. the size and complexity of the work required to enable policy decisions following further policy work became clear.
7. The legislative process for a new regime of this size would usually take around two years. In some cases, these processes can be compressed, i.e. under urgency. However, we would need to have a clear understanding of the policy settings and changes required – we have been building this.
8. In short, the timelines have evolved as we have done the work required to build the regime.

¹ At the time, we had looked at whether it would be possible to implement an interim regime to have the legislation in place faster, before a full regime was in place. However, this would also require new legislation.

The timelines we have provided you are ambitious

9. The timelines we have presented are the minimum time we consider is required to deliver a credible regime. The timelines are ambitious. We run the risk of not achieving them if there are any unexpected events or issues.
10. A clear, achievable timeline is the best thing we can offer developers to give certainty and maintain credibility. Developers have been anticipating the regime being in place and permits potentially being awarded in 2025. However, they have been through the process in other jurisdictions, including Australia, and understand what is required. Confidentiality [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

We are starting work on the details of implementation

11. The timeframes we have discussed above are about having the regulatory framework in place, including the legislation and regulations. We have only recently started work on the details of the implementation, including when the first permits can be allocated. An overview of the steps required to allocate the first permits is attached at **Annex Two**.

Draft talking points

Confidential advice to Government



Confidential advice to Government



Annexes

Annex One: Timelines

Annex Two: Overview of timeline for granting permits

Annex One: Timelines

Timeline to date

Milestone/Activity	Timeframe
First Emissions Reduction plan (setting out timing of July 2024 for regime to be in place)	May 2022
Budget bid to establish team	May 2022
First tranche of core team in place	October 2022
First round of public consultation	December – April 2023
Cabinet in-principle approval of some high-level decisions	June 2023
Second round of public consultation	August – November 2023
First briefing to Minister for Energy on offshore renewable energy	14 December 2023
Initial policy decisions by Minister for Energy	Early March 2024
ECO noted paper on regime	1 May 2024

Timeline set out in Cabinet paper

Milestone/Activity	Timeframe
Cabinet decisions on regime	Early June 2024
MBIE prepares drafting instructions	By early June 2024
Drafting of Bill (4.5 months)	Mid-June–October 2024
Legislation Cabinet paper – drafting, consultation, lodgement	November 2024
Bill introduced and first reading	December 2024
Select Committee (six months)	January–June 2025
2 nd reading, Committee of the whole House, 3 rd reading, Royal assent, Act	Mid-2025

commences, and regulator established (regulations made shortly after Bill passes)	
Secondary legislation in force and permit application guidance issued	After Bill passes*
First feasibility round initiated, and permit application guidance published	Late 2025
First feasibility permits granted	2026

**Secondary legislation will be prepared alongside the Bill to enable implementation as soon as possible*

