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Resource consent application RM24.143  
By the Dunedin City Council  
For the Green Island Resource Recovery Park

Decision Report  
Otago Regional Council

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11 December 2024

## 1 Introduction

### 1.1 Applications in brief

[001] The Dunedin City Council (DCC) has applied to the Otago Regional Council (ORC) for five resource consents related to the construction and operation of the Green Island Resource Recovery Park Precinct (RRPP). The applications are:

RM24.143.01 to disturb a contaminated site for construction of the Resource Recovery Park Precinct.

RM24.143.02 to discharge landfill gas and dust to air associated with the disturbance of a contaminated site for construction of the Resource Recovery Park Precinct.

RM24.143.03 to discharge contaminants to air from composting activities and from industrial and trade processes directly associated with the operation of the Resource Recovery Park Precinct.

RM24.143.04 to divert stormwater from working and non-working areas of the Resource Recovery Park Precinct.

RM24.143.05 to discharge treated stormwater from the Resource Recovery Park Precinct to water within Kaikorai Stream.

[002] Durations of ten years are requested for consents 01 and 02, and 35 years for the operational consents 03, 04 and 05.

### 1.2 Appointment

[003] I, Myles McCauley have been appointed to hear and decide these resource consent applications under delegated authority from the ORC.

### 1.3 Summary of decision

[004] My decision is to grant the consents, subject to the conditions in Attachment 1 to this document.

## 2 Description of the activity

### 2.1 Facilities

[005] The proposal is described comprehensively in the application documents, accompanying reports, and reports provided by ORC officers and consultants.

[006] The landfill site currently includes a dedicated area for waste transfer and diversion activities, and DCC proposes to redevelop that area as part of its strategy to improve its waste management system. This is accompanied by a revamped kerbside collection system and the development of new transfer facilities in the wider district. The landfill itself is nearing the end of its operational life and a replacement facility at Smooth Hill has been consented.

[007] The RRPP will include the following new facilities.

[008] An organics receipt building (ORB). This is built and largely operational, and its construction was allowed by separate resource consents RM23.571.01 and RM23.571.02. The ORB is used for the receipt and initial sorting of green waste brought onto the site by truck from the kerbside system. This material will then be either transferred to the organics processing facility or shredded and sent elsewhere.

[009] An organics processing facility (OPF), a composting system composed of initially six but eventually up to ten bunkers to which suitable material from the ORB will be transferred. Composting will be undertaken via an aerated static pile process which passes air through the composting material. The air flow will be either positive (inward to the pile) or negative (outward) depending on monitored parameters such as temperature and oxygen content. Compost will remain in the bunkers for a maximum of 21 days and then transferred to a maturation area to cure for up to 30 additional days.

- [010] Air extracted from the OPF bunkers when the flow is negative will pass through a biofilter to reduce its odour.
- [011] A materials recovery facility (MRF), where recyclable material from kerbside collection will be deposited from trucks and processed. This building will be the closest RRPP facility to neighbouring dwellings, which are in Clariton Avenue south of the site.
- [012] A bulk waste transfer station (BWTS), where general waste will be dropped off for further disposal at other sites (for example the existing landfill or its successor at Smooth Hill). The BWTS will accept waste from cars and trucks.
- [013] A sorting pad for construction and demolition waste (C and D pad). This will be an open concrete pad adjacent to the BWTS, where C and D waste will be deposited and sorted, with residual unusable material being sent to the BWTS.
- [014] A hazardous waste drop off and storage area where these wastes will be dropped off by the public and sorted for re use or disposal.
- [015] Three glass bunkers, where glass will be sorted by colour and stored for transport from the site.
- [016] Ancillary facilities such as staff amenities, offices, truck parking, and vehicle wash bays.
- [017] Some existing facilities will be retained at the site:
  - the main access road
  - the kiosk, weighbridge, and wheel wash
  - the existing education centre and Rummage Store
  - an existing domestic waste drop-off and transfer station, until it is replaced by the new BWTS
  - existing recycling and garden waste drop off areas and
  - a diverted materials storage area.

## 2.2 Construction

- [018] The RRPP is located on historical landfill material. Construction will involve the disturbance of that waste, and of other site soils and materials, and the consequential discharge of contaminants to air, land and water. Resource consent applications RM24.143.01 and.02 have been made to allow these discharges.

## 2.3 Operation

- [019] Ongoing site activities will generate discharges to air and water.
- [020] Discharges to air will be primarily of odour and dust. Odour will mainly be discharged from the composting process although other smaller sources will also be present, and it has been identified as the key potential adverse effect. Dust will be discharged from numerous site activities. Application RM24.143.03 relates to these discharges.
- [021] Discharges to water will occur from the site stormwater system. This system will take runoff from areas of the site that are not expected to be substantially contaminated (car parks, hard stand areas, unsealed areas and roofs) and convey them through a system including Enviropod treatment devices, swales, pipes and ponds, before final discharge to the Kaikorai Stream. Applications RM24.143.04 and .05 relate to this discharge, application .04 being a water permit for the diversion of stormwater on the site which may have effects on the receiving environment, and .05 being a discharge permit for treated stormwater into the Kaikorai stream.
- [022] Discharges of contaminants to land are not anticipated from operational areas of the site. Runoff from high risk areas such as the composting bunkers and maturation area, C and D pad, internal floors in the BWTS and MRF, the wheel wash and the glass bunkers will be directed via separate plumbing to the site's leachate management system, which captures leachate in a subsurface trench and pumps it to the nearby wastewater treatment plant (WWTP). The leachate system and WWTP are consented separately and while

this aspect of the RRPP is not relevant to the consents applied for, it has been assessed by the applicant in some detail to confirm that the site will be configured and managed so that the stormwater and leachate systems will be segregated.

## 2.4 Environmental management

[023] Construction and operation of the RRPP will be managed in accordance with the following management plans:

- A site environmental management plan (SEMP), an overarching operational document.
- A construction environmental management plan (CEMP), which manages general construction phase land disturbance activities.
- An erosion and sediment control plan, which manages construction phase stormwater.
- A contaminated land management plan which specifically manages the disturbance and handling of contaminated soil during construction.
- An operational phase stormwater management operation and maintenance plan.
- An operational composting facility management plan.
- An operational phase southern black backed gull management plan.

[024] All these plans were submitted in draft form with the application.

## 3 The affected environment

[025] The affected environment is described thoroughly in the application and the ORC notification and section 42A reports, and I adopt those descriptions. However, some key aspects are noteworthy.

[026] Neighbouring dwellings are situated close to the site, with a group to the southeast being a minimum of 115 m from the proposed MRF. The OPF is somewhat further from dwellings, being approximately 320 m from the nearest one.

[027] The land immediately east of the RRPP is occupied by commercial and industrial activities.

[028] The RRPP is situated within a designation for the Green Island landfill, and the landfill itself is immediately adjacent to the west and southwest.

[029] Kaikorai Stream is immediately adjacent to the site, and extensive wetlands are present in the stream system, close to the RRPP. Some of those wetlands are identified as significant in the applicable ORC and DCC plans.

## 4 Resource consent requirements

[030] The applicable ORC planning documents are the Regional Plan: Waste for Otago (RPWaste), Regional Plan: Air for Otago (RPA) and Regional Plan: Water for Otago (RPW). These plans were made operative at least 20 years ago, although all have been updated to some extent. The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F) also apply.

[031] The applicant and ORC agree regarding consent activity statuses.

- RM24.143 01 and 02 are discretionary activities under the RPWaste.
- RM24.143 03 is a discretionary activity under the RPA.
- RM24.143 04 is a discretionary activity under the RPW, and a non-complying activity under the NES-F.
- RM24.143 05 is a restricted discretionary activity under the RPW and a non-complying activity under the NES-F.

[032] The applications have been bundled and the overall status is non-complying.

## 5 Process matters

### 5.1 Notification

[033] Limited notification of the applications was made, in accordance with section 95B(8) and (9) of the Resource Management Act 1991 (RMA). The notification decision was based on potential air quality effects, with the reasoning set out in the ORC's Notification Recommendation Report, prepared by the reporting officer Shay McDonald, and informed by advice from the ORC's air quality expert Tracy Freeman of Jacobs New Zealand Ltd. The basis of the notification was that cumulative odour effects, from the existing landfill and the proposed RRPP, would be minor or more than minor at residential receptors in the Clariton Avenue area southeast of the site.

### 5.2 Submissions

[034] Six submissions were received, of which two submitters requested to be heard. The submissions are summarised in Ms McDonald's section 42A report and raise a number of concerns, some of which are in scope and some – for example noise, roading infrastructure, visual impacts, bird nuisance, loss of sunlight – are not. I have read and had regard to all submissions.

[035] Of the submitters wishing to be heard, Heather Helm raises several concerns, and while only one (dust) is directly in scope, the applicant has volunteered conditions with the intent of addressing some of the others (for example vermin control and noise). John and Helen Neal also raised a variety of issues, including several related to potential odours from the site. The applicant is also making efforts to address these concerns.

[036] Both submitters attended the hearing and spoke to their submissions, and John Neal read a prepared statement. I will discuss specific matters arising from the submissions later in this decision.

### 5.3 Hearing and site visit

[037] The hearing was held on 20 and 21 November at the Edgar Centre, Dunedin. I visited the site for a general walkover on the previous afternoon, 19 November. I was accompanied by Conor Mulcahy (Waste Management Limited), Rachel Eaton (Boffa Miskell Limited) and Stephen Douglass (GHD Limited), none of whom participated directly in the hearing.

[038] The hearing closed on 21 November following the applicant's right of reply.

## 5.4 Appearances

[039] The following people appeared at the hearing and gave statements.

Applicant		
Michael Garbett	Anderson Lloyd Limited	Applicant's Counsel
Sandra Graham	Dunedin City Council	Chief Executive
Christopher Henderson	Dunedin City Council	Group Manager Waste and Environmental Solutions Group
Laurence Dolan	Enviro NZ Services Limited	National Environmental Manager
Dusk Mains	GHD Limited	Technical Director - hydrogeology, groundwater-surface water interactions and water quality
Mary Wood	GHD Limited	Technical Lead - stormwater expertise
Andrew Curtis	Pattle Delamore Partners Limited	Technical Director - air quality
Maurice Dale	Boffa Miskell Limited	Senior Principal - planner
Submitters		
Helen Grant Helm	Neighbour – Clariton Avenue	
John and Helen Neil	Neighbour – Clariton Avenue	
Otago Regional Council		
Shay McDonald	Otago Regional Council	Senior Consents Planner – lead author of section 42A report
Tracy Freeman	Jacobs Group (New Zealand) Limited	Principal Air Quality Consultant

[040] In addition to Ms Freeman's statement of evidence, Ms McDonald's section 42A report included attached reports from other technical experts, all employed by SLR Consulting NZ. These were:

- Tim Baker, Claire Conwell and Samantha Isles who provided evidence related to groundwater, surface water quality and contaminated land respectively.
- Rachel Annan and Elizabeth Morrison who provided technical memoranda regarding landscape and freshwater ecology/bird hazard respectively.

[041] These matters were all agreed between the applicant and ORC, and no issues arose regarding them during the applicant's presentations at the hearing. Therefore, at my instruction none of these reviewers presented at the hearing.

[042] Mr Garbett in his opening submission referred to several matters raised during the exchange of evidence prior to the hearing, and to compliance of the proposal with section 104D of the RMA. His points were:

- That the proposal passes both gateway tests of section 104D. The ORC reporting officer considers that it may not comply with section 104D(1)(a) which requires that the adverse effects "will be minor". Ms McDonald contends that the cumulative effect of air quality from the proposed RRPP in combination with the landfill could be more than minor, while Mr Garbett considers that they will be less than minor, particularly if only the effect of the proposed RRPP discharges themselves are

considered. Mr Garbett has requested a decision on this matter while acknowledging that there is agreement that the other limb of section 104D is passed, and the consents can be granted irrespective of the effects test. I address this in section 6.12.2 of this decision.

- That commercial loads of meat and fish will not be processed at the facility. This matter and the following ones were addressed at the hearing and are incorporated into the discussions in this decision.
- That contact details for the operator will be provided publicly.
- That the volunteered pest management plan comprehensively manages this issue.
- That the requested consent durations are appropriate.
- That the proposed conditions are a work in progress and can be adapted during the hearing. This occurred, and an agreed set of conditions was circulated following closure of the hearing.

[043] Ms Graham summarised the strategic background to the RRPP, DCC's financial investment in the facility, and aspects of stakeholder engagement.

[044] Mr Henderson described how the RRPP site was selected, the tender process for the facility and appointment of Enviro NZ as the contractor, DCC's new kerbside waste collection system, and aspects of community engagement. He also commented on the submissions.

[045] Mr Dolan provided a comprehensive statement describing how the RRPP will be configured, operated and managed, both operationally and in terms of environmental effects.

[046] Ms Mains, Ms Woods and Mr Curtis provided evidence on technical matters and these discussions are incorporated into the following section that discusses effects.

[047] Mr Dale provided a planning summary and evaluation, a response to matters raised in submissions and several iterations of draft conditions as the hearing progressed.

[048] The submitters, Helen Helm (with support from Brendon Helm), and John and Helen Neil, spoke to their submissions, and Mr Neil read a prepared statement. I discuss the submissions in section 7 of this decision.

[049] Ms McDonald in presenting her section 42A report stated that there were no outstanding matters in contention, and did not amend her recommendation regarding section 104D.

[050] Ms Freeman provided some commentary regarding technical matters, and this is incorporated into the following discussions on effects.

[051] Mr Garbett's right of reply closed off a number of topics that were raised during the hearing and these are incorporated into the following discussions.

## 6 Effects

### 6.1 Introduction

[052] By the commencement of the hearing, the applicant and ORC's technical reviewers agreed on the majority of the potential effects. The exception to this was air quality, where some differences remained which were largely resolved during the hearing. In addition, submitters raised several concerns which are discussed below.

### 6.2 Scope of some effects

[053] Several matters were addressed in the application, and have followed through to the agreed conditions, which are not directly in the scope of the consents applied for. The two principal ones are noise and building finishes, neither of which are regional council responsibilities in this situation. The conditions were volunteered in response to concerns raised by neighbours (in the case of noise) and Mana Whenua (in the case of building finishes).

[054] This was discussed at the hearing and the applicant clarified (and ORC agreed) that the conditions can legitimately be volunteered under the "Augier" principle. As a result of these discussions, the agreed conditions include an advice note stating that the conditions are volunteered and enforceable. The advice note also refers to a volunteered condition regarding construction hours, which was proposed in response to concerns regarding noise.

### 6.3 The permitted baseline

[055] When forming an opinion for the purposes of section 104(1)(a) of the RMA, I may disregard an adverse effect of an activity on the environment if a national environmental standard or a plan permits an activity with that effect<sup>1</sup>. The permitted baseline is used at the consent authority's discretion and in this case, Ms McDonald recommends that it not be applied, largely because of a lack of applicable permitted activity rules, and I accept that advice.

### 6.4 Air quality

[056] The proposal has the potential to generate adverse effects from the discharges of dust and odour, during construction and operation of the RRPP.

#### 6.4.1 Dust

[057] Mr Curtis considers that dust discharges from the RRPP, either on their own or in combination with other sources such as the landfill, are not likely to create a nuisance effect beyond the site boundary. His reasons, are summarised in paragraph 58 of his evidence:

*"Overall, it is my opinion that with the mitigation proposed, the low frequency of strong winds and the distance between the potential receptors and the site activities, there is a low potential for there to be offsite dust nuisance."*

[058] Ms Freeman agrees with this finding at paragraph 21 of her evidence, stating:

*"I agree with the dust assessment provided in the AQ Report. In my opinion, there are no sensitive receptors that are likely to be affected by dust to a minor or more than minor degree."*

[059] Ms McDonald's conclusion regarding dust, at page 21 of her section 42A report, is that it will have an effect that is *"less than minor (negligible)"*.

#### 6.4.2 Odour

[060] Odour is the key potential discharge from this activity. Prior to the hearing, the applicant and ORC largely agreed on the potential effects, and the main overall conclusion as agreed by them is that activities at the RRPP – during both construction and operation - will result in a low level of odour effect at nearby dwellings, as long as the site is properly run and managed in accordance with the various proposed management plans. Specifically, Ms Freeman states in her evidence that the applicant's odour assessment was carried out appropriately, and, at paragraph 23, that:

*"I consider that if any odours are detected at sensitive receptors, these odours are likely to be weak, infrequent, and of short duration."*

[061] However, Ms Freeman makes it clear in her paragraph 24 that:

*"However, my conclusion is prefaced on operation of the mitigation controls and contingency measures proposed in the application, and on the field surveillance findings reported by PDP that I have not been able to independently verify."*

[062] Ms Freeman also noted, in her spoken presentation, that her starting point for her technical review was a precautionary one, and that her review was complicated by the presence of the landfill which generates a strong background odour.

