



PROACTIVE RELEASE COVERSHEET

Minister	Hon Penny Simmonds	Portfolio	Environment
Name of package	Space Vehicle Jettison Debris: Package 3	Date to be published	14 February 2026

List of documents that have been proactively released

Date	Title	Author
29 October 2025	Regulatory Impact Statement	Ministry for the Environment
30 October 2025	BRF-6899: Space Vehicle Jettison Debris – Policy decisions	Ministry for the Environment
	Appendix 2: Section 33 and 34 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012	Ministry for the Environment
	Appendix 3: Treaty Impact Analysis	Ministry for the Environment
13 November 2025	BRF-7056: Space Vehicle Jettison Debrief – Cover Briefing for CAB-615	Ministry for the Environment
	Appendix 3: Talking Points for CAB-615	Ministry for the Environment
27 November 2025	Cabinet paper: Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Amendment Regulations 2025	Ministry for the Environment
	Appendix 1: Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Amendment Regulations 2025	Parliamentary Counsel Office
	Appendix 3: Assessment of Section 33 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012	Ministry for the Environment
04 December 2025	Cabinet Committee Minute: LEG-25-MIN-0265	Cabinet Office
08 December 2025	Cabinet Minute: CAB-25-MIN-0446	Cabinet Office

Information redacted **YES** **NO**

Any information redacted in this document is redacted in accordance with the Ministry for the Environment'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.

Summary of reasons for redaction

Some information has been withheld from *Appendix 3: Treaty Impact Analysis* under Section 9(2)(a) of the Official Information Act to maintain the privacy of natural persons.

Some information has been withheld from *Regulatory Impact Statement, BRF-6899: Space Vehicle Jettison Debris – Policy decisions, BRF-7056: Space Vehicle Jettison Debrief – Cover Briefing for CAB-615, Appendix 3: Talking Points for CAB-615, Cabinet paper: Exclusive Economic Zone and Continental Shelf (Environmental Effects —Permitted Activities) Amendment Regulations 2025*, and *Appendix 3: Assessment of Section 33 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012* under Section 9(2)(h) of the Official Information Act to maintain legal privilege.

The Cabinet Minutes of Decision (CAB-25-MIN-0446) were redacted to withhold references to papers that are out of scope for this release.

Regulatory Impact Statement: Space vehicle jettison debris – Launch limit increase

Decision sought	Amend the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Regulations 2013 to increase the permitted launch limit from 100 to 1,000 launches.
Agency responsible	Ministry for the Environment
Proposing Ministers	Environment, Space
Date finalised	29 October 2025

Description of the Minister's regulatory proposal

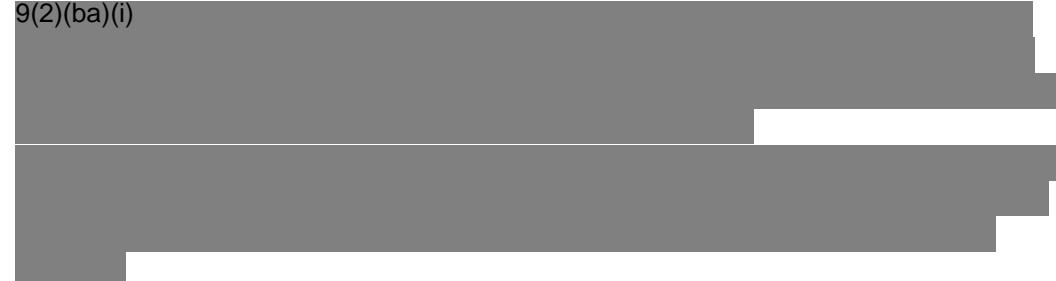
Increase the space vehicle launch limit to 1,000 in total under the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013 ('the EEZ Regulations'). This will provide an immediate solution to near term capacity constraints.

Summary: Problem definition and options

What is the policy problem?

- New Zealand has an internationally recognised space vehicle launch capability. Interest is growing from space launch operators to expand their launch sites into New Zealand.
- During launch, space launch vehicles (rockets) jettison parts which are no longer needed. These fall back towards the Earth and are deposited on the seabed in the ocean.
- The EEZ Regulations manage space vehicle debris deposition in New Zealand's EEZ and Extended Continental Shelf (EEZ).
- These regulations currently allow for up to 100 launches in total to deposit debris in the EEZ without requiring a marine consent. The initial limit was set based on the results of an ecological risk assessment.
- The direct and indirect effects of space vehicle jettison debris are:
 - **environmental effects:** A 2025 ecological risk assessment¹ concluded that the environmental risk from jettison debris remains low for up to 1,000 launches, provided debris is not deposited on sensitive features like seamounts. There were three effects which could occur as a result of space vehicle jettison debris: direct strike causing mortality, noise disturbance, and smothering of seafloor (benthic) communities. The ecological risk assessment methodology did not account for risk from how often launches happen and uses a launch rate of one a month.
 - **economic effects:** The regulations enabling jettison of space vehicle debris enable the space and advanced aviation sector. The sector contributed around \$2.5 billion to the New Zealand economy in 2023/24, with a strong export performance and high levels of research and development. Increasing the launch limit could enhance economic growth, attract investment and

¹ Thompson D, Anderson O, Pinkerton M, Macpherson D, Steinmetz T, Faulkner L, Thomson T, Brough T, Rowden A. 2025. [Ecological risk assessment of debris from space vehicle launches on the marine environment](#). Earth Sciences New Zealand Client report 2025291WN. Prepared for the Ministry for the Environment. Wellington: New Zealand.

<p>support high-skilled jobs. The impact of increased launches on the fisheries, maritime transport and oil and gas industries is expected to be low.</p> <ul style="list-style-type: none"> ○ effects on existing interests: Impacts on maritime transport, commercial fisheries and Māori rights and interests are expected to be low due to the remote location of debris zones and limited activity in those areas. • Due to the growth of the space and advanced aviation sector, the launch limit is expected to be reached in 2026. After this, each space vehicle launch will require a marine consent. This would create an administrative and financial burden on space vehicle operators and the Environmental Protection Authority (EPA).
<p>What is the policy objective?</p> <ul style="list-style-type: none"> • The objective of a change to the EEZ regulations is to enable growth of the space and advanced aviation sector while safeguarding the environment and human health. • It is expected that changing the limit will provide more certainty to commercial and non-commercial operators as space vehicle jettison debris deposition in the EEZ will remain permitted. • We can assess how this objective is met in two ways: <ul style="list-style-type: none"> (1) operators continue to launch space vehicles in New Zealand, and (2) space vehicle jettison debris has a low effect on the marine environment
<p>What policy options have been considered, including any alternatives to regulation?</p> <ul style="list-style-type: none"> • Three options have been identified: <ul style="list-style-type: none"> ○ Option 1: Keep the launch limit at 100 (we do nothing to change current regulations) ○ Option 2: Increase the launch limit to 1,000 in total ○ Option 3: Remove the launch limit • The preferred option is Option 2: Increase the launch limit to 1,000 in total.
<p>What external consultation has been undertaken?</p> <ul style="list-style-type: none"> • Targeted engagement was undertaken with Treaty partners and persons with other existing interests, such as space vehicle operators, fisheries operators, Customary Marine Title/Protected Customary Rights holders and applicants, and regional councils. • During targeted engagement process, officials met with members of Te Ohu Kaimoana and Ngā Hapū o Ngāti Porou, as well as Rocket Lab and UC Aerospace. • The Ministry also undertook a two-week public consultation. Officials hosted a public webinar and released a discussion document and the ecological risk assessment. • As per consultation requirements under the EEZ Act, officials notified the public, iwi authorities, regional councils, and persons whose existing interests are likely to be affected of the consultation period. • 9(2)(ba)(i)  • Feedback received during public consultation supported the assessment of low effects on existing interests. Effects of space vehicle jettison debris on taonga species (eg whales, tuna/eel, snapper) and potential interaction with customary fisheries were highlighted as potential effects to consider. 
<p>Is the preferred option in the Cabinet paper the same as preferred option in the RIS?</p> <ul style="list-style-type: none"> • Yes

Summary: Minister's preferred option in the Cabinet paper

Costs
<p>Description of costs and where they fall</p> <ul style="list-style-type: none"> To ensure launches do not endanger mariners, a Temporary Notice to Mariners is issued by Toitū Te Whenua - Land Information New Zealand (LINZ) that specifies the Launch Hazard Area and time for each launch. Temporary Notices to Mariners are governed by the Maritime Transport Act 1994. Mariners are advised to avoid the area for a period of up to a day to ensure public safety. This affects customary fishing, recreational activities, and commercial activities such as fishing and maritime transport. The previous launch hazard areas have been in areas with very low vessel traffic and fishing effort. Less than 20 vessels annually pass through the area where debris has been deposited in the past. The proposal to increase the launch limit may mean that these temporary closures occur more frequently. However, the impact on mariners is expected to remain low given the limited amount of activity in the area. The costs to Māori of increasing the space vehicle jettison launch limit in the EEZ regulations are considered to be low. This is due to the low level of interaction with the area where space vehicle jettison debris is deposited. An ecological risk assessment on the effects of space vehicle jettison debris on the EEZ determined that there are three main environmental effects from the debris: direct strike causing mortality (death), noise disturbance and smothering of benthic organisms. These affect different groups of animals, plants and ecosystems such as seabirds, cetaceans, oceanic fish, and animals that live near or on the seabed. The ecological risk assessment concluded that the risk from space vehicle jettison debris is low for up to 1,000 launches, and the proposal is expected to have a limited adverse impact on the environment. Debris deposited on the seabed are a hazard to fishing vessels with seabed-contacting gear. More launches will mean an increased risk of this occurring. Contact between space vehicle jettison debris and fishing gear could result in damage or lost gear and can be a hazard to crew clearing the nets. The ecological risk assessment indicated that half the previous launches had debris fall into fishable areas (shallower than 1,600 metres), but only a handful of launches had debris fall in the trawl footprint (where fishing is occurring or has occurred in the past). There have been no recorded incidents of fishing gear interacting with space vehicle jettison debris. Increasing the number of launches could potentially see more debris fall in the trawl footprint or the wider fishable area. This could increase the likelihood of fishing gear interacting with space vehicle jettison debris.
Benefits
<p>Description of benefits and where they fall</p> <ul style="list-style-type: none"> The proposal will minimise costs for the space and advanced aviation sector as it will remove the need to seek a marine consent for each launch. A notified marine consent can cost between \$180,000 and \$630,000 for the EPA to determine and take up to 9 months from notification to be determined. The proposal will enable the space sector to remain competitive and continue growing at pace. The sector was estimated to contribute \$1.69bn to the economy in 2018-2019 and support 12,000 full time equivalent jobs. A further study found that the space market grew 53% since then and had an 8.9% equivalent year-on-year

<p>growth. The sector contributed \$2.47bn to the economy in 2023-2024 and supported 17,000 full time equivalent jobs.</p> <ul style="list-style-type: none"> • The increased launch limit is expected to take decades to reach. This will enable the sector to continue growing and allow for the collection of more data on the cultural, economic and environmental effects of space vehicle jettison debris. • Further assessment of effects would be required when the updated launch limit is near being reached.
Balance of benefits and costs
<p>Does the RIS indicate that the benefits of the Minister’s preferred option are likely to outweigh the costs?</p> <ul style="list-style-type: none"> • The benefits are expected to far outweigh the costs. • The ecological risk assessment indicated that environmental risk is expected to remain low until 1,000 launches are reached. This risk is determined on recurring launch events at a theoretical rate of one launch per month. The risk is determined by cumulative deposition events rather the amount deposited each time or the rate of deposition. • The cost to the fishing industry is expected to remain low: the Launch Hazard Area closure will not significantly affect commercial fishers’ ability to take fish. • Maritime traffic will need to avoid the Launch Hazard Area when it is in place, but the effect on shipping is expected to be low. • The risk to fishers from space vehicle debris deposited on the seabed could increase. There is limited information to quantify this risk.
Implementation
<p>How will the proposal be implemented, who will implement it, and what are the risks?</p> <ul style="list-style-type: none"> • The proposal will be implemented through an amendment to Regulation 8A of the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013. • The proposal is limited to changing the launch limit, and current compliance arrangements will remain. Operators will continue to provide pre- and post-launch reports to the regulator (the EPA). • There will be no need for transitional arrangements as the compliance system remains unchanged.
Limitations and constraints on analysis
<ul style="list-style-type: none"> • There is no readily available data on the cost of space vehicle launch temporary closures on commercial and customary fisheries or shipping. • Similarly, there is no available data on the costs of gear entanglement on space vehicle debris on the seabed. However, this may change as technology develops. • There is no information on where debris from future launches might be deposited within the Authorised Launch Debris Area, or on whether there will be more seabed trawling outside of the current trawl footprint in the future. • Information on the marine environment is limited to broad environmental classes. The ecological risk assessment methodology does not account for risk from how often launches happen and uses a theoretical launch rate of one per month. • The environmental effects of launches based on the rate of deposition or the volume of material deposited are unable to be quantified using existing data. As a result, options based on the volume of material deposited or an annual/quarterly limit are unable to be considered. The risk assessment considered a rate of one launch per month. • There is not a large evidence base regarding Māori rights and interests or their experiences of launch debris in the EEZ. There is more information on the economic

and environmental effects of space vehicle jettison debris than on cultural or spiritual effects specifically, noting that environmental effects and cultural and spiritual effects are often intertwined (eg an environmental impact may have an effect on cultural practices and cultural identity).

I am satisfied that, given the available evidence, this RIS represents a reasonable view of the likely costs, benefits and impact of the preferred option.

