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Attention: Jessie Richardson
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Dear Jessie

Comment on Draft Conditions for the National Green Steel Fast Track Application (s89 of the FTAA)

Thank you for the opportunity to provide comment to correct minor omissions, errors, or other defects on the conditions for the above application. The Waikato Regional Council has reviewed the conditions and recommend the following amendments and/or additions for clarification for the Regional Council consents shown in **red text and strikeout**. Our comments are as follows:

A GENERAL CONDITIONS RESOURCE CONSENT FOR ACTIVITIES UNDER THE WAIKATO REGIONAL PLAN

Review Condition 12)d:

As currently worded provides for the Council to undertake a review for any “volume” specified in any regional consent. WRC considers that this should be specific to the groundwater and surface water take volumes only as a result we suggest the following changes to 12)d):

To review the appropriateness of any volume specified within ~~this consent~~ any groundwater take consent and/or surface water take consent held by the consent holder that is used in conjunction with the operation of the activities on the site and, if necessary, to address any inappropriateness of any volume by way of reducing any volume;

B AUTHORISATION FOR STORMWATER DISCHARGE

Conditions 16) and 21):

There is an incorrect reference in these conditions. The conditions reference condition 18 and it is WRC’s understanding that the correct condition to be referenced is condition 19. Therefore, the following corrections are recommended:

Condition 16)

“.....This report must be used to set appropriate trigger levels as required by condition 17 and form the basis of subsequent instream quarterly monitoring as required by condition ~~18-19~~.....”

Condition 21)

He taiao mauriora ▲ Healthy environment

He hapori hihiri ▲ Vibrant communities

He ōhanga pakari ▲ Strong economy

“If the monitoring required under condition ~~18~~ 19 shows non-compliance with the trigger limits establish under condition 17,....”

C DISCHARGE OF GREENHOUSE GAS TO AIR FROM THE COMBUSTION OF LPG AND CNG

Condition 6) ii:

Condition 6 ii uses new terminology when compared with condition 2). WRC recommends that the same wording be used throughout the consent conditions for this Regional consent. As a result, the following change is suggested to limit any potential interpretation that the condition refers to any other gas:

“6) ii Report on annual ~~natural gas~~ LPG and CNG usage and quantify greenhouse gas emissions identifying any trends compared to emissions targets set in the Emissions Plan; and....”

D AUTHORISATION FOR GROUNDWATER TAKING

Conditions 10) and 13):

These are duplicate conditions. We suggest that condition 13) be deleted, which will result in consequential re-numbering of conditions.

Condition 14 b):

This currently refers to condition 11 (a). This should refer to 13 a) (being new condition 13). There was no 11a) in the conditions granted.

E AUTHORISATION FOR MONOFILL ACTIVITIES

Condition 12 b):

There is an incorrect reference in this condition. The condition references condition 5 and should be referring to condition 6.

“...b) Whether a single or double composite liner will be needed, based on an assessment of leachable PFAS concentrations from the floc compared to the ASLP leachable PFAS landfill acceptance criteria specified in the HEPA 2025, PFAS National Environmental Management Plan Version 3.0, Heads of EPA Australia and New Zealand 2025. CC BY 4.0. (or as it is current at the time) and the information required by condition ~~5~~ 6 above;....”

Condition 30:

The table of trigger limits and footnote 3 contains some confusing information around the trigger limits and their source.

The PFOS trigger limit is 0.02 ug/L. This is the ANZ (2026) 99% species protection value that has just been released.

PFOA trigger limit is 19 ug/L. This is the PFAS NEMP 3.0 99% species protection value.

However, footnote 3 says that both PFOS and PFOA are based on the 95% species protection for the subsoil drainage and the 99% species protection for stormwater (PFAS NEMP 3.0 or subsequent updated version)

WRC considers that the footnote should accurately reflect the source of the trigger limits listed in the table. Secondly, the footnote as it currently reads, indicates that there is a 95% protection for subsoil drainage and 99% protection for stormwater which indicates that there should be two different trigger limits identified in the table for each of PFOS and PFOA. It is recommended that

if this is the Expert Consenting Panel's intention then the table is updated to contain 95% and 99% protection values in the table and that footnote 3 accurately identifies the source of the trigger limits i.e. PFAS NEMP for PFOA and the ANZ (2026) for PFOS.

Condition 32:

The table of groundwater trigger limits includes 19 ug/L for PFOA and 0.02 ug/L for PFOS but footnote 3 refers to 95% protection for subsoil drainage and 99% protection for stormwater. Therefore, the footnote needs to accurately reflect that this table is dealing with trigger limits for groundwater and therefore there should only be one trigger limit for each of PFOA and PFOS and reference to stormwater and subsoil drainage should be removed.

Condition 34:

There is an incorrect reference in this condition. The condition references condition 24 and should be referring to condition 32.

"If the monitoring required under condition ~~24~~ 32..."

F AUTHORISATION FOR SURFACE WATER TAKING

Condition 4 a):

WRC incorrectly included the word "net" in this condition. This was an error in the draft conditions provided by WRC. This word should be removed as per below:

a) Measure and record the ~~net~~ take volume on a continuous basis in units of cubic metres for each 15-minute period; and

Virtual water take measuring

The Expert Panel agreed to the inclusion of the virtual water take measuring within the groundwater authorisation. WRC in its response to the draft conditions requested that these virtual conditions to be incorporated into the surface water take consent as well. Currently there are no virtual system conditions included in this consent and WRC needs these to be included as part of its water accounting system.

The Expert Consenting Panel may, for consistency, consider adding equivalent conditions and wording listed below for a virtual system to the surface water take, so that the approach is the same for the two water take consents.

Within one month of the granting of the consent, the consent holder must implement a virtual water take measurement, recording and reporting system ("virtual system"). The virtual system must:

- a) generate 96 virtual measurement values per day representing 96 15-minute periods; and*
- b) record a take volume of zero cubic metres on a continuous basis in units of cubic metres for each 15-minute period; and*
- c) be automated and auditable; and*
- d) be capable of electronic daily reporting to WRC in accordance with WRC data standards and protocols; and*
- e) continuously operate upon and from its implementation date; and*

- f) *cease operating upon and from the implementation date of the physical system required by condition 5.*

The consent holder must ensure that the virtual system is verified as accurate by a suitably qualified person before the next 30 June following the granting of this consent, unless the physical system has been implemented and is operating, in which case virtual system verification is not required.

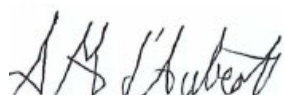
The consent holder must ensure that the virtual system is verified as accurate by a suitably qualified person at a frequency of no less than five yearly from the date of the first verification required by condition 6, unless the physical system has been implemented and is operating, in which case virtual system verification is not required.

Upon and from the date of virtual system implementation and continuing upon and from the date of physical system implementation, the Consent Holder must report, via a telemetry system compatible with WRC data standards and protocols, the continuous values of recorded take volume in each 15-minute period. These data in units of cubic metres must be reported once daily to WRC via the telemetry system and:

- g) *there must be 96 values per daily report; and*
h) *when no water is being taken the data must specify the take volume as zero.*

Should the Expert Consenting Panel require clarification on our comments and recommendations detailed above please contact Hugh Keane in the first instance on [REDACTED] or via email at [REDACTED]

Yours faithfully



AnaMaria d'Aubert
Manager – Regional Consents