

[REDACTED]

17 July 2023

Dear [REDACTED]

Re: Official Information Request: NZ Steel communications and meetings

Thank you for your enquiry to the Energy Efficiency and Conservation Authority (EECA) on 26 May 2023. You have requested the below information under the Official Information Act 1982:

- *What date talks began between the Energy Efficiency & Conservation Authority and NZ Steel regarding the possibility of a subsidy being granted.*
- *All emails or other communications between NZ Steel & the Energy Efficiency & Conservation Authority which discuss or otherwise reference the potential subsidy from 1st February 2023 until 26th May 2023.*
- *A record of, and the minutes of, all meetings between NZ Steel & the Energy Efficiency & Conservation Authority which discuss or otherwise reference the potential subsidy from 1st February 2023 until 26th May 2023.*
- *The date that a deal in principle was agreed between NZ Steel and the Energy Efficiency & Conservation Authority that NZ Steel would receive a subsidy via the Government Investing in Decarbonising Industry fund.*

We notified you of an extension to the request on 12 June, due to the large volume of material required for us to process under the request. We notified you of extension to 17 July.

We also responded partly to your request on 14 June by answering the first and last bullet points listed above. For completeness, our response was:

- We have done an email search, and it shows that EECA discussed with NZ Steel their desire to pursue large decarbonisation projects and to arrange a meeting (ie. 'when talks began') on 2 August 2022.
- The final funding agreement was signed by both parties on 20 May 2023.

We are now responding to the remaining two parts of your request, namely all communications, and all meetings between EECA and NZ Steel in the given date range.

We have collated all the relevant material into PDF documents attached to this email. Some points to note on the materials:

- We have done a comprehensive IT search for communications in the date range, and manually scanned the result to remove any irrelevant material.
- We have also removed any obvious duplicate emails to reduce the volume of material. Duplicates appear because of the way IT search results are returned in the system. Some duplicates have not been removed for example where different senders have replied to the same email, creating multiple different versions of the same email chain. This also means that attachments, or replies to an email chain may not appear at the first instance, but further down in the pack. The pack is organised by sender.
- Email chains have only been included where communications have occurred between EECA and NZ Steel, to meet the scope of the request. The material also includes emails from both legal parties acting for NZ Steel and EECA throughout the negotiations.
- Text communications between Andrew Caseley and Robin Davies have been manually captured and included as a separate pack to the emails.
- A table of meeting dates and participants has been provided with notes where available, however as many meetings occur ad hoc without a formal agenda or note taker, many meetings do not have notes. A number of the meeting notes will be summarised via a follow up email after the meetings. These follow up emails are captured in the pack of communications, and have not been provided separately with the meetings table to avoid duplication of material provided. Many of the outcomes of the meetings were reflected in the various versions of the Terms Sheet and Funding Agreement until such time as they were finalised and agreed.
- MBIE has proactively released the Cabinet paper for the NZ Steel project available on their website here [Engagement with very large emitters investment package for significant decarbonisation proposal \(mbie.govt.nz\)](https://www.mbie.govt.nz/engagement-with-very-large-emitters-investment-package-for-significant-decarbonisation-proposal). They are also underway with a proactive release of further briefings to Ministers, which we can provide you once publicly available.

Some information in the materials has been withheld under the Official Information Act:

- Email addresses, phone numbers and signatures have been redacted under section 9(2)(a)(i) to protect the privacy of these individuals.
- Some content has been withheld under s 9(2)(b)(ii) as disclosure would likely prejudice the commercial position of NZ Steel.
- Content related to the ETS / Industrial Allocation matters in the materials has been withheld under s 9(2)(f)(iv) as it is under active consideration, as well as the draft Terms of Reference for the officials group.
- The draft press release has been withheld under s 9(2)(g)(i) of the Act, please refer to the final Press Release available here: [NZ's biggest ever emissions reduction project unveiled | Beehive.govt.nz](https://www.beehive.govt.nz/news/nz-biggest-ever-emissions-reduction-project-unveiled).
- Draft versions of the Term Sheet as well as the final signed Funding Agreement were captured in scope of the request, as email attachments. These have been withheld under s 9(2)(j) of the Act, as the agreement is still conditional and their release at this time has the potential to prejudice any ongoing negotiations. Note that once the agreement goes unconditional, we will proactively release these documents, and can notify you when this occurs.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly at <https://www.eeca.govt.nz/about/news-and-corporate/official-information/> with your personal information removed.