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<sup>1</sup> Section 104(2) of the RMA.



- [063] Some specific aspects were not agreed before the hearing commenced, and I will discuss these below along with some additional matters that came up during the hearing.
- [064] Mr Garbett also raised the wider question of consistency with RMA s104D(1)(a) as discussed in paragraph [042] above. This matter is related to cumulative effects from the concurrent operation of the RRPP and landfill and I will address it separately.
- [065] The potential acceptance of commercial loads of meat or fish was raised by a submitter and queried by Ms Freeman. As a result, Ms McDonald's recommended conditions included modification of the applicant's initial proposed condition 5 to consent .03 (operational air discharge) to specify that raw material could only be sourced from kerbside collection. Mr Dolan points out at paragraph 81 of his hearing statement that this is too restrictive and does not allow for raw materials to be introduced from direct drop off at the RRPP, or from transfer stations. Following discussion, the applicant provided in the final condition set an amended specific condition 5 that excludes "*commercial loads of animal remains, and waste from meat processes*". ORC agrees with this amendment.
- [066] Time limits for certification of the biofilter. The proposed general conditions (to be attached to all consents) include condition 4 which sets out a certification process for required plans, documents, etc. The general philosophy of this certification process is that it must commence within a set number of working days and the applicable processes cannot be commenced until certification is received. However, if the certification process does not commence within that time, then the documents are deemed to be certified. The conditions included with the original application allowed 10 working days for this process. The process also includes a pathway for an unfavourable review and the submission of amended drafts.
- [067] Ms Freeman's view was that the design of the biofilter is a very important parameter for site odour management, and it should be allowed a longer time period and not be deemed to be accepted if the council cannot comply with the time limit. Ms McDonald's recommended conditions accordingly allowed for a two month time frame for the biofilter certification, and exclusion of the biofilter design from the provisions that otherwise enable default certification. In discussion at the hearing the applicant stated that it is not comfortable with a potentially open-ended design process for the biofilter, but proposed a biofilter-specific two month certification period. This was accepted by ORC.
- [068] Duration of storage of raw materials. The application included suggested condition 7 which allows for the storage of raw material in the BWTS for up to 72 hours before it is processed. Ms Freeman's opinion in her evidence is that there is a risk of odour impacts when the BWTS is opened at the end of this period, and the applicant should address it further.
- [069] Mr Dolan's response was that the storage of putrescible waste over weekends is standard practice at other sites and does not raise additional odour issues as long as it occurs indoors. Mr Curtis agreed with this, stating at paragraph 88 of his evidence that "*...I consider the potential risk of off-site odour effects associated with this is extremely low.*" On discussion of this at the hearing, Ms Freeman reconsidered her position and agreed with Messrs Dolan and Curtis.
- [070] Some other smaller points were discussed:
- [071] With regard to odour effects during RRPP construction, in his evidence, Mr Curtis says that the likelihood of this is low, given the advanced age of the waste material below the RRPP site into which excavation will occur (paragraph 66 of his evidence). The air quality assessment provided with the application states at section 2.5 that odour complaints were known to have occurred when landfill gas wells were drilled into waste elsewhere at the landfill site, and Mr Curtis clarified that that material was much younger than the historical landfill at the RRPP.
- [072] Mr Dolan in his evidence draws attention to a requirement in ORC's original recommended conditions that several biofilter parameters be recorded, and the data be provided to ORC annually as part of the site Annual Monitoring Report. He considers it onerous to provide the information due to the large amount that would be generated, and suggests that instead it be held for provision to the ORC if required. This was discussed at the hearing, and it was agreed that the data in question (the temperature and pressure of biofilter inlet air) should be kept for five years but did not need to be supplied annually to ORC. The agreed conditions were modified accordingly.

- [073] Ms Freeman and Mr Curtis also referred to odour issues at Christchurch's Bromley composting site (which is not operated by Enviro NZ). Mr Curtis had in the original application identified significant differences between the two sites which meant that the effects from them were not comparable, and Ms Freeman, in response to comment from a submitter who did not wish to be heard, agreed that this is the case.
- [074] Some discussion occurred regarding the management and removal of composting material that becomes excessively odorous. It was agreed that this is adequately covered by the proposed conditions and management plans.
- [075] I queried Mr Curtis on some aspects of his air quality assessment, particularly related to the magnitude of effects at certain distances from the odour sources, the assignment of effects to wind speed categories, the difference between the proposed RRPP and the existing Hampton Downs site, and statements regarding "best practice". However, I note that these are all in the context of overall agreement between Mr Curtis and Ms Freeman on the method and results of the air quality assessment.

#### 6.4.3 Finding

- [076] My findings are that the potential adverse effects of dust discharges will be less than minor, and the potential adverse effects of odour discharges will be less than minor in isolation, and minor in combination with other existing sources.

### 6.5 Effects on surface water

- [077] Construction and operation of the RRPP will have effects on the surface water of the Kaikorai Stream and associated wetlands, due to the runoff of contaminated stormwater from the site. The effects include changes in water quantity, water quality and aquatic ecology.
- [078] Ms Woods for the applicant has described how the stormwater will be sourced from low risk catchments and treated before its final discharge. High risk activities with more contaminated runoff or leachate will be undertaken indoors where possible, and their discharges will be directed to the leachate collection and disposal system. The development of the site will entail the installation of additional sealed areas and as a result, the volume of water entering the stormwater system and ultimately the stream will increase from current levels.
- [079] Ms Woods also states that construction activities are likely to generate temporary sediment discharges, and she considers that the CEMP proposed by the applicant will be critical to managing the effects of these discharges.
- [080] Ms Woods' conclusions, as set out in her evidence, are that:

*"...the quality of the runoff from the operation of the developed RRRP site is anticipated to be of a similar or better quality than the current situation and may be improved."* (paragraph 56).

And

*"While the development of the RRPP will result in additional runoff being generated, sediment retention ponds will be used to manage peak flows from the site. Flood levels within the Kaikorai Stream will not be impacted by the proposed RRPP development."* (paragraph 58).

- [081] She concludes at paragraph 59 that *"...my assessment is that the effects on the receiving environment from surface water runoff will be less than minor."*
- [082] Two experts provided review comments for ORC. Claire Conwell commented on potential quality and quantity effects, and Elizabeth Morrison commented on aquatic ecology. Both agreed with the applicant's conclusions, in their initial reviews of the application and the material provided either as evidence (Ms Conwell), or as a memorandum attached to Ms McDonald's section 42A report (Ms Morrison). No issues regarding these effects arose at the hearing.

#### 6.5.1 Finding

- [083] My finding is that the potential adverse effects of the discharges to surface water will be less than minor.

## 6.6 Effects due to the disturbance of contaminated land

[084] The disturbance of contaminated land during construction will give rise to effects on air (dust and odour) and water, and these are addressed in the above discussions. However, this land disturbance also has the potential to adversely affect human health via contact with contaminated material and exposure to gases from contaminants in the soil; in this case primarily landfill gas. While this is possibly more a matter for a district council consent under the National Environmental Standard for Contaminants in Soil, Ms McDonald's section 42A report includes an attached statement of evidence from Samantha Isles, a contaminated land specialist.

[085] Ms Isles concludes that the management practices and controls proposed by the applicant are sufficient to manage these effects. The applicant did not provide evidence on this matter and no issues arose at the hearing.

### 6.6.1 Finding

[086] My finding is that the potential effects on human health due to the disturbance of contaminated land will be less than minor.

## 6.7 Effects on groundwater

[087] The applicant's contention is that there are likely to be no effects on groundwater beyond the site due to the proposed activities. This is because the site is largely encircled by the leachate collection trench, which creates a "hydraulic barrier" that groundwater cannot pass. The trench is dewatered by pumps and the water and leachate are disposed of at the nearby wastewater treatment plant. The leachate system and ultimate discharge are allowed by other consents.

[088] Ms Dusk Mains gave evidence to this effect for the applicant, and as well as describing the hydraulic barrier created by the leachate collection system, she concludes at paragraph 55 that

*"I consider that the overall impact of the RRPP development on groundwater is positive due to the reduction in leachate generation from the increased hardstand areas and subsequent decrease in rainfall infiltration to the waste."*

[089] Mr Tim Baker has reviewed the application on behalf of ORC, and provided a statement of evidence attached to Ms McDonald's section 42A report. In paragraph 21 of his evidence, Mr Baker states:

*"Overall, I consider that the technical information provided in relation to groundwater related matters is appropriate and supports the conclusion that effects on groundwater as a result of the proposed activities are negligible."*

[090] It is of note that the leachate system itself is allowed by separate consents and is not part of these applications. Therefore, discharges to it, either directly via the collection network or indirectly by loss to the groundwater environment below the site and subsequent capture into the trenches along the hydraulic gradient created by pumping, are not directly in scope. Mr Garbett stated that the application included this assessment out of an abundance of caution.

[091] However, the application and agreed conditions include leachate management and I agree that this is appropriate, as it is very important that a barrier is maintained between the leachate system and the stormwater system. The agreed conditions regarding leachate are largely in place to ensure that the systems are segregated, rather than to manage the leachate system itself.

### 6.7.1 Finding

[092] Accepting the above discussions, my finding is that the potential effects on groundwater will be negligible or non-existent, as long as the leachate system is in operation.

## 6.8 Noise

[093] The applicant has included noise monitoring in general condition 24, and I have already discussed the scope of this in section 6.2. The applicant volunteers to monitor noise to determine compliance with the

designation noise requirements. This condition does not set limits or address compliance, as these matters would be addressed via district council requirements.

## 6.9 Bird hazard / nuisance, pests and vermin

[094] These matters were assessed in the application, have been raised by submitters, and are addressed in the management plans and conditions.

[095] Measures to control pests and vermin are included in general conditions 25 to 27 and rely on the preparation of a pest management plan. No concerns have been identified by ORC and I have had no advice to suggest that the proposal is not adequate or appropriate.

[096] Bird management is addressed by general condition 6h which requires the SEMP to manage bird control. This matter was raised by submitters and addressed by Mr Garbett in the applicant's right of reply, and I will discuss it later in this decision when addressing the submitter's presentations.

## 6.10 Effects on Mana Whenua

[097] The application included, in Appendix 10, a letter from Aukaha on behalf of Te Rūnanga o Ōtākau, providing affected party approval of the application subject to the adaptation of recommendations and a proposed condition of consent. The application itemises the recommendations and how they have been complied with, and the proposed condition, which relates to building finishes, is general condition 23 (as with noise, this Augier condition is discussed in section 6.2).

[098] Section 104(3)(a) states that a consent authority must not, when considering an application, have regard to *(ii) any effect on a person who has given written approval to the application:*

[099] Therefore, I do not further consider effects on mana whenua.

## 6.11 Positive effects

[100] Several positive effects were identified in the application, and none were in dispute at the hearing. In summary they are:

- Improved stormwater quality and leachate disposal.
- Improved site amenity.
- Economic and social benefits to the community.
- Enabling DCC compliance with waste minimisation legislation and policy.

[101] I have no disagreement with this assessment.

## 6.12 Conclusion regarding effects

### 6.12.1 Overall conclusion

[102] I agree with the conclusions made by the applicant and ORC officers, that the adverse effects of the activity will largely be less than minor, and in some cases may be minor. None of the adverse effects weigh against granting of these consents.

### 6.12.2 Section 104D(1)(a)

[103] As discussed in paragraph [042], Mr Garbett requested that I make a finding on consistency with RMA section 104D(1)(a). He submits that the effect of odour discharged from the RRPP will be, on its own, less than minor and therefore in compliance with section 104D(1)(a). Ms McDonald's position is that cumulative effects must be considered in this evaluation and that the overall odour effect of the RRPP and the landfill may be more than minor.

[104] Section 104D states:

*(1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—*

*(a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*

*(b) the application is for an activity that will not be contrary to the objectives and policies of—*

*(i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*

*(ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*

*(iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

*(2) To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.*

[105] The RMA definition of "effect" in section 3 includes:

*(d) any cumulative effect which arises over time or in combination with other effects—*

[106] Therefore, on the face of it, assessment of section 104D should include cumulative effects.

[107] Section 104D(1)(a) does refer to the "*adverse effects of the activity*" which could imply consideration of the proposal in isolation. However, this is very similar to the wording of section 95A(8)(b) which requires public notification if:

*the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

[108] The two tests appear to say the same thing in slightly different ways, which is that the adverse effects of the activity must be considered.

[109] I am not familiar with any situations where it has been successfully argued that a public notification decision should be made without regard to cumulative effects, and this is reinforced by available guidance such as that on the Quality Planning website, which states in its section on making decisions on section 95A(8)(B)<sup>2</sup> that:

*When assessing whether an activity will have or is likely to have adverse effects on the environment that are more than minor, regard needs to be had to the following:*

*1. the cumulative nature of any effect over time, or in combination with other effects...*

[110] Therefore, I agree with Ms McDonald's view, and I conclude that the section 104D(1)(a) evaluation should include cumulative effects.

## 7 Matters raised by submitters

[111] In their written submissions and presentations to the hearing, the submitters referred to a wide range of concerns. The main points of concern are discussed below, and I have addressed these collectively as the views both of Mrs Helms, and Mr and Mrs Neal.

[112] Odour. The submitters make it plain that they retain concerns regarding odour effects from the site, and that they will be diligent in making complaints if events occur. The applicant and council experts agree that odour from the RRPP itself will be less than minor, and I anticipate this outcome being reflected in consent compliance.

[113] Noise, from the site in general but from the MRF in particular as this building is close to the submitters' dwellings. I noted to the submitters that noise is controlled through the district plan, and there is nothing

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<sup>2</sup> <https://www.qualityplanning.org.nz/node/847>

that can be addressed through this process other than the conditions volunteered by the applicant. Mr Garbett makes a similar observation in his right of reply. However, I note that the applicant appears willing to continue discussion with neighbours on this issue.

- [114] Hours of operation of the MRF. The submitters expressed concern at the proposed hours of operation of the MRF as stated in Mr Dolan's evidence, which enable activities to occur until 11 pm. Mr Garbett proposes in the right of reply a modification to the SEMP to identify that normal MRF hours will be 7 am to 7 pm, but that operation can extend until 11pm if required, Monday to Saturday. The submitters' concern appears to be primarily noise related and this decision has no control over that aspect.
- [115] Traffic movements. The submitters retain concern about some aspects of traffic at the site, but this aspect is also outside of the scope of these consents, other than potentially with regard to air discharges (ORC's air quality advisor Ms Freeman had no comment on this matter). The applicant indicated that it is willing to discuss and manage this aspect in consultation with neighbours, and is working on potentially removing a road from the area between the MRF and the dwellings, if this can be achieved.
- [116] Pest management is clearly a concern, and the applicant has taken measures to address it in the conditions.
- [117] Bird nuisance as a result of perching and nesting on new structures at the site, particularly the MRF. Mr Garbett, in the right of reply indicates that the applicant shares this concern and is committed to addressing it, and will upgrade the SEMP to include more specific measures to reduce bird nuisance.
- [118] While many of the submitters' concerns are not directly in scope for the applications, the applicant has expressed willingness to work with neighbours the issues raised, and has made amendments to the proposed management plans and conditions. I consider that the primary "in scope" issue of odour has been addressed by the experts.

## 8 Applicable statutory documents

- [119] Ms McDonald has provided a summary of the applicable statutory documents in section 6.3 of her section 42A report. Mr Dale largely agrees with Ms McDonald's assessment with two exceptions which I will discuss below.

- [120] I accept Ms McDonald's assessment and adopt it for this decision.

### 8.1 National Policy Statement for Freshwater Management 2020

- [121] Ms McDonald advises that section 104(2F) of the RMA precludes consideration of clauses 1.3(5) (hierarchy of obligations) and 2.1 (Objective) of the National Policy Statement for Freshwater Management 2020 (NPSFM). Accordingly, she disregards those clauses in her assessment.
- [122] Neither Ms McDonald nor Mr Dale identify any non-compliance with the policies of the NPSFM.

### 8.2 New Zealand Coastal Policy Statement

- [123] The principal effect on the coastal environment relates to stormwater discharges from the RRPP site. Ms McDonald does not identify any issues in this regard and concludes that the proposal is consistent with the New Zealand Coastal Policy Statement.

### 8.3 National Policy Statement for Indigenous Biodiversity

- [124] Ms McDonald identified no issues regarding the National Policy Statement for Indigenous Biodiversity (NPSIB).
- [125] Mr Dale reaches the same conclusion but disagrees with Ms McDonald on the Significant Natural Area (SNA) status of the Kaikorai Stream and Estuary. Mr Dale considers that given how that area is classified in the district plan and the RPW, it has SNA status under the NPSIB. However, he considers that the findings of the ecological assessment that accompanied the application indicate that the proposal is consistent with the applicable policies of the NPSIB.

