

Number	Consent -	WRC's Suggested Change	WRC Rationale
1	GENERAL CONDITIONS: Condition 4	Delete this condition	The WRC resource consent certificates record the lapse requirement within the header of the certificate – this is a duplication of information and therefore this condition is not necessary
2	ALL CONSENTS Condition 1	<p>WRC notes that all the consents with the exception of the AUTHORISATION FOR EARTHWORKS AND OVERBURDEN PLACEMENT have in condition 1 specified a duration of 20 years for the activity.</p> <p>WRC recommends that this condition be amended to remove the specified duration and only refer to the activity authorized.</p>	The WRC resource consent certificates record consent duration within the header of the certificate – this is a duplication of information and therefore the first condition within each consent should only record the activity authorised.
3	<p>GENERAL CONDITIONS: Condition 12: Review Point f)</p> <p>To commence a review of the conditions of this consent pursuant to section 128(1) of the Resource Management Act 1991 to take account of any change to the Waikato Regional Plan (WRP) being proposed as a result of any catchment investigation undertaken by WRC in terms of WRP 3.3.4.9 Review Allocable Flows/Sustainable Yields and WRP Table 3-4A Catchment Investigation Dates for Waikato River (4) Ngāruawāhia at the confluence of Waipa (excluding the Waipa River) to Mercer Bridge.</p>	<p>Under the Waikato Regional Plan a catchment review is relevant only to water take consents.</p> <p>This matter is already provided for via Condition 15 of the AUTHORISATION FOR GROUNDWATER TAKING and in the WRC recommended conditions for the surface water take at the end of this document.</p>	Point f) in the review relates to a specific catchment review condition that should only be placed on the water take consents. It is not relevant to any other consent.
4	AUTHORISATION FOR EARTHWORKS AND OVERBURDEN PLACEMENT Condition 4	<p>Add in the following advice note:</p> <p><i>Advice note: It is expected that the person supervising the design and construction is either a</i></p>	WRC understand that this recommendation is also supported by the Expert Panels technical expert.

		<i>Chartered professional Engineer (CPEng) or Professional Engineering geologist (PEngGeol).</i>	
5	AUTHORISATION FOR EARTHWORKS AND OVERBURDEN PLACEMENT Condition 7c)	Amend condition 7c) as follows: A construction methodology including construction and design details (including for the monofills and their <i>"Liner, Drainage and Final Cover Installation Quality Control Plan"</i> construction quality assurance plan);	WRC has assumed that the <i>construction quality assurance plan</i> referred to in this condition should be the "Liner, Drainage and Final Cover Installation Quality Control Plan".
6	AUTHORISATION FOR EARTHWORKS AND OVERBURDEN PLACEMENT Condition 19	Amend condition 19 as follows: If any earthworks including excavation, <i>temporary stockpiling, bunded landscaping, filling.....</i>	Following advice from the Expert Panels technical expert WRC consider that the addition of these activities clarifies that these activities also initiate a land settlement and groundwater monitoring assessment.
7	AUTHORISATION FOR EARTHWORKS AND OVERBURDEN PLACEMENT New Consent Condition after Condition 19	Add in the following condition: <i>The monitoring assessment programme required under Condition 19 shall include details of:</i> a) <i>continuous monitoring instrumentation to measure the impact of construction activities on all confined and unconfined aquifers;</i> b) <i>the frequency of monitoring;</i> c) <i>locations where monitoring will be undertaken; and</i> d) <i>the installation and repeated survey of ground level markers at the property boundary adjacent to soft soils.</i>	Upon the Expert Panels technical expert advice WRC considers that the new condition provides for additional monitoring and subsequent assurance to assess potential effects from these activities.
8	AUTHORISATION FOR EARTHWORKS AND OVERBURDEN PLACEMENT Condition 20	Amend Condition 20 as follows:	Upon the Expert Panels technical expert advice WRC considers that the amendment provides for additional monitoring and subsequent assurance to assess potential effects from these activities.

