

**Resource Management Plan – Summary sheet - Environment Canterbury as at August 2007**

Relevant Plan	NRRP – Natural Resources Regional Plan Chapter 3 – Air Quality Chapter 5 – Water Quality
Status of Plan	Proposed – awaiting decisions from hearings. This may be appealed by submitters.
Relevant rules	Chapter 3 – Air Quality AQL70 – Ground based using hand held application AQL 71 – Ground based using other than hand held appliances AQL 72 – Aerial application – see separate sheet Chapter 5 – Water Quality
Any relevant Appendix	Appendix ALQ 6 – Property spray plan Appendix AQL 2 – Guide of incineration of agrichemical containers
Any relevant definitions	Aerial application Agrichemical applicator Agrichemical contractor Agrichemical spray Agrichemical Animal remedy Boom sprayer Drip tray Ground based application method Hand held appliance Impervious bunded area Offensive or objectionable dispersal or deposition of particles Orchard air blast sprayer Place of public assembly Property Public amenity areas Public notice Re-entry period Residential area Roadway Sensitive activity Sensitive areas Shelter belt Site Vegetation Water Withholding period
Any prohibited rules	

**Definitions**

**Aerial application** refers to agrichemical application techniques using aircraft, including helicopters.

**Agrichemical applicator** means any person or organisation engaged in the application of any agrichemical. Where application is delegated to employees it also includes the person(s) directly responsible for those employees.

**Agrichemical contractor** means any person or organisation who by agreement with the owner, occupier or manager of any land or animals, administers, applies, or causes to be applied, any agrichemical in an agricultural, horticultural or related situation for hire or reward. It does not include an employee, an owner, occupier or manager.

**Agrichemical spray** means the discharge into the air of one or more agrichemicals whether in liquid, emulsified, mist, granular, powdered, pelletized or any other physical form or forms and from any source whether moveable or not, and agrichemical spraying has a corresponding meaning.

**Agrichemical** means any substance which is described by its manufacturer, distributor, or vendor as being, or is in fact suitable for causing, or promoting, or contributing to, or facilitating any of the following effects:

- (a) the control of plant growth (other than primarily as a fertiliser or soil conditioner). The following substances are included in this category: herbicides, algaecides, defoliants, or fruit-setting hormones, but this list of substances is not an exhaustive list;
- (b) the control of bacteria, protozoa, and fungi. The following substances are included in this category: bactericides, fungicides, or viricides, but this list of substances is not an exhaustive list; or
- (c) the control of invertebrates. The following substances are included in this category: nematocides, miticides, acaricides, arachnicides, molluscides, insecticides, but this list of substances is not an exhaustive list.

This definition excludes animal remedies and fertilisers.

**Animal remedy** means any drug, medicine, remedy or therapeutic preparation or any biochemical substance for:

- (a) curing, diagnosing, treating, controlling or preventing any disease in animals; or
- (b) destroying or preventing parasites on or in animals; or
- (c) maintaining or improving the health, condition, productivity or appearance of any animal; or
- (d) capturing or immobilising any animal.

**Boom sprayer** refers to agrichemical application techniques using chemigation, low and high pressure irrigation systems, or ground hydraulic applicators.

**Commercial purposes** means the use of a property, or any part of a property, predominantly for commercial gain or reward.

**Drip tray** means an area which has a raised perimeter to prevent the escape of any spilled liquids. The minimum capacity of the drip tray shall be 1.25 times the largest storage or spray tank brought on to the drip tray.

**Ground-based application method** in relation to agrichemical use means any method of application where that part of the equipment from where the agrichemical is emitted is either on the ground or attached to equipment that is on the ground (excluding hand-held application).

**Hand-held application appliance** in relation to agrichemical use means the total agrichemical unit that is able to be carried by the applicator and includes a knapsack sprayer, a handgun sprayer, a motorised knapsack sprayer, or a sprayer with a rate and volume of application no greater than these devices.

