
MINUTE 20 OF THE EXPERT PANEL

Minor Corrections

Green Steel [FTAA-2506-1074]

[17 April 2026]

[1] On 18 March 2026, the Panel issued its decision granting the approvals sought for the Green Steel Application, subject to conditions (Decision).

[2] Section 89 of the FTAA provides that the Panel may, within 20 working days after issuing a decision document under section 88(1), issue an amendment to the document to correct minor omissions, errors, or other defects in it.

[3] The Panel has received requests for corrections from the following:

- Waikato Regional Council (WRC), dated 31 March 2026
- The Applicant, dated 2 April 2026

[4] WRC's requests related to the conditions. Several were to correct wording minor inconsistencies, duplication, and mis-numbering (including of cross-references). The Panel accepts these requested amendments are appropriate and within s 89 FTA.

[5] WRC also requested the following changes:

- (a) WRC General Condition – Review Condition 12(d), that this should be specific to the groundwater and surface water take volumes, with suggested wording to clarify what was intended. The Panel accepts this requested amendment and considers it is within s 89 FTA.
- (b) Authorisation for Surface Water Taking – that a condition should be

added for consistency with the Panel's determination that virtual water take measuring is required for the Groundwater Authorisation. The Panel agrees that an equivalent condition requiring the implementation of a 'virtual system' for the surface water authorisation should have been included for consistency with the groundwater authorisation, and that it was an oversight not to have done so. The Panel has now included it to correct a minor omission as provided by s 89 FTAA.

[6] The Applicant's requests relate to both the Decision and the conditions. As with the WRC several of the Applicant's requests relate to formatting or typographical errors and oversights, which the Panel accepts are appropriate and within s 89 FTA.

[7] The Applicant also requested the following changes to the Decision:

- (a) At para 518, to correct a statement that the Applicant did not address Mr and Mrs Saxton's comment as to the lack of available electricity infrastructure. The Applicant says that it did in fact respond to the Saxtons' comments on this issue in Appendix One to its Legal Memorandum of 25 November 2025. While this responded to several of the Saxtons' comments, it did so by stating that the Applicant was actively working with WEL who had advised that measures were being taken to enable supply by the expected connection date. It did not address the specific point that there was insufficient electricity infrastructure available. The Panel has amended para 518 by inserting 'adequately'.
- (b) At para 383, to correct the reference to Accessway 3 as serving the proposed northeastern monofill facility. The Panel took this from an Airey report provided by the Applicant but accepts the Applicant's explanation that it was in error. The Panel has deleted the phrase "to serve the proposed northeastern monofill facility" from para 383 to

correct this minor error.

- (c) At para 569, the Applicant takes issue with the statement that the Panel “does not accept the simplified approach taken by the Applicant (and reflected in the Castalia Report)”. The Applicant says the Decision does not engage with particular responses provided by Castalia. The Panel confirms that those responses were considered, but it did not find it necessary for them to be separately addressed in the Decision, given the approach Castalia was advocating. It does not warrant any change to the Decision.
- (d) At paras 576 & 577, the Panel referred to letters from James Carmichael of AKU Investments Ltd as having been provided by Castalia. The Applicant says these letters were provided by it, independently of Castalia. The Panel has reviewed the materials and accepts that the Applicant is correct, so has amended paras 576 & 577 accordingly.
- (e) At para 758 the Decision stated that “The Application and AEE indicate a design life for the Project of 20 years”. The Applicant’s request states that 20 years is the design life of the monofills, but not the wider steelmaking activities, including that the steel plant will have a much longer life. The Panel has reviewed the Application materials and considers that overall they indicated a 20-year Project life. It has amended para 758 to state that “The Application and AEE indicate a Project life of 20 years”.

[8] In relation to the conditions, the Applicant’s more substantive requests were:

- (a) WRC Stormwater Discharge – condition 15(a) requiring biota baseline monitoring to include an assessment of PFOS concentration in aquatic biota tissues. The Applicant points out that the condition as worded is ambiguous as it appears to require PFOS sampling at both monitoring sites, when that was not intended. It requests the

condition be modified (for clarification) so that it relates only to the assessment in the Waipapa Stream adjacent to the site. The Panel agrees with this request and the reason for it, and accepts that it comes within s 89 FTAA.

- (b) WRC Monofill Activities – condition 17(e), requiring a minimum 10,000 tonnes of stockpiled soil cover material to be available at all times during filling. The Applicant says that this equates to around 8,000 m³, which is excessive given the staged development of the monofills, and asks whether this was intended to be 1,000 tonnes. The figure of 10,000 t was put forward by GHD and picked up in the WRC draft conditions, and was in the Panel’s draft conditions issued for comment on 26 February 2026. The Applicant did not respond either to GHD’s (or WRC’s) suggested figure, or to the Panel’s draft condition at that time. Following receipt of the Applicant’s request the Panel contacted GHD who advised that the 10,000t figure was overstated due to a calculation error, and should have been 2,600t.
- (c) The Panel regards this as a minor error capable of remedy under s 89 FTAA, and has changed the 10,000 t in condition 17(e) to 2,600t.
- (d) WRC – Surface Water Taking – the Applicant provided comment on the WRC request to include the requirement for a ‘virtual system’ of water use reporting under the surface water take authorisation. Green Steel does not consider this to be a “minor mistake or defect” and that it constitutes a new condition. The Panel acknowledges the Applicant’s position but considers that as a virtual system is required for the groundwater take, applying this system to the surface take for consistency is a minor change, as explained in [5](b) above.