		<p>The following trigger levels will be used to determine if there are adverse effects for the purpose of condition 19 (a) and (b)):</p> <p>a) More than 50mm of ground settlement occurs: or</p> <p>b) <i>There are changes in groundwater levels of more than 0.5m below the demonstratable seasonal low ground water level for each confined and unconfined aquifer. There are changes in groundwater levels of more than 0.8m.</i></p>	
9	<p>AUTHORISATION FOR EARTHWORKS AND OVERBURDEN PLACEMENT</p> <p>New Consent Condition after Condition 20</p>	<p>Add in the following condition:</p> <p><i>Settlement predictions for earthworks, dewatering and ground improvements within 3m of the neighbouring property boundary shall be undertaken. Where the predicted settlements are in excess of 50mm appropriate pre-emptive mitigations shall be included in the design.</i></p>	<p>Upon the Expert Panels technical expert advice WRC considers that the new condition provides for additional monitoring and subsequent assurance to assess potential effects from these activities.</p>
11	<p>AUTHORISATION FOR EARTHWORKS AND OVERBURDEN PLACEMENT</p> <p>Condition 39</p>	<p>Replace condition 39 with the following wording.</p> <p><i>The Consent holder must provide to the Waikato Regional Council a Wetland Management Plan (WMP) at least 10 working days prior to the commencement of the activities authorised by this consent. The objective of the WMP is to offset the effects of the loss of the two wetlands identified on the site by providing a long term replacement wetland upon the exercise of this consent.</i></p>	<p>The proposed WRC wording is more monitorable as the existing wording of condition 39 does not provide enough certainty to enable effective monitoring of the condition.</p> <p>Further, reference to mana whenua as opposed to the Nga Muka Development Trust opens the condition up to other entities having the ability to have input into this wetland management plan. WRC's understanding is that the applicant intends to only have input from the Nga Muka Development Trust on this matter but if that understanding is</p>

		<p><i>Prior to the provision of the WMP to the Waikato Regional Council the Consent Holder must seek advice from the Nga Muka Development Trust on the location and design of the long term replacement wetland and Monitoring Plan.</i></p> <p><i>The WMP must include, as a minimum, the following detail:</i></p> <ul style="list-style-type: none"> <i>a) Any advice received from Nga Muka Development Trust with respect to their input into the location and design of the wetland;</i> <i>b) The final design and location of the wetland;</i> <i>c) Details of the functionality of the wetland and any connections to other nearby ecosystems (e.g. Waipapa Stream, riparian planting or wetlands);</i> <i>d) The plant species proposed within the wetland;</i> <i>e) Details of the maintenance for the wetland, including a plan should any significant plant mortality rates occur;</i> <i>f) The use of locally sourced indigenous species appropriate to the target wetland type;</i> <i>g) Identify potential plant pest threats and specify control methods;</i> <i>h) Details of the Riparian Planting along the Waipapa Stream either in place or to be implemented;</i> <i>i) A Monitoring Plan as detailed in Condition 44 below.</i> 	<p>incorrect WRC is open to naming all other entities that will be requested to provide comment.</p>
<p>12</p>	<p>AUTHORISATION FOR EARTHWORKS AND OVERBURDEN PLACEMENT Condition 40</p>	<p>WRC suggests that the suitably qualified and experienced wetland ecologist is certified by WRC. Additional wording is suggested below.</p>	<p>WRC considers that certification for all specialists should be required for this project.</p>

		<p>The WMP shall be prepared by a suitably qualified and experienced wetland ecologist <i>and must be certified by the Waikato Regional Council prior to the supply of the WMP.</i></p>	
<p>13</p>	<p>AUTHORISATION FOR EARTHWORKS AND OVERBURDEN PLACEMENT Condition 44</p>	<p>Replace Condition 44 with the following wording:</p> <p><u><i>The Monitoring Plan shall:</i></u></p> <ul style="list-style-type: none"> <i>a) Describe the wetland values currently in place on the site including vegetation composition, cover and extent;</i> <i>b) Advise of any input into the Monitoring Plan provided from Nga Muka Development Trust;</i> <i>c) Provide a detailed description of the monitoring required of the wetland including as a minimum:</i> <ul style="list-style-type: none"> <i>I. Baseline monitoring to be undertaken (including plant species, type and abundance, and hydrological connections at the location);</i> <i>II. Data and results indicating how the wetland is functioning and if required proposed actions to improve the functionality of the wetland;</i> <i>III. Annual monitoring to be undertaken for the first five years following the establishment of the wetland and thereafter five yearly monitoring of the wetland.</i> 	<p>The suggested wording is to provide more certainty with respect to the contents of the Monitoring Plan. E.g. WRC’s proposed wording provides more certainty for the Nga Muka Development Trust’s views and input. The current wording is a bit vague and WRC staff are unsure exactly what “enable” means for a monitoring plan.</p> <p>The applicant proposes monitoring of the wetland for a 5 year period only. WRC considers that this should occur for the entire consent duration but at longer intervals following the first five years.</p>