Responsible Manager signature:



Matthew Barbat-Ross
Manager, Marine Policy
30 October 2025

Quality Assurance Statement

Reviewing Agency: Ministry for the Environment	QA rating: Meets
<p>Panel Comment: A Quality Assurance Panel with members from the Ministry for the Environment has assessed the Regulatory Impact Statement (RIS). The Panel considers that the RIS outlines the policy problem, assesses the associated options, and sufficiently justifies the preferred option. Using the criteria (complete, convincing, consulted, clear & concise) the Panel considers that the paper meets the quality assurance standard. The Panel notes the public consultation period was short (2 weeks) but likely appropriate for a targeted, narrow amendment.</p>	

Section 1: Diagnosing the policy problem

What is the context behind the policy problem and how is the status quo expected to develop?

1. New Zealand has a globally competitive space sector which contributes \$2.47b to the economy annually². The sector has grown 8.9% a year since 2019. The Government's Space and Advanced Aviation Strategy 2024–2030 aims to double the size of the space and advanced aviation sector by 2030.
2. New Zealand currently has one commercial operator that launches spaces vehicles (Rocket Lab in Mahia). The University of Canterbury has a student-led aerospace club that does not operate commercially.
3. The wider space sector includes manufacturing, space operations, space applications, ancillary services, education/R&D and Government support.
4. Space operations, which includes space vehicle launches, contributes \$597 million to the space sector. The other parts of the space sector support space operations.
5. The space sector direct supports an estimated 7,000 full-time equivalent roles (FTEs). Total employment, including indirect effects, is estimated to be 17,000 FTE.
6. After lift-off, space vehicles jettison parts which fall back towards the Earth during the various flight stages. The jettisoned material may burn up in the atmosphere but some of it may reach the Earth's surface. Any jettisoned material that lands in the sea is likely to sink, either immediately or over a short period of time, to the seabed.
7. This deposition can have an environmental effect and is managed under the Exclusive Economic Zone (Environmental Effects – Permitted Activities) Regulations 2013 (EEZ Regulations).
8. In 2016, the Government introduced a permitted activity classification for the deposit of jettisoned material from space vehicles in the EEZ. The classification was based on a 2016 ecological risk assessment by NIWA and on feedback from public consultation. The ecological risk assessment used the deposition of debris from a 40-tonne space vehicle to assess the effects on the marine environment. It determined that the risk of negative effects was low for up to 100 launches.
9. The classification was designed to support the development of a safe, responsible and world-leading space industry in New Zealand, while ensuring environmental effects were reduced or avoided. The classification allowed the:
 - a. deposition of jettisoned material from up to 100 launches in total in the authorised test launch deposit area (two areas to the east of New Zealand)
 - b. launch of space vehicles without the need for fully notified marine consents, which would have added significant cost and time delays to each launch.
10. The regulations were amended in 2018. This was in response to industry requests to expand the authorised test launch deposit area. An updated ecological risk assessment

² Deloitte Access Economics & Space Trailblazer. (2025, April). *Innovation for growth: Charting the space and advanced aviation sectors* (Ministry of Business, Innovation and Employment Report). Ministry of Business, Innovation and Employment. <https://www.mbie.govt.nz/dmsdocument/30716-innovation-for-growth-charting-the-space-and-advanced-aviation-sectors-pdf>

was used to inform the expansion of the launch deposit area. The launch deposit area was increased to a wider area of the east coast of New Zealand.

11. Any launches beyond the launch deposition limit would require a marine consent under the Exclusive Economic Zone (Environmental Effects) Act 2012 (EEZ Act). In 2024, there were 13 launches. There were 12 launches to August 2025, for a total of 55 launches. The launch limit is expected to be reached in late 2026.

Space vehicle launches are managed under multiple pieces of legislation

EEZ Permitted Activity Regulations

12. Deposit of material on the seabed from the launch of space vehicle is a permitted activity under regulation 8A of the EEZ Regulations.
13. The deposit of jettisoned material from space launches onto the seabed of the EEZ is classified as a permitted activity, provided operators comply with several conditions, which:
 - a. restrict where debris may be deposited (requiring operators to avoid closed seamounts and deposit within the authorised launch deposit area)
 - b. limit the number of permitted space vehicle launches to 100 in total.
14. Operators must also meet pre- and post-launch reporting requirements. They must notify the Environmental Protection Authority (EPA) no later than 10 working days before a launch and submit post-activity reports to the EPA no later than 5 working days after a launch, as well as quarterly or after 10 consecutive launches, whichever happens first.
15. The limit is shared between all operators. There are currently two operators in New Zealand—Rocket Lab and University of Canterbury Aerospace.

Outer Space and High-altitude Activities Act 2017

16. The Outer Space and High-altitude Activities Act was enacted in 2017 to regulate space and high-altitude activities conducted in New Zealand and by New Zealanders overseas. The Act introduced a licencing and permitting regime, requiring operators to hold a licence to launch a space vehicle or a payload from a launch facility. Launch facilities must be authorised by the Minister for Space. Operators must meet conditions to be granted a launch licence or payload permit.

9(2)(h)



9(2)(h)

What is the policy problem or opportunity?

23. Once the 100-launch limit is reached, the deposit of material on the seabed from the launch of space vehicle will become a discretionary activity - requiring a notified marine consent for each subsequent launch.
24. Marine consent applications for a notified marine consent can cost between \$180,000 and \$630,000 for the EPA to determine the consent and take up to 9 months from notification (although consent timeframes can be extended). The long timeframes and the risk that they can be extended (for example through appeals) would make it hard for an operator to guarantee launch dates to potential clients, and reduce their competitiveness compared to overseas operators. Marine consents would also increase the cost of operating in New Zealand.
25. Having to obtain a marine consent for each launch would severely constrain the sector, making launching from New Zealand unlikely to be competitive for commercial operators. The commercial sector contributed around \$2.5 billion to the New Zealand economy in 2023/24, with a strong export performance and high levels of research and development. Increasing the launch limit could enhance economic growth, attract investment and support high-skilled jobs. Non-commercial University of Canterbury launches would likely stop given the costs of marine consent.

What objectives are sought in relation to the policy problem?

26. The technologies delivered by the space and advanced aviation sector are considered essential to the day-to-day functioning of New Zealand; enabling navigation and communication, security and defence, environmental monitoring, disaster response and recovery, weather forecasting and natural resource management.
27. The Government has developed a space and advanced aviation sector strategy to support growth of the sector. The sector strategy positions New Zealand to become a global leader in space and advanced aviation, while contributing to long-term economic growth and resilience. It also positions environmental sustainability as a principle of the strategy.
28. To inform enabling economic growth within environmental limits, the Ministry for the Environment commissioned Earth Sciences New Zealand (formerly the National Institute of Water and Atmospheric Research) to undertake an ecological risk

assessment on the effects of space vehicle jettison debris on the EEZ.³ The report updated the 2017 risk assessment and assessed the ecological impact of jettisoned material from space vehicles. The assessment used updated information on the environment and real-life data from space vehicle launches in New Zealand.

29. The report assumed that the jettison debris from a 1 tonne space vehicle – Stage 1 and fairings – does not break up in the atmosphere and is deposited on the seabed. It assessed the potential for three environmental effects from the debris: direct strike causing mortality (death), noise disturbance and smothering of benthic organisms.
30. The report considered the consequences of these effects on different groups of animals, plants and ecosystems within the EEZ and assessed the likelihood of each effect. The groups of animals and plants were:
 - a. air-breathing fauna – this includes birds, whales, dolphins and other animals that breathe air
 - b. the pelagic community – this includes fish, sharks and other animals and plants that live in the water column
 - c. the demersal community – this includes animals and plants that live near or on the seabed
 - d. benthic invertebrate community – this includes animals and plants that live on the seabed and do not have a backbone.
31. This assessment provided a risk rating for each ecosystem and each group of animals and/or plants.

What consultation has been undertaken?

32. The Ministry wrote to persons with existing interests in the EEZ and Treaty Partners to undertake targeted engagement before public consultation. These groups were identified using a desktop analysis of Treaty settlements, other arrangements, and existing interests in the Exclusive Economic Zone.
33. Officials met with 9(2)(a) to discuss the results of the ecological risk assessment and initial thoughts on policy options.
34. Public consultation was open for a period of two weeks, from 6 October 2025 to 19 October 2025. Officials notified the public, iwi authorities, regional councils, and persons whose existing interests are likely to be affected of the consultation period.
35. A public webinar explaining the review and policy options was held on 8 October 2025. This was recorded and the recording made available online. The ecological risk assessment was released alongside a discussion document and a Cabinet Paper.
36. Officials received 29 submissions during the public consultation period. One submission was from a space vehicle operator, six were from Iwi/Hapū, two were from NGOs and the rest were individual submissions.
37. 12 submitters were in favour of increasing the launch limit from 100, but there was some variation in the number of launches to be permitted (from 150 – 1,000). Eight

³ Thompson D, Anderson O, Pinkerton M, Macpherson D, Steinmetz T, Faulkner L, Thomson T, Brough T, Rowden A. 2025. [Ecological risk assessment of debris from space vehicle launches on the marine environment](#). Earth Sciences New Zealand Client report 2025291WN. Prepared for the Ministry for the Environment. Wellington: New Zealand.

submitters noted their support for an increase was conditional on regular reviews of effects.

38. One submitter was in favour of removing the launch limit, due to the speed at which it was reached.
39. 15 submitters were not in favour of increasing the launch limit at all. Most submissions were not in favour due to effects out of scope of the review.
40. One submitter did not support space vehicle launches in New Zealand due to matters which are not in scope of the review.

Section 2: Assessing options to address the policy problem

What criteria will be used to compare options to the status quo?

41. The following criteria will be used to compare options to the status quo:
 - a. **Meets the EEZ Act's purpose and New Zealand's international obligations**—the [EEZ Act's purpose](#) is (in part) to promote the sustainable management of natural resources in the EEZ and the continental shelf, including (1) safeguarding the life-supporting capacity of the environment and (2) avoiding, remedying, or mitigating any adverse effects of activities on the environment. New Zealand has international obligations under UNCLOS and the Noumea Convention that apply to deposition on the seabed.
 - b. **Meets government objectives**—Government objectives for the sector include a space and advanced aviation sector strategy aiming to make New Zealand a global leader in space and advanced aviation, while contributing to long-term economic growth and resilience. Another government objective is to safeguard the environment and manage activities within environmental limits.
 - c. **Uses best available information**—[Section 34](#) of the EEZ Act requires that the Minister for the Environment *must* base decisions on the best available information, which is defined as '*the best information that, in the particular circumstances, is available without unreasonable cost, effort, or time.*' The Ministry has commissioned an Ecological Risk Assessment to inform options.
 - d. **Provides certainty for operators and their clients**—commercial operators need to be able to guarantee launches for their clients to operate and options should provide this medium-term certainty.

What scope will options be considered within?

42. Earth Sciences New Zealand concluded that the risk to the marine environment in the authorised launch deposit area is 'low' for up to 1,000 launches depositing 1 tonne of debris. While environmental effects will increase with the number of launches, the ecological risk assessment determined that the overall environmental risk will remain low for up to 1,000 launches.
43. Above 1,000 launches, the risk becomes moderate, which is considered too high a risk to the EEZ Act's purpose of protecting the environment. Further assessment of environmental effects would be required when the updated launch limit is near being reached.

44. The ecological risk assessment methodology does not account for risk from how often launches happen and uses a theoretical launch rate of one per month. The option of using an annual limit to manage the environmental risk from jettisoned debris has therefore been excluded as there is insufficient evidence to base an annual limit on.
45. An option for regulating launches using the tonnage of deposited material was considered. It was not retained because it did not account for the number of jettison events and would not have managed the effects of direct strike causing mortality (death) and noise disturbance, which increase with the number of launches rather than the amount deposited.
46. An option for dual limits (for example tonnage of space vehicles and number of launches) was not retained. There was insufficient evidence to determine how the amount of debris affects the strength of environmental effects compared to the number of launches.

What options are being considered?

Option One – Keep the launch limit at 100 [No change]

47. Deposition of material jettisoned from the launch of a space vehicle would remain a permitted activity for up to 100 launches - the limit derived from the 2017 environmental risk assessment.
48. This limit would likely be reached in 2026 and any launches over the limit would require a notified marine consent.

Option Two – Increase the launch limit to 1,000

49. Deposition of material jettisoned from the launch of a space vehicle would remain a permitted activity for up to 1,000 launches. This updated limit would include existing launches.
50. The requirements for deposition to be within the authorised launch deposit area and to avoid deposition on closed seamounts would remain.

Option Three – Remove the launch limit

51. Deposition of material jettisoned from the launch of a space vehicle would remain a permitted activity, with no limit on the number of launches.
52. The requirement would remain for deposition to be within the authorised launch deposit area and to avoid deposition on closed seamounts.

How do the options compare to the status quo/counterfactual?