8.4 Resource Management (National Environmental Standards for Freshwater) Regulations 2020

[126] No issues are identified with these regulations.

8.5 Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007

[127] No issues are identified with these regulations.

8.6 Resource Management (National Environmental Standards for Air Quality) Regulations 2004

[128] These regulations do not preclude granting of the applications.

8.7 Otago regional policy statements and regional plans

[129] The operative Otago Regional Policy Statement 2019 (ORPS) and the partially operative Proposed Otago Regional Policy Statement 2021 (PORPS) both apply.

[130] As discussed, three regional plans are relevant. Those plans are ageing and do not give effect to more recent higher-order documents.

[131] Between them, the policy statements and plans include numerous applicable provisions, and Ms McDonald has summarised these in Appendix H to her section 42A report. She concludes that the applications are largely consistent with all provisions, but that some aspects related to air quality are either partially consistent, or in one case (PORPS Policy Air-P1) *"inconsistent with, but not contrary to"* the applicable objectives and policies. None of these give her reason to recommend that the applications be refused, or appear to contribute any uncertainty to her recommendation to grant.

[132] I have read Ms McDonald's summary, and I generally agree with her discussions. In some cases, her determination appears to be based on a conservative assessment of the potential effects of the discharges, and my reading of her comments, and my understanding of the advice provided by technical experts at the hearing, is that these policies and objectives will largely be complied with. However, other cases are less clear cut.

[133] Mr Dale, in his evidence at paragraphs 77 – 80, disagrees with Ms McDonald's assessments and considers that the proposal is *"largely, but not fully"* consistent with all the provisions. This terminology suggests a higher level of compliance than Ms McDonald's *"partially consistent"* and is more strongly in disagreement with her assessment of the proposal being *"Inconsistent with, but not contrary to"* Policy Air-P1 of the PORPS.

[134] This disagreement appears largely down to the planners' evaluation of advice provided by technical experts who are taking slightly different lines on the magnitude of potential adverse effects, especially when assessed cumulatively with other sources. Ms McDonald's evaluation is generally conservative, and Mr Dale's is perhaps less so. This is a small matter and does not affect the outcome which is Ms McDonald's recommendation to grant the applications.

8.8 Kāi Tahu ki Otago Natural Resource Management Plan 2005

[135] Ms McDonald's section 42A report also includes at Appendix H an assessment of compliance with Kai Tahu ki Otago Natural Resource Management Plan 2005. She finds that the proposal is consistent with all the applicable provisions of that plan.

## 9 The Resource Management Act 1991

### 9.1 Section 104

[136] Section 104 sets out the matters that must be considered when deciding an application. The applicable ones have been considered above, with the exception of section 104(1)(c) which relates to

*any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

[137] I consider that there are no other applicable matters.

### 9.2 Section 104D

[138] I have already discussed section 104D(1)(a). Despite any determination on effects, the applications pass the test of section 104D(1)(b), and the consents can be granted on that basis.

### 9.3 Sections 105 and 107

[139] I adopt Ms McDonald's evaluation of these sections, and her advice that they do not preclude the granting of these applications. This is consistent with the applicant's view.

### 9.4 Part 2

[140] I am aware of case law which outlines that if the lower order statutory instruments appropriately deal with Part 2 matters, then no further assessment of those matters is required. Ms McDonald says as much in her section 42A report and does not make a Part 2 evaluation.

[141] Mr Dale provides assessments against the requirements of Part 2 in the application and in his evidence where he states in paragraph 90 that:

*"it is unclear whether a coherent environmental outcome is completely provided for in the planning documents for the consents sought. Accordingly, out of caution, I have considered Part 2."*

[142] Given the age of the existing regional plans, I agree with that statement.

[143] Mr Dale's assessment of Part 2 concludes that the application is consistent with Sections 5, 6, 7 and 8 of the RMA. This finding met with no disagreement from other parties.

[144] I have had regard to Part 2, and I agree that the applications meet the purpose and principles of the RMA set out therein.

## 10 Resource consent duration and lapse date

[145] Durations of ten years are requested for the construction phase consents RM24.143.01 and .02, and 35 years for the operational consents RM24.143.03, .04 and .05. ORC agrees with these requests.

[146] I have considered these durations and agree that they are appropriate for reasons provided by the applicant and ORC both in the papers and in verbal responses at the hearing.

[147] Five-year lapse dates have been requested and are specified in specific condition 1 of each consent.

## 11 Resource consent conditions

[148] Section 108 allows a consent authority to grant a consent on any condition that it considers appropriate, subject to certain restrictions.

[149] During processing of the applications, several iterations of suggested conditions were made by the applicant with the final set being circulated after the hearing, following agreement on final matters between the applicant and ORC.



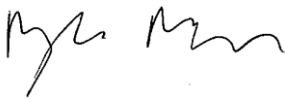
[150] The agreed conditions are attached to this decision. If small mistakes or defects are identified in these conditions, section 133A allows for their correction by the consent authority within 20 working days of granting the consents.

## 12 Decision

[151] I grant resource consents RM24.143.01, .02, .03, .04 and .05 applied for by Dunedin City Council.

[152] My reasons are set out in the body of this decision, but in summary, they are:

- Potential adverse effects of the proposal are less than minor or minor; and
- The proposal is generally consistent with the relevant statutory instruments and any inconsistencies are minor and do not weigh against a grant of consent.



Myles McCauley  
12 December 2024

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Attachment 1

Resource consent conditions

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**RM24.143.01 To disturb a contaminated site for construction of the Resource Recovery Park Precinct.**

**Specific**

1. Under section 125 of the Resource Management Act 1991, this consent lapses five years after the date of commencement of the consent unless:
  - a) The consent is given effect to; or
  - b) The Consent Authority extends the period after which the consent lapses.
2. This consent is also subject to the General Conditions in Schedule 1 – General Conditions Relevant to All Consents. In the event of differences or conflict between the General Conditions and the conditions of this consent, the conditions of this consent prevail.
3. The disturbance of contaminated soil during construction works must be carried out in accordance with the Green Island Resource Recovery Precinct Draft Contaminated Land Management Plan (CLMP), prepared by GHD and dated 16 February 2024 that was submitted in support of the application.
4. The CLMP may be amended at any time. Any amendments must be:
  - a) For the purpose of improving the efficacy of the contaminated site management procedures; and
  - b) Consistent with the conditions of this resource consent.
5. Any updated versions of the CLMP must be submitted to Otago Regional Council for recertification in accordance with general condition 4.
6. The Consent Holder must ensure that the Otago Regional Council is provided with an electronic copy of the most current and complete version of the CLMP at all times.
7. All contaminated soils must be removed from site and disposed of within the Green Island landfill or other approved facility. Soil must not be reused during construction works.
8. All areas of contaminated land disturbance, including but not limited to the disturbance of landfill waste material, must be designed and managed to ensure that any overland stormwater flow and stormwater infiltration to land is captured and discharged into the landfill leachate collection system.
9. Sediment generation and runoff from the construction of the RRPP and into receiving waterbodies must be minimised as far as practicable. Best practice stormwater, erosion and sediment control management measures must be implemented during construction, which ensure:
  - a) The area of soil surfaces exposed at any one time is minimised;

- b) Sediment laden stormwater is directed to the landfill leachate collection system
- c) Temporary measures such as silt fences, sediment traps and temporary cover and stabilisation are installed to minimise the transport of sediment from exposed soil surfaces; and
- d) Areas where earthworks activities are undertaken are progressively stabilised with vegetation or other means as soon as practicable upon completion.

*Note to Consent Holder: for the purpose of this condition, best practice erosion and sediment control is the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005).*

- 10. No less than 10 working days prior to the commencement of disturbance activity, the Consent Holder must notify the Otago Regional Council in writing of the commencement date of works and provide photographs of the areas where work is to be undertaken. Photographs must be in colour and no smaller than 200 x 150 millimetres in size and be in JPEG form.
- 11. The Consent Holder must forward copies of the results of any water, soil, or air analyses undertaken as a result of the exercise of this consent to the Otago Regional Council within 10 working days of receiving the results.
- 12. The Consent Holder must notify the Otago Regional Council in writing of the completion of the disturbance works no less than 10 working days following the completion of works and must provide photographs of the areas where work has been undertaken. Photographs must be in colour and be no smaller than 200 x 150 millimetres in size and be in JPEG form.
- 13. Within three months of the completion of the works the Consent Holder must provide the Otago Regional Council with a Site Validation Report (SVR), prepared by a suitably qualified and experienced practitioner and in accordance with Contaminated Land Management Guideline No 1. The SVR should contain sufficient detail to address the following matters:
  - a) Summary of the works undertaken;
  - b) The location and dimensions of the excavations carried out, including a relevant site plan;
  - c) Records of any unexpected contamination encountered during the works, including GPS coordinates, if applicable;
  - d) A summary of sampling (if any) and analysis undertaken for validation sampling, and for unexpected contamination (if applicable), tabulated analytical results including laboratory transcripts, and interpretation of the results in the context of the relevant soil guideline values;
  - e) Copies of disposal dockets for material removed from site, if any; and
  - f) Details regarding any complaints received by the Consent Holder and/or breaches of the procedures set out in the CLMP or Construction Environmental Management

Plan (CEMP).

## **Schedule 1 – General Conditions Relevant to All Consents**

1. The construction and operation of the RRPP (including all associated discharges of contaminants to land, water and air) must be undertaken in general accordance with the following documents, except where modified by other conditions of this consent. In the event of differences or conflict between the contents of the documents and the conditions, the conditions must prevail:
  - a) Waste Futures – Green Island - Design and Operations Report by GHD dated February 2023
  - b) Green Island Resource Recovery Precinct Stormwater Management Plan and Assessment of Effects by GHD dated 19 February 2024
  - c) Waste Futures - Green Island Resource Recovery Precinct - Groundwater Technical Assessment by GHD dated 23 February 2024
  - d) Green Island Resource Recovery Precinct Draft Contaminated Land Management Plan by GHD dated 16 February 2024
  - e) Site Environmental Management Plan by Enviro NZ dated February 2024
  - f) Draft Construction Environmental Management Plan by GHD dated 12 January 2024
  - g) Erosion and Sediment Control Plan by GHD dated 28 February 2024
  - h) Draft Stormwater Management Operation and Maintenance Plan by GHD dated 28 February 2024
  - i) Draft Composting Facility Management Plan by Enviro NZ dated February 2024
  - j) Green Island Resource Recovery Precinct Landscape Effects Assessment by Boffa Miskell dated 16 February 2024
  - k) Green Island Landfill Resource Recovery Precinct Ecological Assessment Report by Boffa Miskell dated 12 February 2024
  - l) Bird Hazard Report by Avisure dated February 2024
  - m) Draft Southern Black Backed Gull (SBBG) Management Plan by Avisure dated November 2023.
  - n) Affected Party Approval letter by Aukaha dated 14 March 2024.
  - o) Green Island Resource Recovery Precinct Air Quality Assessment by Pattle Delamore Partners dated January 2024
  - p) Waste Futures - Green Island Resource Recovery Precinct - Integrated Transport Assessment by GHD dated 28 February 2024
  - q) Green Island Resource Recovery Precinct Assessment of Acoustic Effects by GHD dated 27 February 2024
  - r) Waste Futures – Resource Recovery Park Precinct - Interim Social Impact Assessment by GHD dated 15 March 2024.
  - s) Resource Recovery Processing Precinct Site Options Assessment by GHD dated 20 October 2022
  
2. An alternative design or methodology to that proposed in the consent documents specified in general condition 1 may be used if:
  - a) The adverse effects of the activity are demonstrated by the Consent Holder to be the same or less than the consented design or methodology; and
  - b) The alternative design or methodology has been provided under general condition 4 to the Otago Regional Council and certification is obtained from the Otago Regional Council; or

- c) The alternative design or methodology has been incorporated into the Operations Management Plan under general condition 5 or any other management plan and provided to the Otago Regional Council and certification is obtained from the Otago Regional Council.
3. These resource consents and a copy of the Otago Regional Council certified version of any management plan and design details required by these consents must be kept on site at all times, and the Consent Holder must ensure all relevant personnel are made aware of each document's contents.

### **Certification Process**

4. The Consent Holder must follow the process set out below for any plans, documents, designs or specifications (hereafter referred to as 'documents') requiring the certification of an officer of the Otago Regional Council:
  - a) Documents requiring certification must be submitted to the relevant officer in electronic and hard copy form for certification. The certification process must be confined to confirming that the documents adequately give effect to the relevant condition(s).
  - b) Subject to (c) and (e) below, works to which the documents relate must not commence until the Consent Holder has received written certification from the relevant officer.
  - c) If the Consent Holder has not received a response from the relevant officer within 20 working days of the date of submission under (a) above, or 2 months for the design of the biofilter, the documents must be deemed to be certified.
  - d) If the relevant officer's response is that they are not able to certify the documents they must provide the Consent Holder with reasons and recommendations for changes to the documents in writing. The Consent Holder must consider any reasons and recommendations of the relevant officer and resubmit amended documents for certification.
  - e) If the Consent Holder has not received a response from the relevant officer within 10 working days of the date of resubmission under (d) above, the documents must be deemed to be certified.
  - f) If the relevant officer's response is that they are still not able to certify the resubmitted documents, then the Consent Holder must nevertheless implement the resubmitted documents with a notation that certification of them has not occurred. This condition must not apply to the certification of the biofilter design required by general condition 17(d).
  - g) Certified documents may be amended at the request of the Consent Holder at any time subject to recertification undertaken in accordance with general condition 4(a) to (f) with references in those clauses to certification to be read as recertification.

### **Site Environmental Management Plan**

5. The operation of the RRPP must be undertaken in accordance with a Site Environmental Management Plan (SEMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
6. The SEMP must be based upon the draft plan prepared by Enviro NZ submitted in support of the application, and must address how the following matters will meet any requirements, limits, or restrictions set out by the conditions of the resource consents:

- a) Leachate and stormwater management.
  - b) Erosion and sediment controls during construction and operation.
  - c) Types of organics to be accepted for compost processing and those that are prohibited.
  - d) Organics acceptance control and monitoring the types of waste accepted.
  - e) Odour and dust management.
  - f) Noise management.
  - g) Litter management.
  - h) Plant and animal pest management, including bird control.
  - i) Monitoring procedures, including locations, parameters, and frequency
  - j) Building and infrastructure inspections and maintenance.
  - k) Fire preparedness and response management.
  - l) Emergency management and contingency response procedures.
  - m) Complaints response procedures.
  - n) Record-keeping and reporting requirements.
7. Prior to commencement of operations at the RRPP, the Consent Holder must submit a final SEMP to the Otago Regional Council. The final plan must be prepared in consultation with Te Rūnanga o Ōtākou to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of operations to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with general condition 4.
8. By 1 July each year the Consent Holder must, in consultation with Te Rūnanga o Ōtākou, complete a review of the SEMP required by general condition 5 to ensure that the management practices contained within them remain adequate to ensure compliance with the conditions of these consents. If amendments are made to a management plan, the amended plan must be submitted to the Otago Regional Council for recertification in accordance with general condition 4.
9. The Consent Holder may make amendments to the SEMP required by general condition 5 at any time. Any amendments must be made in consultation with Te Rūnanga o Ōtākou and submitted to the Otago Regional Council for recertification in accordance with general condition 4.
10. The Consent Holder must appoint and retain an appropriately qualified and experienced person to supervise the operation of the RRPP.

### **Construction Environmental Management Plan**

11. The construction of the RRPP must be undertaken in accordance with a final Construction Environmental Management Plan (CEMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
12. The CEMP must be based upon the CEMP and Contaminated Land Management Plan (CLMP) prepared by GHD submitted in support of the application, and must address the following (as a minimum):
- a) Administrative Requirements
    - i. Weekly site inspections
    - ii. Monthly environmental reporting

- iii. Independent audit by Suitably Qualified and Experienced Person
  - iv. Notification and management of environmental incidents
  - v. Records and registers
  - vi. Environmental roles and responsibilities of personnel (including nomination of Principal Contractor)
  - vii. Relevant contact information of those onsite and managing the construction or earthwork activities onsite; and
  - viii. Site induction
- b) Operational Requirements
- i. Erosion and sediment control measures
  - ii. Any soil, water, or air quality monitoring including sampling locations
  - iii. Contaminated land management
  - iv. Odour and dust management
  - v. Landfill gas management
  - vi. Archaeological and cultural heritage
  - vii. Chemical and fuel management
  - viii. Handling and disposal procedures for contaminated material encountered during the activity.
- c) Sufficient detail to address the following matters:
- i. Specific erosion and sediment control works (locations, dimensions, capacity etc);
  - ii. Supporting calculations and design drawings.
  - iii. Catchment boundaries and contour information.
  - iv. Details of construction methods.
  - v. Timing and duration of construction and operation of control works including traffic management.
  - vi. Contingency measures to address any unexpected or accidental discoveries of contamination or discharges identified at the site, which must include assessment by a suitably qualified and experienced person.
  - vii. Measures to avoid silt and/or sediment tracking onto roads and then to water for the duration of the earthworks, such as:
    - Providing stabilised entry and exit point(s) for vehicles
    - Providing wheel wash facilities
    - Cleaning road surfaces using street-sweepers immediately where sediment has been tracked onto the road
  - viii. Details relating to the management of exposed areas
  - ix. Landscape rehabilitation
  - x. Soil, air quality, groundwater and/or surface water monitoring requirements.