		<i>The monitoring reports referred to c) III above shall be provided to the Waikato Regional Council and the Nga Muka Development Trust within one month of the completion of the reports and include any recommended changes to the Monitoring Plan. Changes to the Monitoring Plan may occur with the written approval of the Waikato Regional Council.</i>	
14	AUTHORISATION FOR GROUNDWATER TAKING Condition 6	<p>WRC suggests that the suitably qualified and experienced person referred to in d) is certified by WRC. Additional wording is suggested below.</p> <p>The results of any aquifer pumping test were used in hydrogeological analysis by a suitably qualified and experienced hydrogeologist <i>who must be certified by the Waikato Regional Council prior to the supply of the report, to assess.....</i></p>	WRC considers that certification for all specialists should be required for this project.
15	AUTHORISATION FOR GROUNDWATER TAKING Condition 13	Reinstate conditions 9, 11 and 12 as recommended by WRC in its substantive response.	<p>Whilst WRC understand the pragmatism of the Expert Panels decision not to include conditions 9, 11 and 12, WRC considers that the wording of the Water Regulations does not provide the Expert Panel to allow the consent holder to opt out of providing water data irrespective of whether it is taking water or not.</p> <p>Additionally, the Water Regulations do not provide for a delay to the reporting requirement even if the exact amount of water is not yet known.</p> <p>WRC notes that the provision of data recording a series of 0's on a daily basis is potentially simply implemented via a third party provider and does not necessitate the consent holder to put any instrumentation in place until it is in a position to take the water. This is common across sites where the water take has not yet been exercised.</p>

			WRC remains of the view that its previous conditions 9, 11 and 12 should be included to comply with the Water Regulations.
16	AUTHORISATION FOR GROUNDWATER TAKING Condition 14	Remove Condition 14	This matter is provided for in the general conditions.
17	AUTHORISATION FOR GROUNDWATER TAKING Condition 15	Remove the following wording: At any time during the periods 1 July 2036 through 30 June 2037 and 1 July 2051 through 30 June 2051 WRC may,.....	The proposed duration is for 20 years which makes the last catchment review redundant.
18	AUTHORISATION FOR STORMWATER DISCHARGE Condition 2	WRC suggests that the appropriately qualified and experienced person is certified by WRC. Additional wording is suggested below. The Consent Holder must retain an appropriately qualified and experienced person to complete and finalise the detailed stormwater design <i>who must be certified by the Waikato Regional Council prior to the supply of the stormwater design report.....</i>	WRC considers that certification for all specialists should be required for this project.
	AUTHORISATION FOR STORMWATER DISCHARGE Condition 7 d)	Amend Condition 7 d): <i>PFOS discharges greater than the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2026), Biota screening threshold, and PFOA discharges greater than the HEPA PFAS National Environmental Management Plan Version 3.0 99% species protection guideline value for freshwater.</i>	This ANZ biota screening threshold for PFOS was released on 6 March 2026 and represents the latest scientific evidence for ensuring protection against bioaccumulation and therefore supersedes the PFAS NEMP 3.0 99% protection value for PFOS.
19	AUTHORISATION FOR STORMWATER DISCHARGE Condition 15 b)	Amend Condition 15 b): The water quality sampling <i>including measurement of flow under a range of different</i>	WRC considers that the gathering of this information fits with the stormwater discharge consent which requires the baseline stream monitoring.