[9] The Panel has prepared, as Appendix A to this Minute, tables summarising the amendments requested and its responses under s 89 FTAA. The Decision document is to be reissued with the changes made to it as described above and shown in Appendix A.

A handwritten signature in cursive script that reads "McCasey". The signature is written in a dark ink and is positioned at the top left of the page.

Matthew Casey KC

Green Steel Expert Panel Chair

APPENDIX A

Summary of changes sought by the Applicant to the decision

Item No.	Decision Reference	Relief Sought	Panel Response
A. Minor Defects - Decision			
1.	para 6	typo	agree
2.	para 96	formatting realignment	agree
3.	para 247	‘northeastern monofill’ correction	agree
4.	para 518 (not para 270 as noted)	Questions factual basis for comment.	Decision amended to include ‘adequately’.
5.	para 383	Seeks rewording in relation to the status of the accessways	Decision amended accordingly.
6.	para 385 (not para 365 as noted)	typo	agree
7.	para 503	typo	agree
8.	para 504	formatting	agree
9.	para 569	Querying the characterisation of Castalia approach as ‘simplistic’.	No change to Decision.

10.	paras 576, 577	Querying statement regarding J Carmichael letters being provided by Castalia	Decision corrected to record the letters were provided by Applicant.
11.	para 673	typo	agree
12.	para 685	typo	agree
13.	para 697	Clarify intent of text as does not make sense.	Corrected the 'text to read: ' <i>...in relation to these and to other <i>ini...</i>'.</i>
14.	para 758	Questions reference to 20- year design life	Reworded to refer to the 'Project life'.

Summary of changes sought by the Applicant to the conditions

Item No.	Condition Reference	Relief Sought	Panel Response
B. Minor Defects - Conditions			
1.	STORMWATER DISCHARGE – Condition 15(a) Location and number of aquatic biota sampling queried.	Change condition to one assessment of PFOS in the Waipapa Stream.	Agree with requested change.
2.	MONOFILL AUTHORISATION – Condition 17	Seeks change from 10,000 t to 1,000 t; based on the size and timing of the	The 10,000 t was in the Panel's draft conditions based on GHD's

	Queries the 10,000 tonnes required stockpile soil cover.	development of the monofills.	advice. This was overstated due to a calculation error and should have been 2,600 tonnes The condition has been amended accordingly.
C. Minor Defects - Conditions			
	SURFACE WATER TAKING AUTHORITY Conditions 4 to 8 Virtual water monitoring / reporting	Applicant considers that virtual water reporting should not be imposed on surface water take authorisation (as sought by WRC) given that it was only discussed in the Decision with respect to Groundwater Authorisation (para 492, Decision).	Given that the virtual system is required for the groundwater authorisation, the Panel has accepted this condition as correcting a minor omission.

Summary of changes sought by Waikato Regional Council to the conditions

Item (WRC Letter, 31/3/2026) and Section of the Conditions to which it relates	Condition	Change Sought	Panel Response
A. General Conditions WRP	Condition 12(d) Review for 'volume'.	Should be specified to relate to groundwater take and / or surface water take – not open ended.	agree
B. Stormwater Discharge Authorisation	Conditions 16 and 21, sequencing refs	Update to correct condition references	agree
C. Greenhouse Gas to Air	Condition 6(ii) Ref to 'natural gas' queried	Seeks consistency in the wording and description of gas that this condition relates to. (LPG and CNG)	agree
D. Groundwater Take Authorisation	Conditions 10 and 13 Condition 14(b)	Remove Condition 13 (being a duplicate of 10) and reorder. Referral back to Condition 11(a) incorrect, should be 13(a)	agree

E. Monofill Authorisation	Condition 12(b)	Ref to Condition 5 should be changed to Condition 6.	agree
	Condition 30 Table with PFOS and PFOA trigger limits and Footnote 3.	Claim of confusing information / sources referenced. Should be revisited.	Agree. Changes made to Footnote 3
	Condition 32 Groundwater trigger limits table (PFOS and PFOA)	Request one trigger limit for each PFOA and PFOS, with specific ref.	Agree. Changes made to Footnote 3.
	Condition 34 – ref to Condition 24 incorrect	Sequencing error – should be ref to Condition 32	agree
F. Surface Water Take Authorisation	Condition 4a Incorrect word ‘net’	Remove ‘net’ before “take volume”.	agree
Virtual Water take measuring	New Condition	As with the groundwater take authorisation, WRC seeks that the virtual measure apply to the Surface Water take authorisation as well. Suggested wording	Given that the virtual system is required for the groundwater take authorisation, the Panel accepts this

		provided.	condition to address a minor omission.
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