

## Resource Management Plan – Summary sheet – Hawkes Bay March 2007

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| Relevant Plan  | Hawkes Bay Regional Resource Management Plan   |
| Status of Plan   | Operative  |
| Relevant rules   | 6.4.1 Agrichemicals – Discharges to Air/ Land /Water<br>Rule 9 – Small scale application of agrichemicals<br>Rule 10 – Widespread application of agrichemicals<br>Rule 49 Discharges to land that may enter water  |
| Any relevant Appendix  | Schedule XI – Performance requirements for qualifications to apply agrichemicals.  |
| Any relevant definitions<br><br>Definitions used are set out in the summary below. | Aerial discharge<br>Agrichemical<br>Agrichemical spray drift<br>Animal remedy<br>Commercial user<br>Domestic purposes<br>GROWSAFE® Introductory Certificate<br>Hand held appliance<br>Pilots Chemical Rating<br>Public land<br>Registered Chemical Applicator<br>Spray<br>Subject property<br>Water body |
| Any prohibited rules   | No   |

### Definitions

**Aerial discharge** – The discharge of a substance from an aircraft

**Agrichemical** - Any substance, whether inorganic or organic, man-made or naturally occurring, modified or in its original state, that is used to eradicate, modify or control flora and fauna, excluding fertiliser and pheromones.

**Agrichemical spray drift** - The airborne movement of agrichemicals, as droplets, vapour or solid particles, onto a non-target area.

**Animal remedy** - Any drug, medicine, remedy or therapeutic preparation, or any biochemical substances 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 animals, or
- (d) capturing or immobilising any animal.

**Commercial User** - For the purpose of provisions relating to the application of agrichemicals, means any person, group or organisation using agrichemicals in the course of their business activities. It includes any council or local authority managing the use of agrichemicals in public places and amenity areas, roadside, waterways and on noxious weeds.

**Domestic purposes** – the use of agrichemical by a person, group or organisation in a private capacity, who do not use agrichemical in the course of their business activities.

**GROWSAFE Introductory Certificate** - A certificate which is administered by the New Zealand Agrichemical Education Trust, and awarded for successful completion of the GROWSAFE Introductory Course.

**Hand-held appliance** - In relation to agrichemicals, means a knapsack sprayer, a handgun sprayer, a motorised knapsack sprayer, or a hand-held sprayer with a rate and volume of application no greater than these devices.

**Pilots chemical rating** - A rating which is administered by the Civil Aviation Authority, and is awarded to pilots involved in the aerial application of agrichemicals.

**Public land** - Land to which the public has free access at the time an activity is undertaken in accordance with a rule in this Plan.

**Registered chemical applicator** - Any person who is, for the time being, recognised as a registered chemical applicator in accordance with the scheme of registration conducted by the New Zealand Agrichemical Education Trust.

**Spray** - In relation to agrichemicals, means the discharge into the air of agrichemicals whether in liquid, emulsified, mist, granular, powdered, pelletised or any other physical form or forms. 'Spraying' has a corresponding meaning.

**Subject property** - The legally defined property, whether private land or public land, within which the subject activity occurs and includes all land that is under common ownership.

**Water body** - Means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.

#### **Rule 49 - Discharges to land that may enter water**

Rule 49 is a permitted activity rule and covers discharges to land that may enter water, so applies to filler pads and mixing areas. This requires that there be no discharge to land within 20m of any surface water body or over the unconfined aquifers.

#### **Rule 9 – Small Scale application of agrichemical – permitted activity**

This rule applies to:

- Use for *domestic purposes*
- Licensed *animal remedies*
- Use by a *hand held appliance*

Conditions are:

- Not exceed rate or requirements in manufacturers instructions
- No discharge or *drift* of any agrichemical beyond boundary of the *subject property*
- Not result in agrichemical entering a water body
- For non-domestic purposes must be in accordance with all mandatory requirements in Sections 2, 5 and 6 of NZS8409:2004 Management of Agrichemicals

## Rule 10 – Widespread application of agrichemicals

| Permitted activity conditions                     | What the local Plan requires – include references to the part of the rule  |
|---|--|
| Type of use                                       | Widespread – ie not using <i>handheld appliances</i>   |
| Area of use                                       |  |
| Nature of applicator                              | Applies to all users other than domestic.  |
| Certain agrichemicals                             |  |
| Comply with manufacturers instructions            | a) Not exceed any rate or contravene requirements in manufacturers instructions.   |
| Drift beyond the boundary                         | e) No agrichemical on any roof, or structure used as catchment for water supply other than f)<br>g) <i>Aerial application</i> must prevent any discharge within 20 metres of a river wider than 3 m and any lake or <i>wetland</i><br>Advisory Note re spray drift hazard  |
| Status of NZS8409                                 | b) Must be in accordance with all mandatory requirements in Sections 2, 5 and 6 of NZS8409:2004 Management of Agrichemicals  |
| Qualifications or training                        | c) i) <i>Commercial users</i> – as set out in Schedule XI (e.g. GROWSAFE Introductory Certificate)<br>ii) Contractors – be <i>Registered Chemical Applicators</i><br>iii) Employee of contractors – as set out in Schedule XI(e.g. GROWSAFE Introductory Certificate)<br>d) Pilots – GROWSAFE® <i>Pilots Agrichemical Rating Certificate</i>   |
| Notification                                      | h) Notification must happen where: <ul style="list-style-type: none"> <li>• On private land within 50 me of an adjacent property where agrichemical applications occur <ul style="list-style-type: none"> <li>- more then 2 times a year</li> <li>- where spray drift may occur</li> </ul> </li> </ul> by preparing a property spray plan to be provided to adjacent owners or HBRC on request.<br>h iv) Where bee keeping may be affected notify affected parties.  |
| Spray Plan  | h i) Spray plan as in 8409 App M4 as notification for h)   |
| Signage   | h ii) Signage where: <ul style="list-style-type: none"> <li>• 10 m of public land where there is a shelter belt</li> <li>• 30 m of public land with no shelter belt</li> </ul>   |
| Records   |  |
| Public places or amenity areas or sensitive areas | h iii) Applications on <i>public land</i> notified by newspapers or door to door to adjacent occupiers not more than 6 months or less than one month prior and signs to indicate.  |
| Storage   |  |
| Mixing sites                                      |  |
| Applications to or near water                     | f) Onto water for unwanted aquatic plants: <ul style="list-style-type: none"> <li>• Must be approved for aquatic use by ERMA</li> <li>• Must not exceed quantity and concentrations required</li> <li>• Shall not include disposal of agrichemical to water</li> <li>• Must notify those taking water for domestic supplies within 1 km downstream and holders of resource consents for the taking of water for public water supply purposes downstream 1 week prior</li> </ul> g) For <i>aerial</i> no discharges within 20m of a river, lake or <i>wetland</i> |
| Disposal  |  |