



Bay of Plenty Regional Council  
PO Box 364,  
Whakatāne 3158

23 March 2022

Attention: Hearing Commissioners for RM20-0462: Ziwi Limited

Dear Commissioners

**Ministry of Education - Letter to be Tabled at RM20-0462: Ziwi Limited Hearing**

The Ministry of Education (the Ministry) lodged a submission in June 2021 on RM20-0462: Ziwi Limited, a publicly notified air discharge resource consent application to the Bay of Plenty Regional Council (Council). The consent conditions requested in the Ministry's submission will be adopted into the draft consent conditions as confirmed in paragraph 90 of the Applicant's evidence and in email correspondence from the Applicant dated 23 March. Based on this outcome, the Ministry will not attend the hearing for RM20-0462: Ziwi Limited scheduled to commence on 29 March 2022 and requests that this letter be tabled for the Hearing Commissioners' consideration instead.

The Ministry's submission outlined odour concerns and indicated that Mount Maunganui Intermediate, Mount Manganui College and Omanu School may be subject to recognisable odour for prolonged periods of time. The Ministry requested in its submission conditions to:

1. Monitor the effectiveness of the proposed site upgrades
2. Ensure air discharge compliance at the site
3. Require appropriate response in the event that an objectionable odour persists

The following draft consent conditions are considered to align with the Ministry's requested conditions of consent if granted:

**5 Monitoring and Reporting**

- 5.1 *The Consent Holder shall undertake at least weekly monitoring in accordance with the Interim Odour Management Plan, commencing upon the granting of this consent. The purpose of the monitoring is to evaluate the likelihood of a non-compliance with this resource consent. A Monitoring Plan as part of the OMP required by condition 3.1 indicating the monitoring route, methodology and frequency shall be provided to the Bay of Plenty Regional Council within 20 working days of the date of grant of this resource consent. (See Advice Notes 1 and 3).*
- 5.2 *The odour monitoring required by condition 5.1 shall be undertaken by a suitably qualified and experienced person (see Advice Note 6).*
- 5.3 *The monitoring results obtained in compliance with condition 5.1 above shall be recorded and provided to Council with sufficient detail of each monitoring event (weekly or in response to a complaint) so that a clear understanding of the occurrence of odours, including those which may be offensive or objectionable, is established. Within the 6 month anniversary of the granting of this consent, an independent assessment report of the monitoring results, including the odour records, shall be provided to the Bay of Plenty Regional Council for peer review.*



- 5.4 *If the Bay of Plenty Regional Council peer review concludes that surrounding premises or residencies are being subjected to offensive or objectionable odours, then the consent may be reviewed in accordance with condition 7.1.*
- 5.5 *Upon commencing operation of the ozone scrubber system in accordance with condition 3.1 and 4.2, the Consent Holder shall monitor the odour in the same manner as required by conditions 5.1, 5.2, 5.3 and 5.4 for the duration of this consent. If, in the opinion of the Bay of Plenty Regional Council, the operation of this odour mitigation equipment does not sufficiently mitigate the occurrence of offensive or objectionable odours beyond the site boundary, this resource consent may be reviewed under condition 7.1.*

### **3 Odour Management**

- 3.1 *Within twenty working days of the commencement of this resource consent the Consent Holder shall prepare an updated Odour Management Plan (OMP) and Ozone Control/Scrubber System Management Plan (OCSMP) and provide it to the Regional Council for certification. The OMP and OCSMP shall detail site procedures, measures for managing discharges to air, process controls and design, day-to-day operation of pet food manufacturing and the ozone odour/scrubber control system. The purpose of the OMP and OCSMP is to give effect to the objectives listed in condition 3.2.*

*The Regional Council's certification is limited to confirming that the OMP and OCSMP:*

1. *Complies with all conditions under sections 3 and 4 and condition 6.1 of this resource consent;*
  2. *Adopts best practicable options for the management of odorous gases as identified in the consent application titled 'Application for Air Discharge Permit - Zivi Limited, Tauranga', Prepared July 2020 by Golder Associates (NZ) Limited; and*
  3. *Ensure the optimization of the ozone scrubber system along with its management controls and monitoring.*
  4. *Contains provisions that are enforceable.*
- 3.2 *The objectives of the OMP and OCSMP are to:*
1. *Ensure that on-site activities (manufacturing of pet food) achieve compliance with the conditions of this resource consent and avoid or minimise potential odour effects that occur beyond the site boundary, and*
  2. *Remedy or mitigate the effects of any offensive or objectionable odours that occur at or beyond the site boundary; and*
  3. *Implement best practicable option for odour control for this type of operation (being pet food manufacturing); and*
  4. *Optimize the monitoring and odour removal performance of the ozone scrubber system; and*
  5. *Ensure day-to-day running of the ozone scrubber system has processes in place to minimise both human and mechanical error.*

### **6 Complaints**

- 6.2 *In the event of any odour complaints substantiated by a Bay of Plenty Regional Council staff member as being offensive or objectionable beyond the boundary of the pet food manufacturing facility site, the following action shall be taken:*
1. *Determination of the cause and/or source of the odour; and*



2. *Determination of whether the cause of the odour can be immediately rectified;  
and*
3. *If the odour is unable to be immediately eliminated beyond the boundary,  
production shall cease until such a time as the odour is deemed not offensive or  
objectionable beyond the boundary by a Bay of Plenty Regional Council Staff or  
delegate.*

The Ministry supports the inclusion of the above consent conditions and confirms that, if adopted as agreed by the applicant, the Ministry's submission points are adequately resolved, and the Ministry will not attend a hearing.

Please contact the undersigned on behalf of the Ministry if you have any questions or require further clarification.

Kind Regards,



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on behalf of  
Ministry of Education

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