	Option One – Keep the launch limit at 100 [We do nothing]	Option Two – Increase the launch limit to 1,000	Option Three – Remove the launch limit
Meets the EEZ Act's purpose	0	++	0
Meets New Zealand's international obligations	0	++	-
Meets government objectives	0	++	+
Uses best available information	0	+	-
Provides certainty for operators and their clients	0	+	++
Overall assessment	0	++	+

Key for qualitative judgements:

- ++ much better than doing nothing
- + better than doing nothing
- 0 about the same as doing nothing
- worse than doing nothing
- much worse than doing nothing

9(2)(h)

Government objectives and certainty for operators

57. Both Options 2 and 3 meet the Government's objective of enabling growth of the space and advanced aviation sector and enabling economic growth: they would enable the sector to continue launching without the need for a marine consent and provide for enough launches to enable sector growth. Option 1 would lead to each launch requiring a marine consent and would severely constrain sector growth.
58. Another Government objective is economic growth within environmental limits. Options 1 and 2 retain a limit within which the sector will operate, based on environmental information. Option 3 removes this limit and would not meet this objective.
59. Options 2 and 3 provide certainty to operators. Options 3 completely removes the launch limit and allows operators to launch indefinitely, provided they meet other requirement in the EEZ Act such as the need to avoid seamounts protected from fishing. While Option 2 limits launches to 1,000 across operators, it may take decades to reach this limit. Option 2 therefore provides certainty to operators over a reasonably long term.
60. Maintaining the current regime (Option 1) will mean that a marine consent will be necessary for each launch. This would greatly reduce operator certainty about their ability to launch within specified timeframes. The financial and administrative costs associated with applying for a marine consent would diminish the competitiveness of New Zealand based commercial operators.

Best available information

61. The status quo option is based on older information that overestimates the environmental risk from space vehicle launches and does not use the best available information. It is based on a 2017 risk assessment that was done without knowledge of how much debris launch activities would jettison. The risk assessment was conservative by design and considered 40,000 tonnes of debris per launch. Now that

the industry is established, the actual amount jettisoned per launch has been confirmed as much closer to 1,000 tonnes.

62. The updated risk ⁴ assessment indicates that the environmental risk from space vehicle jettisoned debris is low for up to 1,000 launches. Option 3, in removing the launch limit, could allow launches to pose a moderate risk, especially if launch cadence increases. Option 3 is not aligned to the ecological risk assessment, whereas Option 2 is.
63. Environmental data on the impact of space vehicle jettison debris and the marine environment where it lands is limited. This is due to the general lack of information about the marine environment beyond the coast, and the relative novelty of space vehicle jettison debris. Option 3 does not meet the precautionary approach required by the EEZ Act when information is uncertain or limited. Options 1 and 2 meet this requirement.

⁴ Thompson D, Anderson O, Pinkerton M, Macpherson D, Steinmetz T, Faulkner L, Thomson T, Brough T, Rowden A. 2025. *Ecological risk assessment of debris from space vehicle launches on the marine environment*. Earth Sciences New Zealand Client report 2025291WN. Prepared for the Ministry for the Environment. Wellington: New Zealand.

What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

64. Option 2 best addresses the Government's objectives and provides certainty to operators while mitigating environmental risk. It also provides for meeting New Zealand's international obligations and the EEZ Act purpose.
65. Option 2 will likely enable sector growth, include potential competition from new commercial operators.
66. Increased launches will increase the three main environmental effects from jettison debris: direct strike causing mortality (death), noise disturbance and smothering of benthic organisms. These affect different groups of animals, plants and ecosystems such as seabirds, cetaceans, oceanic fish, and animals that live near or on the seabed.
67. The 2025 ecological risk assessment concluded that the risk from space vehicle jettison debris is low for up to 1,000 launches, and the proposal is expected to have a limited adverse impact on the environment.
68. Increased launches will mean that the temporary 'Launch Hazard Area' is closed more often to ensure public safety. This affects commercial fishing, customary fishing, recreation and shipping. However, the closed area is only closed for a short amount of time and there is low vessel traffic in the area. The impact of increased launches is limited.
69. Increased launches will increase hazards to fishing vessels with seabed-contacting gear. However, the updated environmental risk assessment indicates that so far only a handful of launches had debris fall in the trawl footprint (where fishing is occurring or has occurred in the past), and about half had debris fall in the fishable area (shallower than 1,600 meters). Increasing numbers of launches could potentially see more debris fall in the trawl footprint or the wider fishable area.
70. The benefit of continued launches and potential space sector growth are considered to far outweigh the costs to other marine users.

Is the Minister's preferred option in the Cabinet paper the same as the agency's preferred option in the RIS?

71. Yes

What are the marginal costs and benefits of the preferred option in the Cabinet paper?

Affected groups	Comment	Impact	Evidence Certainty.
Additional costs of the preferred option compared to taking no action			
Regulated groups	None: compliance costs are unchanged.	N/A	High
Regulators	Compliance costs are unchanged (cost-recoverable for non-government funded activities), but a new ecological risk assessment would need to be commissioned in 10-15 years to account for sector growth.	Very low	High
Commercial fishing sector	<p>Fishing activity could be displaced temporarily as the deposit area will be closed during launches (as is currently the case) with changes to the limit likely leading to the area being closed more often.</p> <p>The previous launch hazard areas have been in areas with very low vessel traffic and fishing effort.</p> <p>There will be some increased risk of gear entanglement if more material is deposited on the seabed in areas where fishing occurs. If entangled fishing gear needs to be discarded by fishers, it will</p>	Very low	Medium

	increase the risk to marine species.		
Shipping sector	<p>Shipping activity could be displaced temporarily as the deposit area will be closed during launches (as is currently the case) with changes to the limit likely leading to the area being closed more often.</p> <p>The previous launch hazard areas have been in areas with very low vessel traffic.</p>	Very low	Medium
Others (eg, recreational fishing other recreational activities, customary fishing, oil and gas sector etc.)	<p>Activity could be displaced temporarily as the deposit area will be closed during launches (as is currently the case) with changes to the limit likely leading to the area being closed more often.</p> <p>The previous launch hazard areas have been in areas with very low activity.</p>	Very low	Medium
Total monetised costs			
Non-monetised costs		Very low	

Additional benefits of the preferred option compared to taking no action

Regulated groups	<p>The preferred option removes the need for a marine consent for each launch.</p> <p>Marine consent applications for a notified marine consent can cost between \$180,000 and \$630,000 for the EPA to determine the consent and take up to 9 months from</p>	High	High
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	notification to be determined.		
Regulators	The preferred option removes the need for a marine consent for each launch, and thus the need for the EPA to assess these consents.	Low (Marine consents and permitted activity notification costs to the EPA are cost recoverable)	High
Total monetised benefits	Based on 16 launches in 2024, marine consent costs would have been between \$2,880,000 and \$10,080,000.		
Non-monetised benefits		Medium	

Section 3: Delivering an option

How will the proposal be implemented?

72. The proposal will be implemented through an amendment to Regulation 8A of the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013.
73. The proposal only changes the launch limit number and maintains other regulatory and operational arrangements in the foreseeable future:
 - a. The activity remains permitted and there is no additional burden on operators or the regulator. The regulator's costs of administering permitted activity notifications is cost recoverable.
 - b. The EPA retains its regulatory role as currently set out by the legislation and EPA tracks the number of launches against the limit.
74. Operators will continue to provide the EPA with pre- and post-launch reports, and the EPA will continue to make these publicly available.

How will the proposal be monitored, evaluated, and reviewed?

75. The proposal sets a limit of 1,000 space vehicle launches. After the limit is reached, operators will require a marine consent. As the limit is near being reached, this will trigger a review process that will require another ecological risk assessment. This will be used to determine how jettisoned debris from space vehicle launches is best managed.
76. The EPA will continue to track the number of launches against the limit through [pre- and post-activity reports](#) submitted by operators.



Space vehicle jettison debris - Policy decisions

Date submitted: 30 October 2025

Tracking number: BRF-6899

Security level: Classification

MFE Priority: Urgent

Actions sought from Ministers

<i>Name and position</i>	<i>Action sought</i>	<i>Response by</i>
To Hon Penny SIMMONDS Minister for the Environment	Agree to the recommendations in this briefing, in consultation with the Minister for Space.	5 November 2025

Actions for Minister's office staff

Return the signed briefing to the Ministry for the Environment (advice@mfe.govt.nz and ema.pct@mfe.govt.nz).

Appendices and attachments

1. Summary of feedback from public consultation and targeted engagement
2. Section 33 and 34 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012
3. Regulatory Impact Analysis and Treaty Impact Analysis

Key contacts at Ministry for the Environment

<i>Position</i>	<i>Name</i>	<i>Cell phone</i>	<i>First contact</i>
Principal Author	Bonnie Hartfield		
Manager	Matthew Barbuti-Ross	022 010 2147	
General Manager	Jo Gascoigne	027 531 7202	✓

Minister's comments

Space vehicle jettison debris - Policy decisions

Key messages

1. Cabinet has delegated responsibility to you to make policy decisions, and issue Parliamentary Counsel Office (PCO) drafting instructions for the space vehicle jettison debris review in consultation with the Minister for Space [CAB-25-MIN-0285 refers].
2. Cabinet agreed that you would return by December 2025 with draft regulations and advice on whether a further review of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act) and regulations is needed, including whether a limit on deposition is needed at all.
3. Officials have completed public consultation [BRF-6773 refers]. Feedback provided during the public consultation period highlighted a range of views on the launch limit and supported the assessment of low effects on existing interests. A summary of feedback can be found in **Appendix 1**.
4. We recommend progressing Option 2 - increase the launch limit to 1,000. This recommendation is based on the results of public consultation and analysis of your statutory obligations. Option 2 is the most effective option for addressing near-term capacity. It meets the objectives of the review and can be implemented by December 2025.
5. You have statutory responsibilities when making or amending regulations under sections 33 and 34 of the EEZ Act. These responsibilities can be found in full in **Appendix 2**.
6. A Regulatory Impact Statement (RIS) and Treaty impact assessment are included in **Appendix 3**. The RIA meets Cabinet requirements and outlines how Option 2 best meets your statutory responsibilities under the EEZ Act.
7. If you agree to progress Option 2, we will issue drafting instructions to the PCO. We will provide you with a Cabinet Paper, draft regulations, and draft advice on a long-term solution in mid-November for review and Ministerial consultation.

Recommendations

We recommend that you:

- a. **note** that public consultation was undertaken between 6 October and 19 October 2025, in accordance with section 32 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012.

Noted

- b. **note** that 29 submissions were received, with submitters expressing a range of views on the options for amending the launch limit. 16 submitters opposed any increase to the launch limit, 12 supported an increase, and one supported removing the launch limit entirely.

Noted

c. **note** that officials have assessed the options against the statutory requirements in sections 33 and 34 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012.

Noted

d. **note** that the Regulatory Impact Statement (RIS) provided with this briefing meets Cabinet requirements for impact assessment.

Noted

e. **agree** to consult with the Minister for Space, Hon Judith Collins, in making decisions on this briefing.

Yes | No

f. **agree** to increase the space vehicle launch jettison debris limit under Regulation 8A of the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013 from 100 to 1,000 launches in total.

Yes | No

g. **authorise** officials to instruct the Parliamentary Counsel Office to draft regulations based on the matters agreed in the recommendations above and make minor, technical or consequential changes that arise during drafting to reflect the proposals in this paper.

Yes | No

OR

h. **discuss** alternative options with officials.

Yes | No

Signatures



Jo Gascoigne
 General Manager – Resource Management System
Environmental Management and Adaptation

30 October 2025

Hon Penny SIMMONDS
Minister for the Environment
 Date

Space vehicle jettison debris - Policy decisions

Purpose

1. This briefing summarises public consultation feedback and analysis to support your decision on a preferred option for addressing space vehicle launch capacity, and to issue drafting instructions to the Parliamentary Counsel Office (PCO), as delegated by Cabinet.

Background

2. The launch limit for space vehicle jettison debris under the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013 (EEZ regulations) could be breached in 2026. The launch limit requires amendment to allow further launches and to support continued growth of the space and advanced aviation sector.
3. You have agreed to a review of the space vehicle jettison debris regulations under the EEZ regulations [BRF-6058 refers]. This review seeks to find an immediate solution to address near-term capacity within environmental limits.
4. In August 2025, Cabinet delegated you responsibility to approve consultation, make policy decisions, and issue PCO drafting instructions for the space vehicle jettison debris review in consultation with the Minister for Space [CAB-25-MIN-0285 refers].
5. Cabinet also agreed that you would return with advice on whether a further review of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act) and regulations is needed, including whether a limit on deposition is needed at all.
6. Officials have completed public consultation and targeted feedback to support the review [BRF-6717 and BRF-6773 refers]. We consulted on three options:
 - Option 1 - Keeping the launch limit at 100 (no change),
 - Option 2 - Increasing the launch limit to 1,000,
 - Option 3 - Removing the launch limit.
7. Section 33 of the EEZ Act sets out several matters you must take into account when developing or amending regulations. These can be found in full in **Appendix 2**. These include consideration of environmental effects (including cumulative effects), effects on existing interests, and New Zealand's international obligations. You must also have regard to any comments made during public consultation.
8. Section 34 of the EEZ Act sets out information principles for decision making. These can be found in full in **Appendix 2**. Any decisions you make to amend the regulations must be based on the best available information. If the information available is uncertain or inadequate, you must favour caution and environmental protection.

Analysis and advice

Public consultation provided a range of views on the launch limit and effects

9. We received 29 submissions during the public consultation process. Submitters expressed a range of views on the launch limit: 16 submitters opposed any increase to the launch limit (including one submitter that did not support space vehicle launches in New Zealand), 12 supported an increase, and one supported removing the launch limit entirely. However, 10 of the submissions in opposition were for reasons that were out of scope. More detail on the feedback received can be found in **Appendix 1**.
10. Submitters who were in favour of increasing the launch limit showed a preference for a range of limits from 150 to 1,000. Several submitters expressed a preference for staggered increases with regular reviews of environmental, cultural and spiritual effects. Several submitters also expressed a preference for mandatory debris recovery.
11. The feedback received has been used to inform the selection of a preferred policy option. The consultation process provided insights into stakeholder perspectives - including environmental concerns, cultural values, and operational needs of launch operators.
12. In addition to views on the launch limit, 20 submissions raised concerns about the effects of space vehicle launches on the territorial sea and land. These effects were outside the scope of the current review.
13. Other submissions suggested the need for a future, more comprehensive review of the regulatory framework governing space vehicle jettison debris, or a staggered review after a set number of launches. A regulatory review can be initiated by you at any time, regardless of whether such a provision is explicitly included in the regulations and can be considered further when we provide you with potential options for a long-term solution in November, as requested by Cabinet.