**Impervious bunded area** means an area which has a raised perimeter to prevent the escape of any spilled liquids. For example, a permanent impervious loadout pad with a bund (a kerb) of sufficient height to prevent outside water from entering and to contain any chemical spills. The minimum capacity of the pad, including the sump shall be 1,000 litres or 1.25 times the largest storage or spray tank brought on to the pad, whichever is the greater. (Note: a pad 10m x10m with a kerb 100mm high has a capacity of 10,000 litres).

**Offensive or objectionable dispersal or deposition of particles** occurs when particles originating from a site are observed in the air beyond the site boundary, or such particles have settled on neighbouring sites, vegetation, roads, structures or waterways.

**Orchard airblast sprayer** refers to an agrichemical application technique using an orchard airblast applicator.

**Place of public assembly** means land or buildings which are used in whole or in part for the assembly or gathering of people for such purposes as meetings, conferences, worship, entertainment, recreation, celebration, education, health care or similar purposes and includes such buildings associated with public or private hotels, retail stores, travellers' accommodation and marae.

**Property** means to any area of contiguous land in one ownership, or in more than one ownership if utilised as a single operating unit, and may include a number of sites.

**Public amenity areas** means those areas to which the public have right of access under any statute, regulation, law or by-law, and are limited to:

- (a) Crown and Local Authority properties, reserves, gardens, and parks;
  - (b) sports grounds;
  - (c) forest and bush areas;
  - (d) pedestrian walkways, malls and precincts;
  - (e) beaches, beach reserves, and adjacent foreshore areas;
- but shall exclude roadways.

**Public notice** means a notice published in one or more daily newspapers circulating in the area, district or region to which the requirement for such notice relates.

**Re-entry period** in relation to agrichemical use means the recommended elapsed time for re-admission into any area where agrichemical applications have been made, without wearing suitable protective equipment.

**Residential area** means an area, as distinct from a site or individual dwelling that is used primarily for residential purposes and is specified in an operative district planning map as a residential zone or living zone.

**Roadway** means that portion of the road devoted particularly to the use of motor vehicles, inclusive of shoulders and auxiliary lanes.

**Sensitive activity** means:

- (a) the area encompassed by notional boundary of an occupied dwelling; or
- (b) a residential area; or
- (c) a public amenity area; or
- (d) a place of public assembly.

**Sensitive areas** include water bodies used for public water supply, any river, lake, stream pond or wetland, sensitive crops or farming systems (eg organic farms) and any place, area or feature of special significance to Tangata Whenua as identified in this Plan.

**Shelter belt** means an artificial or live vegetative buffer which is used to reduce and protect crops and/or animals from the predominant wind, and to intercept and retain any agrichemical spray drift. The characteristics of an effective shelter belt are:

- (a) complete and without gaps;
- (b) natural (live) shelter is much more effective than artificial shelter;
- (c) the porosity and density of the shelter is important – a minimum thickness of 1 metre and a porosity of about 50% is recommended;
- (d) porosity and density are a function of the thickness of the shelter;

(e) for effective reductions in wind speed (and hence drift reduction) the width to height ration of shelter is critical. A width to height ratio of about 3.5 is recommended (ie a shelter 1 metre wide (thick) should be 3.5-4 metres high).

**Site means:**

(1) the smaller of an area of land or volume of space with defined boundaries, whether legally or otherwise described, comprised in a single allotment or any other legally defined parcel of land:

- (a) held in a single certificate of title; or
- (b) for which a separate certificate of title could be issued without further consent;

(2) in the case of land subdivided under the cross lease or company lease systems, site shall mean an area of land exclusively restricted to the control of users of that land;

(3) in the case of land subdivided under the Unit Titles Act 1972, site shall mean an area of land or volume of space containing a principal unit or a proposed unit in a unit plan, together with its accessory units.

“Site” shall also include the access to the site.

**Vegetation** includes all plants and the produce thereof, live or dead, standing, fallen, windblown, cut, broken, pulverised, sawn, or harvested, natural or disturbed, in use or as waste, rubbish, refuse or debris, stump, stubble, and wood forming part of a structure or otherwise in processed form.

