

Discharge of agrichemicals into the air

Discharges from the Application of Agrichemicals

For information requirements refer to Section 5

(For the purpose of clarification, note that Rules 56 to 58 do not apply to the application of vertebrate toxic agents to land by aerial spreading or the application of agrichemicals direct to water for the purposes of controlling aquatic life – refer to Rule 32 of the Regional Fresh Water for Taranaki (2001) for the Rule that applies to the application of agrichemicals direct to water for the purposes of controlling aquatic life).

Advisory note: Rules 56 and 58 do not apply to the discharge of agrichemicals on production land associated with plantation forestry activities regulated under the *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017* (NES-PF). The regulations prevail over these rules in relation to plantation forestry activities.⁴⁴

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
Discharges of contaminants to air from the spraying of agrichemicals on production land ⁴⁵ Note: This rule excludes the discharge of contaminants to air from the spraying of agrichemicals on production land regulated by the NES-PF.	56 Discharge of agrichemicals - production land	a) The discharge shall be undertaken in a manner which does not exceed any rate, or contravene any other requirement, specified in the agrichemical manufacturer's instructions b) There shall be no adverse effects from the discharge or drift of any agrichemical beyond the boundary of the subject property c) The discharge shall be undertaken in accordance with all mandatory requirements set out in Sections 2, 5 and 6 and relevant appendices of the New Zealand Standard for Management of Agrichemicals (NZS 8409:2004) ⁴⁶ d) Discharge must not result in the following effects at or beyond the boundary of the target property and on such parts of the electricity transmission network that lie within the boundary of the premises: <ul style="list-style-type: none"> • Offensive or objectionable odour or dust: • Ambient concentrations of noxious or dangerous contaminants such that any person, ecosystem or structure is or is likely to be adversely affected including any such adverse effects on sensitive areas e) The discharge shall not cause or be likely to cause an adverse effect from deposition into a river, lake, wetland or other surface water body, including any drain which enters into a surface water body	Permitted			

⁴⁴ The NES-PF regulations that prevail over the Plan rules identified above are Regulations 93 and 95.

⁴⁵ **Note:** Rule 57 of the Plan applies to the discharge of contaminants to air from the spraying of agrichemicals on public amenity areas or roadside verges.

⁴⁶ In relation to condition (c) – Section 2 of the Code deals with the management of agrichemicals (including risk management, user responsibility and identification of most suitable agrichemicals), Section 5 deals with the use of agrichemicals (including handling, mixing, and drift hazard) and Section 6 deals with the disposal of agrichemicals and their containers.

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		<p>f) The application of agrichemicals shall only be carried out by or under the direct supervision of an appropriately qualified person deemed by the Council as having such qualifications. For the purpose of this rule, applicators of agrichemicals shall hold the following qualifications:</p> <p>(i) any ground applicator shall hold, as a minimum, a current GROWSAFE® Introductory Certificate or be under the direct supervision of a person holding the GROWSAFE® Applied Certificate or a GROWSAFE® Registered Chemical Applicator's Certificate; or</p> <p>(ii) any commercial spray operator shall hold, as a minimum, either:</p> <p>(1) A GROWSAFE® Registered Chemical Applicator's Certificate; or</p> <p>(2) A GROWSAFE® Introductory Certificate and be under the direct supervision of a person holding a GROWSAFE® Registered Chemical Applicator's Certificate; or</p> <p>(iii) any pilot undertaking aerial application shall hold as a minimum, a current Pilot Chemical Rating Certificate issued by Civil Aviation Authority (CAA); or</p> <p>(iv) shall hold a qualification that meets the requirements of Appendix VI</p> <p>g) The discharge shall not adversely affect the suitability of water for water supply purposes</p> <p>h) Landowner or occupier must give verbal or written notice to all occupied dwellinghouses, owners or occupiers of properties, sensitive crops and farming systems and places of public assembly located within 30 metres of the area to be sprayed (if spraying is by ground application) or within 100 metres of the area to be sprayed (if spraying is by aerial application). Notification is to take place EITHER as a general notice before the beginning of a particular spray season OR not less than 2 hours and not more than 4 weeks prior to spraying and is to state:</p> <ul style="list-style-type: none"> • the areas to be sprayed 				

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		<ul style="list-style-type: none"> • the dates and times of spraying or the factors that will determine when spraying occurs (to the fullest extent possible) • the agrichemical(s) to be used • the measures to be adopted by the discharger to prevent or minimise spray drift from the target area. <p>If general notice is given before the beginning of a particular spray season, then such notice shall include an opportunity for those receiving the notice to request and be given further notice of individual applications prior to spraying being carried out.</p> <p>Notification is not required if owners or occupiers of the relevant occupied dwellinghouse, properties or places of public assembly agree in writing that notification is not required or if agrichemicals are applied with hand operated and manually pressurised and pumped spray equipment</p> <p>i) Discharger must keep records of the name of user, agrichemical equipment used and methods of use, including equipment applied, the volume and concentration of the agrichemical used, the locality, area and date of application, the location and nature of the sensitive area, weather conditions, including wind speed and direction and any abnormal situation or incident and supply these to the Taranaki Regional Council on request</p> <p>j) Discharger must notify the Taranaki Regional Council as soon as practicable in the event of accidental or unintended discharge of agrichemicals to land or water</p>				
Discharges of contaminants to air from the spraying of agrichemicals on public amenity areas or roadside or railside verges	57 Discharge of agrichemicals - public amenity areas or roadside railside verges	<p>a) The discharge shall be undertaken in a manner which does not exceed any rate, or contravene any other requirement, specified in the agrichemical manufacturer's instructions</p> <p>b) The discharge shall be undertaken in accordance with all mandatory requirements set out in Section 2, 5 and 6 and relevant appendices of the New Zealand Standard for</p>	Permitted			