Officials recommend progressing Option 2 – Increase the launch limit to 1,000

14. Based on an assessment of public feedback, results of the ecological risk assessment, and analysis against your statutory responsibilities and Government objectives, Officials recommend progressing Option 2 – Increase the launch limit to 1,000.
15. A Regulatory Impact Statement (RIS) and Treaty impact assessment which support this assessment can be found in **Appendix 3**. An assessment of all options can be found in **Table 1**.
16. A Quality Assurance Panel with members from the Ministry for the Environment has assessed the RIS. The Panel considered that the RIS outlines the policy problem, assesses the associated options, and sufficiently justifies the preferred option. Using the criteria, the Panel considers that the paper meets the quality assurance standard. The Panel notes the public consultation period was short but likely appropriate for a targeted, narrow amendment.

Table 1: Assessment of policy options against no change

	Option 1 – Keep the launch limit at 100 (no change)	Option 2 – Increase the launch limit to 1,000	Option 3 – Remove the launch limit
Meets the EEZ Act's purpose	0	++	0
Meets New Zealand's international obligations	0	++	-
Meets Government objectives to support the space and advanced aviation sector	0	++	+
Uses best available information	0	+	-
Provides certainty for space vehicle operators	0	+	++
Overall assessment	0	++	+
Key for qualitative judgements:			
++ much better than no change			
+ better than no change			
0 about the same as no change			
- worse than no change			
-- much worse than no change			

Option 2 meets your statutory requirements under the EEZ Act

17. Progressing Option 2 would meet your statutory requirements under the EEZ Act, as detailed in **Appendix 2**. This option gives regard to feedback from public consultation and targeted engagement, ensures effects remain within environmental limits, and meets New Zealand's international obligations.
18. Options 1 and 3 would partially meet the statutory requirements under the EEZ Act. Option 3 has a higher risk of adverse effects on the environment, including cumulative effects (s33(3)(a)). It risks breaching New Zealand's international obligations (s33(3)(f)). It is not supported by most of the comments made during public consultation and targeted feedback (s33(2)). It does not take into account updated information on the effects of space vehicle jettison debris on the marine environment (s34).

Option 2 meets the Government's objectives

19. In 2024, there were 13 space vehicle launches. We anticipate the number of launches per year will continue to increase. The number of launches per year will also increase if new operators enter the market.
20. An increased launch limit under Option 2 is anticipated to take decades to reach and would enable the space and advanced aviation sector to continue to grow.

21. Option 2 will also support the goals of the Space and Advanced Aviation Strategy, which aims to double the value of the sector by 2030. An objective of the Space and Advanced Aviation Strategy is to establish a world-leading regulatory environment for space and advanced aviation. This is supported by the principle “Promoting sustainable space and Earth environments”¹.
22. Option 3 has a higher risk of adverse effects on the environment. This is not aligned with the principle “Promoting sustainable space and Earth environments” in the Space and Advanced Aviation Strategy.

Option 2 can be progressed by the end of the year

23. The review of the EEZ regulations aimed to find an immediate solution to address near-term launch capacity. Option 2 can be in place by the end of 2025, providing certainty for the space and advanced aviation sector into the future.
24. Option 3 would not be possible to progress before the end of 2025. Removing the limit would require additional analysis of New Zealand’s international obligations and require additional time for PCO drafting. This would not meet the Government’s objectives of an immediate solution to near-term launch capacity.

Option 2 allows for economic growth within environmental limits

25. The results of the ecological risk assessment undertaken by Earth Sciences New Zealand indicate the risk of adverse effects due to increased launches are low for up to 1,000 launches [BRF-6800 refers].
26. Beyond 1,000 launches and on seamounts (underwater mountains), the risk of adverse effects becomes moderate. Closed seamounts are already excluded from the authorised launch debris area.
27. The ecological risk assessment noted that there is limited information on the marine environment where debris is deposited. As space vehicle launches are a relatively new activity, information on the environmental effects of space vehicle jettison debris is also limited.
28. Progressing Option 2 would mean that the risk of adverse effects on the environment remain low. This option takes into account the results of the latest ecological risk assessment, meeting the EEZ Act requirement to use the best available information and exercise caution based on limited information.
29. Option 3 would enable over 1,000 launches, which is when the risk of adverse effects becomes moderate. This option does not favour caution and environmental protection, as required by the EEZ Act when information is uncertain or inadequate.

The effects of increased launches on existing interests are low

30. A summary of feedback received during public consultation and targeted engagement can be found in **Appendix 1**. Feedback received during public consultation supported the assessment of low effects on existing interests. Effects of space vehicle jettison

¹ [New Zealand Space and Advanced Aviation Strategy 2024-2030](#), Ministry of Business, Innovation and Enterprise

debris on taonga species (eg, whales, tuna/eel, snapper) and potential interaction with customary fisheries were highlighted as potential effects to consider.

31. There is very little fishing effort or vessel traffic in the area where debris is deposited. The effects of increased launches on commercial and customary fisheries, Māori rights and interests, and shipping are considered by officials to be low due to the limited interaction with the area.

9(2)(h)



Amending the definition of a launch is not feasible before the end of the year

40. Officials also consulted on amending the definition of a launch to exclude launches which do not jettison debris into the EEZ. Nine submitters provided feedback on amending the definition of a launch. Six submitters were in favour of amending the definition to only include launches which jettison debris into the EEZ. Three submitters did not support changing the definition.

41. Fewer than ten launches have recovered debris so far, with no operators having plans to recover launches in future. We consider amending the definition of a launch would not provide significant additional capacity.

42. Changing the launch definition would require more complex drafting by PCO and would impact the ability to provide an immediate solution by the end of the year. We consider changing the definition would be best considered as part of a long-term solution.

You will receive advice on a long-term solution in November

43. We will provide you with potential options for a long-term solution in November 2025, alongside a draft Cabinet paper and regulations. This advice will cover matters such as incentivising recovery of debris, monitoring and reporting provisions, further research into environmental, economic and cultural effects in the EEZ, engagement in international fora, definitions, and review provisions. We will also provide information on whether a launch limit is needed at all.

Te Tiriti analysis

44. Officials undertook targeted engagement with Treaty partners and persons with existing interests (such as those under other arrangements) to understand how space vehicle jettison debris deposition may affect their interests in the EEZ.

45. Treaty settlements and other matters which could be affected by increased space vehicle jettison debris include the Fisheries Settlement 1992, Ngāi Tahu Settlement, Moriori Settlement, and Ngā Rohe Moana ō Ngā Hapū ō Ngati Porou Act 2019. A full Treaty Impact Analysis can be found in **Appendix 3**.

46. Feedback from submissions and targeted engagement reflected a range of views among Māori, with some supporting an increase to the launch limit and some opposed to any increase. This suggests a range of views on the potential impact of the activity on existing interests. A longer-term solution could consider additional research into cultural and spiritual interests in the EEZ to inform future regulation reviews.

47. The overall impact of space vehicle jettison debris on Māori rights and interests is considered to be low by officials. This is due to the low risk of environmental effects for up to 1,000 launches and limited interaction with the area of debris deposition.

Other considerations**Consultation and engagement**

48. Targeted engagement took place with Treaty partners and persons with existing interests. Public consultation was open from 6 October to 19 October 2025. We received

29 submissions. A summary of submissions and feedback from targeted engagement can be found in **Appendix 1**.

49. We have developed policy options alongside officials from the New Zealand Space Agency. The Ministry of Foreign Affairs and Trade were consulted during the development of this paper.

Risks and mitigations

50. A narrow change to the regulations, such as the change suggested under Option 2, is more likely to be achieved within the review timeframe. More complex changes, such as those under Option 3, require more time for policy development and PCO drafting. These are unlikely to be deliverable by the end of the year.
51. To provide an immediate solution by the end of the year, Cabinet will need to prioritise progressing the draft regulations in December. We will work with your office to ensure we meet timeframes for the Cabinet Legislation Committee (LEG).
52. Section 12 and 32 of the EEZ Act states you must establish a process that you consider gives the public, iwi authorities, and persons whose existing interests are likely to be affected adequate time and opportunity to comment on the subject matter of the proposed regulations. Seven submitters raised concerns about engagement with iwi/hapū and the length of the consultation period however these related to matters outside the scope of the review.
53. 9(2)(g)(i)
[REDACTED]
54. When space vehicle jettison debris was first included in the EEZ regulations in 2016, we received seven submissions over a two-month period. In contrast, the current review has attracted 29 submissions from a broad range of individuals and groups.

9(2)(h)



9(2)(h)



Financial, regulatory and legislative implications

60. These policy options will require an amendment to the EEZ regulations.

Next steps

61. Following your decision, we will issue drafting instructions to PCO.
62. We will provide you with a draft Cabinet Paper and regulations in mid-November 2025. The Cabinet Paper will seek an exemption to the 28-day rule [Cabinet Manual 7.101 refers]. We will also provide you with advice on a longer-term solution to the launch limit within the Cabinet paper.
63. To ensure regulations are in place by the end of the year, we recommend lodging the Cabinet Paper and draft recommendations by 4 December 2025 for the LEG meeting on 11 December 2025.
64. If approved by Cabinet, updated regulations will be in place by late December 2025. This is subject to Cabinet agreeing the exemption to the 28-day rule.



Appendix 1: Summary of feedback from public consultation and targeted engagement.

Appendix 2: Section 33 and 34 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

Appendix 3: Regulatory Impact Analysis and Treaty Impact Analysis

Appendix 3: Section 33 and 34 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

Section 33 Matters to be considered for regulations under section 27

- (1) This section and section 34 apply when the Minister is developing regulations for the purposes of section 27.
- (2) The Minister must have regard to any comments made under section 32(2).
- (3) The Minister must take into account—
 - a. any effects on the environment or existing interests of allowing an activity with or without a marine consent, including—
 - i. cumulative effects; and
 - ii. effects that may occur in New Zealand or in the waters above or beyond the continental shelf beyond the outer limits of the exclusive economic zone; and
 - b. the effects on the environment or existing interests of other activities undertaken in the exclusive economic zone or in or on the continental shelf, including—
 - i. the effects of activities that are not regulated under this Act; and
 - ii. effects that may occur in New Zealand or in the waters above or beyond the continental shelf beyond the outer limits of the exclusive economic zone; and
 - c. the effects on human health that may arise from effects on the environment; and
 - d. the importance of protecting the biological diversity and integrity of marine species, ecosystems, and processes; and
 - e. the importance of protecting rare and vulnerable ecosystems and the habitats of threatened species; and
 - f. New Zealand's international obligations; and
 - g. the economic benefit to New Zealand of an activity; and
 - h. the efficient use and development of natural resources; and
 - i. the nature and effect of other marine management regimes; and
 - j. best practice in relation to an industry or activity; and
 - k. in relation to whether an activity is classified as permitted, discretionary, non-notified, or publicly notifiable, the desirability of allowing the public to be heard in relation to the activity or type of activity; and
 - l. any other relevant matter.

Section 34 Information principles

- (1) When developing regulations under sections 27, 29A, and 29B, the Minister must—
 - a. make full use of the information and other resources available to him or her; and
 - b. base decisions on the best available information; and
 - c. take into account any uncertainty or inadequacy in the information available.

- (2) If, in relation to the making of a decision under this Act, the information available is uncertain or inadequate, the Minister must favour caution and environmental protection.
- (3) If favouring caution and environmental protection means that an activity is likely to be prohibited, the Minister must first consider whether providing for an adaptive management approach would allow the activity to be classified as discretionary.
- (4) In this section, best available information means the best information that, in the particular circumstances, is available without unreasonable cost, effort, or time.

Treaty Impact Analysis – Policy Options

Executive summary:

1. A targeted amendment to the EEZ regulations is proposed to increase the number of launches which can deposit material on the seabed. This will increase the launch limit from 100 to 1,000.
2. The Minister for the Environment has statutory requirements in order to recognise and respect the Crown's responsibility to give effect to the principles of the Treaty of Waitangi for the purposes of the EEZ Act. These include establishing a process that gives iwi adequate time and opportunity to comment on the subject matter of proposed regulations and taking into account the effects of activities on existing interests.
3. Māori rights and interests, such as those under Treaty settlements and other arrangements, have been identified by desktop analysis and targeted engagement. Targeted engagement and public consultation were used to identify further interests and impacts directly with Māori.
4. The overall impact of space vehicle jettison debris on Māori rights and interests is considered low. This is due to the low risk of environmental effects for up to 1,000 launches and limited interaction with the area of debris deposition.
5. There is limited information on the effect of space vehicle jettison debris on cultural and spiritual values. Further exploration of cultural and spiritual interests and values could be explored as part of a long-term solution to launch capacity.

