

BEFORE THE PANEL CONVENER

IN THE MATTER

of an application for approvals ("Application")
under s42 of the Fast-track Approvals Act 2024
("FTAA")

AND

IN THE MATTER

of the construction and operation of a structural
steel manufacturing plant by Green Steel, being a
project listed in Schedule 2 to the FTAA ("Project")

[FTAA-2506-1074]

**MEMORANDUM OF COUNSEL FOR THE APPLICANT IN RESPONSE TO
MINUTE 1 OF THE PANEL CONVENER (25 AUGUST 2025)**

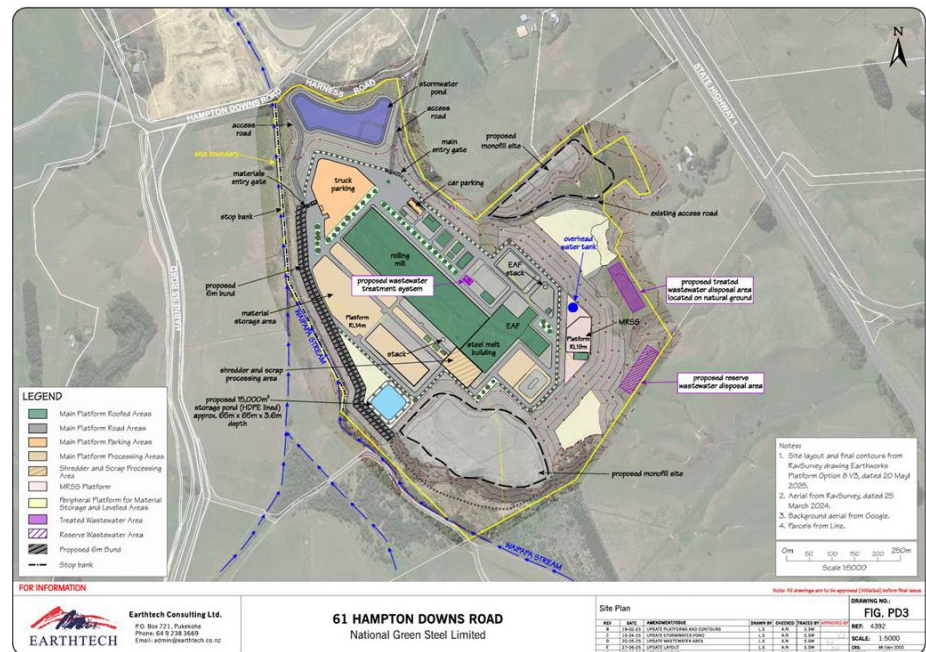
1 SEPTEMBER 2025

G K Chappell
Barrister

Foundry Chambers |
M 0273034757
E gillian@chappell.nz
P PO Box 1502 Auckland 1140
DX CP19020

MAY IT PLEASE THE PANEL CONVENER**Introduction**

1. This memorandum, presented on behalf of National Green Steel Limited ("Green Steel"), responds to the Panel Convener's Minute of 25 August 2025 ("Minute") and addresses matters set out in Schedules 1 and 2 to the Minute.
2. Matters in Minute 1 pertinent to the Applicant relate to the following information:
 - a. The number and range of approvals sought.
 - b. Complexity
 - c. Issues
 - d. Panel Membership
 - e. Procedural requirements
 - f. Any other matters identified.
3. By way of introduction, Green Steel is a listed project under Schedule 2 of the FTAA seeking approval to construct and operate a structural steel manufacturing plant, and ancillary activities, using recycled steel as the source material ("Proposal"). The project will be the first full recycling facility for steel production in New Zealand.
4. The Proposal is located in the Waikato District near State Highway 1 at Hampton Downs (refer to the map below)



Schedule 1 – matters to consider when preparing for the conference

Approvals

5. The approvals sought for the project and associated ancillary activities are set out in detail in Section 5 of the Assessment of Environmental Effects lodged with the Application. The approvals are for resource consents that would otherwise be applied for under the Resource Management Act 1991 through the provisions of the Waikato Operative District Plan (Waikato ODP”), Waikato District Plan - Operative in Part (WDP-OP) and the Waikato Regional Plan:
 - a. as a Discretionary Activity under the Waikato ODP;
 - b. as a non-complying activity under the WDP-OP; and
 - c. as a Discretionary Activity under the WRP.
6. Approval is also required under:
 - a. The Resource Management (National Environmental Standards Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 as a controlled activity; and
 - b. The Resource Management (National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023 as a restricted discretionary activity.

7. At this juncture it is not anticipated that consent under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 will be required.
8. Overall, the activity is assessed as a non-complying activity.