		<i>flow conditions (but focusing on dry weather) must be.....</i>	
20	AUTHORISATION FOR STORMWATER DISCHARGE Condition 20	Amend Condition 20: If repeat monitoring confirms trigger limit exceedance(s), a review <i>must</i> be undertaken by the Consent Holder.....	WRC's suggested changes are to clarify that it is the consent holder who must initiate the review as is intended by the panels decision.
21	AUTHORISATION FOR STORMWATER DISCHARGE Condition 12 d)	Minor amendments to Condition 12 d): A monitoring programme for assessing the leachable PFAS concentrations of the floc, based on the PFAS NEMP 3.0 (or subsequent updated version) ASLP methodology on an ongoing six (6)-month basis to determine levels of leachable PFAS and related compounds associated with the floc in the leachate and on a mass basis; and	WRC recommends these minor amendments to aid in clarity.
22	AUTHORISATION FOR MONOFILL ACTIVITIES Condition 6	Amend Condition 6 by Either: <i>The Consent Holder must include a double composite liner for the monofills.</i> And provide no methodology for allowing a single liner. Or: <i>The Consent Holder must include a double composite liner for the monofills unless evidence is provided that a single composite liner would be sufficiently protective of water quality in the Waipapa stream with regards to PFAS</i>	WRC considers that deferring this matter to post grant places WRC in a significant decision making position with the current wording of Condition ?. WRC would prefer that the Expert Panel either require the double lining or if it wants to keep the ability for the applicant to have a single liner based on further evidence then WRC would prefer its suggested wording to enable more effective monitoring of this matter. This ANZ biota screening threshold for PFOS was released on 6 March 2026 and represents the latest scientific evidence for ensuring protection against bioaccumulation and therefore supersedes the PFAS NEMP 3.0 99% protection value for PFOS.

		<p>contamination. As a minimum this further evidence must include:</p> <ul style="list-style-type: none">a) assessment of the leachable concentrations of PFOS, PFHxS and PFOA from six (6) representative samples of floc using the Australian Standard Leaching Procedure (ASLP) conducted at both pH 5 and un-buffered reagent water with comparison to the single composite lined interim landfill ASLP acceptance criteria specified in Table 11 of 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) (abbreviated to the PFAS NEMP 3.0 from here on);b) assessment of baseline PFOS, PFHxS and PFOA concentrations in the Waipapa stream determined from the results of the baseline Waipapa stream survey required under Condition 15 of the Stormwater Discharge authorisation; andc) assessment of modelled predictions of the monofill contributions to the baseline PFOS, PFHxS and PFOA concentrations in the Waipapa stream to ensure that cumulative concentrations do not exceed the 99% species protection ecological guideline values specified in Table 8 of the PFAS NEMP 3.0 for PFOA and the	
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23	AUTHORISATION FOR MONOFILL ACTIVITIES Condition 14	<p>Amend Condition 14</p> <p>.....The Consent Holder shall review and update the MCRMP every 3 years and within 6 months of any decision to cease filling operations at the site. Any changes (excluding changes to contact person and contact details etc.) to the MCRMP, must only be made with the written approval of the WRC acting in a technical certification capacity.</p>	WRC considers that any approval is only in a technical certification capacity and the additional wording provides this clarity.
	AUTHORISATION FOR MONOFILL ACTIVITIES Condition 30	<p>Amend Condition 30</p> <p>Under the Table of Trigger limits replace the PFOS limit of 0.00023 with the limit of 0.0005.</p> <p>Reword footnote 3 as follows:</p>	This ANZ biota screening threshold for PFOS was released on 6 March 2026 and represents the latest scientific evidence for ensuring protection against bioaccumulation and therefore supersedes the PFAS NEMP 3.0 99% protection value for PFOS.