Background

6. The purpose of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act) is to promote sustainable management of natural resources of the Exclusive Economic Zone and Continental Shelf (EEZ), and to protect the environment from pollution by regulating or prohibiting the discharge of harmful substances and the dumping/incineration of waste and other matter.
7. Deposition of space vehicle launch debris is permitted under the Exclusive Economic Zone (Environmental Effects - Permitted Activities) Regulations 2013 (the regulations). Permitted launch debris in the EEZ includes metal fragments, carbon fibre and composite materials, lithium batteries, adhesives and small amounts of residual propellant such as kerosene.
8. Potential impacts of deposition of jettison debris in the EEZ include physical smothering of benthic organisms, noise disturbance, and direct strike causing mortality.
9. There is a 100-launch limit to manage environmental effects on the EEZ and continental shelf. Due to the rapid growth of the space and advanced aviation sector, this launch limit is anticipated to be reached in 2026. The Minister for the Environment has undertaken to review the regulations.

Proposal

10. A targeted amendment to the regulations is proposed to increase the number of launches which can deposit material on the seabed. This will increase the launch limit from 100 to 1,000.

11. This change to the launch limit is informed by the results of an ecological risk assessment undertaken by Earth Sciences New Zealand. This determined that the risk of negative effects on the marine environment from space vehicle debris deposition are low for up to 1,000 launches.
12. The change to the launch limit is also informed by the results of targeted engagement and public consultation. Targeted engagement was undertaken with Treaty partners and persons with existing interests in the EEZ.

Statutory context: Māori rights and interests and Treaty matters

13. This TIA and engagement with Māori can support the following statutory requirements:
14. Section 12 of the EEZ Act states: In order to recognise and respect the Crown's responsibility to give effect to the principles of the Treaty of Waitangi for the purposes of this Act, —
 - a) section 18 (which relates to the function of the Māori Advisory Committee) provides for the Māori Advisory Committee to advise marine consent authorities so that decisions made under this Act may be informed by a Māori perspective; and
 - b) section 32 requires the Minister to establish and use a process that gives iwi adequate time and opportunity to comment on the subject matter of proposed regulations; and
 - c) sections 33 and 59, respectively, require the Minister and a marine consent authority to take into account the effects of activities on existing interests, and
 - d) section 46 requires the Environmental Protection Authority to notify iwi authorities, customary marine title groups, and protected customary rights groups directly of consent applications that may affect them.
15. Subclauses 12(b) and (c) are relevant for this TIA, as they relate specifically to the development of regulations.
16. The definition of an existing interest under the EEZ Act is the interest a person has in:
 - any lawfully established existing activity, whether or not authorised by or under any legislation, including rights of access, navigation, and fishing;
 - any activity that may be undertaken under the authority of an existing marine consent granted under section 62;
 - any activity that may be undertaken under the authority of an existing resource consent granted under the Resource Management Act 1991;
 - the settlement of a historical claim under the Treaty of Waitangi Act 1975;
 - the settlement of a contemporary claim under the Treaty of Waitangi as provided for in an Act, including the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992; and
 - a protected customary right or customary marine title recognised under the Marine and Coastal Area (Takutai Moana) Act 2011.

Engagement with Māori

17. Consultation and engagement with iwi authorities is required as part of the regulation review process. Iwi authorities were notified about the review as part of the public consultation process.
18. The review process was planned to include perspectives from Māori with existing interests in the EEZ (e.g. Iwi/hapū with Treaty settlements relating to the EEZ, Māori with customary marine title applications or title adjacent to the Exclusive Economic Zone, Māori fisheries interests, and Māori involved in the space and advanced aviation sector).
19. Information and perspectives discussed during targeted engagement were used to inform policy options for public consultation. Effects on existing interests highlighted during targeted engagement and public consultation were used to assess policy options. Feedback from public consultation was used to develop final policy options, alongside the results of an ecological risk assessment.

Previous engagement

20. There was public consultation in 2016 on the regulations. Three iwi submitted on the regulations.
 - Ngāti Kuri submission - Noted area where deposition occurs includes between Te Rerenga Wairua (at the top of the North Island) and Manawatawhi (Three Kings Islands) which is part of the spiritual pathway of Te Ao Māori (for which Ngāti Kuri holds kaitiaki rights and responsibilities). This area was removed from the authorised launch deposit area in the EEZ regulations. Requested discretionary activity status for deposition.
 - Ngāti Toa submission - Noted concerns with lack of consultation and environmental impact.
 - Ngāti Ruanui submission - Concerned about environmental impact and impact on existing interests, requested discretionary activity status for deposition.
21. These iwi were informed about the review as part of the public consultation process.

Targeted engagement on recent amendments

22. Officials identified Treaty partners and persons with existing interests (such as those under other arrangements eg under the Ngā Rohe Moana ō Ngā Hāpu ō Ngāti Porou Act 2019) through an initial Treaty Impact Analysis.
23. These groups were contacted in advance of public consultation by the Minister for the Environment to notify them of the review and offer an opportunity to undertake targeted engagement with officials. A list of those contacted and their feedback can be found in **Appendix 1**. Many groups did not respond to the invitation to engage.
24. Engagement was targeted at Te Ohu Kaimoana, as the entity responsible for promoting the interests of Māori under the Māori Fisheries Act 2004.
25. Engagement was also targeted at groups where officials identified that debris is most likely to be deposited in their rohe moana:

- Hokotehi Moriori Trust and Ngati Mutunga Trust
- Te Rūnanga o Ngāi Tahu
- Whānau, hapū and marae of Rongomaiwha, as represented by the Mahia Māori Committee
- Ngā hapū o Ngāti Porou.

26. Officials met with Te Ohu Kaimoana and ngā hapū o Ngāti Porou before public consultation. The rationale for review, ecological risk assessment, and initial options for amending the limit were discussed with these groups. Feedback provided is summarised under *Impacts on Treaty settlements*.

Public consultation

27. Officials identified iwi authorities and persons whose existing interests were likely to be affected, such as Customary Marine Title/Protected Customary Rights holders and applicants and Māori with relationships with ground-based space facilities. These groups were notified of the public consultation period and invited to submit on proposed options.

9(2)(a)



35. All submissions by iwi authorities highlighted the need for monitoring provisions and collaboration with Māori to determine effects (both in the EEZ and territorial sea) and develop policy. While out of scope of the review, these could be considered as part of advice on a long-term solution to launch capacity.

36. Rangitāne Tū Mai Rā Trust, Ngāti Pāhauwera and Te Rūnanga o Toa Rangatira have customary marine title applications adjacent to the area where debris is deposited. Ngati Whakarara Ngāti Hau Takutai Kaitiaki Trust holds customary marine title under the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.
37. Officials received 12 submissions from individuals who identify as mana whenua near ground-based launch facilities in Mahia. These submissions highlighted effects which are out of scope of the regulation review – particularly effects on access to customary fisheries and fish stocks within the territorial sea.

Analysis of Māori rights and interests and Treaty matters

Impacts on identified Māori rights and interests

38. Māori rights and interests have been identified by desktop analysis. Targeted engagement and public consultation were used to identify further interests and impacts directly with Māori. The scope of our targeted engagement and analysis is largely confined to Māori with existing interests as per the EEZ legislation.
39. Māori have a cultural, economic and spiritual connection to the marine environment. Māori consider the mauri (life force) and wairua (spirit) of the ocean as an interconnected whole, rather than as distinct areas defined by legislative maritime boundaries. However certain rights to areas within the ocean can be conferred to groups, which are based on tikanga.
40. The Treaty of Waitangi affirms Māori rights to exercise rangatiratanga in relation to taonga (eg, marine resources, fisheries). Many iwi/hapū exercise kaitiakitanga over marine taonga within their specific rohe moana, which can encompass both the territorial sea and EEZ.
41. Māori holistic perspectives extend to activities such as the launch of space vehicles, where the effects on land and the territorial sea are inseparable from the effects of deposition in the EEZ. This was highlighted in submissions from individuals and Māori groups, which outlined effects in areas both in scope and out of scope of the review.
42. The jettison of debris into the EEZ waters could be seen as inconsistent with the principles of kaitiakitanga (guardianship), particularly where it may impact taonga species or ecosystems.
43. There is not a large information base regarding Māori rights and interests or their experiences of launch debris in the EEZ. There is more information on the economic and environmental effects of space vehicle jettison debris than on cultural or spiritual effects specifically, noting that environmental effects and cultural and spiritual effects are often intertwined (eg, an environmental impact may have an effect on cultural practices and cultural identity).
44. Feedback from submissions and targeted engagement reflected a range of views, with some supporting an increase to the launch limit and some opposed. This suggests a range of views on the potential impact of the activity on existing interests. A long-term solution could consider additional research into cultural and spiritual interests in the EEZ and how these can be supported through regulations.
45. The ecological risk assessment deemed the impact of space vehicle jettison debris on marine ecosystems to be low. Debris poses a low environmental risk to the geographically relevant rohe moana—customary fishing areas under the Fisheries Act 1996 and Ngā Rohe Moana ō

Ngā Hapū o Ngāti Porou Act 2019 (see Targeted engagement section). These areas are largely within the territorial sea, although some rohe moana extend into the EEZ.

46. The effects of space vehicle jettison debris on taonga species (eg whales, snapper) were considered as part of broader ecological groupings – air-breathing species, pelagic species, and demersal communities. The risk of adverse effects on these species remains low for up to 1,000 launches.
47. However, several submissions from Māori note that there are large gaps in the information base for assessing the impacts of launch debris, as the debris from both failed and successful launches is not regularly monitored and reported on. They consider that this monitoring gap means cumulative effects particularly cannot be adequately assessed.
48. Each space vehicle jettison event is reported to the Environmental Protection Authority (EPA) using pre and post activity reports described in Schedule 4A of the EEZ regulations. The EPA is required to notify iwi, hapū, customary marine title groups, and protected customary rights groups whose existing interests the EPA considers may be affected by the activity that the event has commenced.
49. As space vehicle launches are a relatively new activity, there is limited information on the cultural and environmental effects of debris deposition. Monitoring and reporting provisions (including funding arrangements) are outside of the scope of this review and could be considered as part of a long-term solution recommended to Cabinet in December 2025.
50. During a space vehicle launch, a temporary ‘Launch Hazard Area’ in the Exclusive Economic Zone is notified. Mariners are advised to avoid the area for a period of up to a day to ensure public safety. This affects customary fishing, recreational activities, and commercial activities such as fishing and maritime transport.
51. The previous launch hazard areas have been in areas with very low vessel traffic and fishing effort. Less than 20 vessels of all types annually pass through the area where debris has been deposited in the past.
52. The proposal to increase the launch limit may mean that these temporary closures could occur more frequently. However, the impact expected to remain low given the limited volume of activity in the area.
53. Māori are actively involved in the space and advanced aviation sector through partnerships relating to ground-based space activities. These are Tawapata South Incorporated’s (Māori Land Trust) agreement with Rocket Lab in Mahia and the Tāwhaki National Aerospace Centre in Kaitorete, a partnership between the Crown and Waiwera and Taumata Rūnanga of Ngāi Tahu.
54. Economic impacts of ground-based space and advanced aviation facilities are not within scope of this review. However, an increase in launch activity would positively benefit the sector as a whole.

Impact on Treaty settlements

Treaty of Waitangi (Fisheries Claims) Settlement Act 1992

55. Māori have fisheries interests in the Exclusive Economic Zone through the Treaty of Waitangi (Fisheries Claim) Settlement Act 1992. This includes stakes in fisheries companies, customary fishing rights and allocated commercial quota rights.
56. Iwi/hapū own 33% of the commercial fishing quota in New Zealand and a large stake in Sealord, a major New Zealand export company. The profits from these are distributed back to members and form a significant part of rebuilding Māori economic self-sufficiency.
57. Space vehicle debris is likely to be deposited in several fisheries management areas: FMA2, FMA4, SOE (Southeast Chatham Rise), FMA3, SEC (Southeast Coast) and FMA6, SUB (Sub-Antarctic).
58. Debris deposited on the seabed are a hazard to fishing vessels with seabed-contacting gear. More launches will mean an increased risk of this occurring. Contact between space vehicle jettison debris and fishing gear could result in damage or lost gear and can be a hazard to crew clearing the nets.
59. The ecological risk assessment indicated that half the previous launches had debris fall into fishable areas (shallower than 1,600 metres), but only a handful of launches had debris fall in the trawl footprint (where fishing is occurring or has occurred in the past). There have been no recorded incidents of fishing gear interacting with space vehicle jettison debris.
60. Increasing the number of launches could potentially see more debris fall in the trawl footprint or the wider fishable area. This could increase the likelihood of fishing gear interacting with space vehicle jettison debris.
61. The ecological risk assessment deemed the impact of space vehicle jettison debris on marine ecosystems, including fisheries, to be low. The effect of debris on fishing activities, such as trawling, were also determined to be low.

9(2)(ba)(i)



64. Recovery of jettisoned debris is difficult due to ocean conditions in the area of deposition. Officials understand that recovery may become more viable in the future, as space vehicle technology develops.

9(2)(ba)(i)



66. An increase in launch debris deposition requiring debris hazard zones may impact on the ability to exercise commercial fishing rights. However, we consider the impact of this to be low given the limited number of vessels fishing in the area where debris is deposited.

67. The Marine and Coastal Area (Takutai Moana) Act 2011 covers the common marine and coastal area, which does not encompass the Exclusive Economic Zone and Continental Shelf. Customary Marine Title holders have RMA and Conservation Permission Rights in their title area.
68. There are no customary marine title or protected customary rights areas within the Exclusive Economic Zone. However, customary marine title and protected customary rights holders are considered existing interests under the EEZ Act.
69. The debris hazard zones identified for previous launches have been adjacent to the customary marine title areas of Ngāi Tahu and Ngāti Porou.
70. Officials provided opportunities for engagement to customary marine title and protected customary rights holders and applicants as part of the targeted consultation process to identify any potential impacts of the activity on their areas of interest.
71. Feedback from CMT and PCR applicants and holders provided during public consultation expressed concerns about potential exclusion from areas of the ocean during launches and environmental effects which could impact customary activities in the territorial sea.
72. The effects of space vehicle jettison debris in the EEZ do not extend into the territorial sea. Effects in the territorial sea are also out of scope of the regulation review. We consider the effect of space vehicle jettison debris in the EEZ on CMT/PCR holders and applicants to be low as a result.

