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18 April 2018

Bay of Plenty Regional Council
87 First Avenue
Tauranga

Via email to air@boprc.govt.nz

Dear Sir/Madam,

Re: Bay of Plenty Regional Council Proposed Plan Change 13 - Air Quality

Please find attached a submission on the Bay of Plenty Regional Council's Proposed Plan Change 13 - Air Quality. This submission is on behalf of kiwifruit growers in the Bay of Plenty Region.

Please do not hesitate to contact me if you require any further information on this submission.

Kind regards,

Nikki Johnson
Chief Executive Officer

SUBMISSION IN RESPECT OF THE BAY OF PLENTY REGIONAL COUNCIL'S PROPOSED PLAN CHANGE 13 - AIR QUALITY

TO: Bay of Plenty Regional Council

SUBMISSION ON: Bay of Plenty Regional Council's Proposed Plan Change 13 - Air Quality

NAME: New Zealand Kiwifruit Growers Incorporated (NZKGI)

ADDRESS: PO Box 4246, Mount Maunganui South 3149

1. NZKGI's submission is detailed in the following sections:

- A. Overall Comments
- B. Rule AQ R15 (1) General use of agrichemicals
- C. Rule AQ R15 (2) Method of application of agrichemicals
- D. Rule AQ R15 (3) Signage
- E. Rule AQ R15 (4) Notification
- F. Advice Note - NZS8409:2004
- G. Creation of a restricted discretionary activity
- H. Definition of Fertiliser

2. NZKGI wishes to be heard in support of this this submission.

3. NZKGI will not gain an advantage in trade competition in making this submission.

4. Background to NZKGI

NZKGI was formed in 1993 to give kiwifruit growers their own organisation to develop a secure and stable kiwifruit industry. NZKGI represents 2,600 kiwifruit growers and gives growers their own voice in industry and government decision making. NZKGI works to advocate, protect and enhance the commercial & political interests of New Zealand kiwifruit growers.

5. The Kiwifruit Industry in the Bay of Plenty Region

Approximately 80% of New Zealand's kiwifruit crop is grown in the Bay of Plenty providing a significant contribution to the Bay of Plenty regional economy, with \$1.97 billion in revenue being generated for the region in 2015/2016¹. The industry provides significant employment to the Bay of Plenty Region employing 10,762 FTE in the year 2015/2016¹. Zespri, the kiwifruit marketer, have committed to more than double global sales revenue to \$4.5 billion by 2025. The projected growth of the industry will contribute significantly to the Bay of Plenty GDP increasing it by 135% from 867 million to 2.04 billion by 2029/2030¹. Employment in the kiwifruit industry is also expected to increase by 133% to 25,091 FTE by 2029/2030.

A. Overall comments

Thank you for the opportunity to comment on the Bay of Plenty Regional Council Proposed Plan 13 - Air Quality. NZKGI has discussed the proposed plan with Zespri, NZ Avocado and Horticulture New Zealand (HortNZ) and we reference some aspects of the HortNZ submission in our comments.

B. Rule AQ R15 (1) General use of agrichemicals

NZKGI support HortNZ's submission that the general use and application of agrichemicals should be in accordance with NZS8409:2004 representing best practice. NZKGI requests that this standard be specifically referenced in the plan.

C. Rule AQ R15 (2) Method of application of agrichemicals

NZKGI support HortNZ's amendments to this section including the addition of signage requirements for private land.

D. Rule AQ R15 (3) Signage

- NZKGI support HortNZ's submission in relation to the provision of signage requirements on private land and submit that the following wording be specified in the plan at AQ15(3)(f):

f) Where agrichemicals are applied to private land, signs must be displayed at every entrance to the property where the agrichemical is being applied before the time of application. The signs must clearly state the following:

- "CAUTION - SPRAYED AREA" or similar wording*
 - The name and type of agrichemical used*
 - A start date and the date and time it is safe to re-enter the property*
 - The name and phone number of the person undertaking the application*
- NZKGI support HortNZ's submission on AQR15(3)(e) and agree that this requirement should only apply to public places and that this needs to be updated at AQ R15(2)(b).

E. Rule AQ R15 (4) Notification

NZKGI support HortNZ's submission that notification be required no earlier than 72 hours and no later than 12 hours before the agrichemical spraying.

NZKGI submits that requiring 24 hours notification prior is too restrictive. The majority of notifications in kiwifruit are made in the evening, when neighbours are home, for spraying the following day. A 24-hour notification period in practice results in growers having to notify their neighbours 36 hours in advance which is unworkable considering the reliance agrichemical spraying has on good weather.

The 12-hour notification period provides for a more accurate indication of when spraying will occur and provides for greater certainty for both parties involved.

NZKGI are aware there are considerations around the moving of stock and covering of other crops resulting in the 12-hour notification and supports the use of AQR15(4)(a)(ii) for parties to come to an agreement around an appropriate notification period in this instance.

F. Advice Note - NZS8409:2004

NZKGI considers that the importance of the New Zealand Standard Management of Agrichemicals NZS 8409:2004 needs to be elevated in the plan. Specific reference to a registered certification scheme based on demonstrating applicators knowledge of best practice as set out in NZS8409:2004 should be included in the text of the plan to ensure that users are equipped with the appropriate certification and training.

G. Creation of a restricted discretionary activity

NZKGI support HortNZ's submission on creating the option for a restricted discretionary activity if the conditions of the permitted activity rule AQR15 cannot be met. NZKGI agrees that this approach provides greater clarity for users and ensures that costs are limited to the relevant matters to be considered in a consent application.

H. Definition of Fertiliser

NZKGI supports HortNZ's submission regarding the inclusion of the ACVM definition for fertiliser in the plan and considers the reliance on the definition of fertiliser used in the Regional Natural Resources Plan from the Code of Practices for Fertiliser Use 1998 insufficient.