

Further Submission on Plan Change 13 (Air Quality) to the Regional Natural Resources Plan

Clause 8 of Schedule 1, Resource Management Act 1991

Please send your submission to be received by **4:00 pm on 31 July 2018**

Further Submission Number
Office use only

FS19

TO: The Chief Executive
Bay of Plenty of Regional Council
PO Box 364
Whakatāne 3158

EMAIL: air@boprc.govt.nz

Name: Agcarm

[Full name of the person or organisation making the submission]:

This is a further submission in support of or opposition to a submission on Plan Change 13 (Air Quality) to the Regional Natural Resources Plan

1. I **do not** wish to be heard in support of my further submission.

[Delete as required]

2. If others make a similar submission I **would not** be prepared to consider presenting a joint case with them at any hearing.

[Delete as required]

3. I am:-

[Please tick one]

a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category.)

a person who has an interest in the proposal that is greater than the interest the general public has. (Specify upon what grounds you come within this category.) On the following grounds:

Agcarm represents Agrichemical manufacturers, researchers and applicators.

Address for Service *[Provide full postal details]:*

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Contact person: Mark Ross, CE

Further submission PC 13 Rule 15 Agrichemical Spraying - Permitted

Sub No	Submitter name	Section Reference	Support/ Oppose	Reason
52-1	Department of Conservation	AQ R15 Advice Note	Oppose	NZS8409:2004 Management of Agrichemicals should be used as a basis of the provisions in the Plan, not just as an advice note.
11-12	Waikato Regional Council	AQ R15 new condition	Support	The submitter seeks that training requirements are included in Rule 15 for application of agrichemicals. Being adequately trained is important in ensuring that the potential for adverse effects of spraying are appropriately managed.
58-44	Horticulture New Zealand	AQ R15 new condition	Support	The submitter seeks that training requirements are included in Rule 15 for application of agrichemicals. Being adequately trained is important in ensuring that the potential for adverse effects of spraying are appropriately managed.
58-45	Horticulture New Zealand	AQ R15 new condition	Support	The submitter seeks that a Restricted Discretionary Rule is included where the permitted activity standards in Rule15 cannot be met. There are clear matters of discretion that the Council

Sub No	Submitter name	Section Reference	Support/ Oppose	Reason
				could use for such a rule rather than having a full discretionary activity apply.
65-3	NZ Agrichemical Education Trust	AQ R15 new condition	Support	The submitter seeks that training requirements are included in Rule 15 for application of agrichemicals. Being adequately trained is important in ensuring that the potential for adverse effects of spraying are appropriately managed.
21-12	Jodie Bruning	AQ R15 (1)	Oppose	The submitter seeks a new clause under general use of agrichemicals that is linked to environment exposure levels/ limits not being exceeded. EEL's are not intended to be used in such a manner and are not necessarily applied to all agrichemicals.
58-42	Horticulture New Zealand	AQ R15 (1)	Support	The submitter seeks that NZS8409:2004 Management of Agrichemicals is included as a general condition in AQ R15 (1). This is supported as it sets out best practice for agrichemical use.
21-13	Jodie Bruning	AQ R15 (3)	Oppose	The submitter seeks standardisation of sign colour, size and wording based on US legislation. Changes are also sought to the length of time that signs remain, linked to EEL's. The current signage requirements are similar to the Operative Plan and it is unclear why there is a need to change the approach as sought. Public amenity areas are defined so it is clear what areas are included in the signage provisions.
58-43	Horticulture New Zealand	AQ R15 (3)	Support in part	The submitter seeks that signage on vehicles is limited to where the vehicles are in public places. This is supported so vehicles on private property are not included in the provision. Requiring signage at entrance to private land is supported.
73-3	New Zealand Kiwifruit Growers	AQ R15 (3)	Support	The submitter seeks that the Plan require signage at the entrance to private land and seeks specific wording that reflects best practice that growers undertake. Specification of re-entry time is consistent with NZS8409:2004 Appendix M3.

Sub No	Submitter name	Section Reference	Support/ Oppose	Reason
76-32	Federated Farmers of NZ	AQ R15 (3)	Support in part	The submitter seeks changes to the distances from public amenity areas where signage would be required. There needs to be a clear rationale for the required distance.
4-3	P F Olsen	AQ R15 (4)	Support in part	The submitter seeks that the notification times be retained as in the Operative Plan (max 20 days – minimum of 12 hours). A minimum of 12 hours is supported because 24 hours is impractical and unworkable for those undertaking spraying.
21-14	Jodie Bruning	AQ R15 (4)	Oppose in part Support in part	The submitter seeks that the name and type of agrichemical to be applied is amended to The registered brand name, active ingredient/s and type of agrichemical used. NZS8409:2004 does not require that this information is provided. The submitter seeks to differentiate between the time of notification for public amenity areas from private use as public spraying is not as time dependent or urgent as horticultural and farming use and there are different levels of risk to the public. Such a differentiation may assist with the range of notification times that are sought by a number of submitters.
58-41	Horticulture New Zealand	AQ R15 (4)	Support	The submitter seeks that the notification clauses are amended to no later than 12 hours. This time change is supported as a minimum of 12 hours is supported because 24 hours is impractical and unworkable for those undertaking spraying.
11-13	Waikato Regional Council	AQ R15 (5)	Support	The submitter seeks that records are kept, such as a spray diary required by NZS8409:2004. Keeping records is best practice and is supported.
65-4	NZ Agrichemical Education Trust	AQ R15 (5)	Support in part	The submitter seeks that 5a) and b) are replaced with references to Appendices G and M of NZS8409:2004 which set out requirements for spray plans. Spray plans are best practice that should be included in the Plan

