

SUBMISSION ON THE PROPOSED REGIONAL LAND AND WATER PLAN

UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

Please note that submissions are required to be received by the West Coast Regional Council no later than **5.00 pm, Friday 15 October 2010.**

To: Chief Executive Officer
West Coast Regional Council
PO Box 66
GREYMOUTH 8470
Ph (03) 768 0466
Fax (03) 768 7133 or scan and email to info@wcrc.govt.nz

Submission On: Proposed Regional Land and Water Plan

Name: *[Full Name]* John Maber

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Hamilton 3293

1. The specific provisions of the Proposed Plan that my submission relates to are as follows:

Rule 65 Discharge of aquatic herbicide in gel form

Rule 67 Aerial discharge of 1080

Rule 72 Application of fertilizer definition

Rule 76 Application of agrichemicals on areas other than domestic properties

Rule 85 Aerial application of vertebrate toxic agrichemicals.

2. My submission is that: *[State in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons.]*

Rule 65 b) relates only to ground application, but it can be carried out by aerial application. A clause that refers to qualifications for aerial application could be inserted but only to be consistent with requirements set out in other rules for aerial application eg rule 67. I therefore support the rule as it is written, because the equivalent qualification for aerial application, which is the pilot Chemical Rating, is a legal requirement under CAA part 61.

Rule 67 Aerial discharge of 1080 – support but note we would advocate that the conditions given in this rule in addition to a series of other performance standards would all be required if the rule simply required any aerial operator applying 1080 by air to hold NZAAA Accreditation

Rule 72 Application of fertilizer – the definition in the Glossary for fertiliser means any proprietary substance specifically manufactured for use in increasing the nutrient status of land. This differs from the definition given in the ACVM Act for fertiliser, which is also used in the FERTMARK standard for fertilisers in NZ, and from the *Code of Practice for Nutrient Management*. Use of a different definition causes unnecessary confusion so we support the rule overall but oppose the use of a different definition and advocate that the *Code of Practice for Nutrient Management* definition be used:

The *Code of Practice for Nutrient Management (Fert Research)* defines fertiliser as “Any substance (whether solid or fluid in form) which is described as or held out to be for, or suitable for, sustaining or increasing the growth, productivity, or quality of plants or animals through the application of essential nutrients to plants or soils.

Rule 76 Application of agrichemicals on areas other than domestic properties

- only d) is needed because that covers all the other conditions
- GROWSAFE® not GROWSAFE™
- the rule in effect requires every one who applies agrichemicals on areas other than domestic to meet the same competency requirements that contractors would have to meet which is unreasonable

We oppose the rule as written and advocate that the provisions above are revised, that the conditions for non contract application require compliance with NZS 8409 2004 and that the condition for aerial application be that the operator hold NZAAA Accreditation for the application of VTA

Rule 85 Aerial applications of vertebrate toxic agrichemicals

- VTAs are not agrichemicals and the provisions under the HSNO Act and Regulations for these substances are Gazetted separately.
- Schedule 13 refers to the Pesticides Act 1979 which has been repealed.
- vii) and viii) are inappropriate in this context as they apply to agrichemicals

We support the rule in principle but advocate that the definition of VTA be separated from that of an agrichemical. The following definition is suggested

Vertebrate Toxic Agent (VTA) – “trade name product used to kill or reduce the viability of vertebrate animals. It does not include attractant or repellent substances that are not toxic.”

We also advocate that the HSNO classifications be the reference in place of the repealed Pesticides Act 1979

3. I seek the following decision from the West Coast Regional Council *[give precise details]*:

4. I do wish to be heard in support of my submission *[delete one]*.

5. If others make a similar submission I would be prepared to consider presenting a joint case with them at any hearing *[delete one]*.



.....
[Signature of person making submission or person authorised to sign on behalf of person making submission]

October 15, 2010

Title and Address for Service of person making submission:

Executive Officer,
NZAAA,
RD 12
Hamilton 3293

Telephone No: .07 8298 121

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