		<p>PFOS based on <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2026)</i>, <i>Biota screening threshold</i> and PFOA based on 99% species protection for the subsoil drainage and the 99% species protection for stormwater (PFAS NEMP 3.0).</p>	
	<p>AUTHORISATION FOR MONOFILL ACTIVITIES Condition 32</p>	<p>Amend Condition 32</p> <p>In table header replace Trigger value with Trigger Limits (ug/L)</p> <p>Under the Table of Trigger limits replace the PFOS limit of 0.00023 with the limit of 0.0005.</p> <p>Add in new footnote 3 as follows:</p> <p>PFOS based on <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2026)</i>, <i>Biota screening threshold</i> and PFOA based on 99% species protection for the subsoil drainage and the 99% species protection for stormwater (PFAS NEMP 3.0).</p>	<p>This ANZ biota screening threshold for PFOS was released on 6 March 2026 and represents the latest scientific evidence for ensuring protection against bioaccumulation and therefore supersedes the PFAS NEMP 3.0 99% protection value for PFOS.</p>
24	<p>AUTHORISATION FOR MONOFILL ACTIVITIES Condition 42</p>	<p>Amend Condition 42 as follows:</p>	<p>WRC assumes that the reference to Condition 31 in the consent is an error. If the Expert Panel was meant to refer to Condition 32 then WRC considers limiting</p>

		<p>The guarantor must bind itself to pay for undertaking and completion of any condition of the bond in the event of any default of the Consent Holder, or any occurrence of any adverse environmental effect requiring remedy referred to in condition 31.</p>	<p>the bond for remedying of only these matters creates an unacceptable risk to Council. WRC requires a bond for all risks associated with this activity not just those listed in a consent condition. WRC requests the removal of the reference to Condition 31 as the bond is intended to be met for any adverse environmental effect requiring remedy associated with the activity and should not be limited.</p>
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Please note: Whilst not included below, WRC still considers that its suggested conditions 9, 11 and 12 should also be included within this water take consent as these are based on the Water Regulations.

AUTHORISATION FOR SURFACE WATER TAKING

- 1) Surface water taken must only be used in conjunction with the operation of the activities on the site.
- 2) Surface water must only be taken from one or more stormwater ponds to be constructed within the land legally described as:
 - Part Lot 1 DPS 45893, Record of Title SA40B/472;
 - Lot 2 DP 310030, Record of Title 39530;
 - Lot 3 DP 310030, Record of Title 39531;
 - Lot 4 DP 310030, Record of Title 39532;
 - Lot 5 DP 310030, Record of Title 39533.
- 3) The instantaneous take rate must not exceed 7.3 litres per second and the daily take volume must not exceed 420 cubic metres.
Advice Note: *In the WRC consent database, zero values are assigned to the water allocation calculator parameters “maximum rate derived net” and “maximum daily quantity derived net”. The rationale for zero value assignment is set out in document 34782792 stored in the WRC document management system.*
- 4) Prior to physically taking groundwater pursuant to this consent for the first time, the Consent Holder must implement a physical water take measurement, recording and reporting system (“physical system”). The physical system must:
 - a) measure and record the net take volume on a continuous basis in units of cubic metres for each 15-minute period; and
 - b) have a minimum accuracy of +/- 5 percent; and
 - c) be sealed and tamper-proof; 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.
- 5) The Consent Holder must ensure that the physical system is verified as accurate by a suitably qualified person:
 - a) within one month of groundwater physically being taken pursuant to this consent for the first time; and
 - b) at a frequency of no less than five yearly from the date of the first verification required by condition 6(a).
- 6) The WRC may at any time request the Consent Holder to engage a suitably qualified person to undertake verification of the physical system. The Consent Holder must comply with any such request within the timeframe specified by WRC in the request.

- 7) The Consent Holder must submit to WRC evidence of any verification, including the name and qualifications of the verifier and the results of the verification, within one month of any verification being completed.
- 8) 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:
 - a) there must be 96 values per daily report; and
 - b) when no water is being taken the data must specify the take volume as zero.
- 9) At any time during the period 1 July 2036 through 30 June 2037 WRC may, following service of notice on the Consent Holder, commence a review of the conditions of this consent pursuant to section 128(1) of the Resource Management Act 1991 to take account of any change to the Waikato Regional Plan (WRP) being proposed as a result of any catchment investigation undertaken by WRC in terms of WRP 3.3.4.9 Review Allocable Flows/Sustainable Yields and WRP Table 3-4A Catchment Investigation Dates for Waikato River (4) Ngāruawāhia at confluence of Waipa (excluding the Waipa River) to Mercer Bridge.

The Consent Holder must pay to WRC any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act.