Yours sincerely



Andrew Caseley
EECA Chief Executive

NZ Steel OIA Meeting dates

Date of meeting	Participants (according to the calendar invite)	Subject	Message	Any other information
2/02/2023	Andrew Caseley (EECA) Ben Methven (Chapman Tripp) Alana Lampitt (Chapman Tripp) Mark Reese (Chapman Tripp) Jesse Phillips (KPMG) Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel) Rob Gillespie (NZ Steel) Simon Watt (Bell Gully) Matt Fowler (Bell Gully)	EECA / NZ Steel - Term Sheet Discussion		
07/02/2023	Andrew Caseley (EECA) Robin Davies (NZ Steel) Sharon Corbett (MBIE)	BlueScope board requirements		Teams
08/02/2023	Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel) Rob Gillespie (NZ Steel) Chris Gordon (NZ Steel) Simon Watt (Bell Gully) Matt Fowler (Bell Gully) Mark Reese (Chapman Tripp) Alana Lampitt (Chapman Tripp) Jesse Phillips (KPMG)	NZ Steel and EECA advisors - Follow up meeting on Term Sheet		At Deloitte Wellington and via Teams

NZ Steel OIA Meeting dates

<p>14/02/2023</p>	<p>Andrew Caseley (EECA) Robin Davies (NZ Steel) Nicola Payne (NZ Steel) Nathan Jones (NZ Steel) Jason Dale (NZ Steel)</p> <p>This meeting never occurred due to weather flight interruptions eg Cyclone Gabrielle.</p>	<p>NZ Steel Proposal Follow up</p>	<p>Hi Robin,</p> <p>As mentioned I'm at Huntly in the morning on Tuesday 14 Feb and will swing by Glenbrook on my return to Auckland.</p> <p>I will be able to share with you the Ministers meeting outcome and cover any other matters we can usefully discuss on the day.</p> <p>I'm sure I have set aside too much time but its on the basis of "just in case" we need the 2 hours.</p> <p>Hope this time works for you.</p> <p>Regards,</p> <p>Andrew</p>	<p>Glenbrook and Teams option</p>
<p>16/02/2023</p>	<p>Andrew Caseley (EECA) Ben Methven (Chapman Tripp) Alana Lampitt (Chapman Tripp) Mark Reese (Chapman Tripp) Jesse Phillips (KPMG) Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel) Rob Gillespie (NZ Steel) Chris Gordon (NZ Steel) Nicola Payne (NZ Steel) Simon Watt (Bell Gully) Matt Fowler (Bell Gully)</p>	<p>NZ Steel / EECA - Updated Term Sheet Discussion</p>		<p>Sent by Chapman Tripp. CT Offices Wellington and Teams</p>

NZ Steel OIA Meeting dates

22/02/2023	<p>Andrew Caseley (EECA) Ben Methven (Chapman Tripp) Alana Lampitt (Chapman Tripp) Mark Reese (Chapman Tripp) Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel) Rob Gillespie (NZ Steel) Chris Gordon (NZ Steel) Nicola Payne (NZ Steel) Simon Watt (Bell Gully) Matt Fowler (Bell Gully)</p>	<p>NZ Steel and EECA - Further Discussion on Term Sheet</p>		<p>Teams and CT Offices, Wellington</p>
20/03/2023	<p>Andrew Caseley (EECA) Ben Methven (Chapman Tripp) Alana Lampitt (Chapman Tripp) Mark Reese (Chapman Tripp) Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel) Rob Gillespie (NZ Steel) Chris Gordon (NZ Steel) Nicola Payne (NZ Steel) Jesse Phillips (KPMG) Simon Watt (Bell Gully) Matt Fowler (Bell Gully)</p>	<p>NZ Steel and EECA - Half-Day Session on Term Sheet</p>	<p>Note from Ben in invite: Pencilling in an extended session on the Term Sheet for Monday 20th March. Let me know of any issues.</p>	<p>CT offices and Teams link provided</p>