**Water**

- (a) Means water in all its physical forms whether flowing or not and whether over or under the ground;
- (b) Includes fresh water, coastal water, and geothermal water;
- (c) Does not include water in any form while in any pipe, tank, or cistern.

**Withholding period** in relation to agrichemical use means the minimum time set either voluntarily, or by label or industry requirement, between completion of the last agrichemical application and the harvesting of any crop, animal or animal product for either human or animal consumption or use.

**AQL 71 Ground based application of agrichemicals using techniques other than hand held application – permitted activity**

Permitted activity conditions	What the local Plan requires – include references to the part of the rule
Type of use	Ground based
Area of use	Into or onto land, into water or into air
Nature of applicator	Other than hand held. Rule AQL 70 covers hand held application – the conditions are similar
Certain agrichemicals	2) Be registered under HSNO and ACVM
Comply with manufacturers instructions	1) Does not exceed any rate or contravene any other requirement specified in manufacturers instructions
Drift beyond the boundary	4) No objectionable or offensive odour effects beyond boundary 5) No noxious dangerous, offensive or objectionable dispersal or deposition of particles beyond boundary of the property where agrichemicals applied

Permitted activity conditions	What the local Plan requires – include references to the part of the rule
Status of NZS8409	GROWSAFE qualifications in accordance with NZS8409 1999
Qualifications or training	3) Contractors must have Registered Chemical Applicators Certificate or be under direct supervisions of someone holding
Notification	<p>11) Advance notification to: Owners of properties where sensitive activities if spraying:</p> <ul style="list-style-type: none"> <li>• With boom sprayer closer than 2 m with shelter belt</li> <li>• With boom sprayer closer than 10 m without shelter belt</li> <li>• With orchard airblast sprayer closer than 10 m with shelter belt</li> <li>• With orchard airblast sprayer closer than 30 m without shelter belt</li> </ul> <p>Any person in residence within 100 m who has requested notification.</p> <p>Notification to be written at least one week prior Spray plan based on App AQL 6 if requested</p> <p>12) Public amenity areas or places of public assembly notice in newspapers or door to door advice or information drops to occupiers adjacent at least one week prior – specified list of information.</p> <p>13) Notification not required in 11 and 12 if mutually agreed or disease risk – then 2 hours applies</p>
Spray Plan	<p>11) Matters specified for spray plan</p> <p>14) Must be kept for 2 years and provided on request to ECan</p>
Signage	Public amenity areas
Records	14) Agrichemical use sheet list of matters specified – must be kept for 2 years and provided on request to ECan
Public places or amenity areas or sensitive areas	<p>4) In public amenity areas and alongside roadways: Contractors must hold Registered Chemical Applicators Certificate and employee a GROWSAFE® Standard Certificate Signs must be placed in immediate vicinity until re-entry period expired and signs on vehicles Notification (clause 12)</p>
Storage	
Mixing sites	7) No mixing or diluting within 10 m of water body, bore, spring tile drain, stormwater drain or coastal marine area unless over a drip tray or in impervious bunded area
Applications to or near water	<p>8) No runoff to water – except 10</p> <p>9) no discharge to water – except 10</p> <p>10) Aquatic weed control shall have no adverse effects on other aquatic organisms other than target species or mahinga kai.</p>
Disposal	Rule AQL 31 burning of polyethylene agrichemical containers or animal remedy containers - refer Appendix AQL 2

#### Aerial Application – Rule AQL 72

Permitted activity conditions	What the local Plan requires – include references to the part of the rule
Type of use	Discharge of agrichemicals into or onto land, or into water, or into air by aerial application,
Area of use	Into or onto land, or into water, or into air

