

The following rules apply for the application of agrichemicals in the area covered by the proposed Marlborough Environment Plan.

Definition

Agrichemical:

This means any substance, whether inorganic or organic, manufactured or naturally occurring, modified or in its natural state, that is used in any agriculture, horticulture, forestry, viticulture, management of public amenity areas, or related activity, to eradicate, modify, or control flora or fauna. This includes agricultural compounds, but excludes fertilisers, vertebrate pest control products and oral nutrition compounds.

Rules

The Rules within the Rural Environment Zone are as follows:

The application of agrichemicals to land based activities shall be a Permitted Activity subject to the following conditions:

- 3.3.23.1 Triazine herbicide must not be applied to a Soil Sensitive Area identified as free-draining soils.
- 3.3.23.2 The application must not result in the agrichemical being deposited in or on a river, lake, Significant Wetland, drainage channel or Drainage Channel Network that contains water.
- 3.3.23.3 The application must be undertaken either:
 - (a) in accordance with the most recent product label; or
 - (b) if the agrichemical is approved for use under the Hazardous Substances and New Organisms Act 1996, the discharge shall be in accordance with all conditions of the approval.
- 3.3.23.4 All spills of agrichemicals above the application rate must be notified to Council immediately.
- 3.3.23.5 The application must be carried out in accordance with Sections 5.3 and 5.5 of NZS 8409:2004 Safe Use of Agricultural Compounds and Plant Protection Products – Management of Agrichemicals.

Note: The Hazardous Substances (Hazardous Property Controls) Notice 2017 (EPA Consolidation 30 April 2021) sets out the qualifications required for use of certain substances in any place that is not a workplace, unless otherwise specified. The Health and Safety at Work (Hazardous Substances) Regulations 2017 sets out the competency requirements for the use of substances in a workplace and the duty of a PCBU to provide information, training, supervision, and instruction. Together these Regulations stipulate training and competency requirements based on the substance used and risk to the environment. A summary of these requirements is also set out in NZS 8409:2021 Management of Agrichemicals, Appendix D.