

Guide to agrichemical use in Resource Management Plans

Canterbury Region

As at September 2017

STATUS

The Proposed Canterbury Air Regional Plan is currently treated as Operative meaning not all parts of the plan have been confirmed but those that have been finalised (including the sections on agrichemical use) cannot be changed except through a publicly notified Plan Change.

The Canterbury Land and Water Regional Plan as at 24 August 2017 is Operative meaning that the current version cannot be changed except through a publicly notified Plan Change.

NZS8409:2004

Rule 7.72(1) of the Air Plan (see next section) requires that the application is undertaken in a manner complying with NZS8409 Management of Agrichemicals. The rule does not specify particular sections – rather the whole Standard. Users should be aware of the mandatory requirements in Sections 2, 5 and 6 which are identified in NZS8409 as shall statements. Users will need to reference NZS8409 and meet these requirements to be compliant with the rules for agrichemical use in Canterbury.

AIR PLAN RULES¹

7.72 *The discharge of contaminants into air from the application of agrichemicals or fertilisers is a permitted activity provided the following conditions are met:*

- 1. The substance is approved under the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the substance is in accordance with all conditions of the approval; and*
- 2. The application of the agrichemicals is undertaken in accordance with NZS8409:2009 Management of Agrichemicals; and*
- 3. The discharge does not have an adverse effect on vegetation or fauna beyond the boundary of the target site; and*
- 4. The discharge does not cause a noxious or dangerous effect; and*
- 5. The discharge does not have an adverse effect on sensitive activities, non-target crops, organic farming systems, wahi tapu, wahi taonga or site of significance to Ngai Tahu.*

¹ Text in italics is extract from relevant Plan. Highlights and text colour added.

LAND AND WATER PLAN RULES

- 5.22 *The discharge of an agrichemical, or agrichemical equipment or container washwater, into or onto land, including the bed of a lake, river or artificial watercourse, in circumstances where a contaminant or water may enter water, or into a surface waterbody, is a permitted activity, provided the following conditions are met:*
1. *The substance is approved under the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the substance is in accordance with all conditions of the approval; and*
 2. *No mixing or diluting of an agrichemical or rinsing or cleaning of containers or equipment takes place within:*
 - (a) *5 m of a surface waterbody, or a bore; or*
 - (b) *in the bed of a river or lake, or within the Christchurch Groundwater Protection Zone as shown on the Planning Maps, or a Community Drinking-water Protection Zone as set out in Schedule 1, unless:*
 - (i) *the mixing or dilution takes place within a sealed, bunded system that will contain a volume of at least 110% of the largest spray tank to be filled; or*
 - (ii) *the mixing or dilution is for a hand-held application technique or method; and*
 3. *If the water used for mixing or dilution is being abstracted from a surface waterbody or groundwater, a backflow prevention system is in place to prevent the agrichemical from flowing back into the source water; and*
 4. *For discharges direct to surface water, the discharge is not:*
 - (a) *within a Community Drinking-water Protection Zone as set out in Schedule 1; or*
 - (b) *into a river or artificial watercourse within 250 m upstream or 100m downstream, or in a lake within 250 m, of any other surface water intake.*

DEFINITIONS

See plans for full set of definitions.

Agrichemical (Air Plan): Means any substance, whether inorganic or organic, man-made or naturally occurring, modified or in its original state, that is used in any agriculture, horticulture or related activity to eradicate, modify or control flora or fauna. For the purposes of this Plan it includes agricultural compounds and animal remedies but excludes fertilisers, vertebrate toxic agents and oral nutrition compounds.

Agrichemical (Land and Water Plan): Means any substance, or mixture of substances, (including approved adjuvants), whether inorganic or organic, man-made or naturally occurring, modified or in its original state that is used to eradicate, or control flora and fauna. It excludes oral nutrition compounds, vertebrate pest controls and fertilisers.

Noxious or dangerous effect: Means an effect that is materially harmful to people or the environment.

Sensitive activity: Means an activity undertaken in:

- (a) *the area within the notional boundary of an occupied dwelling; or*
- (b) *a residential area or zone; or*
- (c) *a public amenity area, including those parts of any building and associated outdoor areas normally available for use by the general public, excluding any areas used for services or access areas; or*
- (d) *a place of public assembly for recreation, education, worship, culture or deliberation purposes.*

Surface water or surface water body: Means water above the ground surface and within a lake, river, artificial watercourse or wetland, but does not include water in the sea, snow or rain or water vapour in the air. When a distance to a surface water body is being considered, it means the distance to the bed of a lake, river, artificial watercourse or to the boundary of a wetland.

Disclaimer: This Guide is intended to assist users and applicators to understand the requirements relating to agrichemical use in the relevant regional plans in your Region. Every effort has been made to ensure the accuracy of this information but the responsibility for ensuring that the requirements of councils are met rests with the applicator and user of agrichemicals.