

Report on NZAAA's SFF Project 11/076 for Federated Farmers

Ag Aviation promotes a return to common sense

NZ Agricultural Aviation Association (NZAAA) has for many years been intent on improving its safety performance in terms of both environmental safety as well as flight safety. Pilots work in an environment that is highly regulated but often this regulation is confusing, inconsistent and unnecessarily complex. That is particularly true of some regional regulations made by local authorities under the RMA.

So NZAAA decided to try and address this issue and in 2011 was successful in getting a Sustainable Farming Fund grant which along with support from numerous stakeholders has enabled NZAAA to attack the problem head on. The project is titled "Environmental Good Practice in Agricultural and Associated Rural Aviation." You can read more about the project numbered 11/076 at <http://www.mpi.govt.nz/environment-natural-resources/funding-programmes/sustainable-farming-fund/sustainable-farming-fund-funded-projects>

The problem with most regional plans is that they are *prescriptive*. In other words they try and manage the risks of aerial application by putting numbers in their plans. For example "fertiliser shall not be applied within 40 metres of a waterway." Then in the adjoining council plan it might say, "Fertiliser shall not be applied within 5 metres of a waterway." That's great when aeroplanes can work in a number of regions and even greater when you have a farm straddling a regional boundary. Another example is where one council requires spray notification to be made by the landowner and the adjoining one says it's the applicators job or it may not specify who is responsible at all. This leads to no notification with the consequential surprises and retribution. (Over 90% of alleged spray drift claims are made by people who were not notified.) You may be starting to see the point about confusion and inconsistency.

Take a step back and have a look at what the councils are trying to achieve. In the first example they don't want fertiliser in a waterway (neither do pilots nor landowners) and in the second they want people who may be affected by a spray operation to be notified. So why not say just that – but this must be the landowner's responsibility.

Yet another example is spray drift. All the regional plans have something to say about that but again they all put different numbers on buffer zones and so on to try and achieve compliance when all they have to say is, "There shall be no adverse effects from spraying on non target areas." The numbers thing is a joke that often causes production losses to farmers when unrealistic buffer zones are set. They are implying that someone spot spraying broom on Molesworth Station is as at much risk as someone else spraying broom in Pukekohe. Clearly there is a difference.

So what NZAAA is doing as part of the project is to promote risk based rules. Put simply, that means that pilots have to weigh up the risks of each job and manage those risks using the tools they have available. A risk management approach asks four simple questions:

Simple Question	
What is the adverse effect?	Potential Adverse Effects
What is the likelihood	Risk Factor – What aspect of application could lead to this effect?
How could it occur?	Exposure pathway
How can it be prevented?	Management Options

Pilots are skilled and capable people and they have a number of management options they can call upon to prevent off-target damage. Wind direction, release height, particle/droplet size are just some of these.

So how does NZAAA spread the good word to Councils? There are a number of ways that are being used as part of the project:

- 1) Regional Meetings are being run in each region with pilots, stakeholders and council planning and policy personnel being invited. One round of meetings was run in 2011 and another is being run later this year. Council attendees are enthusiastic.
- 2) Two demonstration days are being run to show regulators exactly what the capability of the industry is – in terms of adoption of technology and limitations. They get a warts and all look at Ag Aviation – something not many industries would share.
- 3) The project team is presenting a paper to the NZ Planning Institute National Conference in May this year. The paper promotes risk based rules.
- 4) The project team was independently engaged by the Auckland Unitary Council to write its rules around agrichemical use. That is the first risk based rule to be completed and by the time this rule is notified on 15th March, NZAAA hopes that it will be sufficiently robust to promote as a “model rule” to other Councils.
- 5) But most importantly, a Guidance Note has been written that is intended to guide planners when they write new rules. The Guidance Note will live on MfE’s Quality Planning website where all planners go to access information. The Guidance Note had its first public airing last week at a stakeholder’s meeting and will shortly go to a couple of Councils to review before going to all Councils and MfE for a three month peer review. Naturally enough the Guidance Note promotes a risk based approach.

This risk based approach is all very well but you might ask then, how do Councils have the confidence that pilots are in fact doing their job safely in terms of the environment? The answer is that aviation has developed a best practice independently audited accreditation programme called AIRCARE™. AIRCARE™ is a risk management programme that provides independent assurance to all regulators that flight and environmental safety are being

correctly managed. So all Councils have to do to get best practice is require AIRCARE™ (or an equivalent programme) as a condition for applying sprays fertilisers and baits as *permitted activities*. That is what is in the Auckland Unitary DRAFT Plan.

And what does all this mean to you the farmer? NZAAA believes that if its pilots always operate to best practice that the aerial industry has an assured future. That means it will be around in 50 years time to meet your needs instead of being regulated out of existence as has been the case overseas.

Do you use an AIRCARE™ Accredited company?

John Sinclair
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