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy Reference
		<p>the Management of Agrichemicals (NZS 8409:2004)⁴⁷</p> <p>c) Discharge must not result in the following effects at or beyond the boundary of the target property and on such parts of the electricity transmission network that lie within the boundary of the premises:</p> <ul style="list-style-type: none"> • Offensive or objectionable odour or dust; • Ambient concentrations of noxious or dangerous contaminants such that any person, ecosystem or structure is or is likely to be adversely affected including any such adverse effects on sensitive areas <p>d) There shall be no adverse effects from the discharge or drift of any agrichemical beyond the boundary of the subject property</p> <p>e) The discharge shall not cause or be likely to cause an adverse effect from deposition into a river, lake, wetland or other surface water body, including any drain which discharges to a surface waterbody</p> <p>f) The application of agrichemicals shall only be carried out by or under the direct supervision of an appropriately qualified person deemed by the Council as having such qualifications. For the purpose of this rule, applicators of agrichemicals shall hold the following qualifications:</p> <p>(i) any commercial spray operator shall hold, as a minimum, either:</p> <ol style="list-style-type: none"> (1) a GROWSAFE® Registered Chemical Applicator's Certificate; or (2) a GROWSAFE® Introductory Certificate and be under the direct supervision of a person holding a GROWSAFE® Registered Chemical Applicator's Certificate; or <p>(ii) any pilot undertaking aerial application shall hold as a minimum, a current Pilot Chemical</p>				

⁴⁷ In relation to condition (b) – Section 2 of the Code deals with the management of agrichemicals (including risk management, user responsibility and identification of most suitable agrichemicals), Section 5 deals with the use of agrichemicals (including handling, mixing, and drift hazard) and Section 6 deals with the disposal of agrichemicals and their containers.

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		<p>Rating Certificate issued by Civil Aviation Authority (CAA); or</p> <p>(iii) shall hold a qualification that meets the requirements of Appendix VI.</p> <p>g) The discharge shall not adversely affect the suitability of water for water supply purposes</p> <p>h) The landowner, manager or contractor must give public notice of the intention to spray prior to carrying out the spraying. Public notice is to take place not less than 4 weeks and not more than 6 months prior to spraying and is to state:</p> <ul style="list-style-type: none"> - the areas to be sprayed - the dates and times of spraying (to the fullest extent possible) - the agrichemical(s) to be used - the measures to be adopted by the discharger to prevent or minimise spray drift from the target area <p>i) Except for spraying along the verges of public roads, the discharger must place signs clearly visible to the public at all points where the public commonly have entry to the area being sprayed. Signs must include the words 'CAUTION – SPRAYED AREA', and remain in place until the re-entry period for that particular chemical has expired</p> <p>j) Where spraying occurs along the verges of public roads, vehicles associated with the spraying must display signs (front and back) stating 'CAUTION – SPRAYING IN PROGRESS'</p> <p>k) Discharger must keep records of the name of user, agrichemical equipment used and methods of use, including equipment calibration details, type of each agrichemical applied, the volume and concentration of the agrichemical used, the locality, area and date of application, the location and nature of any sensitive area, weather conditions, including wind speed and direction, and any abnormal situation or incident and supply these to the Taranaki Regional Council on request</p> <p>l) Discharger must notify the Taranaki Regional Council as soon as practicable in the event of</p>				

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		accidental or unintended discharge of agrichemicals to land or water				
<p>Discharges of contaminants to air from the spraying of agrichemicals on production land or public amenity areas or roadside or railside verges where the discharge does not satisfy one or more of the conditions in Rule 56 or Rule 57</p> <p>Note: This rule excludes the discharge of contaminants to air from the spraying of agrichemicals on production land regulated by the NES-PF.</p>	58 Discharge of agrichemicals that do not comply with Rules 56 or 57		Restricted Discretionary		<ul style="list-style-type: none"> a) Duration of consent b) Imposition of limits on or relating to discharge or ambient concentrations of contaminants, or on or relating to mass discharge rates c) Best practicable option to prevent or minimise off site or non-target effects d) Requirement to notify prior to spraying e) Allowable meteorological conditions when spraying f) Type and performance of spray equipment g) Spray pressures h) Height of discharge of aerial spraying i) Training completed by applicant and applicant's staff j) Drift avoidance measures k) Specification of agrichemicals that may be discharged l) Effects relating to loss of amenity value of air, chronic or acute human health effects, odour, annoyance or offensiveness and effects on ecosystems, plants and animals, effects on areas identified in Policy 2.3 m) Record keeping n) Monitoring o) Review of the conditions of consent and the timing and purpose of the review p) Payment of administrative charges q) Payment of financial contributions 	1.1, 1.2, 1.3, 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 3.1, 3.2, 8.1, 8.2, 8.3

Note: Appendix VII contains information on good agrichemical spray management practices that provide general guidance on the best practicable option for preventing or minimising adverse effects on the environment from the spraying of agrichemicals.