



MP for Wigram

Minister of Energy and Resources

Minister Responsible for the Earthquake Commission

Minister for Greater Christchurch Regeneration

Minister of Research, Science and Innovation

Minister for Government Digital Services

OIA19-092

23 JUL 2019

Dr Terrence Loomis

fyi-request-10595-9c9763ef@requests.fyi.org.nz

Thank you for your email of 24 June 2019 requesting the following under the Official Information Act 1982 (the Act):

- a) any Cabinet papers relating to the development of the Resource Strategy,
- b) the Resource Strategy work plan/programme, and
- c) all communications between yourself, your staff and MBIE officials regarding the work programmes for the Resource Strategy and the CMA 1991 (Tranche 2) Review that address the following questions:

1. How specifically will the Resource Strategy 'underpin' or otherwise relate to the CMA 1991 Review?

2. Is it intended that the Resource Strategy work programme (including public consultation) will be completed and the Strategy signed off by Cabinet before the CMA 1991 Review is completed? Before any CMA amendment bill is enacted into law?

3. If so, what plans are in place to ensure the purpose, principles, values and objectives of the Resource Strategy take account of, and align with, the CMA as eventually amended? Will finalisation of the Resource Strategy be delayed, or will the Strategy be reviewed following amendments to the CMA?

4. What provisions if any have been made regarding public consultation on the draft Resource Strategy so that submitters are not (a) limited in the scope of their submission by the provisions within the current CMA 1991, or (b) have any portions of their submissions disregarded because they propose or assume changes to the CMA 1991 (e.g. the Purpose Statement)?

5. Is the New Zealand Energy Strategy 2011-2021: Developing Our Energy Potential still Government's policy? If so has it been taken into account in policy work on the Resource Strategy, especially expectations in the Energy Strategy

that coal and gas use will increase in the decades to 2050, and that these resources need to be promoted and developed for the sake of the economy and energy security?

I have responded to each part of your request below.

- a) This part of your request is refused under section 18(e) of the Act, as no Cabinet papers on this subject exist: “(e) that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found”.
- b) I have identified four briefings within the scope of this part of your request and have listed their titles below. The briefings themselves are withheld under section 9(2)(f)(iv) of the Act, to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.
- 2145 18-19: Briefing Petroleum and Minerals Resource Strategy – first draft overview
 - 2147 18-19: Engagement plan for the Petroleum and Minerals Resource Strategy and the tranche two review of the Crown Minerals Act 1991
 - 2576 18-19: Petroleum and Minerals Resource Strategy – revised draft overview
 - 3858 18-19: Draft Resource Strategy for Engagement with Stakeholders

- c) This part of your request is also withheld under section 9(2)(f)(iv) of the Act:

“(f) maintain the constitutional conventions for the time being which protect—
(iv) the confidentiality of advice tendered by Ministers of the Crown and officials”

However, to assist you, please find answers to your questions below:

1. How specifically will the Resource Strategy ‘underpin’ or otherwise relate to the CMA 1991 Review?

The Resource Strategy sets the Government’s vision for petroleum and minerals in New Zealand. Please note that the Strategy itself does not set out policies, rather it informs the development of other policies. It is intended that the CMA review will be informed by the vision, principles and objectives of the Resource Strategy.

2. Is it intended that the Resource Strategy work programme (including public consultation) will be completed and the Strategy signed off by Cabinet before the CMA 1991 Review is completed? Before any CMA amendment bill is enacted into law?

Yes, as the Resource Strategy underpins the CMA review, it is intended that the Strategy is completed before the CMA review is completed. The Strategy will be published before any amendments are made to the CMA, as recommended by the review.

3. If so, what plans are in place to ensure the purpose, principles, values and objectives of the Resource Strategy take account of, and align with, the CMA as eventually amended? Will finalisation of the Resource Strategy be delayed, or will the Strategy be reviewed following amendments to the CMA?

As the Strategy sets the Government's vision for the future of petroleum and mineral development in New Zealand, any changes recommended by the CMA review will be informed by the purpose, principles, values and objectives of the Resource Strategy, not the other way around.

4. What provisions if any have been made regarding public consultation on the draft Resource Strategy so that submitters are not (a) limited in the scope of their submission by the provisions within the current CMA 1991, or (b) have any portions of their submissions disregarded because they propose or assume changes to the CMA 1991 (e.g. the Purpose Statement)?

Our Government is taking a collaborative approach to the formulation of the Resource Strategy. Early engagement with Treaty partners and stakeholders on what they would want to see in the Strategy has already been conducted. We intend to continue this collaborative approach when the Strategy is released for public consultation later in 2019.

The questions will be open-ended and not confined to issues related to the CMA; all submissions received during the public consultation will be considered. There will be opportunities for the public to discuss any issues with the CMA itself when its review discussion document is released for public consultation later in the year.

5. Is the New Zealand Energy Strategy 2011-2021: Developing Our Energy Potential still Government's policy? If so has it been taken into account in policy work on the Resource Strategy, especially expectations in the Energy Strategy that coal and gas use will increase in the decades to 2050, and that these resources need to be promoted and developed for the sake of the economy and energy security?

The Energy Strategy 2011-2021 was issued under the last Government, and many recent policy developments have superseded it such as the announcement on April 12 2018 to limit oil and gas exploration to onshore Taranaki. This Government has a goal to transition New Zealand's economy to a clean, green and carbon-neutral one by 2050, and the energy sector is central to this transition.

A particular focus of the Resource Strategy is ensuring that we can successfully transition to a low-carbon economy. This means reduced reliance on coal and gas as it is gradually phased out by alternative energy sources. The Strategy also acknowledges that coal and gas have an important role to play during the transition, to ensure energy security and affordability.

In terms of the information withheld under section 9(2) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make it available in the public interest.

You have the right to seek an investigation and review by the Ombudsman of my decision on this request, in accordance with section 28(3) of the Act. The relevant details can be found at: www.ombudsman.parliament.nz.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Woods', written in a cursive style.

Hon Dr Megan Woods
Minister of Energy and Resources