Maniapoto Claims Settlement Act 2022

73. The Maniapoto Settlement includes a Crown acknowledgement of Maniapoto's statement of interest in part of the EEZ (s125).
74. Officials informed Ngāti Maniapoto of the public consultation. This notification informed Ngāti Maniapoto that we had considered their interest in the EEZ and did not consider that it would be impacted by these regulations.
75. While the area of interest is on the West Coast and unlikely to be impacted by increased launches at this time, the Crown's acknowledgement may confer expectations for consultation in the future.

Moriori Claims Settlement Act 2021

76. The Moriori Deed of Settlement acknowledges the Wharekauri/Rēkohu fisheries area. This area extends to the edge of the EEZ and is jointly managed by Hokotehi Moriori Trust and Ngāti Mutunga o Wharekauri.
77. The Minister for the Environment contacted Hokotehi Moriori Trust and Ngāti Mutunga o Wharekauri to inform them of the review. Officials contacted both imi/iwi before public consultation began to organise an opportunity for targeted engagement.
78. Effects on the Wharekauri/Rēkohu fisheries area are anticipated to be the environmental effects of debris on fish populations, exclusion due to 'Debris Hazard Areas', and potential interactions between fisheries gear and deposited debris.

79. The impact of these effects is anticipated to be low given the very low volume of vessel traffic and fishing effort in the area.

Ngā Tahu Claims Settlement Act 1998

80. The Ngā Tahu Claim area extends to the New Zealand fisheries waters within the coastal marine area and exclusive economic zone adjacent to the seaward boundary of the coastal marine area. It also includes taonga species which may migrate into the Exclusive Economic Zone.
81. The Crown must engage in good faith where decisions on regulations may affect species or resources recognised in the settlement, directly affect Statutory Acknowledgement areas in the territorial sea, or could affect the exercise of rights in the settlement.
82. The Minister for the Environment contacted Ngā Tahu to inform them of the review. Officials contacted Ngā Tahu before public consultation began to organise an opportunity for targeted engagement.
83. Effects on the Ngā Tahu Claim Area area are anticipated to be the environmental effects of debris on fish populations, exclusion due to 'Debris Hazard Areas', and potential interactions between fisheries gear and deposited debris.
84. The impact of these effects is anticipated to be low given the very low volume of vessel traffic and fishing effort in the area.

Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019

85. The Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 gives effect to the deed of agreement between ngā hapū o Ngāti Porou and the Crown. In the deed, the Crown recognises that both parties wish to encourage the recognition and protection of a way of life that is based on the economic, cultural and spiritual relationship between ngā hapū o Ngāti Porou and ngā rohe moana o ngā hapū o Ngāti Porou.
86. The customary fishing area of ngā hapū o Ngāti Porou described in s48 of the Act extends to the edge of the EEZ. The rohe moana described in the Act only extends to the edge of the territorial sea.
87. The Act provides specific obligations on the Crown relating to Customary Marine Title areas and an environmental covenant. However, these do not extend to the Exclusive Economic Zone.
88. The Minister for the Environment contacted ngā hapū o Ngāti Porou to inform them of the review. Officials engaged with Ngāti Porou before public consultation to discuss the results of the ecological risk assessment and initial options.

9(2)(ba)(i)

90. Effects on ngā hapū o Ngāti Porou's fisheries area are anticipated to be the environmental effects of debris on fish populations, exclusion due to 'Debris Hazard Areas', and potential interactions between fisheries gear and deposited debris.
91. The impact of these effects is anticipated to be low given the very low volume of vessel traffic and fishing effort in the area.

Costs and benefits for Māori

92. There are very few activities that take place in the area where debris is jettisoned. Vessel traffic in the area is low and there is limited commercial or customary fishing activity.
93. The costs to Māori of increasing the space vehicle jettison launch limit in the EEZ regulations are considered to be low. This is due to the low level of interaction with the area where space vehicle jettison debris is deposited.
94. Public consultation and targeted engagement outlined potential costs for Māori which are outside of the scope of this review. These costs were related to land-based effects of space vehicle launches, costs relating to exclusion from coastal areas during launches, and inability to undertake customary activities.
95. There are potential matters (eg, loss of mauri) that there is inadequate information to assess. Perspectives on these may vary between Māori, reflecting differing views on the costs and benefits to existing interests. These considerations could be explored in a further review of the launch limit.
96. Benefits for Māori are also low – this is due to limited interaction in the area where debris is jettisoned. Potential benefits identified but outside the scope of the review are increased economic opportunities as a result of space and advanced aviation sector expansion.
97. Feedback from targeted engagement and public consultation highlighted the potential for iwi/hapū to be involved in monitoring and assessment of effects. This could benefit groups involved in these activities.

Overall assessment

98. The overall impact of space vehicle jettison debris on Māori rights and interests is considered to be low. This is due to the low risk of environmental effects for up to 1,000 launches and limited interaction with the area of debris deposition.
99. However, this assessment is based on limited information on the environmental, cultural and spiritual effects of debris deposition in the EEZ.
100. To support a robust information base, regular long-term monitoring and assessment of cultural and spiritual effects should be recommended as part of a long-term solution to launch capacity. This would enable more accurate assessment of impacts on Māori rights and interests over time.

Next steps

101. This Treaty Impact Assessment will accompany the policy options briefing and regulatory impact statement provided to the Minister for the Environment.

Sign-off

Approved by Manager Matthew Barbati-Ross, Manager Marine Policy	Signature: 
Date: 30/10/2025	
Approved by General Manager Jo Gascoigne, General Manager RM System	Signature: 
Date: 30/10/2025	

Appendix 1: Targeted engagement contacts and feedback

Group	Launch limit	Definition of a launch	Matters to consider	Matters out of scope
9(2)(a)	9(2)(a) [REDACTED]		9(2)(a) [REDACTED]	9(2)(a) [REDACTED]
9(2)(a)	9(2)(a) [REDACTED]		9(2)(a) [REDACTED]	9(2)(a) [REDACTED]
Rongomaiwahine Iwi Trust	Did not respond to offer to meet.			
Te Rūnanga o Ngāi Tahu	Did not respond to offer to meet.			
Hokotehi Moriori Trust	Did not respond to offer to meet.			
Ngāti Mutunga o Wharekauri Iwi Trust	Did not respond to offer to meet.			
Tāwhaki National Aerospace Centre	Did not respond to offer to meet.			
Tawapata South Incorporation	Did not respond to offer to meet.			
<u>Customary Marine Title Holders/Applicants</u>	Did not respond to offer to meet (Note – this is a large number of iwi/hapū/whanau).			
<u>Protected Customary Right Holders/Applicants</u>	Did not respond to offer to meet (Note – this is a large number of iwi/hapū/whanau).			



BRIEFING

Space Vehicle Jettison Debris: Draft CAB-615 for consultation and feedback

Date:	13 November 2025	Priority:	High
Security classification:	Classification	Tracking number:	BRF-7056

Name and position	Action sought	Response by
Hon Penny Simmonds Minister for the Environment	Provide feedback on the draft Cabinet paper and then circulate for Ministerial consultation.	20 November 2025

Appendices and attachments

Appendix 1: Draft Cabinet paper *Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025*

Appendix 2: Draft Regulations

Appendix 3: Talking points for CAB-615

Contact for telephone discussion (if required)

Name	Position	Telephone	1st contact
Jo Gascoigne	General Manager, RM System	027 531 7202	✓
Matthew Barbat-Ross	Manager, Marine Policy	022 010 2147	
Bonnie Hartfield	Advisor, Marine Policy		

The following departments/agencies have been consulted

New Zealand Space Agency

Minister's office to complete:

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

Minister's Comments



BRIEFING

Space Vehicle Jettison Debris: Draft CAB-615 for consultation and feedback

Date:	13 November 2025	Priority:	High
Security classification:	Classification	Tracking number:	BRF-7056

Purpose

This briefing provides you with a draft Cabinet paper to approve for Ministerial consultation. This paper includes draft regulations, a waiver of the 28-day rule, and advice on whether further review of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2013 ('EEZ Act') and Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013 ('EEZ Regulations') is needed.

Key points

1. Cabinet agreed that you would return by December 2025 with draft regulations and advice on whether a further review of the EEZ Act and Regulations is needed, including whether a limit on deposition is needed at all [CAB-25-MIN-0285 refers].
2. You have agreed to increase the launch limit to 1,000 in consultation with the Minister for Space [BRF-6899 refers]. Officials have prepared a draft Cabinet paper for you to progress to Cabinet (**Appendix 1**). This paper includes draft regulations (**Appendix 2**), a waiver of the 28-day rule for secondary legislation, and advice on whether further review of the EEZ Act and Regulations is needed.
3. Further review of the EEZ Act and Regulations will be required before the amended 1,000-launch limit is reached. We do not consider further review an immediate priority as the 1,000-launch limit provides considerable launch capacity.
4. 9(2)(h)
[REDACTED]
5. We recommend undertaking Ministerial consultation from 24 – 28 November 2025, then lodging a revised Cabinet paper by 4 December 2025 for the Cabinet Legislation Committee (LEG) meeting on 11 December 2025. Talking points for the meeting can be found in **Appendix 3**.
6. Should Cabinet approve the draft regulations and a waiver of the 28-day rule, the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 will be in force by 19 December 2025.

Recommended action

The Ministry for the Environment recommends that you:

<p>1. provide feedback on the draft Cabinet paper <i>Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025</i></p> <p>2. consult with Ministers on the draft Cabinet paper</p> <p>3. note that following feedback, a final Cabinet paper will be provided to you for lodgement on 4 December 2025 for consideration at the Cabinet Legislation Committee on 11 December 2025</p> <p>4. agree to proactively release this briefing, the Cabinet paper and associated minute within 30 business days of Cabinet's decision.</p>	<i>Agree / Disagree</i> <i>Agree / Disagree</i> <i>Agree / Disagree</i> <i>Agree / Disagree</i>
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Jo Gascoigne
General Manager, RM System
 Environmental Management and Adaptation
 Ministry for the Environment

13 / 11 / 2025

Hon Penny Simmonds
Minister for the Environment

____ / ____ / 2025

Space Vehicle Jettison Debris: Draft CAB-615 for consultation and feedback

Background

1. You have been delegated responsibility to make policy decisions on the review of EEZ Regulations in respect of space vehicle jettison debris, in consultation with the Minister for Space [CAB-25-MIN-0285 refers]. This review aims to find an immediate solution to near-term launch capacity by December 2025.
2. In consultation with the Minister for Space, you have decided to increase the launch limit under the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013 to 1,000 in total [BRF-6899 refers]. The Parliamentary Counsel Office (PCO) have drafted regulations to give effect to your decision. Draft regulations can be found in Appendix 2.

Timing for approval of draft regulations and advice on a longer-term review

Draft regulations need to be approved by the Executive Council

3. Draft regulations must be approved by the Cabinet Legislation Committee (LEG), confirmed by Cabinet, and submitted to the Executive Council for approval. We have prepared a draft Cabinet Paper (**Appendix 1**) to accompany the draft regulations (**Appendix 2**).
4. The draft Cabinet paper explains how the draft regulations are consistent with the principles of the Treaty of Waitangi, relevant legislation (such as the Bill of Rights Act 1990 and the Privacy Act 2020), relevant international standards and obligations, and the Legislation Guidelines. It is accompanied by a regulatory impact statement, details on how you have met your statutory responsibilities under section 33 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act), and the draft regulations. You have reviewed the regulatory impact statement and information on how you have met your statutory responsibilities [BRF-6899 refers].
5. In order for the draft regulations to be in place by the end of the year, approval by the Executive Council must take place before Parliament rises for the year. Cabinet will also need to agree to a waiver of the 28-day rule for secondary legislation.
6. Secondary legislation made by Order in Council must not come into force until at least 28 days after it has been notified in the *New Zealand Gazette*, unless Cabinet has agreed to a waiver [Cabinet Manual 7.100 – 7.103 refers].
7. The draft Cabinet paper requests a waiver of the 28-day rule. The amendment meets the requirements for a waiver as there are little or no effects on the public and the amendment is advantageous to the space and advanced aviation sector.

8. If the waiver is not granted, then the amendments will not come into force by the end of 2025. There is some risk that waiting until 2026 for the amendments to come into force could impact the sector's launch programme, as the current 100 launch limit could be reached sometime in 2026.
9. We recommend a Ministerial consultation period of one week, from 24 – 28 November 2025. We will undertake Departmental consultation at the same time. A revised paper can be lodged by 4 December 2025 for the LEG meeting on 11 December 2025. We have prepared talking points for this meeting, which can be found in **Appendix 3**.

Further review will be required in the future

10. Cabinet also invited you to provide advice on whether a further review of the EEZ Act and regulations is needed to support longer-term growth within environmental limits, including whether there needs to be a limit on deposition at all [CAB-25-MIN-0285 refers].
11. Further review of the EEZ Act and regulations will be required before the amended 1,000-launch limit is reached. Based on current launch cadence, we anticipate the amended limit could be reached by 2050 at the earliest. Based on this projection, we do not consider further review an immediate priority.
12. Officials from the Ministry and the New Zealand Space Agency have identified areas a further review could consider. These include exploring mechanisms to incentivise debris recovery and reuse, opportunities to future-proof the regulatory system, research on cultural and environmental effects, community engagement, and international engagement. We can provide more detailed advice on these areas.