NZ Steel OIA Meeting dates

<p>22/03/2023</p>	<p>Andrew Caseley (EECA) Ben Methven (Chapman Tripp) Alana Lampitt (Chapman Tripp) Mark Reese (Chapman Tripp) Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel) Rob Gillespie (NZ Steel) Chris Gordon (NZ Steel) Nicola Payne (NZ Steel) Jesse Phillips (KPMG) Simon Watt (Bell Gully) Matt Fowler (Bell Gully)</p>	<p>NZ Steel and EECA - Discussion of outstanding Key Issues from Term Sheet</p>	<p>Note from Ben in Invite: Hi everyone</p> <p>Thanks again for your time today – it was good to catch up and work through the key issues from the Term Sheet.</p> <p>As discussed, just pencilling in this Wednesday at 10am to revisit the Scrap Steel Off-Ramp (being the main outstanding key issue). Microsoft Teams link is below for those attending virtually.</p> <p>Many thanks Ben</p>	<p>Teams link provided and CT Offices as option</p>
<p>3/04/2023</p>	<p>Chantelle Bramley (Transpower) John Clarke (Transpower) Mark Ryall (Transpower) Corin Singh (Transpower) Vicki Woodley (NZ Steel) Robin Davies (NZ Steel) Jason Dale (NZ Steel) Rob Gillespie (NZ Steel) Andrew Caseley (EECA)</p>	<p>NZ Steel, EAF update</p>	<p>Purpose: To update on the progress of the Electric Arc Furnace project between NZ Steel & Government</p>	<p>Teams meeting sent by Chantelle Bramley, Transpower</p>

NZ Steel OIA Meeting dates

27/04/2023	Andrew Caseley (EECA) Ben Methven (Chapman Tripp) Alana Lampitt (Chapman Tripp) Mark Reese (Chapman Tripp) Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel) Rob Gillespie (NZ Steel) Chris Gordon (NZ Steel) Nicola Payne (NZ Steel) Jesse Phillips (KPMG) Simon Watt (Bell Gully) Matt Fowler (Bell Gully)	NZ Steel and EECA - Meeting to discuss Funding Agreement		Ben Methven from Chapman Tripp sent invite for meeting at CT Offices and Teams option
5/05/2023	Andrew Caseley (EECA) Yvette Trail (NZ Steel) Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel)	EECA Catch up		Invite sent by Yvette Trail meeting at 126 Kerwyn Avenue, Highbrook
08/05/2023	Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel) Andrew Caseley (EECA) Alana Lampitt (Chapman Tripp) Augustus Shade (MfE) James Coombes (MfE)	Funding Agreement - ETS Issues		Teams meeting
09/05/2023	Robin Davies (NZ Steel) Jason Dale (NZ Steel) Andrew Caseley (EECA) James Coombes (MfE) Melody Guy (MfE) Sharon Corbett (MfE)	NZ Steel EAF		Teams

NZ Steel OIA Meeting dates

10/05/2023	Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel) Andrew Caseley (EECA) James Coombes (MfE) Melody Guy (MfE) Janine Smith (MfE) Sharon Corbett (MBIE) Poppy Haynes (MBIE) Brendan Abley (Chapman Tripp)	NZ Steel IA's		Teams
11/05/2023	Janine Smith (MfE) Melody Guy (MfE) James Coombes (MfE) Sharon Corbett (MBIE) Robin Davies (NZ Steel) Andrew Caseley (EECA)	MfE/NZ Steel meeting		Teams and MFE
15/05/2023	Andrew Caseley (EECA) Mark Reese (Chapman Tripp) Robin Davies (NZ Steel) Jason Dale (NZ Steel) Nathan Jones (NZ Steel) Chris Gordon (NZ Steel) Nicola Payne (NZ Steel) Benjamin Whiteford (KPMG) Istvan Csorogi (KPMG) Simon Watt (Bell Gully) Matt Fowler (Bell Gully)	Baseline Emissions Number		Teams
07/06/2023	Grant Huggins (NZ Steel) Andrew Caseley (EECA)	NZ Steel discussion		Teams