13. Prior to commencement of construction of the RRPP, the Consent Holder must submit a final CEMP to Otago Regional Council. The final plan must be prepared to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of construction to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with general condition 4.

14. The Consent Holder must submit an updated CEMP to Otago Regional Council when:

- a) The construction program moves from one stage to another or
- b) Any significant changes have been made to the construction methodology since the original plan was accepted; or



- c) There has been an environmental incident and investigations have found that the management measures are inadequate.
15. Any updated versions of the CEMP must be submitted to Otago Regional Council for recertification in accordance with general condition 4.
16. The Consent Holder must ensure that Otago Regional Council is provided with an electronic copy of the most current and complete version of the CEMP at all times.

### **Design and Construction**

17. At least 2 months prior to commencing the construction of any:
- a) Any building within the RRPP;
  - b) Leachate collection system, for direct discharge to pump stations;
  - c) Stormwater collection, treatment and discharge system; and
  - d) Biofilter for the aerated static pile bunkers;

the Consent Holder must submit a design report with specifications and design drawings to the Otago Regional Council for review to assess that they have been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice, and certification in accordance with general condition 4.

18. When completed, the works specified in general condition 17 must be confirmed by a suitably experienced Chartered Professional Engineer (CPEng) that they have been completed in accordance with the design certified by the Otago Regional Council. A Construction Quality Assurance (CQA) report must be prepared and submitted by the Consent Holder to the Otago Regional Council within 3 months following completion of the works specified in general condition 17.
19. Construction activities must be limited to between 7.00am to 6.00pm Monday to Saturday (inclusive). No work may occur outside of these times, or public holidays, except:
- a) Works may occur outside these times from Monday to Saturday (inclusive) for the purposes of undertaking concrete pours, and where at least 48 hours notice is provided to all adjoining residential properties.
  - b) Works may occur outside these times where they are required to mitigate environmental effects or protect public health and safety.

### **Vegetation Management and Planting**

20. A Vegetation Management and Restoration Management Plan (VMRP) must be prepared by a suitably qualified person within six months of the granting of this consent. The purpose of the Plan is to manage the health and long term-replacement of the existing screening vegetation on the site and implement visual screening with the objective of ensuring the RRPP facilities are integrated into the surrounding landscape, visual effects are minimised and existing views of Pukemakamaka/Saddle Hill are maintained. The Plan must be developed in accordance with the recommendations contained in the Green Island Resource Recovery Precinct Landscape Effects Assessment, Boffa Miskell dated Feb 2024 and in consultation with Te Rūnanga o Ōtākou. As a minimum the Plan must include:
- a) A survey of the health of the existing trees.

- b) Routine monitoring and maintenance of the existing trees to promote their health and long-term stability.
- c) Long-term post closure actions for the replacement of the existing trees, incorporating eco-sourced native species to enhance natural character, landscape, and amenity values, and their ongoing maintenance.
- d) Additional planting of the south-east bund, and along the north-east perimeter.
- e) A detailed programme of works, including timeframes for implementation, including early implementation of planting on the south-east bund within the first planting season following the granting of consent.
- f) Key responsibilities of onsite personnel.
- g) A review process that includes adjoining residential neighbours, Te Rūnanga o Ōtākou and Otago Regional Council.

21. The Vegetation Management and Restoration Plan must be submitted to the Otago Regional Council to assess that it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and certification in accordance with general condition 4.

22. The Vegetation Restoration Management Plan certified under general condition 4 must be implemented in accordance with the timeframes specified in the Plan and the vegetation maintained on an ongoing basis by the Consent Holder.

### **Building Finishes**

23. All buildings must be finished in neutral colours (e.g Karaka Green) with a reflectivity value of less than 30% RV for walls and 20% RV for roofs in accordance with the plans and elevations submitted in support of the application. The neutral colour palette must be selected in consultation with Te Rūnanga o Ōtākou and must complement the surrounding landscape and natural character.

### **Noise Monitoring**

24. Within 1 month following full operation of all RRPP facilities commencing, the Consent Holder must conduct noise monitoring to confirm whether the operation of the RRPP complies with the designation noise limits in the Partially Operative Dunedin City District Plan.

- a) The monitoring must be carried out by a suitably qualified and independent acoustic practitioner, and at times of the day and night when there is the highest potential for noise to be generated.
- b) The consent holder must investigate the cause of any noise that exceeds the noise limits and remedy the cause as soon as practicable.
- c) A report describing the results of the noise monitoring and any changes made to the operation of the RRPP to achieve compliance with the noise limits must be provided to adjoining residential properties, and the Otago Regional Council within 1 month of the completion of the noise monitoring.

### **Pest Management**

25. A Pest Management Plan (PMP) must be prepared within 6 months of the granting of this consent. The purpose of the Plan is to eradicate mammalian pests (rodents and

mustelids), and feral cats within the RRPP site as far as practicable. As a minimum the plan must include:

- a) Detailed pest management practices and procedures, including eradication methods.
  - b) Pest monitoring, including provision for reporting results to adjoining residential neighbours on a quarterly basis.
  - c) Key responsibilities of on-site personnel.
  - d) A plan review process.
26. The PMP must be provided to adjoining residential neighbours and then submitted to the Otago Regional Council to assess that it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and certification in accordance with General Condition 4.
27. The PMP certified under General Condition 4 must be implemented on an ongoing basis during the operation of the RRPP by the Consent Holder.

### **Complaints**

28. A complaint management, investigation and reporting system must be maintained by the Consent Holder during construction and operation of the RRPP to record the receipt and management of complaints received about the operation, including those regarding odour or dust. The following details must be recorded:
- a) Type, date, and time of complaint;
  - b) Name and address of complainant (if available);
  - c) Location from which the complaint arose;
  - d) Wind direction at the time of complaint (if relevant);
  - e) The likely cause of the complaint;
  - f) The action taken as a result of the complaint; and
  - g) The response to the complainant.

The complaints record must be made available to the Otago Regional Council (with any personal information held redacted) on request.

29. The Consent Holder must publish contact details for the RRPP operator on its website for the purpose of receiving complaints.

### **Annual Monitoring Report**

30. The Consent Holder must compile an annual monitoring report on the operation of the RRPP, including:
- a) The status of RRPP construction and operation;
  - b) Any non-compliance with the conditions of these consents or difficulties in achieving the practices and procedures in the SEMP which have arisen in the preceding year and the measures taken to address them;
  - c) Any emergency management procedures and contingency response procedures specified in the SEMP that were implemented during the preceding year;
  - d) Collated summaries of and analysis of all data required under these consents, including:
    - i. The material brought onto the site for the manufacture of compost;

- ii. The operation of the Organics Processing Facility (OPF), including the operational parameters of the composting bunkers, biofilter, and maturation windrows.
- iii. The results of odour monitoring, including all field monitoring record sheets.
- iv. Interpretation of the data, particularly with regard to OPF performance.
- e) Assessment of any complaints received.
- f) Mitigation and corrective measures initiated in response to monitoring.

The report must be forwarded to adjoining residential neighbours, Te Rūnanga o Ōtākou and Otago Regional Council by 1 October each year unless an alternative date is agreed in writing with the Otago Regional Council. The Consent Holder must make the report publicly available on the Dunedin City Council website.

## **Review of Conditions**

31. Pursuant to Section 128 of the Resource Management Act 1991 the Otago Regional Council may within six months of the anniversary date of these resource consents each year serve notice of its intention to review the conditions of these consents for the purposes of:

- a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;
- b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans and the Otago Regional Policy Statement;
- c) Ensuring the waste acceptance criteria conditions of this consent are consistent with applicable Ministry for the Environment and Environmental Protection Authority guidance, standards and notices, including for emerging contaminants;
- d) Reviewing the requirements and frequency of monitoring and reporting required under this consent; or
- e) Requiring the adoption of the best practicable option to reduce any adverse effect on the environment.

## **Advice notes**

1. *'RRPP' means Resource Recovery Park Precinct.*
2. *'Site' means all land within the Green Island Landfill designation boundary.*
3. *'Stormwater' means water running off from any impervious surface such as roads, carparks, roofs, as well as any other surface run-off that is collected and/or intercepted.*
4. *'leachate' means water containing contaminants from waste recovery and disposal.*
5. *The following general conditions are outside the scope of these resource consents, however have been volunteered by the consent holder and are to be enforced by Otago Regional Council:*
  - *Condition 19 – Construction Hours*
  - *Condition 23 – Building Finishes*
  - *Condition 24 – Noise Monitoring*

**RM24.143.02 To discharge landfill gas and dust to air associated with the disturbance of a contaminated site for construction of the Resource Recovery Park Precinct.**

**Specific**

1. Under section 125 of the Resource Management Act 1991, this consent lapses five years after the date of commencement of the consent unless:
  - a) The consent is given effect to; or
  - b) The Consent Authority extends the period after which the consent lapses.
2. This consent is also subject to the General Conditions in Schedule 1 – General Conditions Relevant to All Consents. In the event of differences or conflict between the General Conditions and the conditions of this consent, the conditions of this consent prevail.
3. There must be no odour or dust beyond the boundary that is noxious, dangerous, offensive or objectionable in the opinion of an authorised officer of the Otago Regional Council.

*Advice note: the determination of an offensive or objectionable effect must take into account the FIDOL factors and be made based on the guidance provided in Section 4.1.1 and Table 6 of the Ministry for the Environment Good Practice Guide for Assessing and Managing Odour (2016).*

4. The activities authorised by this consent must only be exercised in conjunction with Land Use Consent RM24.143.01.

**Schedule 1 – General Conditions Relevant to All Consents**

1. The construction and operation of the RRPP (including all associated discharges of contaminants to land, water and air) must be undertaken in general accordance with the following documents, except where modified by other conditions of this consent. In the event of differences or conflict between the contents of the documents and the conditions, the conditions must prevail:
  - a) Waste Futures – Green Island - Design and Operations Report by GHD dated February 2023
  - b) Green Island Resource Recovery Precinct Stormwater Management Plan and Assessment of Effects by GHD dated 19 February 2024
  - c) Waste Futures - Green Island Resource Recovery Precinct - Groundwater Technical Assessment by GHD dated 23 February 2024
  - d) Green Island Resource Recovery Precinct Draft Contaminated Land Management Plan by GHD dated 16 February 2024
  - e) Site Environmental Management Plan by Enviro NZ dated February 2024
  - f) Draft Construction Environmental Management Plan by GHD dated 12 January 2024
  - g) Erosion and Sediment Control Plan by GHD dated 28 February 2024
  - h) Draft Stormwater Management Operation and Maintenance Plan by GHD dated 28 February 2024
  - i) Draft Composting Facility Management Plan by Enviro NZ dated February 2024

- j) Green Island Resource Recovery Precinct Landscape Effects Assessment by Boffa Miskell dated 16 February 2024
  - k) Green Island Landfill Resource Recovery Precinct Ecological Assessment Report by Boffa Miskell dated 12 February 2024
  - l) Bird Hazard Report by Avisure dated February 2024
  - m) Draft Southern Black Backed Gull (SBBG) Management Plan by Avisure dated November 2023.
  - n) Affected Party Approval letter by Aukaha dated 14 March 2024.
  - o) Green Island Resource Recovery Precinct Air Quality Assessment by Pattle Delamore Partners dated January 2024
  - p) Waste Futures - Green Island Resource Recovery Precinct - Integrated Transport Assessment by GHD dated 28 February 2024
  - q) Green Island Resource Recovery Precinct Assessment of Acoustic Effects by GHD dated 27 February 2024
  - r) Waste Futures – Resource Recovery Park Precinct - Interim Social Impact Assessment by GHD dated 15 March 2024.
  - s) Resource Recovery Processing Precinct Site Options Assessment by GHD dated 20 October 2022
2. An alternative design or methodology to that proposed in the consent documents specified in general condition 1 may be used if:
    - a) The adverse effects of the activity are demonstrated by the Consent Holder to be the same or less than the consented design or methodology; and
    - b) The alternative design or methodology has been provided under general condition 4 to the Otago Regional Council and certification is obtained from the Otago Regional Council; or
    - c) The alternative design or methodology has been incorporated into the Operations Management Plan under general condition 5 or any other management plan and provided to the Otago Regional Council and certification is obtained from the Otago Regional Council.
  3. These resource consents and a copy of the Otago Regional Council certified version of any management plan and design details required by these consents must be kept on site at all times, and the Consent Holder must ensure all relevant personnel are made aware of each document’s contents.

### **Certification Process**

4. The Consent Holder must follow the process set out below for any plans, documents, designs or specifications (hereafter referred to as ‘documents’) requiring the certification of an officer of the Otago Regional Council:
  - a) Documents requiring certification must be submitted to the relevant officer in electronic and hard copy form for certification. The certification process must be confined to confirming that the documents adequately give effect to the relevant condition(s).
  - b) Subject to (c) and (e) below, works to which the documents relate must not commence until the Consent Holder has received written certification from the relevant officer.
  - c) If the Consent Holder has not received a response from the relevant officer within 20 working days of the date of submission under (a) above, or 2 months for the design of the biofilter, the documents must be deemed to be certified.

- d) If the relevant officer's response is that that they are not able to certify the documents they must provide the Consent Holder with reasons and recommendations for changes to the documents in writing. The Consent Holder must consider any reasons and recommendations of the relevant officer and resubmit amended documents for certification.
- e) If the Consent Holder has not received a response from the relevant officer within 10 working days of the date of resubmission under (d) above, the documents must be deemed to be certified.
- f) If the relevant officer's response is that that they are still not able to certify the resubmitted documents, then the Consent Holder must nevertheless implement the resubmitted documents with a notation that certification of them has not occurred. This condition must not apply to the certification of the biofilter design required by general condition 17(d).
- g) Certified documents may be amended at the request of the Consent Holder at any time subject to recertification undertaken in accordance with general condition 4(a) to (f) with references in those clauses to certification to be read as recertification.

### **Site Environmental Management Plan**

- 5. The operation of the RRPP must be undertaken in accordance with a Site Environmental Management Plan (SEMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
- 6. The SEMP must be based upon the draft plan prepared by Enviro NZ submitted in support of the application, and must address how the following matters will meet any requirements, limits, or restrictions set out by the conditions of the resource consents:
  - a) Leachate and stormwater management.
  - b) Erosion and sediment controls during construction and operation.
  - c) Types of organics to be accepted for compost processing and those that are prohibited.
  - d) Organics acceptance control and monitoring the types of waste accepted.
  - e) Odour and dust management.
  - f) Noise management.
  - g) Litter management.
  - h) Plant and animal pest management, including bird control.
  - i) Monitoring procedures, including locations, parameters, and frequency
  - j) Building and infrastructure inspections and maintenance.
  - k) Fire preparedness and response management.
  - l) Emergency management and contingency response procedures.
  - m) Complaints response procedures.
  - n) Record-keeping and reporting requirements.
- 7. Prior to commencement of operations at the RRPP, the Consent Holder must submit a final SEMP to the Otago Regional Council. The final plan must be prepared in consultation with Te Rūnanga o Ōtākou to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of operations to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with general condition 4.

8. By 1 July each year the Consent Holder must, in consultation with Te Rūnanga o Ōtākou, complete a review of the SEMP required by general condition 5 to ensure that the management practices contained within them remain adequate to ensure compliance with the conditions of these consents. If amendments are made to a management plan, the amended plan must be submitted to the Otago Regional Council for recertification in accordance with general condition 4.
9. The Consent Holder may make amendments to the SEMP required by general condition 5 at any time. Any amendments must be made in consultation with Te Rūnanga o Ōtākou and submitted to the Otago Regional Council for recertification in accordance with general condition 4.
10. The Consent Holder must appoint and retain an appropriately qualified and experienced person to supervise the operation of the RRPP.