Permitted activity conditions	What the local Plan requires – include references to the part of the rule
Nature of applicator	Aerial
Certain agrichemicals	2. The agrichemical shall be currently registered in New Zealand at the time of spraying under the Hazardous Substances and New Organisms Act 1996, and the Agricultural Compounds and Veterinary Medicines Act 1997.
Comply with manufacturers instructions	1. The application of the agrichemical shall be undertaken in a manner that does not exceed any rate or contravene any other requirement specified in the agrichemical manufacturer's instructions.
Drift beyond the boundary	4) No objectionable or offensive odour effects beyond boundary 5) No noxious dangerous, offensive or objectionable dispersal or deposition of particles beyond boundary of the property where agrichemicals applied
Status of NZS8409	GROWSAFE qualifications in accordance with NZS8409 1999 called for
Qualifications or training	3. Pilots undertaking the application of agrichemicals shall hold a current GROWSAFE® Agrichemical Rating, ground crew shall hold a current Standard GROWSAFE® Certificate, endorsed with "Aerial Application Ground Crew"
Notification	Unless agreed in writing otherwise - 9. the owner or occupier of the property upon which spraying is to be undertaken must provide advance notification of the spraying to the owner or occupier of any adjoining property: (a) on which a sensitive activity is located within: (i) 100 metres, with a shelter belt, of aerial application; or (ii) 300 metres, without a shelter belt, of aerial application; or (b) on which a person resides within 500 metres of the area where agrichemicals are to be sprayed, where that person has requested that he or she be notified of agrichemical spraying on the property. Advanced notification of spraying must be given by providing the adjoining owner or occupier with either: (a) written notification of each spraying application, at least one week prior to each application, such notification shall include: (i) the application target area; and (ii) the agrichemical(s) to be used; and (iii) the reason for use; and (iv) the intended date(s) of application; and (v) the duration of application; and (vi) the name and contact phone number of those intending to carry out the agrichemical application; and (vii) where or how further information can be obtained; or (b) if requested by the adjoining owner or occupier, a written annual or seasonal property spray plan, at the beginning of each year or spray season, such

Permitted activity conditions	What the local Plan requires – include references to the part of the rule
Spray Plan	<p>Where required by condition 9a written plan may be in the form identified in Appendix AQL6, but shall include:</p> <ul style="list-style-type: none"> <li>(i) a list of immediate neighbours, and their contact phone numbers; and</li> <li>(ii) details of road boundaries, especially for roads used by school children; and</li> <li>(iii) identification of sensitive areas (location and type), and the strategies employed to avoid contamination of those areas; and</li> <li>(iv) the application target area; and</li> <li>(v) the duration of application; and</li> <li>(vi) the crop(s) or vegetation to be sprayed; and</li> <li>(vii) the reason for use; and</li> <li>(viii) the agrichemical(s) likely to be used; and</li> <li>(ix) the likely number of spray applications to be made during the year or season; and</li> <li>(x) the name and contact phone number and address of the operator carrying out the aerial spraying; and</li> <li>(xi) where or how further information can be obtained.</li> </ul> <p>A copy of a property spray plan as specified under condition 9, or the agrichemical application use record sheet must be kept by the owner or occupier of the property upon which agrichemicals are applied for a minimum of 24 months from when the property spray plan was developed</p>
Signage	
Records	<p>11. An agrichemical application use record sheet shall be kept by the owner or occupier of the property being sprayed and include:</p> <ul style="list-style-type: none"> <li>(a) location of agrichemical application; and</li> <li>(b) date and time of agrichemical application; and</li> <li>(c) the name and type of agrichemicals applied, including any additives; and</li> <li>(d) concentration and volume of agrichemical used; and</li> <li>(e) weather conditions, including wind speed and direction; and</li> <li>(f) application method; and</li> <li>(g) location of sensitive areas; and</li> <li>(h) how notification requirements have been met; and</li> <li>(i) details of any abnormal situation or incident, and any action taken, including any variations to the property spray plan.</li> </ul>
Public places or amenity areas or sensitive areas	
Storage	
Mixing sites	<p>6. No mixing or diluting of agrichemicals shall take place within 10 metres of a surface water body, a bore, spring, tile drain, stormwater drain or the coastal marine area, unless the mixing or diluting takes place over a drip tray or within an impervious bunded area to contain spillages.</p>
Applications to or near water	<p>7. There shall be no discharge into or onto land which may result in that contaminant entering water via surface water runoff.</p> <p>8. There shall be no direct discharge into or onto water.</p>
Disposal	