

## View Submitter Details

<b>Submitter No.</b>	S227
<b>Submitter Name</b>	New Zealand Agrichemical Education Trust (NZAET)
<b>Online submitter</b>	Yes
<b>Raw submission lodged</b>	Yes

## Raw submission points

These are submission points that were lodged as part of an online submission. They have not been summarised.

Raw sub point number	Provision	Support/oppose	Decision sought	Reasons
S227.1	General conditions for the discharge of agrichemicals.	Amend	Delete  "(d) the <b>agrichemical</b> is approved by the Environmental Protection Agency"	Not all agrichemicals are approved by the EPA - only those with hazardous properties. In effect, this rule makes using non-hazardous agrichemicals not permitted in Wellington region.  Further, use of a non-approved hazardous substances is already covered under the HSNO Act and associated EPA Notices.
S227.2	General conditions for the discharge of agrichemicals.	Amend	Move clause (e) to amended R37 thus making it a requirement for domestic users of agrichemicals only.  Add an equivalent statement to R38 - see separate submission point.	Current 5.1.13 (e) requires the user to follow the label. There are multiple situations where users of agrichemicals may not follow the label. For example, there will be crops for which the product has not been formally approved eg minor crops, and there will be pest plants for which there is no formal approval for the effective mix/concentration of herbicides. Similarly there may be no specific guidance on new types of application methods or application rates. It is reasonable to limit application to the label requirements for domestic users of agrichemicals.
S227.3	Rule R37: Handheld discharge of agrichemicals – permitted activity.	Amend	Rename R37 to  Handheld discharge of agrichemicals on a residential property	Handheld application on commercial properties and on public properties should be subject to greater oversight than the General Rules proposed. For example, handheld application in a public place is not covered by the requirements of R38(f) and R38(g) meaning no spray plan or notification is required.
S227.4	5.1.13 Discharge of agrichemicals.	Amend	Replace current 5.1.13 (e) with the following and move out of General Conditions and into R38:  the discharge shall be undertaken in accordance with the good practice requirements set out in NZS 8409:2021 Section 5.2.	Requiring compliance with label conditions is restrictive for commercial agrichemical users (see separate submission point). However, Section 5.2 of the New Zealand Standard for the Management of Agrichemicals sets out For example, 5.2.3(a) requires compliance with all regulatory requirements (covering EPA) and other sections set requirements to minimise the likelihood of spills and off-target spray drift, fitting backflow valves if taking water from streams etc. All of these requirements have, through the Standards NZ process, been confirmed as reasonable minimum requirements for agrichemical use in workplaces (including handheld application); but at the same time, they retain flexibility for off-label use where it is appropriate.
S227.5	Rule R38: Motorised and aerial discharge of agrichemicals – permitted activity.	Amend	Amend R38(e)(ii) to reference NZS 8409: 2021 Appendix G3	Notification requirements are very vague at present except for public spraying set out in (g). Appendix G3 provides a practical set of requirements which balances the applicator and the neighbour's needs. It may be possible to delete R38(g) as Appendix G3 (notification) and G4 (signage) covers the content of these.
S227.6	Rule R38: Motorised and aerial discharge of agrichemicals – permitted activity.	Amend	Amend name of Rule to:  All other agrichemical application	If R37 is renamed to cover residential handheld application of agrichemicals, then this rule needs to be extended to cover handheld application in non-residential application sites such as public places, conservation areas, agriculture and horticulture.

## Raw submission documents

These are files that were uploaded as part of an online submission.

Document name 	File	Description	Upload date
No data			