### **Construction Environmental Management Plan**

11. The construction of the RRPP must be undertaken in accordance with a final Construction Environmental Management Plan (CEMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
12. The CEMP must be based upon the CEMP and Contaminated Land Management Plan (CLMP) prepared by GHD submitted in support of the application, and must address the following (as a minimum):
  - a) Administrative Requirements
    - i. Weekly site inspections
    - ii. Monthly environmental reporting
    - iii. Independent audit by Suitably Qualified and Experienced Person
    - iv. Notification and management of environmental incidents
    - v. Records and registers
    - vi. Environmental roles and responsibilities of personnel (including nomination of Principal Contractor)
    - vii. Relevant contact information of those onsite and managing the construction or earthwork activities onsite; and
    - viii. Site induction
  - b) Operational Requirements
    - i. Erosion and sediment control measures
    - ii. Any soil, water, or air quality monitoring including sampling locations
    - iii. Contaminated land management
    - iv. Odour and dust management
    - v. Landfill gas management
    - vi. Archaeological and cultural heritage
    - vii. Chemical and fuel management
    - viii. Handling and disposal procedures for contaminated material encountered during the activity.
  - c) Sufficient detail to address the following matters:
    - i. Specific erosion and sediment control works (locations, dimensions, capacity etc);
    - ii. Supporting calculations and design drawings.
    - iii. Catchment boundaries and contour information.
    - iv. Details of construction methods.



- v. Timing and duration of construction and operation of control works including traffic management.
  - vi. Contingency measures to address any unexpected or accidental discoveries of contamination or discharges identified at the site, which must include assessment by a suitably qualified and experienced person.
  - vii. Measures to avoid silt and/or sediment tracking onto roads and then to water for the duration of the earthworks, such as:
    - Providing stabilised entry and exit point(s) for vehicles
    - Providing wheel wash facilities
    - Cleaning road surfaces using street-sweepers immediately where sediment has been tracked onto the road
  - viii. Details relating to the management of exposed areas
  - ix. Landscape rehabilitation
  - x. Soil, air quality, groundwater and/or surface water monitoring requirements.
13. Prior to commencement of construction of the RRPP, the Consent Holder must submit a final CEMP to Otago Regional Council. The final plan must be prepared to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of construction to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with general condition 4.
14. The Consent Holder must submit an updated CEMP to Otago Regional Council when:
- a) The construction program moves from one stage to another or
  - b) Any significant changes have been made to the construction methodology since the original plan was accepted; or
  - c) There has been an environmental incident and investigations have found that the management measures are inadequate.
15. Any updated versions of the CEMP must be submitted to Otago Regional Council for recertification in accordance with general condition 4.
16. The Consent Holder must ensure that Otago Regional Council is provided with an electronic copy of the most current and complete version of the CEMP at all times.

### **Design and Construction**

17. At least 2 months prior to commencing the construction of any:
- a) Any building within the RRPP;
  - b) Leachate collection system, for direct discharge to pump stations;
  - c) Stormwater collection, treatment and discharge system; and
  - d) Biofilter for the aerated static pile bunkers;

the Consent Holder must submit a design report with specifications and design drawings to the Otago Regional Council for review to assess that they have been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice, and certification in accordance with general condition 4.

18. When completed, the works specified in general condition 17 must be confirmed by a suitably experienced Chartered Professional Engineer (CPEng) that they have been

completed in accordance with the design certified by the Otago Regional Council. A Construction Quality Assurance (CQA) report must be prepared and submitted by the Consent Holder to the Otago Regional Council within 3 months following completion of the works specified in general condition 17.

19. Construction activities must be limited to between 7.00am to 6.00pm Monday to Saturday (inclusive). No work may occur outside of these times, or public holidays, except:
  - a) Works may occur outside these times from Monday to Saturday (inclusive) for the purposes of undertaking concrete pours, and where at least 48 hours notice is provided to all adjoining residential properties.
  - b) Works may occur outside these times where they are required to mitigate environmental effects or protect public health and safety.

### **Vegetation Management and Planting**

20. A Vegetation Management and Restoration Management Plan (VMRP) must be prepared by a suitably qualified person within six months of the granting of this consent. The purpose of the Plan is to manage the health and long term-replacement of the existing screening vegetation on the site and implement visual screening with the objective of ensuring the RRPP facilities are integrated into the surrounding landscape, visual effects are minimised and existing views of Pukemakamaka/Saddle Hill are maintained. The Plan must be developed in accordance with the recommendations contained in the Green Island Resource Recovery Precinct Landscape Effects Assessment, Boffa Miskell dated Feb 2024 and in consultation with Te Rūnanga o Ōtākou. As a minimum the Plan must include:
  - a) A survey of the health of the existing trees.
  - b) Routine monitoring and maintenance of the existing trees to promote their health and long-term stability.
  - c) Long-term post closure actions for the replacement of the existing trees, incorporating eco-sourced native species to enhance natural character, landscape, and amenity values, and their ongoing maintenance.
  - d) Additional planting of the south-east bund, and along the north-east perimeter.
  - e) A detailed programme of works, including timeframes for implementation, including early implementation of planting on the south-east bund within the first planting season following the granting of consent.
  - f) Key responsibilities of onsite personnel.
  - g) A review process that includes adjoining residential properties, Te Rūnanga o Ōtākou and Otago Regional Council.
21. The Vegetation Management and Restoration Plan must be submitted to the Otago Regional Council to assess that it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and certification in accordance with general condition 4.
22. The Vegetation Restoration Management Plan certified under general condition 4 must be implemented in accordance with the timeframes specified in the Plan and the vegetation maintained on an ongoing basis by the Consent Holder.

## **Building Finishes**

23. All buildings must be finished in neutral colours (e.g Karaka Green) with a reflectivity value of less than 30% RV for walls and 20% RV for roofs in accordance with the plans and elevations submitted in support of the application. The neutral colour palette must be selected in consultation with Te Rūnanga o Ōtākou and must complement the surrounding landscape and natural character.

## **Noise Monitoring**

24. Within 1 month following full operation of all RRPP facilities commencing, the Consent Holder must conduct noise monitoring to confirm whether the operation of the RRPP complies with the designation noise limits in the Partially Operative Dunedin City District Plan.
- a) The monitoring must be carried out by a suitably qualified and independent acoustic practitioner, and at times of the day and night when there is the highest potential for noise to be generated.
  - b) The consent holder must investigate the cause of any noise that exceeds the noise limits and remedy the cause as soon as practicable.
  - c) A report describing the results of the noise monitoring and any changes made to the operation of the RRPP to achieve compliance with the noise limits must be provided to adjoining residential properties, and the Otago Regional Council within 1 month of the completion of the noise monitoring.

## **Pest Management**

25. A Pest Management Plan (PMP) must be prepared within 6 months of the granting of this consent. The purpose of the Plan is to eradicate mammalian pests (rodents and mustelids), and feral cats within the RRPP site as far as practicable. As a minimum the plan must include:
- a) Detailed pest management practices and procedures, including eradication methods.
  - b) Pest monitoring, including provision for reporting results to adjoining residential neighbours on a quarterly basis.
  - c) Key responsibilities of on-site personnel.
  - d) A plan review process.
26. The PMP must be provided to adjoining residential neighbours and then submitted to the Otago Regional Council to assess that it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and certification in accordance with General Condition 4.
27. The PMP certified under General Condition 4 must be implemented on an ongoing basis during the operation of the RRPP by the Consent Holder.

## **Complaints**

28. A complaint management, investigation and reporting system must be maintained by the Consent Holder during construction and operation of the RRPP to record the receipt

and management of complaints received about the operation, including those regarding odour or dust. The following details must be recorded:

- a) Type, date, and time of complaint;
- b) Name and address of complainant (if available);
- c) Location from which the complaint arose;
- d) Wind direction at the time of complaint (if relevant);
- e) The likely cause of the complaint;
- f) The action taken as a result of the complaint; and
- g) The response to the complainant.

The complaints record must be made available to the Otago Regional Council (with any personal information held redacted) on request.

29. The Consent Holder must publish contact details for the RRPP operator on its website for the purpose of receiving complaints.

### **Annual Monitoring Report**

30. The Consent Holder must compile an annual monitoring report on the operation of the RRPP, including:

- a) The status of RRPP construction and operation;
- b) Any non-compliance with the conditions of these consents or difficulties in achieving the practices and procedures in the SEMP which have arisen in the preceding year and the measures taken to address them;
- c) Any emergency management procedures and contingency response procedures specified in the SEMP that were implemented during the preceding year;
- d) Collated summaries of and analysis of all data required under these consents, including:
  - i. The material brought onto the site for the manufacture of compost;
  - ii. The operation of the Organics Processing Facility (OPF), including the operational parameters of the composting bunkers, biofilter, and maturation windrows.
  - iii. The results of odour monitoring, including all field monitoring record sheets.
  - iv. Interpretation of the data, particularly with regard to OPF performance.
- e) Assessment of any complaints received.
- f) Mitigation and corrective measures initiated in response to monitoring.

The report must be forwarded to adjoining residential neighbours, Te Rūnanga o Ōtākou and Otago Regional Council by 1 October each year unless an alternative date is agreed in writing with the Otago Regional Council. The Consent Holder must make the report publicly available on the Dunedin City Council website.

### **Review of Conditions**

31. Pursuant to Section 128 of the Resource Management Act 1991 the Otago Regional Council may within six months of the anniversary date of these resource consents each year serve notice of its intention to review the conditions of these consents for the purposes of:

- a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;

- b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans and the Otago Regional Policy Statement;
- c) Ensuring the waste acceptance criteria conditions of this consent are consistent with applicable Ministry for the Environment and Environmental Protection Authority guidance, standards and notices, including for emerging contaminants;
- d) Reviewing the requirements and frequency of monitoring and reporting required under this consent; or
- e) Requiring the adoption of the best practicable option to reduce any adverse effect on the environment.

## **Advice notes**

1. *'RRPP' means Resource Recovery Park Precinct.*
2. *'Site' means all land within the Green Island Landfill designation boundary.*
3. *'Stormwater' means water running off from any impervious surface such as roads, carparks, roofs, as well as any other surface run-off that is collected and/or intercepted.*
4. *'leachate' means water containing contaminants from waste recovery and disposal.*
5. *The following general conditions are outside the scope of these resource consents, however have been volunteered by the consent holder and are to be enforced by Otago Regional Council:*
  - *Condition 19 – Construction Hours*
  - *Condition 23 – Building Finishes*
  - *Condition 24 – Noise Monitoring*

**RM24.143.03 To discharge contaminants to air from composting activities and from industrial and trade processes directly associated with the operation of the Resource Recovery Park Precinct**

**Specific**

1. Under section 125 of the Resource Management Act 1991, this consent lapses five years after the date of commencement of the consent unless:
  - a) The consent is given effect to; or
  - b) The Consent Authority extends the period after which the consent lapses.
2. This consent is also subject to the General Conditions in Schedule 1 – General Conditions Relevant to All Consents. In the event of differences or conflict between the General Conditions and the conditions of this consent, the conditions of this consent prevail.
3. An automatic weather station that continuously and accurately records wind speed and direction, temperature, relative humidity, and rainfall must be operated, and maintained on the site. The weather station must be serviced and calibrated by a suitably qualified and experienced technician at least annually to ensure accurate monitoring. Data recorded by the weather station must be provided to the Otago Regional Council in electronic format upon request.
4. There must be no odour beyond the boundary that is noxious, dangerous, offensive or objectionable in the opinion of an authorised officer of the Otago Regional Council.

*Advice note: the determination of an offensive or objectionable effect must take into account the FIDOL factors and be made based on the guidance provided in Section 4.1.1 and Table 6 of the Ministry for the Environment Good Practice Guide for Assessing and Managing Odour (2016).*

5. The raw materials used in the manufacture of compost must be limited to organic waste. This is limited to:
  - a) All food waste, excluding commercial loads of animal remains, and waste from meat processes;
  - b) All hair and animal hair;
  - c) All garden waste except flax, cabbage tree, and palm tree leaves.
6. The amount of raw material received on the site for the production of compost must not exceed 30,000 tonnes per year, of which no more than 20,000 tonnes per annum may be used for the production of compost in the OPF. Any excess raw material must be shredded and removed from the site.
7. No storage of raw material containing food waste must occur outside of the Organics Reveal Building (ORB).

8. No raw material containing food waste must be stored on site for more than 72 hours prior to shredding and composting.
9. Following receipt of raw shredded material in the Organics Receiving Building (ORB), the material must be either moved for composting off site at another authorised facility or moved for initial composting to the aerated static pile bunkers. The composting facility must contain a maximum of ten aerated static pile bunkers.
10. The ratio of C:N (carbon to nitrogen) must be within the range of 25:1 to 40:1 at the start of composting in the aerated static pile bunkers, based upon the ratio of food to garden waste in accordance with Table 3 of the draft Composting Facility Management Plan submitted in support of the application.
11. Material within the aerated static pile bunkers must:
  - a) Be capped with a minimum of 300 mm of unscreened mature compost; and
  - b) Remain within the aerated static pile bunkers for a minimum of 21 days; and
  - c) Achieve a solvita score of 6 before being removed from the bunkers.
12. Active aeration of the aerated static pile bunkers must be adjusted as necessary to ensure that material remains in an aerobic state at all times.
13. Temperature within the aerated static pile bunkers must be maintained at a minimum of 55°C for a minimum of three days during composting.
14. The aerated static pile system must be operated in accordance with the manufacturers recommendations. A biofilter must be used to treat odour during all negative aeration operation. The biofilter must be designed, constructed, operated and maintained to ensure:
  - a) A design empty bed residence time of at least 30 seconds;
  - b) A media depth of no less than 0.9 metres;
  - c) An even distribution of air flow through a uniform media bed;
  - d) An operating pH in the range 5 – 9; and
  - e) A filter medium that is visibly damp below the surface and with a moisture content 40 - 60% on a wet weight basis.
15. Following initial composting as detailed by conditions 9 to 14, composting material must be moved to curing windrows for a minimum of 21 days. Windrows must be approximately eight to ten metres across at the base and not more than four metres high.
16. The Consent Holder must ensure that where possible, compost operations (such as moving material between bunkers) is undertaken at times which are least likely to cause objectionable odour effects on neighbours, with consideration given to wind speed and direction.
17. Leachate from the bunkers, curing area and biofilter must not be allowed to pond and must be collected and discharged to the pumping stations for the landfill leachate

collection system or irrigated onto composting material in the bunkers.

18. The compacted fill hardstand that comprises all working areas of the OPF site including bunkers, the composting curing area and areas for vehicle circulation must be cleaned of compacted compost material when required as part of regular maintenance.
19. The Consent Holder must record the following information:
  - a) The date and volume of any raw material brought onto the site for the manufacture of compost on a daily basis; and
  - b) Whether a bunker is in positive or negative or no aeration status,
  - c) The temperature within each operational aerated static pile,
  - d) when bunker loading/unloading operations occur, and when bunker-to-bunker transfers occur.

The specific method of recording must be done in accordance with the Composting Facility Management Plan required under Condition 21. Records must be maintained by the consent holder for at least 5 years. Copies of these records must be made available to the Otago Regional Council upon request and additionally as part of the Annual Report required by General Condition 30, except the information in condition 19(b) and (c).

20. The Consent Holder must monitor and record the operational parameters of the biofilter referred to in condition 14 including:
  - a) Continuous instrumental monitoring of the temperature and pressure of inlet air to the biofilter;
  - b) Weekly visual and olfactory assessment of the condition of the biofilter media;
  - c) Weekly monitoring of the biofilter media temperature;
  - d) Three-monthly monitoring of the pressure drop across the biofilter media;
  - e) A gravimetric determination of biofilter medium moisture content by taking a representative sample on a monthly basis for the first 6 months operation then six monthly thereafter; and
  - f) Monthly monitoring of the pH of the biofilter media.

Records must be maintained by the consent holder for at least 5 years. This information must be provided to Otago Regional Council upon request and additionally as part of the Annual Report required by General Condition 30, except the information in condition 20(a).

21. The Operation of the OPF must be undertaken in accordance with a Composting Facility Management Plan (CFMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
22. The CFMP must be based on the draft composting facility management plan prepared by EnviroNZ submitted in support of the application, and must address the following:
  - a) describing measures to be undertaken to achieve compliance with the conditions of this consent; and



- b) a detailed description of the compost operation, including hours of operation; and
- c) acceptable raw material, unacceptable raw material, site access and security; and
- d) a description of activities that may generate odour, and measures in place to avoid, remedy or mitigate odour discharges; and
- e) a description of how the leachate and stormwater collection system will operate, including when and how collected leachate will be pumped off site for disposal to land; and
- f) measures for biofilter monitoring and data recording keeping, in accordance with condition 20; and
- g) biofilter maintenance methods and schedule, including protocols for biofilter media replacement; and
- h) methods of recording whether a bunker is in positive or negative or no aeration status, when loading/unloading operations at the bunkers occur, and when bunker-to-bunker transfers occur; and
- i) methods of incorporating weather monitoring as a trigger for site operations, including emptying of bunkers and transfer of materials between bunkers and/or stockpiles, in accordance with condition 16; and
- j) methods of odour monitoring in accordance with condition 24; and
- k) the means of receiving, recording in writing, and dealing with any complaints; and
- l) a list of site management structure and responsibilities; and
- m) a list of after-hours contact details in case of any emergency of problems; and
- n) contingency plans in the event of system malfunctions or breakdowns; and
- o) procedures for effective pasteurisation of compost in accordance with Appendix K of New Zealand Standard 4454:2005.
- p) methods for removing any partially composted material to landfill to prevent odour becoming offensive or objectionable at, or beyond, the boundary.

