

**Otago Regional Council**  
**DIRECTIONS OF THE COMMISSIONER**

- [1] In my 9 April 2025 decision on DCC's Green Island Landfill consent applications, I advised that should the DCC or ORC identify any minor mistakes or defects in the conditions, then I was prepared to issue an amended schedule of conditions under s133A of the RMA correcting any such matters.
- [2] On 28 April 2025 I was advised by the Hearing Administrator that the DCC and ORC had worked together on identifying several minor errors in:
- General condition 2(b)
  - General condition 49
  - General condition 58
  - RM23.185.01, Condition 37
  - RM23.185.01, Condition 42 advice note
  - RM23.185.01, Condition 45
  - RM23.185.02, Condition 4(a)(i)
  - RM23.185.03, Condition 4
  - RM23.185.06, Condition 22(d)
  - RM23.185.06, Condition 29
  - RM23.185.08, Condition 3
- [3] Suggested corrections were provided along with reasons for the corrections. I accept that the listed conditions should be corrected.
- [4] The 28 April 2025 advice suggested that Appendix 1 of the Conditions should be deleted and Condition 2 in all of the consents should be amended to refer to Attachments A - C of Schedule 1. I also accept those corrections.
- [5] The corrected conditions are attached to this Minute. The corrected wording is shown in red font.
- [6] The 28 April 2025 advice also asked me to confirm that Land Use Consent RM23.185.07 should be granted for an unlimited term. I can confirm that is correct.



Rob van Voorthuysen  
Commissioner  
28 April 2025

Condition	Corrected Wording
General condition 2(b)	The alternative design or methodology has been provided under General Condition 17 to the Otago Regional Council and written certification is obtained from the Otago Regional Council; or
General condition 49	If following completion of the additional two monitoring rounds required by General Condition 48 contaminant concentrations continue to exceed the trigger levels at surface water sites GI3 and GI5, and the concentrations continue to be elevated in comparison to the concentrations detected at surface water sites GI1 and GI2 upstream of the landfill, the Consent Holder must undertake an investigation into potential causes of the exceedances and prepare a report which must be provided to Otago Regional Council and Te Rūnanga o Ōtākou no later than 1 month following receipt of the laboratory results of the additional sampling required under General Condition 48. The report must outline likely causes of exceedances, statistical analysis of water quality, actions to be taken to prevent further exceedances and proposed follow up monitoring where necessary.
General condition 58	The Consent Holder must notify Otago Regional Council of any complaints received as soon as practicable and within one working day of the complaint being received. All complaints must be investigated, and a response provided to the complainant. The results of investigations, actions, and responses to complainants must be provided to the Otago Regional Council within 10 working days of the complaint being received. The complaints record must be made available to the Otago Regional Council on request, and must be provided in summary form yearly in the Annual Report required by General Condition 59.
RM23.185.01 Condition 37	The outcomes of the review of the landfill's waste screening procedures to lower the potential for prohibited and higher risk flammable wastes to be landfilled at the site, including waste such as marine flares, gas bottles, pool chlorine, and hot loads must be implemented prior to the commencement of this consent.
RM23.185.01 Condition 42 advice note	<b>Advice Note:</b> In addition to the measures above, landfill gas monitoring management measures contained in the discharge to air resource consent RM23.185.06 are relevant to landfill fire prevention and response.
RM23.185.01 Condition 45	The Vegetation Management and Restoration Plan certified under Condition 44 must be implemented in accordance with the timeframes specified in the Plan and the vegetation maintained on an ongoing basis by the Consent Holder.
RM23.185.02 Condition 4(a)(i)	Water meter(s) that will measure the rate and the combined volume of water and leachate taken from the leachate collection system to within an accuracy of +/- 5% over the meter's nominal flow range. The water meter must be capable of output to a datalogger. The water meter must be installed in a straight length of pipe, before any diversion of water occurs. The straight length of pipe must be part of the pump outlet plumbing, easily accessible, have no fittings and obstructions in it. There must be a straight length of pipe on either side of the water meter: on the upstream side there must be a distance that is 10 times the diameter of the pipe and on the downstream side there must be a distance of 5 times the diameter of the pipe.

<b>Condition</b>	<b>Corrected Wording</b>
RM23.185.03 Condition 4	In the event that ongoing monitoring in accordance with General <b>Condition 41</b> detects seepage of leachate into the culvert between the southeastern constructed wetlands to the eastern constructed wetlands shown on drawing 12547621-C402 following the completion of repair works, remedial measures must be designed and implemented to prevent the seepage of leachate within 3 years of the commencement of this consent.
RM23.185.06 Condition 22(d)	LFG perimeter and surface monitoring locations, parameters, frequencies, trigger levels and methodology for each monitoring location and monitoring parameter, including contingency response procedures in the event of trigger level exceedance. As a minimum this must address the monitoring requirements in Conditions <b>23 – 30</b> of this consent; and
RM23.185.06 Condition 29	If monitoring and methane measurement carried out in accordance with <b>Conditions 27 and 28</b> demonstrates that the surface methane gas concentration limit specified in Condition 26 is exceeded, then remedial action must be carried out and the methane concentration re-tested within 14 days. If this is not practicable, the Consent Holder must obtain the approval of the Otago Regional Council for a proposed programme of remedial action, including a timetable, within 7 days of the measured exceedance the surface methane gas concentration limit specified in Condition 26. The proposed programme must be implemented to the satisfaction of the Otago Regional Council within the proposed time period.
RM23.185.08 Condition 3	All areas of contaminated land disturbance, including but not limited to the disturbance of landfill waste material, must be designed and managed <b>such</b> that any overland stormwater flow and stormwater infiltration to land is captured and discharged into the leachate collection system.
Appendix 1 - Site Details	<b>Delete Appendix 1.</b>
Condition 2 of all consents	This consent is also subject to the General Conditions in Schedule 1 – General Conditions and <b>Attachments A - C</b> to that Schedule. In the event of differences or conflict between the General Conditions and the conditions of this consent, the conditions of this consent prevail.