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**MINUTE 5 OF THE PANEL CONVENER**  
**Decisions on panel appointment and decision timeframe**  
**Green Steel [FTAA-2506-1074]**  
**(19 September 2025)**

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**Purpose of Minute**

- [1] On 10 September 2025, following a convener conference held on 4 September 2025, I issued Minute 4, outlining what I determined was the appropriate expert panel appointment process taking into account the requirements of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (River Settlement Act), the Fast Track Approvals Act 2024 (FTAA) and the procedural requirements of the two Joint Management Agreements (JMAs) between Waikato-Tainui and the Councils that also derive from the River Settlement Act.
- [2] Minute 4 also made directions for the EPA, Waikato River Authority (WRA) and the local authorities to undertake to make their required nominations or appointment selections for panel members pursuant to those requirements. The direction also stated that I would advise the EPA of my panel appointee as panel convener standing in the stead of the Waikato Regional Council (WRC). All directions were requested to be completed **by Friday 19th September 2025**.
- [3] These directions have been complied with and panel appointment details have been received from the various parties.
- [4] The purpose of this Minute is to:
- a. Confirm the appointment of the Green Steel Expert Panel to make a decision on the approvals sought;

- b. confirm my decision on the time frame for the Green Steel Expert Panel to deliver its decision.

[5] Once again, I record my thanks to all conference participants for their attendance and their timely and thoughtful responses both prior to and following the conference.

### **Expert panel - Decision**

[6] I have asked the EPA to appoint the following persons to the Green Steel Expert Panel to determine the substantive application:

- a. Matt Casey KC (chair) – this is a joint appointment by the Panel Convener and the WRA;
- b. Tim Manukau (matauranga, te ao Māori and Māori development, including Te Ture Whaimana) this is a Waikato River Authority appointment);
- c. Tim Baker (hydrogeology and land contamination) – Panel Convener appointment;
- d. Cherie Lane (Planner) – joint councils' nominee.

[7] I am satisfied that, collectively, the Green Steel Expert Panel will hold appropriate expertise and experience in relation to law, planning & policy, te ao Māori and Māori development particularly as it relates to Te Ture Whaimana, as well as effects on water, particularly groundwater in the Waikato River Catchment.

[8] There are a range of other specialist technical disciplines that the Expert Panel may wish to engage to assist them in their task and they will no doubt turn their minds to those matters once their work commences.

[9] The date on which the Green Steel Expert Panel will commence work **is 6 October 2025.**

[10] I strongly recommend that the Applicant continue its engagement with the local authorities, relevant agencies, iwi authorities and Treaty settlement

entities to identify or narrow issues in contention and continue to refine agreement on conditions. I also recommend that the Applicant make arrangements for a panel briefing session and for a site visit to occur, ideally both prior to the invitation to comment being issued (which will be due to occur on **20 October 2025**).

### **Decision timeframe - Decision**

[11] At the conference the Applicant sought a timeframe that provided 50 working days following the receipt of invited comments for the Expert Panel to deliver its decision. The Councils expressed no particular view, but generally considered that any issues, including as to conditions, were capable of constructive resolution. WRA considered that additional time could be added to the Applicant's proposal to allow for the end of year holiday period.

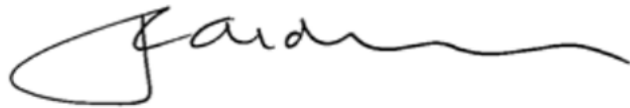
[12] I consider that a timeframe of **60 working days** following the receipt of invited comments is appropriate. The Expert Panel decision will be due on **4 March 2026**, subject to the application being suspended for any of the reasons outlined in section 60 of the Act, and to comments on the application being invited on **20 October 2025**.

[13] In setting the decision timeframe I have had regard to the following relevant matters:

- a. The nature of the application and the range of activities for which approval is sought, and the number and range of technical documents filed in support of the main AEE (some 33 appendices across 15 different disciplines);
- b. The participants' views that the application does not raise any novel or overly complex issues even though it is a steel recycling plant with onsite monofils;
- c. The possibility that some mechanism to resolve focused issues in dispute, or to workshop conditions, may need to be provided for by the Expert Panel;

- d. The impact of the end of year holiday period, which may limit the Panel's ability to finalise a draft decision and draft conditions for circulation, as well as the ability of other participants to review and comment on those draft documents at that time;
- e. The potential for procedural requirements under the JMAs to result in additional process steps or time allocation, as discussed in Minute 4.

[14] In terms of next steps, the participants will be contacted by the Green Steel Expert Panel upon commencement.

A handwritten signature in black ink, appearing to read 'J. Caldwell', with a large loop at the start and a wavy line extending to the right.

Jennifer Caldwell

Associate Panel Convener for the purpose of the Fast-track Approvals Act 2024