23. Prior to commencement of operations at the composting facility, the Consent Holder must submit a final CFMP to the Otago Regional Council. The final plan must be prepared to achieve the conditions of this resource consent and provided to Otago Regional Council at least 15 working days prior to commencement of operations to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with General Condition 4.

24. The Consent Holder must conduct odour field inspections to confirm the effectiveness of odour controls, or whether additional controls are needed.

- a) The field inspections must be carried out by a representative of the Consent Holder who has been trained in undertaking field odour inspections by a suitably qualified and independent person. The field inspections must be carried out at least twice weekly at varying times of day when composting activities with the highest potential for odour emissions are occurring, or times when atmospheric conditions are least conducive to dispersion such as early mornings. The inspections must be conducted in accordance with a methodology set out in the CFMP.
- b) If requested by Otago Regional Council following investigation of complaints received in relation to odour or following review of information provided in the Annual Report, or following Otago Regional Council's own independent monitoring, the Consent Holder shall engage a suitably qualified and independent person to monitor odour at the site boundary in accordance with a methodology and duration approved by Otago Regional Council.

- c) The Consent Holder must investigate the cause of any odour detected by these odour field inspections and must remedy any faults identified as soon as practicable. A record of each field inspection must be recorded in writing, including weather conditions, the location of any odours identified, the intensity, duration and hedonic tone of any odours, and the findings of any investigation. This information must be provided to Otago Regional Council upon request and additionally as part of the Annual Report required by General Condition 30.
25. By 1 July each year the Consent Holder must, complete a review of the CFMP required by Condition 21 to ensure that the management practices contained within them remain adequate to ensure compliance with the conditions of these consents. If amendments are made to the management plan, the amended plan must be submitted to the Otago Regional Council for recertification in accordance with General Condition 4.
26. Waste within the Bulk Waste Transfer Station must not be retained within the building for more than 72 hours.

## **Schedule 1 – General Conditions Relevant to All Consents**

1. The construction and operation of the RRPP (including all associated discharges of contaminants to land, water and air) must be undertaken in general accordance with the following documents, except where modified by other conditions of this consent. In the event of differences or conflict between the contents of the documents and the conditions, the conditions must prevail:
- a) Waste Futures – Green Island - Design and Operations Report by GHD dated February 2023
  - b) Green Island Resource Recovery Precinct Stormwater Management Plan and Assessment of Effects by GHD dated 19 February 2024
  - c) Waste Futures - Green Island Resource Recovery Precinct - Groundwater Technical Assessment by GHD dated 23 February 2024
  - d) Green Island Resource Recovery Precinct Draft Contaminated Land Management Plan by GHD dated 16 February 2024
  - e) Site Environmental Management Plan by Enviro NZ dated February 2024
  - f) Draft Construction Environmental Management Plan by GHD dated 12 January 2024
  - g) Erosion and Sediment Control Plan by GHD dated 28 February 2024
  - h) Draft Stormwater Management Operation and Maintenance Plan by GHD dated 28 February 2024
  - i) Draft Composting Facility Management Plan by Enviro NZ dated February 2024
  - j) Green Island Resource Recovery Precinct Landscape Effects Assessment by Boffa Miskell dated 16 February 2024
  - k) Green Island Landfill Resource Recovery Precinct Ecological Assessment Report by Boffa Miskell dated 12 February 2024
  - l) Bird Hazard Report by Avisure dated February 2024
  - m) Draft Southern Black Backed Gull (SBBG) Management Plan by Avisure dated November 2023.
  - n) Affected Party Approval letter by Aukaha dated 14 March 2024.
  - o) Green Island Resource Recovery Precinct Air Quality Assessment by Pattle Delamore Partners dated January 2024

- p) Waste Futures - Green Island Resource Recovery Precinct - Integrated Transport Assessment by GHD dated 28 February 2024
  - q) Green Island Resource Recovery Precinct Assessment of Acoustic Effects by GHD dated 27 February 2024
  - r) Waste Futures – Resource Recovery Park Precinct - Interim Social Impact Assessment by GHD dated 15 March 2024.
  - s) Resource Recovery Processing Precinct Site Options Assessment by GHD dated 20 October 2022
2. An alternative design or methodology to that proposed in the consent documents specified in General Condition 1 may be used if:
- a) The adverse effects of the activity are demonstrated by the Consent Holder to be the same or less than the consented design or methodology; and
  - b) The alternative design or methodology has been provided under General Condition 4 to the Otago Regional Council and certification is obtained from the Otago Regional Council; or
  - c) The alternative design or methodology has been incorporated into the Operations Management Plan under General Condition 5 or any other management plan and provided to the Otago Regional Council and certification is obtained from the Otago Regional Council.
3. These resource consents and a copy of the Otago Regional Council certified version of any management plan and design details required by these consents must be kept on site at all times, and the Consent Holder must ensure all relevant personnel are made aware of each document's contents.

### **Certification Process**

4. The Consent Holder must follow the process set out below for any plans, documents, designs or specifications (hereafter referred to as 'documents') requiring the certification of an officer of the Otago Regional Council:
- a) Documents requiring certification must be submitted to the relevant officer in electronic and hard copy form for certification. The certification process must be confined to confirming that the documents adequately give effect to the relevant condition(s).
  - b) Subject to (c) and (e) below, works to which the documents relate must not commence until the Consent Holder has received written certification from the relevant officer.
  - c) If the Consent Holder has not received a response from the relevant officer within 20 working days of the date of submission under (a) above, or 2 months for the design of the biofilter, the documents must be deemed to be certified.
  - d) If the relevant officer's response is that they are not able to certify the documents they must provide the Consent Holder with reasons and recommendations for changes to the documents in writing. The Consent Holder must consider any reasons and recommendations of the relevant officer and resubmit amended documents for certification.
  - e) If the Consent Holder has not received a response from the relevant officer within 10 working days of the date of resubmission under (d) above, the documents must be deemed to be certified.
  - f) If the relevant officer's response is that they are still not able to certify the resubmitted documents, then the Consent Holder must nevertheless implement the resubmitted documents with a notation that certification of them has not occurred.

This condition must not apply to the certification of the biofilter design required by General Condition 17(d).

- g) Certified documents may be amended at the request of the Consent Holder at any time subject to recertification undertaken in accordance with General Condition 4(a) to (f) with references in those clauses to certification to be read as recertification.

### **Site Environmental Management Plan**

5. The operation of the RRPP must be undertaken in accordance with a Site Environmental Management Plan (SEMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
6. The SEMP Management Plan must be based upon the draft plan prepared by Enviro NZ submitted in support of the application, and must address how the following matters will meet any requirements, limits, or restrictions set out by the conditions of the resource consents:
  - a) Leachate and stormwater management.
  - b) Erosion and sediment controls during construction and operation.
  - c) Types of organics to be accepted for compost processing and those that are prohibited.
  - d) Organics acceptance control and monitoring the types of waste accepted.
  - e) Odour and dust management.
  - f) Noise management.
  - g) Litter management.
  - h) Plant and animal pest management, including bird control.
  - i) Monitoring procedures, including locations, parameters, and frequency
  - j) Building and infrastructure inspections and maintenance.
  - k) Fire preparedness and response management.
  - l) Emergency management and contingency response procedures.
  - m) Complaints response procedures.
  - n) Record-keeping and reporting requirements.
7. Prior to commencement of operations at the RRPP, the Consent Holder must submit a final SEMP to the Otago Regional Council. The final plan must be prepared in consultation with Te Rūnanga o Ōtākou to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of operations to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with General Condition 4.
8. By 1 July each year the Consent Holder must, in consultation with Te Rūnanga o Ōtākou, complete a review of the SEMP required by General Condition 5 to ensure that the management practices contained within them remain adequate to ensure compliance with the conditions of these consents. If amendments are made to a management plan, the amended plan must be submitted to the Otago Regional Council for recertification in accordance with General Condition 4.
9. The Consent Holder may make amendments to the SEMP required by General Condition 5 at any time. Any amendments must be made in consultation with Te Rūnanga o Ōtākou and submitted to the Otago Regional Council for recertification in accordance with General Condition 4.

10. The Consent Holder must appoint and retain an appropriately qualified and experienced person to supervise the operation of the RRPP.

### **Construction Environmental Management Plan**

11. The construction of the RRPP must be undertaken in accordance with a final Construction Environmental Management Plan (CEMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
12. The CEMP must be based upon the CEMP and Contaminated Land Management Plan (CLMP) prepared by GHD submitted in support of the application, and must address the following (as a minimum):
  - a) Administrative Requirements
    - i. Weekly site inspections
    - ii. Monthly environmental reporting
    - iii. Independent audit by Suitably Qualified and Experienced Person
    - iv. Notification and management of environmental incidents
    - v. Records and registers
    - vi. Environmental roles and responsibilities of personnel (including nomination of Principal Contractor)
    - vii. Relevant contact information of those onsite and managing the construction or earthwork activities onsite; and
    - viii. Site induction
  - b) Operational Requirements
    - i. Erosion and sediment control measures
    - ii. Any soil, water, or air quality monitoring including sampling locations
    - iii. Contaminated land management
    - iv. Odour and dust management
    - v. Landfill gas management
    - vi. Archaeological and cultural heritage
    - vii. Chemical and fuel management
    - viii. Handling and disposal procedures for contaminated material encountered during the activity.
  - c) Sufficient detail to address the following matters:
    - i. Specific erosion and sediment control works (locations, dimensions, capacity etc);
    - ii. Supporting calculations and design drawings.
    - iii. Catchment boundaries and contour information.
    - iv. Details of construction methods.
    - v. Timing and duration of construction and operation of control works including traffic management.
    - vi. Contingency measures to address any unexpected or accidental discoveries of contamination or discharges identified at the site, which must include assessment by a suitably qualified and experienced person.
    - vii. Measures to avoid silt and/or sediment tracking onto roads and then to water for the duration of the earthworks, such as:
      - Providing stabilised entry and exit point(s) for vehicles
      - Providing wheel wash facilities
      - Cleaning road surfaces using street-sweepers immediately where sediment has been tracked onto the road

- viii. Details relating to the management of exposed areas
  - ix. Landscape rehabilitation
  - x. Soil, air quality, groundwater and/or surface water monitoring requirements.
13. Prior to commencement of construction of the RRPP, the Consent Holder must submit a final CEMP to Otago Regional Council. The final plan must be prepared to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of construction to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with General Condition 4.
14. The Consent Holder must submit an updated CEMP to Otago Regional Council when:
- a) The construction program moves from one stage to another or
  - b) Any significant changes have been made to the construction methodology since the original plan was accepted; or
  - c) There has been an environmental incident and investigations have found that the management measures are inadequate.
15. Any updated versions of the CEMP must be submitted to Otago Regional Council for recertification in accordance with General Condition 4.
16. The Consent Holder must ensure that Otago Regional Council is provided with an electronic copy of the most current and complete version of the CEMP at all times.

### **Design and Construction**

17. At least 2 months prior to commencing the construction of any:
- a) Any building within the RRPP;
  - b) Leachate collection system, for direct discharge to pump stations;
  - c) Stormwater collection, treatment and discharge system; and
  - d) Biofilter for the aerated static pile bunkers;
- the Consent Holder must submit a design report with specifications and design drawings to the Otago Regional Council for review to assess that they have been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice, and certification in accordance with General Condition 4.
18. When completed, the works specified in General Condition 17 must be confirmed by a suitably experienced Chartered Professional Engineer (CPEng) that they have been completed in accordance with the design certified by the Otago Regional Council. A Construction Quality Assurance (CQA) report must be prepared and submitted by the Consent Holder to the Otago Regional Council within 3 months following completion of the works specified in General Condition 17.
19. Construction activities must be limited to between 7.00am to 6.00pm Monday to Saturday (inclusive). No work may occur outside of these times, or public holidays, except:

- a) Works may occur outside these times from Monday to Saturday (inclusive) for the purposes of undertaking concrete pours, and where at least 48 hours notice is provided to all adjoining residential properties.
- b) Works may occur outside these times where they are required to mitigate environmental effects or protect public health and safety.

### **Vegetation Management and Planting**

20. A Vegetation Management and Restoration Management Plan (VMRP) must be prepared by a suitably qualified person within six months of the granting of this consent. The purpose of the Plan is to manage the health and long term-replacement of the existing screening vegetation on the site and implement visual screening with the objective of ensuring the RRPP facilities are integrated into the surrounding landscape, visual effects are minimised and existing views of Pukemakamaka/Saddle Hill are maintained. The Plan must be developed in accordance with the recommendations contained in the Green Island Resource Recovery Precinct Landscape Effects Assessment, Boffa Miskell dated Feb 2024 and in consultation with Te Rūnanga o Ōtākou. As a minimum the Plan must include:

- a) A survey of the health of the existing trees.
- b) Routine monitoring and maintenance of the existing trees to promote their health and long-term stability.
- c) Long-term post closure actions for the replacement of the existing trees, incorporating eco-sourced native species to enhance natural character, landscape, and amenity values, and their ongoing maintenance.
- d) Additional planting of the south-east bund, and along the north-east perimeter.
- e) A detailed programme of works, including timeframes for implementation, including early implementation of planting on the south-east bund within the first planting season following the granting of consent.
- f) Key responsibilities of onsite personnel.
- g) A review process that includes adjoining residential properties, Te Rūnanga o Ōtākou and Otago Regional Council.

21. The Vegetation Management and Restoration Plan must be submitted to the Otago Regional Council to assess that it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and certification in accordance with General Condition 4.

22. The Vegetation Restoration Management Plan certified under General Condition 4 must be implemented in accordance with the timeframes specified in the Plan and the vegetation maintained on an ongoing basis by the Consent Holder.

### **Building Finishes**

23. All buildings must be finished in neutral colours (e.g Karaka Green) with a reflectivity value of less than 30% RV for walls and 20% RV for roofs in accordance with the plans and elevations submitted in support of the application. The neutral colour palette must be selected in consultation with Te Rūnanga o Ōtākou and must complement the surrounding landscape and natural character.

## **Noise Monitoring**

24. Within 1 month following full operation of all RRPP facilities commencing, the Consent Holder must conduct noise monitoring to confirm whether the operation of the RRPP complies with the designation noise limits in the Partially Operative Dunedin City District Plan.
- a) The monitoring must be carried out by a suitably qualified and independent acoustic practitioner, and at times of the day and night when there is the highest potential for noise to be generated.
  - b) The consent holder must investigate the cause of any noise that exceeds the noise limits and remedy the cause as soon as practicable.
  - c) A report describing the results of the noise monitoring and any changes made to the operation of the RRPP to achieve compliance with the noise limits must be provided to adjoining residential properties, and the Otago Regional Council within 1 month of the completion of the noise monitoring.

## **Pest Management**

25. A Pest Management Plan (PMP) must be prepared within 6 months of the granting of this consent. The purpose of the Plan is to eradicate mammalian pests (rodents and mustelids), and feral cats within the RRPP site as far as practicable. As a minimum the plan must include:
- a) Detailed pest management practices and procedures, including eradication methods.
  - b) Pest monitoring, including provision for reporting results to adjoining residential neighbours on a quarterly basis.
  - c) Key responsibilities of on-site personnel.
  - d) A plan review process.
26. The PMP must be provided to adjoining residential neighbours and then submitted to the Otago Regional Council to assess that it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and certification in accordance with General Condition 4.
27. The PMP certified under General Condition 4 must be implemented on an ongoing basis during the operation of the RRPP by the Consent Holder.

## **Complaints**

28. A complaint management, investigation and reporting system must be maintained by the Consent Holder during construction and operation of the RRPP to record the receipt and management of complaints received about the operation, including those regarding odour or dust. The following details must be recorded:
- a) Type, date, and time of complaint;
  - b) Name and address of complainant (if available);
  - c) Location from which the complaint arose;
  - d) Wind direction at the time of complaint (if relevant);
  - e) The likely cause of the complaint;
  - f) The action taken as a result of the complaint; and
  - g) The response to the complainant.



The complaints record must be made available to the Otago Regional Council (with any personal information held redacted) on request.

29. The Consent Holder must publish contact details for the RRPP operator on its website for the purpose of receiving complaints.