9(2)(h)



Next steps

13. Key dates for the review can be found in **Table 1**.

Table 1: Next steps for the space vehicle jettison debris review	
Action	Date
Departmental and Ministerial consultation	24 – 28 November 2025
Lodgement	4 December 2025
LEG Committee	11 December 2025
Cabinet – Executive Council	15 December 2025
Regulations published in <i>NZ Gazette</i>	18 December 2025
Regulations in force	19 December 2025

Appendix 1: Draft Cabinet paper *Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025*

Appendix 2: Draft Regulations

Appendix 3: Talking points for CAB-615

Appendix 3: Talking points for CAB-615

- The space vehicle jettison debris limit under the EEZ regulations is near being reached. An increase to the limit is urgently needed to provide investment certainty and to support continued growth of the sector.
- Since the launch deposition limit was introduced in 2017, the New Zealand space and advanced aviation sector has grown rapidly. A 2024 economic study stated that the space sector contributes \$2.47bn to the New Zealand economy annually and supports around 17,000 full time equivalent positions in New Zealand.
- The New Zealand space market has grown 53% since 2019 with year-on-year growth of 8.9%. The Government has supported this growth through the *National Space Policy* in 2023 and has ambitions to double the size of the sector in the *Space and Advanced Aviation Strategy 2024 – 2030*.
- In August, Cabinet delegated me responsibility to find a solution to near-term launch capacity, in consultation with the Minister for Space. I was also asked to provide Cabinet with advice on whether further review is needed to support longer-term growth within environmental limits.
- I, in consultation with the Minister for Space, have decided to increase the launch limit from 100 launches to 1,000 launches. Initial projections show this limit will not be reached until 2050 at the earliest. This limit is based on the results of an ecological risk assessment, feedback from public consultation and targeted engagement with Treaty partners and persons with existing interests, and assessment of my statutory responsibilities under the EEZ Act.
- Feedback from submissions and targeted engagement reflected a range of views among Māori, with some supporting an increase to the launch limit and some opposed to any increase. Space vehicle operators were supportive of an increase to the launch limit, noting the administrative and financial burden applying for a marine consent would have for the industry.
- In deciding on a limit of 1,000 launches, I am satisfied that I have met my statutory requirements under sections 32 to 34 of the EEZ Act. These require me to:
 - establish a process that notifies the public, iwi authorities, regional councils, and persons whose existing interests are likely to be affected of the review and gives them adequate time to comment;
 - consider several matters when making decisions; and
 - use information principles to guide my decision.

- Increasing the launch limit to 1,000 will enable the space and advanced aviation sector to grow within environmental limits. It is anticipated this limit may not be reached for decades, if at all.
- A further review of the regulations will be needed before the amended launch limit is reached. This review could consider undertaking more research on effects, exploring ways to incentivise debris recovery and fund research, and engaging on New Zealand's approach to space vehicle jettison debris at an international level.
- However, a review of the EEZ Act and Regulations relating to space vehicle jettison debris is not an immediate priority, as the amended limit will provide capacity for decades to come.
- 9(2)(h)
[REDACTED]
[REDACTED]
[REDACTED]
- Following Ministerial and Departmental consultation, further information has been added to this Cabinet paper and Appendix 3 on the limitations of the ecological risk assessment, the ability to review regulations, and effects on existing interests.
- I am seeking a waiver of the 28-day rule for secondary legislation. There are no broader effects on the public from this amendment and it is advantageous to provide certainty to industry. The amended regulations should take place as soon as possible. This approach is consistent with the original amendment regulations.

Classification

Office of the Minister for the Environment

Chair, Cabinet Legislation Committee

Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 (**Appendix 1**).

Executive Summary

- 2 I have undertaken a narrow, targeted review of the space vehicle jettison regulations under the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013 ('EEZ Regulations') to find an immediate solution to near-term space vehicle launch capacity.
- 3 Cabinet delegated responsibility to me, in consultation with the Minister for Space, to develop policy and return by December 2025 with draft regulations and advice on whether a further review of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 ('EEZ Act') and Regulations was needed, including whether a limit on deposition is needed at all.
- 4 In consultation with the Minister for Space, I have decided to increase the launch limit under the EEZ Regulations to 1,000 launches in total. This will enable the space and advanced aviation sector to continue growing within environmental limits for decades to come. I am proposing a waiver of the 28-day rule for secondary legislation.
- 5 Further review of the EEZ Act and Regulations is not an immediate priority but will be needed before the amended launch limit is reached, which is likely to be by 2050 at the earliest. This could consider extending the launch limit, undertaking more research on cultural, economic and environmental effects, exploring ways to incentivise debris recovery and fund research, and engaging on New Zealand's approach to space vehicle jettison debris at an international level.

Policy

Background

- 6 Since the launch deposition limit was introduced in 2017, the New Zealand space and advanced aviation sector has grown rapidly. A 2024 economic study stated that the space sector contributes \$2.47bn to the New Zealand economy annually and supports around 17,000 full time equivalent positions in New Zealand.
- 7 The New Zealand space market has grown 53% since 2019 with year-on-year growth of 8.9%. The Government has supported this growth through the *National Space Policy* in 2023 and has ambitions to double the size of the sector in the *Space and Advanced Aviation Strategy 2024 – 2030*.
- 8 I have undertaken a narrow, targeted review of the EEZ Regulations, limited by the scope of matters for consideration under the EEZ Act, to enable near-term growth of the space and advanced aviation sector within environmental limits.
- 9 On 19 August 2025, the Cabinet Expenditure and Regulatory Review Committee delegated responsibility to me, in consultation with the Minister for Space, to authorise public and targeted consultation, develop and finalise policy, and issue Parliamentary Counsel Office (PCO) drafting instructions on amendments to the EEZ Regulations [EXP-25-MIN-0086 refers]. This was confirmed by Cabinet on 25 August 2025 [CAB-25-MIN-0285 refers].
- 10 Cabinet agreed that I would return by December 2025 with draft regulations and advice on whether a further review of the EEZ Act and Regulations is needed, including whether a limit on deposition is needed at all.

Ecological Risk Assessment

- 11 The Ministry for the Environment commissioned Earth Sciences New Zealand to undertake an updated ecological risk assessment. This assessment indicated that the risk of adverse effects on the environment is low for up to 1,000 launches. This means that the ecological impact of space vehicle debris is minimal or localised, with no significant disruption to populations, habitats or ecosystem function, and recovery would be rapid if the activity stopped.
- 12 The ecological risk assessment noted there is limited information on the marine environment where debris is deposited. As space vehicle launches are a relatively new activity, information on the environmental effects of space vehicle jettison debris is also limited.
- 13 Based on the results of the ecological risk assessment and feedback from targeted engagement, consultation was undertaken on three options:
 - 13.1 Keep the launch limit at 100 (no change)
 - 13.2 Change the launch limit to 1,000
 - 13.3 Remove the launch limit entirely

Public consultation

- 14 Targeted engagement was undertaken with Treaty partners and persons with existing interests before public consultation began. These groups were notified of the review and offered an opportunity to engage before initial options were developed. Officials met with representatives from ngā hapū o Ngāti Porou, Rocket Lab, Te Ohu Kaimoana, and University of Canterbury Aerospace.
- 15 Public consultation was open for a period of two weeks from 6 October to 19 October 2025. There were 29 submissions on the options being considered from industry groups, iwi/hapū, and individuals.
- 16 Submitters expressed a range of views on the launch limit: 16 submitters opposed any increase to the launch limit (including one submitter who did not support space vehicle launches in New Zealand), 12 supported an increase, and one supported removing the launch limit entirely. Ten of the submissions in opposition were for reasons that were out of scope of the review.
- 17 Feedback from submissions and targeted engagement reflected a range of views among Māori (iwi/hapū, Customary Marine Title/Protected Customary Rights holders and applicants, Māori fishing settlement trust and citizens), with some supporting an increase to the launch limit and some opposed to any increase. Space vehicle operators were supportive of an increase to the launch limit, noting the administrative and financial burden applying for a marine consent would have for the industry.
- 18 Submitters raised concerns about the following matters which are in scope of the review:
 - 18.1 Effects on taonga species (eg, whales, tuna (eel), snapper) and migratory pathways
 - 18.2 Effects of deposition on mauri and/or wairua of ocean and kaitiaki responsibilities
 - 18.3 Potential effects related to different types of launch vehicle using different materials
 - 18.4 Effects of noise disturbance from debris recovery vessels
 - 18.5 Breakdown of debris over time
 - 18.6 Potential for recovery of jettisoned debris.
- 19 Having taken this feedback into account, alongside the ecological risk assessment and advice from officials, I am satisfied that increasing the launch limit to 1,000 through the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 is appropriate.
- 20 Twenty submitters discussed potential effects that were outside the scope of the review. These included effects on the territorial sea and land near ground-based launch facilities.

Policy decisions

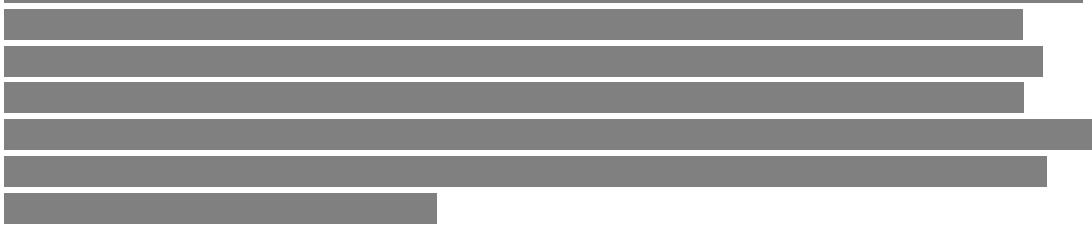
- 21 In consultation with the Minister for Space, I have decided to increase the launch limit to 1,000 in total. This decision is based on the results of the ecological risk assessment, comments from the public, iwi authorities and persons with existing interests, and assessment of options against my statutory responsibilities under the EEZ Act.
- 22 Increasing the launch limit will enable the space and advanced aviation sector to grow for many decades to come. Initial projections show the amended limit may be reached by 2050 at the earliest.
- 23 Increasing the limit is the only feasible option which can be in force by the end of the year and will ensure space vehicle operators do not need to apply for a marine consent.

Advice on further review of the EEZ Act and Regulations

- 24 Further review of the EEZ Act and Regulations is not an immediate priority but will be needed before the amended launch limit is reached. This could consider extending the launch limit, undertaking more research on cultural, economic and environmental effects, exploring ways to incentivise debris recovery and fund research, and engaging on New Zealand's approach to space vehicle jettison debris at an international level.
- 25 The Ministry for the Environment can also commission a new ecological risk assessment if there are substantial changes to the launch landscape (for example a significant increase in launch frequency) after the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 are in force. The Minister for the Environment is able to review the EEZ Regulations at any time.

26

9(2)(h)



Timing and 28-day rule

- 27 I seek Cabinet's agreement to a waiver of the 28-day rule [Cabinet Manual 7.100 – 7.103 refers] to allow the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 to come into force as soon as practicable. There are very few broader effects on the public from this amendment to the EEZ Regulations. It is advantageous to provide certainty to the space and advanced aviation sector as soon as possible. This request for a waiver is consistent with the approach taken to the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Amendment Regulations 2018 which added the launch limit of 100 for rule for space vehicle jettison debris.

28 I propose that the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 come into force on 19 December 2025.

Compliance

29 The Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 are consistent with each of the following:

- 29.1 the principles of the Treaty of Waitangi;
- 29.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
- 29.3 the principles and guidelines set out in the Privacy Act 2020;
- 29.4 relevant international standards and obligations;
- 29.5 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.

30 I must not recommend the making of regulations under sections 27 and 30 of the EEZ Act unless I am satisfied that the requirements of sections 32 to 34 have been met. I am satisfied that I have met these requirements.

Treaty of Waitangi

31 Section 12 of the EEZ Act outlines how I can give effect to the principles of the Treaty of Waitangi for the purposes of the EEZ Act. I must establish and use a process that gives iwi authorities adequate time and opportunity to comment on the subject matter of proposed regulations. I am satisfied I have met this requirement.

Consultation

32 I am satisfied I have met the requirements under section 32 of the EEZ Act which requires me to:

- 32.1 Notify the public, iwi authorities, regional councils, and persons whose existing interests are likely to be affected of the proposed subject matter of the regulations and my reasons for considering that the regulations are consistent with the purpose of the EEZ Act; and
- 32.2 Establish a process that I consider gives the public, iwi authorities, and persons whose existing interests are likely to be affected adequate time and opportunity to comment on the subject matter of the proposed regulations.

- 33 A discussion document was released on 6 October 2025 that set out initial policy options and my reasons for considering these were consistent with the purpose of the EEZ Act. Public feedback was sought for two weeks.
- 34 Notification emails were sent to iwi authorities, regional and local government chief executives, and persons with existing interests (such as space vehicle operators, fisheries quota holders, customary marine title/protected customary rights holders and applicants) alerting them to the proposal and consultation period.