Complexity

9. In terms of the specific "areas" of complexity set out in the Minute:
 - a. **Legal Complexity:** The Application is not anticipated to raise any novel or exceptional legal issues beyond the standard considerations typically associated with the use and procedural framework of the FTAA.
 - b. **Evidentiary Complexity:** Although the Application is supported by a number of expert assessments and two draft management plans, the evidentiary material is consistent with that ordinarily provided for industrial developments of this scale. It does not introduce any atypical environmental or operational effects for a greenfield site of this kind.
 - c. **Factual Complexity:** While there are a number of supporting technical reports, there are no unique or particularly complex factual matters anticipated.
10. Overall, the Application is not considered to be particularly novel or complex.

Issues

11. The Applicant has undertaken the consultation summarised in Attachment 4 (Consultation Summary) of the Application.
12. It has engaged constructively with Waikato District Council and Waikato Regional Council in refining the Application and is continuing to engage in consultation with the Councils to refine and narrow issues and revise the draft set of conditions.
13. An Ahurea Arotake - Cultural Impact Assessment (CIA) - has been prepared by Nga Muka Development Trust. Nga Muka Development

Trust supports the application subject to the inclusion of consent conditions which have been incorporated into the draft conditions.

14. The key effects associated with the Application are identified as follows:
 - a. **Landscape and Rural Character:** the application involves the development of a rural site into an industrial facility. Visual and character impacts are assessed as moderate, though mitigated by existing surrounding land uses and proposed landscaping.
 - b. **Air Quality and Emissions:** As an industrial facility the application results in discharges to air. However, the discharges are predicted to comply with national and international air quality standards. The use of electric arc furnace (EAF) technology significantly reduces greenhouse gas emissions compared to conventional steelmaking.
 - c. **Earthworks:** Large-scale construction earthworks generate sediment runoff, dust, and temporary ecological disturbance. These effects are managed through management plans, staging of works and geotechnical design.
 - d. **Noise:** The site is adjacent to the Springfields Correction Facility and the Hampton Downs Motor Sport Park. Operational noise is generally compliant with district plan standards, with minor exceedances in limited locations.
 - e. **Stormwater and Water Use:** Stormwater will be treated and reused onsite. While groundwater abstraction is proposed subject to a management plan and pumping tests to determine water availability without impacting other groundwater and surface water takes in the wider vicinity, alternative surface water supply with more than sufficient allocation is also available through the TKW irrigation scheme, in addition to that available from the large stormwater pond. Wastewater disposal is for domestic treatment only and will be treated and disposed of to land on the site
 - f. **Ecology and Natural Hazards:** It is not considered that any significant ecological values are affected. Geotechnical and flood hazard risks are manageable with engineering controls.

- g. **Contaminated Soils:** Asbestos-contaminated soil around a former wool shed will be managed and remediated under the NES-CS provisions by the removal of any contaminated soil from the site.

15. To preserve the potential for future resource recovery of floc waste generated from end-of-life vehicle processing, the Application provides for the establishment of two monofills - as an alternative to direct disposal of floc to landfill. The sites are within self-contained catchment areas, isolated from the main development and are designed to meet Class 1 landfill standards including full liners, leachate collection and capping systems. The monofills will be used consecutively.
16. With regard to the effects identified, Green Steel understands from its consultation with the Councils that no issues of a unique or significant nature have been identified. It continues to proactively address the limited detailed matters raised to date.

Panel membership

17. Green Steel considers the appointment of three Panel members is appropriate for the Application. In addition to the Chair, a panel member with engineering experience may be of assistance.

Procedural requirements / other issues

18. Green Steel is willing to engage directly with the Panel as necessary to advance the Application efficiently. A site visit can be arranged for the Panel once it is convened.
19. At this juncture Green Steel considers a hearing is unlikely to be required.
20. Any matters in respect of which the Panel requires clarification can be addressed through requests for further information and any matters relating to conditions can be addressed through the statutory process for providing comments on draft conditions.

Schedule 2 requirements

Timeframe for comments

21. Considering the nature of the application, the limited complexity identified above, and the ongoing engagement with Waikato District Council and

Waikato Regional Council, an extended timeframe for comments from relevant parties does not appear to be necessary.

Timeframe for making a decision

22. Taking into account that no earlier applications have elected to proceed within the minimum 30 working day timeframe, Green Steel considers 50 working days to be appropriate in deciding the Application.

Conclusion

23. Green Steel thanks the panel convener for the opportunity to attend the conference about panel membership and the timeframe for deciding the Application.

DATED this 1st day of September 2025



G K Chappell
Counsel for National Green Steel Limited