### **Annual Monitoring Report**

30. The Consent Holder must compile an annual monitoring report on the operation of the RRPP, including:

- a) The status of RRPP construction and operation;
- b) Any non-compliance with the conditions of these consents or difficulties in achieving the practices and procedures in the SEMP which have arisen in the preceding year and the measures taken to address them;
- c) Any emergency management procedures and contingency response procedures specified in the SEMP that were implemented during the preceding year;
- d) Collated summaries of and analysis of all data required under these consents, including:
  - i. The material brought onto the site for the manufacture of compost;
  - ii. The operation of the Organics Processing Facility (OPF), including the operational parameters of the composting bunkers, biofilter, and maturation windrows.
  - iii. The results of odour monitoring, including all field monitoring record sheets.
  - iv. Interpretation of the data, particularly with regard to OPF performance.
- e) Assessment of any complaints received.
- f) Mitigation and corrective measures initiated in response to monitoring.

The report must be forwarded to adjoining residential neighbours, Te Rūnanga o Ōtākou and Otago Regional Council by 1 October each year unless an alternative date is agreed in writing with the Otago Regional Council. The Consent Holder must make the report publicly available on the Dunedin City Council website.

### **Review of Conditions**

31. Pursuant to Section 128 of the Resource Management Act 1991 the Otago Regional Council may within six months of the anniversary date of these resource consents each year serve notice of its intention to review the conditions of these consents for the purposes of:

- a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;
- b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans and the Otago Regional Policy Statement;
- c) Ensuring the waste acceptance criteria conditions of this consent are consistent with applicable Ministry for the Environment and Environmental Protection Authority guidance, standards and notices, including for emerging contaminants;
- d) Reviewing the requirements and frequency of monitoring and reporting required under this consent; or
- e) Requiring the adoption of the best practicable option to reduce any adverse effect on the environment.

## **Advice notes**

1. *'RRPP' means Resource Recovery Park Precinct.*
2. *'Site' means all land within the Green Island Landfill designation boundary.*
3. *'Stormwater' means water running off from any impervious surface such as roads, carparks, roofs, as well as any other surface run-off that is collected and/or intercepted.*
4. *'leachate' means water containing contaminants from waste recovery and disposal.*
5. *The following general conditions are outside the scope of these resource consents, however have been volunteered by the consent holder and are to be enforced by Otago Regional Council:*
  - *Condition 19 – Construction Hours*
  - *Condition 23 – Building Finishes*
  - *Condition 24 – Noise Monitoring*

**RM24.143.04 To divert stormwater from working and non-working areas of the Resource Recovery Park Precinct**

**Specific**

1. Under section 125 of the Resource Management Act 1991, this consent lapses five years after the date of commencement of the consent unless:
  - a) The consent is given effect to; or
  - b) The Consent Authority extends the period after which the consent lapses.
2. This consent is also subject to the general conditions in Schedule 1 – General Conditions Relevant to All Consents. In the event of differences or conflict between the general conditions and the conditions of this consent, the conditions of this consent prevail.
3. Any new permanent stormwater perimeter drains, channels and culverts must be designed and constructed to manage a 1% AEP (Annual Exceedance Probability) storm event and must be designed such that if this capacity is exceeded the preferential (secondary) flow path is, as far as practicable, away from the RRPP facilities.
4. All permanent stormwater drains, channels, and culverts must be maintained to enable ongoing operation at all times and restored as soon as practicable in the event of damage or faults.
5. All stormwater assets must be maintained in accordance with the Stormwater Management Operation and Maintenance Plan (SMOMP) approved under Discharge Permit RM24.143.05.

**Schedule 1 – General Conditions Relevant to All Consents**

1. The construction and operation of the RRPP (including all associated discharges of contaminants to land, water and air) must be undertaken in general accordance with the following documents, except where modified by other conditions of this consent. In the event of differences or conflict between the contents of the documents and the conditions, the conditions must prevail:
  - a) Waste Futures – Green Island - Design and Operations Report by GHD dated February 2023
  - b) Green Island Resource Recovery Precinct Stormwater Management Plan and Assessment of Effects by GHD dated 19 February 2024
  - c) Waste Futures - Green Island Resource Recovery Precinct - Groundwater Technical Assessment by GHD dated 23 February 2024
  - d) Green Island Resource Recovery Precinct Draft Contaminated Land Management Plan by GHD dated 16 February 2024
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- i) Draft Composting Facility Management Plan by Enviro NZ dated February 2024
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  - l) Bird Hazard Report by Avisure dated February 2024
  - m) Draft Southern Black Backed Gull (SBBG) Management Plan by Avisure dated November 2023.
  - n) Affected Party Approval letter by Aukaha dated 14 March 2024.
  - o) Green Island Resource Recovery Precinct Air Quality Assessment by Pattle Delamore Partners dated January 2024
  - p) Waste Futures - Green Island Resource Recovery Precinct - Integrated Transport Assessment by GHD dated 28 February 2024
  - q) Green Island Resource Recovery Precinct Assessment of Acoustic Effects by GHD dated 27 February 2024
  - r) Waste Futures – Resource Recovery Park Precinct - Interim Social Impact Assessment by GHD dated 15 March 2024.
  - s) Resource Recovery Processing Precinct Site Options Assessment by GHD dated 20 October 2022
2. An alternative design or methodology to that proposed in the consent documents specified in general condition 1 may be used if:
- a) The adverse effects of the activity are demonstrated by the Consent Holder to be the same or less than the consented design or methodology; and
  - b) The alternative design or methodology has been provided under general condition 4 to the Otago Regional Council and certification is obtained from the Otago Regional Council; or
  - c) The alternative design or methodology has been incorporated into the Operations Management Plan under general condition 5 or any other management plan and provided to the Otago Regional Council and certification is obtained from the Otago Regional Council.
3. These resource consents and a copy of the Otago Regional Council certified version of any management plan and design details required by these consents must be kept on site at all times, and the Consent Holder must ensure all relevant personnel are made aware of each document's contents.

### **Certification Process**

4. The Consent Holder must follow the process set out below for any plans, documents, designs or specifications (hereafter referred to as 'documents') requiring the certification of an officer of the Otago Regional Council:
- a) Documents requiring certification must be submitted to the relevant officer in electronic and hard copy form for certification. The certification process must be confined to confirming that the documents adequately give effect to the relevant condition(s).
  - b) Subject to (c) and (e) below, works to which the documents relate must not commence until the Consent Holder has received written certification from the relevant officer.

- c) If the Consent Holder has not received a response from the relevant officer within 20 working days of the date of submission under (a) above, or 2 months for the design of the biofilter, the documents must be deemed to be certified.
- d) If the relevant officer's response is that they are not able to certify the documents they must provide the Consent Holder with reasons and recommendations for changes to the documents in writing. The Consent Holder must consider any reasons and recommendations of the relevant officer and resubmit amended documents for certification.
- e) If the Consent Holder has not received a response from the relevant officer within 10 working days of the date of resubmission under (d) above, the documents must be deemed to be certified.
- f) If the relevant officer's response is that they are still not able to certify the resubmitted documents, then the Consent Holder must nevertheless implement the resubmitted documents with a notation that certification of them has not occurred. This condition must not apply to the certification of the biofilter design required by general condition 17(d).
- g) Certified documents may be amended at the request of the Consent Holder at any time subject to recertification undertaken in accordance with general condition 4(a) to (f) with references in those clauses to certification to be read as recertification.

### **Site Environmental Management Plan**

- 5. The operation of the RRPP must be undertaken in accordance with a Site Environmental Management Plan (SEMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
- 6. The SEMP must be based upon the draft plan prepared by Enviro NZ submitted in support of the application, and must address how the following matters will meet any requirements, limits, or restrictions set out by the conditions of the resource consents:
  - a) Leachate and stormwater management.
  - b) Erosion and sediment controls during construction and operation.
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  - d) Organics acceptance control and monitoring the types of waste accepted.
  - e) Odour and dust management.
  - f) Noise management.
  - g) Litter management.
  - h) Plant and animal pest management, including bird control.
  - i) Monitoring procedures, including locations, parameters, and frequency
  - j) Building and infrastructure inspections and maintenance.
  - k) Fire preparedness and response management.
  - l) Emergency management and contingency response procedures.
  - m) Complaints response procedures.
  - n) Record-keeping and reporting requirements.
- 7. Prior to commencement of operations at the RRPP, the Consent Holder must submit a final SEMP to the Otago Regional Council. The final plan must be prepared in consultation with Te Rūnanga o Ōtākou to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of operations to assess it has been prepared by appropriately qualified

personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with general condition 4.

8. By 1 July each year the Consent Holder must, in consultation with Te Rūnanga o Ōtākou, complete a review of the SEMP required by general condition 5 to ensure that the management practices contained within them remain adequate to ensure compliance with the conditions of these consents. If amendments are made to a management plan, the amended plan must be submitted to the Otago Regional Council for recertification in accordance with general condition 4.
9. The Consent Holder may make amendments to the SEMP required by general condition 5 at any time. Any amendments must be made in consultation with Te Rūnanga o Ōtākou and submitted to the Otago Regional Council for recertification in accordance with general condition 4.
10. The Consent Holder must appoint and retain an appropriately qualified and experienced person to supervise the operation of the RRPP.

### **Construction Environmental Management Plan**

11. The construction of the RRPP must be undertaken in accordance with a final Construction Environmental Management Plan (CEMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
12. The CEMP must be based upon the CEMP and Contaminated Land Management Plan (CLMP) prepared by GHD submitted in support of the application, and must address the following (as a minimum):
  - a) Administrative Requirements
    - i. Weekly site inspections
    - ii. Monthly environmental reporting
    - iii. Independent audit by Suitably Qualified and Experienced Person
    - iv. Notification and management of environmental incidents
    - v. Records and registers
    - vi. Environmental roles and responsibilities of personnel (including nomination of Principal Contractor)
    - vii. Relevant contact information of those onsite and managing the construction or earthwork activities onsite; and
    - viii. Site induction
  - b) Operational Requirements
    - i. Erosion and sediment control measures
    - ii. Any soil, water, or air quality monitoring including sampling locations
    - iii. Contaminated land management
    - iv. Odour and dust management
    - v. Landfill gas management
    - vi. Archaeological and cultural heritage
    - vii. Chemical and fuel management
    - viii. Handling and disposal procedures for contaminated material encountered during the activity.
  - c) Sufficient detail to address the following matters:
    - i. Specific erosion and sediment control works (locations, dimensions, capacity etc);

- ii. Supporting calculations and design drawings.
  - iii. Catchment boundaries and contour information.
  - iv. Details of construction methods.
  - v. Timing and duration of construction and operation of control works including traffic management.
  - vi. Contingency measures to address any unexpected or accidental discoveries of contamination or discharges identified at the site, which must include assessment by a suitably qualified and experienced person.
  - vii. Measures to avoid silt and/or sediment tracking onto roads and then to water for the duration of the earthworks, such as:
    - Providing stabilised entry and exit point(s) for vehicles
    - Providing wheel wash facilities
    - Cleaning road surfaces using street-sweepers immediately where sediment has been tracked onto the road
  - viii. Details relating to the management of exposed areas
  - ix. Landscape rehabilitation
  - x. Soil, air quality, groundwater and/or surface water monitoring requirements.
13. Prior to commencement of construction of the RRPP, the Consent Holder must submit a final CEMP to Otago Regional Council. The final plan must be prepared to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of construction to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with general condition 4.
14. The Consent Holder must submit an updated CEMP to Otago Regional Council when:
- a) The construction program moves from one stage to another or
  - b) Any significant changes have been made to the construction methodology since the original plan was accepted; or
  - c) There has been an environmental incident and investigations have found that the management measures are inadequate.
15. Any updated versions of the CEMP must be submitted to Otago Regional Council for recertification in accordance with general condition 4.
16. The Consent Holder must ensure that Otago Regional Council is provided with an electronic copy of the most current and complete version of the CEMP at all times.

### **Design and Construction**

17. At least 2 months prior to commencing the construction of any:
- a) Any building within the RRPP;
  - b) Leachate collection system, for direct discharge to pump stations;
  - c) Stormwater collection, treatment and discharge system; and
  - d) Biofilter for the aerated static pile bunkers;

the Consent Holder must submit a design report with specifications and design drawings to the Otago Regional Council for review to assess that they have been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice, and certification in accordance with general condition 4.

18. When completed, the works specified in general condition 17 must be confirmed by a suitably experienced Chartered Professional Engineer (CPEng) that they have been completed in accordance with the design certified by the Otago Regional Council. A Construction Quality Assurance (CQA) report must be prepared and submitted by the Consent Holder to the Otago Regional Council within 3 months following completion of the works specified in general condition 17.
19. Construction activities must be limited to between 7.00am to 6.00pm Monday to Saturday (inclusive). No work may occur outside of these times, or public holidays, except:
  - a) Works may occur outside these times from Monday to Saturday (inclusive) for the purposes of undertaking concrete pours, and where at least 48 hours notice is provided to all adjoining residential properties.
  - b) Works may occur outside these times where they are required to mitigate environmental effects or protect public health and safety.

### **Vegetation Management and Planting**

20. A Vegetation Management and Restoration Management Plan (VMRP) must be prepared by a suitably qualified person within six months of the granting of this consent. The purpose of the Plan is to manage the health and long term-replacement of the existing screening vegetation on the site and implement visual screening with the objective of ensuring the RRPP facilities are integrated into the surrounding landscape, visual effects are minimised and existing views of Pukemakamaka/Saddle Hill are maintained. The Plan must be developed in accordance with the recommendations contained in the Green Island Resource Recovery Precinct Landscape Effects Assessment, Boffa Miskell dated Feb 2024 and in consultation with Te Rūnanga o Ōtākou. As a minimum the Plan must include:
  - a) A survey of the health of the existing trees.
  - b) Routine monitoring and maintenance of the existing trees to promote their health and long-term stability.
  - c) Long-term post closure actions for the replacement of the existing trees, incorporating eco-sourced native species to enhance natural character, landscape, and amenity values, and their ongoing maintenance.
  - d) Additional planting of the south-east bund, and along the north-east perimeter.
  - e) A detailed programme of works, including timeframes for implementation, including early implementation of planting on the south-east bund within the first planting season following the granting of consent.
  - f) Key responsibilities of onsite personnel.
  - g) A review process that includes adjoining residential properties, Te Rūnanga o Ōtākou and Otago Regional Council.
21. The Vegetation Management and Restoration Plan must be submitted to the Otago Regional Council to assess that it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and certification in accordance with general condition 4.
22. The Vegetation Restoration Management Plan certified under general condition 4 must be implemented in accordance with the timeframes specified in the Plan and the vegetation maintained on an ongoing basis by the Consent Holder.



## **Building Finishes**

23. All buildings must be finished in neutral colours (e.g Karaka Green) with a reflectivity value of less than 30% RV for walls and 20% RV for roofs in accordance with the plans and elevations submitted in support of the application. The neutral colour palette must be selected in consultation with Te Rūnanga o Ōtākou and must complement the surrounding landscape and natural character.

## **Noise Monitoring**

24. Within 1 month following full operation of all RRPP facilities commencing, the Consent Holder must conduct noise monitoring to confirm whether the operation of the RRPP complies with the designation noise limits in the Partially Operative Dunedin City District Plan.
- a) The monitoring must be carried out by a suitably qualified and independent acoustic practitioner, and at times of the day and night when there is the highest potential for noise to be generated.
  - b) The consent holder must investigate the cause of any noise that exceeds the noise limits and remedy the cause as soon as practicable.
  - c) A report describing the results of the noise monitoring and any changes made to the operation of the RRPP to achieve compliance with the noise limits must be provided to adjoining residential properties, and the Otago Regional Council within 1 month of the completion of the noise monitoring.

## **Pest Management**

25. A Pest Management Plan (PMP) must be prepared within 6 months of the granting of this consent. The purpose of the Plan is to eradicate mammalian pests (rodents and mustelids), and feral cats within the RRPP site as far as practicable. As a minimum the plan must include:
- a) Detailed pest management practices and procedures, including eradication methods.
  - b) Pest monitoring, including provision for reporting results to adjoining residential neighbours on a quarterly basis.
  - c) Key responsibilities of on-site personnel.
  - d) A plan review process.
26. The PMP must be provided to adjoining residential neighbours and then submitted to the Otago Regional Council to assess that it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and certification in accordance with General Condition 4.
27. The PMP certified under General Condition 4 must be implemented on an ongoing basis during the operation of the RRPP by the Consent Holder.

## **Complaints**

28. A complaint management, investigation and reporting system must be maintained by the Consent Holder during construction and operation of the RRPP to record the receipt

and management of complaints received about the operation, including those regarding odour or dust. The following details must be recorded:

- a) Type, date, and time of complaint;
- b) Name and address of complainant (if available);
- c) Location from which the complaint arose;
- d) Wind direction at the time of complaint (if relevant);
- e) The likely cause of the complaint;
- f) The action taken as a result of the complaint; and
- g) The response to the complainant.