Matters to consider when making regulations

- 35 Section 33 of the EEZ Act sets out matters I must consider when developing regulations. The information I have used to consider these is summarised in **Appendix 3**.
- 36 As required under Section 33(2) of the EEZ Act, I have had regard to the comments received during the consultation period in developing the regulations. Feedback supported a limit on launch debris, with a range of preferred limits.
- 37 Section 33(3) of the EEZ Act requires me to take into account several matters when developing regulations, including environmental effects, effects on existing interests, the importance of protecting the biological diversity and integrity of marine species, ecosystems and processes, New Zealand's international obligations, and the economic benefits to New Zealand of an activity.
- 38 In developing the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025, I have taken into account the matters set out in section 33(3). Increasing the launch limit to 1,000 ensures the risk of adverse effects continues to be low, the economic benefit of space vehicle launches continues to be realised, and New Zealand meets our international obligations.
- 39 I have applied the information principles under section 34 of the EEZ Act. These principles require that, in developing regulations, I must make full use of the available information, base decisions on the best available information, take into account any uncertainty or inadequacy in the information, and favour caution and environmental protection if the information is uncertain or inadequate.
- 40 An updated ecological risk assessment was undertaken to provide up to date information on the marine environment. This ecological risk assessment noted that the information on the marine environment and effects of space vehicle launches is limited. I am satisfied that I have favoured caution and environmental protection by maintaining a limit on launch debris deposition.

Purpose of the EEZ Act

- 41 The purpose of the EEZ Act is outlined in section 10 of the Act. This is to promote the sustainable management of the natural resources of the exclusive economic zone and continental shelf, and to protect that environment from pollution by regulating or prohibiting the discharge of harmful substances and the dumping or incineration of waste or other matter.
- 42 Having taken into account all the statutory requirements for developing regulations, I am satisfied that the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 are consistent with the purpose of the EEZ Act.

Regulations Review Committee

- 43 I do not consider there are grounds for the Regulation Review Committee to draw the regulations to the attention of the House of Representatives under Standing Order 327.

Certification by Parliamentary Counsel

- 44 The Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 has been certified by the PCO as being in order for submission to Cabinet, provided that the Minister has—
 - 44.1 followed the process set out in section 32 of the EEZ Act;
 - 44.2 had regard to any comments received from that process (as required by section 33(2) of the EEZ Act);
 - 44.3 taken into account the matters listed in section 33(3) of the EEZ Act;
 - 44.4 complied with section 34 of the EEZ Act (which requires the Minister to apply use certain information principles when developing regulations made under section 27).

Impact Analysis

- 45 The Regulatory Impact Analysis (RIA) requirements apply to the proposal in this paper and a Regulatory Impact Statement (RIS) has been prepared and is attached as **Appendix 2**.
- 46 The Ministry for the Environment's Regulatory Impact Analysis Panel has reviewed the attached RIS prepared by the Ministry for the Environment. The panel consider that the RIS meets the quality assessment criteria. The Panel noted the public consultation period was short, but likely appropriate for a targeted, narrow amendment to regulations.

Publicity

47 I will announce the regulations through a joint press release with the Minister for Space, Hon Judith Collins.

Proactive release

48 I intend to proactively release this Cabinet paper in part within 30 business days of decisions being confirmed by Cabinet.

Consultation

49 The Civil Aviation Authority, Department of Conservation, Environmental Protection Authority, Land Information New Zealand, Maritime New Zealand, Ministry for Business, Innovation and Employment, Ministry of Defence, Ministry for Foreign Affairs and Trade, Ministry for Primary Industries, Ministry of Transport, Te Puni Kōkiri, Te Tari Whakatau and Treasury New Zealand were consulted on this paper. The Department of Prime Minister and Cabinet was informed of the paper.

Recommendations

I recommend that the Cabinet Legislation Committee:

- 1 **note** that on 19 August 2025 the Expenditure and Regulatory Review Committee delegated responsibility to me, in consultation with the Minister for Space, to approve public and targeted consultation, develop and finalise policy, and issue Parliamentary Counsel Office (PCO) drafting instructions on amendments to the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013 [CAB-25-MIN-0285 refers];
- 2 **note** that the Minister for the Environment, in consultation with the Minister for Space, has decided to increase the space vehicle jettison debris deposition limit in the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013 to 1,000 in total;
- 3 **note** further review of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 and Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Regulations 2013 will be needed before the amended limit is reached, but this is not an immediate priority as, based on current launch cadence, the amended launch capacity is not likely to be reached for several decades.
- 4 **note** that the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 will give effect to the decision referred to in paragraph 2 above;
- 5 **note** that Cabinet's agreement to a waiver of the 28-day rule [Cabinet Manual 7.100 – 7.103 refers] is sought:
 - 5.1 so that the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 will come into force as soon as possible, on the grounds that;
 - 5.2 the amendment has little or no effect on the public;
 - 5.3 the amendment provides certainty to the space and advanced aviation sector; and
 - 5.4 a waiver is consistent with the approach taken to the Exclusive Economic Zone and Continental Shelf (Environmental Effects – Permitted Activities) Amendment Regulations 2018.
- 6 **agree** to waive the 28-day rule so that the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 will come into force on 19 December 2025;
- 7 **note** that the Minister for the Environment is satisfied that the requirements of sections 32 to 34 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 have been met.

8 **authorise** the submission to the Executive Council of the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025.

Authorised for lodgement.

Hon Penny Simmonds

Minister for the Environment

Appendix 1: Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025

Appendix 2: Regulatory Impact Statement Space vehicle jettison debris – Launch limit increase

Appendix 3: Assessment of Section 33 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

Appendix 3: Assessment of Section 33 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

Clause	Analysis
The Minister must have regard to:	
(2) - Any comments made under section 32(2).	<p>There were 29 submissions received during the public consultation period. Submitters expressed a range of views on the launch limit: 16 submitters opposed any increase to the launch limit (including one submitter who did not support space vehicle launches in New Zealand), 12 supported an increase, and one supported removing the launch limit entirely. 10 of the submissions in opposition were for reasons that were out of scope of the review.</p> <p>Submitters who were in favour of increasing the launch limit showed a preference for a range of limits from 150 to 1,000. Several submitters expressed a preference for staggered increases with regular reviews of environmental, cultural and spiritual effects.</p> <p>This feedback has been used to inform the selection of a launch limit of 1,000.</p>
The Minister must take into account:	
<p>(3)(a) - Any effects on the environment or existing interests of allowing an activity with or without a marine consent, including—</p> <ul style="list-style-type: none"> (i) cumulative effects; and (ii) effects that may occur in New Zealand or in the waters above or beyond the continental shelf beyond the outer limits of the exclusive economic zone. 	<p>The Ministry for the Environment commissioned an updated ecological risk assessment from Earth Sciences New Zealand. This indicated the risk of adverse effects due to increased launches are low for up to 1,000 launches (excluding debris falling on seamounts). Beyond 1,000 launches and on seamounts, the risk of adverse effects becomes moderate. Closed seamounts are already excluded from the authorised launch debris area under the EEZ regulations.</p> <p>The ecological risk assessment noted there is very limited information on the marine environment where debris is deposited, as well as the environmental effects of space vehicle jettison debris.</p> <p>Capping launches at 1,000 takes into account this information on the effects of space vehicle jettison debris on the marine environment. The risk of adverse effects remains low.</p>

Clause	Analysis
<p>(3)(b) - The effects on the environment or existing interests of other activities undertaken in the exclusive economic zone or in or on the continental shelf, including—</p> <ul style="list-style-type: none"> (i) The effects of activities that are not regulated under this Act; and (ii) effects that may occur in New Zealand or in the waters above or beyond the continental shelf beyond the outer limits of the exclusive economic zone 	<p>The area where space vehicle jettison debris is deposited is remote. Existing interests in the area include commercial and customary fishing, maritime transport, mining permits and customary marine title/protected customary rights holders and applicants. Persons with existing interests were contacted during targeted engagement and public consultation to notify them of the review and offer opportunities to provide feedback.</p> <p>The effects of increased space vehicle jettison debris on existing interests are considered to be low. Feedback received during public consultation supported the assessment of low effects on existing interests. There is limited fishing effort or vessel traffic in the area where debris is deposited (less than 20 vessels annually). There is one mining permit held in the authorised debris deposition area, which is not currently being exercised. Fishing activity may be displaced during launches, due to the notification of a launch debris area for several hours after the launch. We anticipate the effect of this on fishing activity to be low due to the low level of fishing and vessel traffic in the area of interest.</p> <p>Effects on customary fishing, Treaty settlements and other arrangements are considered to be low due to limited interaction with the area of deposition. Treaty settlements and other arrangements relevant to the area where deposition occurs are the Ngāi Tahu Settlement Act 1998, Moriori Claims Settlement Act 2021, Treaty of Waitangi (Fisheries Claim) Settlement Act 1992 and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019. Effects on these settlements and other arrangements were considered through a Treaty Impact Analysis and targeted engagement.</p>
(3)(c) - The effects on human health that may arise from effects on the environment	n/a – there are no effects on the environment which may impact human health.
(3)(d) - The importance of protecting the biological diversity and integrity of marine species, ecosystems, and processes	The ecological risk assessment considered effects on a wide range of species groups and environment covering New Zealand marine biological diversity (to the best of current knowledge and data) in the deposition zone.
(3)(e) - The importance of protecting rare and vulnerable ecosystems and the habitats of threatened species	The ecological risk assessment considered sensitive benthic environments when assessing risks to seafloor ecosystems and had a specific assessment category for seamounts (underwater hills) that have high biodiversity value. It concluded that the risk to such habitats was moderate at 1,000 launches. However closed seamounts are already

Clause	Analysis
	excluded from the authorised launch debris area under the EEZ regulations, and this is not proposed to be changed.
(3)(f) - New Zealand's international obligations	9(2)(h)     
(3)(g) - The economic benefit to New Zealand of an activity	The space and advanced aviation sector contributed \$2.47bn to the New Zealand economy in 2023-2024 and supported 17,000 full time equivalent jobs. The sector has grown 8.9% a year since 2019. The sector has strong export performance and high levels of research and development.

Clause	Analysis
	<p>The technologies delivered by the space and advanced aviation sector are considered essential to the day-to-day functioning of New Zealand; enabling navigation and communication, security and defence, environmental monitoring, disaster response and recovery, weather forecasting and natural resource management.</p> <p>Increasing the launch limit to 1,000 will enable the sector to continue growing.</p>
(3)(h) - The efficient use and development of natural resources	<p>Increasing the number of launches could potentially see more debris fall in the trawl footprint or the wider fishable area. This could increase the likelihood of fishing gear interacting with space vehicle jettison debris. This risk is anticipated to be low given the limited fishing activity in the area of deposition.</p>
(3)(i) - The nature and effect of other marine management regimes	<p>n/a – the activity does not take place within the territorial sea or affect other marine management regimes within New Zealand's jurisdiction.</p>
(3)(j) - Best practice in relation to an industry or activity	<p>Space vehicle launches are a relatively novel activity. New Zealand is one of the few States that explicitly manages the effects of space vehicle jettison debris in the Exclusive Economic Zone.</p>
(3)(k) - In relation to whether an activity is classified as permitted, discretionary, non-notified, or publicly notifiable, the desirability of allowing the public to be heard in relation to the activity or type of activity	<p>n/a – this is an existing permitted activity. The amended regulations do not propose a change to the activity classification. The amended regulations have been subject to full public notification, and the public have been invited to make submissions.</p>
(3)(l) - Any other relevant matter	<p>n/a</p>



Cabinet Legislation 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.

Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025

Portfolio Environment

On 4 December 2025, the Cabinet Legislation Committee:

- 1 **noted** that in August 2025, the Cabinet Expenditure and Regulatory Review Committee authorised the Minister for the Environment, in consultation with the Minister for Space, to approve public and targeted consultation, develop and finalise policy, and issue drafting instructions to the Parliamentary Counsel Office on amendments to the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Regulations 2013 [EXP-25-MIN-0086];
- 2 **noted** that the Minister for the Environment, in consultation with the Minister for Space, has decided to increase the space vehicle jettison debris deposition limit in the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Regulations 2013 to 1,000 in total;
- 3 **noted** that further review of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 and Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Regulations 2013 will be needed before the amended limit is reached, but this is not an immediate priority as, based on current launch cadence, the amended launch capacity is not likely to be reached for several decades;
- 4 **noted** that the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 will give effect to the decision referred to in paragraph 2 above;
- 5 **noted** that a waiver of the 28-day rule is sought so that the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 will come into force as soon as possible, on the grounds that:
 - 5.1 the amendment has little or no effect on the public;
 - 5.2 the amendment provides certainty to the space and advanced aviation sector;
 - 5.3 a waiver is consistent with the approach taken to the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2018;

6 **agreed** to waive the 28-day rule so that the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 will come into force on 19 December 2025;

7 **noted** that the Minister for the Environment is satisfied that the requirements of sections 32 to 34 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 have been met;

8 **authorised** the submission to the Executive Council of the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Permitted Activities) Amendment Regulations 2025 [PCO 28518/7.0].

Tom Kelly
Committee Secretary

Present:

Hon David Seymour
Hon Chris Bishop (Chair)
Hon Paul Goldsmith
Hon Shane Jones
Hon Nicole McKee
Hon Casey Costello
Hon James Meager
Stuart Smith, MP

Officials present from:

Officials Committee for LEG
Office of the Associate Minister of Justice (Hon Nicole McKee)



Cabinet

Minute of Decision

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Report of the Cabinet Legislation Committee: Period Ended 5 December 2025

On 8 December 2025, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 5 December 2025:

Out of scope

Out of scope

LEG-25-MIN-0256

**Exclusive Economic Zone and Continental Shelf
(Environmental Effects—Permitted Activities)
Amendment Regulations 2025**

Portfolio: Environment

CONFIRMED

Out of scope

Rachel Hayward
Secretary of the Cabinet