The complaints record must be made available to the Otago Regional Council (with any personal information held redacted) on request.

29. The Consent Holder must publish contact details for the RRPP operator on its website for the purpose of receiving complaints.

### **Annual Monitoring Report**

30. The Consent Holder must compile an annual monitoring report on the operation of the RRPP, including:

- a) The status of RRPP construction and operation;
- b) Any non-compliance with the conditions of these consents or difficulties in achieving the practices and procedures in the SEMP which have arisen in the preceding year and the measures taken to address them;
- c) Any emergency management procedures and contingency response procedures specified in the SEMP that were implemented during the preceding year;
- d) Collated summaries of and analysis of all data required under these consents, including:
  - i. The material brought onto the site for the manufacture of compost;
  - ii. The operation of the Organics Processing Facility (OPF), including the operational parameters of the composting bunkers, biofilter, and maturation windrows.
  - iii. The results of odour monitoring, including all field monitoring record sheets.
  - iv. Interpretation of the data, particularly with regard to OPF performance.
- e) Assessment of any complaints received.
- f) Mitigation and corrective measures initiated in response to monitoring.

The report must be forwarded to adjoining residential neighbours, Te Rūnanga o Ōtākou and Otago Regional Council by 1 October each year unless an alternative date is agreed in writing with the Otago Regional Council. The Consent Holder must make the report publicly available on the Dunedin City Council website.

### **Review of Conditions**

31. Pursuant to Section 128 of the Resource Management Act 1991 the Otago Regional Council may within six months of the anniversary date of these resource consents each year serve notice of its intention to review the conditions of these consents for the purposes of:

- a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;

- b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans and the Otago Regional Policy Statement;
- c) Ensuring the waste acceptance criteria conditions of this consent are consistent with applicable Ministry for the Environment and Environmental Protection Authority guidance, standards and notices, including for emerging contaminants;
- d) Reviewing the requirements and frequency of monitoring and reporting required under this consent; or
- e) Requiring the adoption of the best practicable option to reduce any adverse effect on the environment.

### **Advice notes**

1. *'RRPP' means Resource Recovery Park Precinct.*
2. *'Site' means all land within the Green Island Landfill designation boundary.*
3. *'Stormwater' means water running off from any impervious surface such as roads, carparks, roofs, as well as any other surface run-off that is collected and/or intercepted.*
4. *'leachate' means water containing contaminants from waste recovery and disposal.*
5. *The following general conditions are outside the scope of these resource consents, however have been volunteered by the consent holder and are to be enforced by Otago Regional Council:*
  - *Condition 19 – Construction Hours*
  - *Condition 23 – Building Finishes*
  - *Condition 24 – Noise Monitoring*

**RM24.143.05 To discharge treated stormwater from the Resource Recovery Park Precinct to water within Kaikorai Stream.**

**Specific**

1. Under section 125 of the Resource Management Act 1991, this consent lapses five years after the date of commencement of the consent unless:
  - a) The consent is given effect to; or
  - b) The Consent Authority extends the period after which the consent lapses.
2. This consent is also subject to the General Conditions in Schedule 1 – General Conditions Relevant to All Consents. In the event of differences or conflict between the General Conditions and the conditions of this consent, the conditions of this consent prevail.
3. The stormwater management system must be constructed in general accordance with the Green Island Resource Recovery Precinct Stormwater Management Plan and Assessment of Effects (GHD, 19 February 2024) and the approved plans that were submitted in support of the application. Construction must be completed prior to commencement of operation of the RRPP. In the event of differences or conflict between the contents of the documents and the conditions, the conditions must prevail.
4. The operation of the stormwater management system must be in accordance with a Stormwater Management Operations and Maintenance Plan (SMOMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
5. Prior to commencement of construction of the RRPP, the Consent Holder must submit a final SMOMP to Otago Regional Council. The final plan must be prepared to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of operations to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and for certification in accordance with General Condition 4.
6. The existing eastern sedimentation pond shown in Figure 6 of the Stormwater Management Plan and Assessment of Effects by GHD dated 19 February 2024 must be retained during the operation of the RRPP to collect and treat stormwater prior to its discharge to the Kaikorai Stream.
7. The existing northern leachate pond shown in Figure 6 of the Stormwater Management Plan and Assessment of Effects by GHD dated 19 February 2024 must be retained during the operation of the RRPP to collect and treat stormwater. The northern leachate pond must discharge to a pumping station of the landfill leachate collection system until the final capping of the landfill is completed, after which discharge may be redirected to discharge to the Kaikorai Stream.
8. All stormwater runoff from the RRPP site must be managed as follows:

- a) Clean non-contaminated runoff from the site must be discharged via the northern leachate pond or the eastern sedimentation pond to the Kaikorai Stream.
  - b) Leachate contaminated stormwater that has or has potential to come into contact with waste or leachate must be directed to a pumping station of the landfill leachate collection system.
9. All sedimentation ponds and stormwater discharge systems associated with the RRPP must be maintained to enable ongoing operation at all times and restored as soon as practicable in the event of damage or faults.
  10. The Consent Holder must undertake monitoring of surface water quality in accordance with the relevant conditions of resource consent 3840C-V1 for the discharge of surface water and stormwater to the Kaikorai Stream for the wider Green Island Landfill, or any subsequent replacement resource consent.
  11. All stormwater assets must be maintained in accordance with the SMOMP.
  12. Any spills of fuel, oil, leachate or similar contaminants to the environment must be contained and remediated as soon as practicable.
  13. In the event that any spill of fuel, oil, leachate, or contaminants flows, or has the potential to flow into the eastern sedimentation pond or northern leachate pond, the spill will be remediated as soon as practicable.

## **Schedule 1 – General Conditions Relevant to All Consents**

1. The construction and operation of the RRPP (including all associated discharges of contaminants to land, water and air) must be undertaken in general accordance with the following documents, except where modified by other conditions of this consent. In the event of differences or conflict between the contents of the documents and the conditions, the conditions must prevail:
  - a) Waste Futures – Green Island - Design and Operations Report by GHD dated February 2023
  - b) Green Island Resource Recovery Precinct Stormwater Management Plan and Assessment of Effects by GHD dated 19 February 2024
  - c) Waste Futures - Green Island Resource Recovery Precinct - Groundwater Technical Assessment by GHD dated 23 February 2024
  - d) Green Island Resource Recovery Precinct Draft Contaminated Land Management Plan by GHD dated 16 February 2024
  - e) Site Environmental Management Plan by Enviro NZ dated February 2024
  - f) Draft Construction Environmental Management Plan by GHD dated 12 January 2024
  - g) Erosion and Sediment Control Plan by GHD dated 28 February 2024
  - h) Draft Stormwater Management Operation and Maintenance Plan by GHD dated 28 February 2024
  - i) Draft Composting Facility Management Plan by Enviro NZ dated February 2024
  - j) Green Island Resource Recovery Precinct Landscape Effects Assessment by Boffa Miskell dated 16 February 2024

- k) Green Island Landfill Resource Recovery Precinct Ecological Assessment Report by Boffa Miskell dated 12 February 2024
  - l) Bird Hazard Report by Avisure dated February 2024
  - m) Draft Southern Black Backed Gull (SBBG) Management Plan by Avisure dated November 2023.
  - n) Affected Party Approval letter by Aukaha dated 14 March 2024.
  - o) Green Island Resource Recovery Precinct Air Quality Assessment by Pattle Delamore Partners dated January 2024
  - p) Waste Futures - Green Island Resource Recovery Precinct - Integrated Transport Assessment by GHD dated 28 February 2024
  - q) Green Island Resource Recovery Precinct Assessment of Acoustic Effects by GHD dated 27 February 2024
  - r) Waste Futures – Resource Recovery Park Precinct - Interim Social Impact Assessment by GHD dated 15 March 2024.
  - s) Resource Recovery Processing Precinct Site Options Assessment by GHD dated 20 October 2022
2. An alternative design or methodology to that proposed in the consent documents specified in General Condition 1 may be used if:
- a) The adverse effects of the activity are demonstrated by the Consent Holder to be the same or less than the consented design or methodology; and
  - b) The alternative design or methodology has been provided under General Condition 4 to the Otago Regional Council and certification is obtained from the Otago Regional Council; or
  - c) The alternative design or methodology has been incorporated into the Operations Management Plan under General Condition 5 or any other management plan and provided to the Otago Regional Council and certification is obtained from the Otago Regional Council.
3. These resource consents and a copy of the Otago Regional Council certified version of any management plan and design details required by these consents must be kept on site at all times, and the Consent Holder must ensure all relevant personnel are made aware of each document's contents.

### **Certification Process**

4. The Consent Holder must follow the process set out below for any plans, documents, designs or specifications (hereafter referred to as 'documents') requiring the certification of an officer of the Otago Regional Council:
- a) Documents requiring certification must be submitted to the relevant officer in electronic and hard copy form for certification. The certification process must be confined to confirming that the documents adequately give effect to the relevant condition(s).
  - b) Subject to (c) and (e) below, works to which the documents relate must not commence until the Consent Holder has received written certification from the relevant officer.
  - c) If the Consent Holder has not received a response from the relevant officer within 20 working days of the date of submission under (a) above, or 2 months for the design of the biofilter, the documents must be deemed to be certified.
  - d) If the relevant officer's response is that they are not able to certify the documents they must provide the Consent Holder with reasons and recommendations for changes to the documents in writing. The Consent Holder must consider any reasons

and recommendations of the relevant officer and resubmit amended documents for certification.

- e) If the Consent Holder has not received a response from the relevant officer within 10 working days of the date of resubmission under (d) above, the documents must be deemed to be certified.
- f) If the relevant officer's response is that they are still not able to certify the resubmitted documents, then the Consent Holder must nevertheless implement the resubmitted documents with a notation that certification of them has not occurred. This condition must not apply to the certification of the biofilter design required by General Condition 17(d).
- g) Certified documents may be amended at the request of the Consent Holder at any time subject to recertification undertaken in accordance with General Condition 4(a) to (f) with references in those clauses to certification to be read as recertification.

### **Site Environmental Management Plan**

- 5. The operation of the RRPP must be undertaken in accordance with a Site Environmental Management Plan (SEMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
- 6. The SEMP must be based upon the draft plan prepared by Enviro NZ submitted in support of the application, and must address how the following matters will meet any requirements, limits, or restrictions set out by the conditions of the resource consents:
  - a) Leachate and stormwater management.
  - b) Erosion and sediment controls during construction and operation.
  - c) Types of organics to be accepted for compost processing and those that are prohibited.
  - d) Organics acceptance control and monitoring the types of waste accepted.
  - e) Odour and dust management.
  - f) Noise management.
  - g) Litter management.
  - h) Plant and animal pest management, including bird control.
  - i) Monitoring procedures, including locations, parameters, and frequency
  - j) Building and infrastructure inspections and maintenance.
  - k) Fire preparedness and response management.
  - l) Emergency management and contingency response procedures.
  - m) Complaints response procedures.
  - n) Record-keeping and reporting requirements.
- 7. Prior to commencement of operations at the RRPP, the Consent Holder must submit a final SEMP to the Otago Regional Council. The final plan must be prepared in consultation with Te Rūnanga o Ōtākou to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of operations to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with General Condition 4.
- 8. By 1 July each year the Consent Holder must, in consultation with Te Rūnanga o Ōtākou, complete a review of the SEMP required by General Condition 5 to ensure that the management practices contained within them remain adequate to ensure compliance with the conditions of these consents. If amendments are made to a management plan,

the amended plan must be submitted to the Otago Regional Council for recertification in accordance with General Condition 4.

9. The Consent Holder may make amendments to the SEMP required by General Condition 5 at any time. Any amendments must be made in consultation with Te Rūnanga o Ōtākou and submitted to the Otago Regional Council for recertification in accordance with General Condition 4.
10. The Consent Holder must appoint and retain an appropriately qualified and experienced person to supervise the operation of the RRPP.

### **Construction Environmental Management Plan**

11. The construction of the RRPP must be undertaken in accordance with a final Construction Environmental Management Plan (CEMP) with the overall objective of setting out details of the practices and procedures to be adopted to achieve compliance with the conditions of resource consent.
12. The CEMP must be based upon the CEMP and Contaminated Land Management Plan (CLMP) prepared by GHD submitted in support of the application, and must address the following (as a minimum):
  - a) Administrative Requirements
    - i. Weekly site inspections
    - ii. Monthly environmental reporting
    - iii. Independent audit by Suitably Qualified and Experienced Person
    - iv. Notification and management of environmental incidents
    - v. Records and registers
    - vi. Environmental roles and responsibilities of personnel (including nomination of Principal Contractor)
    - vii. Relevant contact information of those onsite and managing the construction or earthwork activities onsite; and
    - viii. Site induction
  - b) Operational Requirements
    - i. Erosion and sediment control measures
    - ii. Any soil, water, or air quality monitoring including sampling locations
    - iii. Contaminated land management
    - iv. Odour and dust management
    - v. Landfill gas management
    - vi. Archaeological and cultural heritage
    - vii. Chemical and fuel management
    - viii. Handling and disposal procedures for contaminated material encountered during the activity.
  - c) Sufficient detail to address the following matters:
    - i. Specific erosion and sediment control works (locations, dimensions, capacity etc);
    - ii. Supporting calculations and design drawings.
    - iii. Catchment boundaries and contour information.
    - iv. Details of construction methods.
    - v. Timing and duration of construction and operation of control works including traffic management.



- vi. Contingency measures to address any unexpected or accidental discoveries of contamination or discharges identified at the site, which must include assessment by a suitably qualified and experienced person.
  - vii. Measures to avoid silt and/or sediment tracking onto roads and then to water for the duration of the earthworks, such as:
    - Providing stabilised entry and exit point(s) for vehicles
    - Providing wheel wash facilities
    - Cleaning road surfaces using street-sweepers immediately where sediment has been tracked onto the road
  - viii. Details relating to the management of exposed areas
  - ix. Landscape rehabilitation
  - x. Soil, air quality, groundwater and/or surface water monitoring requirements.
13. Prior to commencement of construction of the RRPP, the Consent Holder must submit a final CEMP to Otago Regional Council. The final plan must be prepared to achieve the conditions of these resource consents and provided to the Otago Regional Council at least 15 working days prior to the commencement of construction to assess it has been prepared by appropriately qualified personnel in accordance with the conditions of consent and in accordance with good practice and certification in accordance with General Condition 4.
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- a) The construction program moves from one stage to another or
  - b) Any significant changes have been made to the construction methodology since the original plan was accepted; or
  - c) There has been an environmental incident and investigations have found that the management measures are inadequate.
15. Any updated versions of the CEMP must be submitted to Otago Regional Council for recertification in accordance with General Condition 4.
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- a) Any building within the RRPP;
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18. When completed, the works specified in General Condition 17 must be confirmed by a suitably experienced Chartered Professional Engineer (CPEng) that they have been completed in accordance with the design certified by the Otago Regional Council. A Construction Quality Assurance (CQA) report must be prepared and submitted by the

Consent Holder to the Otago Regional Council within 3 months following completion of the works specified in General Condition 17.

19. Construction activities must be limited to between 7.00am to 6.00pm Monday to Saturday (inclusive). No work may occur outside of these times, or public holidays, except:
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  - b) Routine monitoring and maintenance of the existing trees to promote their health and long-term stability.
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- a) The status of RRPP construction and operation;
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- d) Collated summaries of and analysis of all data required under these consents, including:
  - i. The material brought onto the site for the manufacture of compost;
  - ii. The operation of the Organics Processing Facility (OPF), including the operational parameters of the composting bunkers, biofilter, and maturation windrows.
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- b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans and the Otago Regional Policy Statement;
- c) Ensuring the waste acceptance criteria conditions of this consent are consistent with applicable Ministry for the Environment and Environmental Protection Authority guidance, standards and notices, including for emerging contaminants;
- d) Reviewing the requirements and frequency of monitoring and reporting required under this consent; or

- e) Requiring the adoption of the best practicable option to reduce any adverse effect on the environment.

### **Advice notes**

1. *'RRPP' means Resource Recovery Park Precinct.*
2. *'Site' means all land within the Green Island Landfill designation boundary.*
3. *'Stormwater' means water running off from any impervious surface such as roads, carparks, roofs, as well as any other surface run-off that is collected and/or intercepted.*
4. *'Leachate' means water containing contaminants from waste recovery and disposal.*
5. *The following general conditions are outside the scope of these resource consents, however have been volunteered by the consent holder and are to be enforced by Otago Regional Council:*
  - *Condition 19 – Construction Hours*
  - *Condition 23 – Building Finishes*
  - *Condition 24 – Noise Monitoring*