

## **CRC073915 – To discharge contaminants into surface water**

### **Draft Conditions for Landcare Services Limited**

#### **Consent Duration: 7 years**

#### **PLEASE NOTE: THIS IS NOT AUTHORISATION TO COMMENCE THE ACTIVITY**

#### **Limits**

- (1) (a) The discharge shall be only herbicides containing diquat dibromide and guar gum additives added in accordance with the manufacturers' instructions.
- (b) The herbicides shall be only used for the purpose of controlling aquatic plants.
- (c) The herbicides used shall only be as a proprietary gel formulation.
- (d) The herbicides shall be only used within surface waterways within the Canterbury region.

#### **Application Rates and Methods**

- (2) (a) The application rate and concentration of any herbicides and surfactants discharged shall not exceed the chemical manufacturers' recommended rate for the product and purpose of use.
- (b) The amount of herbicide discharged shall not exceed 6000 grams per hectare.
- (3) (a) Herbicide shall be discharged in a manner that complies with the "Agrichemical User's Code of Practice and Appendices", NZS 8409:1999, or any subsequent versions of that document current at the time of discharge.
- (b) The discharge shall be carried out by persons who have attended a Growsafe Introductory Course, or hold an equivalent certificate as a registered herbicide applicator issued by a nationally-recognised herbicide applicator training organisation.
- (4) The methods of discharge shall be ground-based spraying, which includes hand-held spot application using backpack sprayers, fine droplet hand-held sprayers and mist blowers, and boat mounted booms.
- (5) All spraying shall be carried out using methods and equipment that minimises the risk for spray drift to cause a hazard and which ensures public safety at all times.
- (6) All mixing of herbicides, and cleaning of equipment shall be at least 10 metres from any surface waterbody or structures and areas allowing direct or rapid entry into groundwater, to ensure that any spillage does not discharge into such water bodies.
- (7) The operator shall ensure that the filling of tanks when diluting concentrated herbicides is carried out in a manner that prevents back-flow. The filling procedures and back-flow prevention devices and methods shall comply with the Water Supplies Protection Regulations 1961.
- (8) A copy of this resource consent and appendices shall be given to all persons undertaking activities authorised by the consent prior to commencing works.
- (9) The consent holder shall adhere to the prescriptions laid down in the policy on minimising the spread of didymo, as prescribed in Appendix 1, attached to this consent.

- (10) (a) The percentage saturation of dissolved oxygen in the waters of any water body arising from the exercise of this consent shall not fall below 80 percent.
- (b) Where it is intended to kill a significant proportion of the emergent aquatic plants in a section of a water body as a result of the discharge; and
- (i) this is likely to reduce the dissolved oxygen concentration to less than 80 percent saturation; or
  - (ii) the section of the water body has significant ecological values;
- spray applications shall be staggered to ensure that no more than 50 percent of the length or area of the margins of the section of the water body is sprayed at any one time, and there shall be at least a 30 day interval before spray application recommences to the balance area of that section of the water body.

### **Periods and locations exempt from discharges**

- (11) (a) There shall be no discharge on public holidays, or weekends which immediately precede or follow public holidays; and
- (b) Discharge shall not occur during the following holiday periods:
- (i) 20 December to 10 January, inclusive
  - (ii) Between Good Friday and Easter Monday, inclusive
  - (iii) The Canterbury Anniversary weekend
- (12) (a) The consent holder shall determine the exact locations of all public, community or private surface water supplies and irrigation intakes that may become contaminated by the discharge prior to spraying. The records shall be provided to the Canterbury Regional Council upon request.
- (b) No spraying should be carried out within 250 metres of any public, community or private surface water supply draw-off point or irrigation intake.
- (13) Discharge shall not occur at the specified locations during the spawning times identified on the Hot Spots list, attached to this consent as Appendix 2, without prior consultation with Te Runanga O Ngai Tahu and/or Nga Runanga, and the Department of Conservation.
- (14) Discharge shall not occur within the Lake Ellesmere or Lake Forsythe catchments, including both lakes and all tributaries, without prior consultation with Wairewa Runanga.
- (15) (a) During the months April to November inclusive, prior to spraying, the consent holder shall determine the exact locations of all trout and salmon spawning areas that may become contaminated by the discharge.
- (b) The list of locations shall be provided to the relevant Fish and Game Council and the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager.
- (c) Discharge shall not occur at the specified locations during the spawning times identified on the list, without prior consultation with the relevant Fish and Game Council.
- (d) Prior to spraying, the results of the consultation with the relevant Fish and Game Council shall be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager.
- (16) (a) The consent shall not to be exercised over Land Information New Zealand-administered land/waterways without the written approval of Land Information New Zealand.

(b) Land Information New Zealand must be given at least 10 working days notice of any activities being carried out under this consent on Land Information New Zealand administered land/waterways

## Notification Requirements

- (17) (a) The consent holder shall place public notice advertisements in a newspaper covering the area of operations, notifying the community of spray operations, at least seven days prior to the start of spray operations.
- (b) At the same time, a copy of the public notice shall be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager.
- (18) The consent holder shall provide a 24-hour freephone for members of the public to contact for advice or information relating to spray operations. The freephone number shall be included in the public notice advertisements outlined in Condition (17).
- (19) (a) During the application of herbicide, the consent holder shall erect and maintain signs at places where people normally obtain access to the spray area.
- (b) The signs shall:
- (i) be capable of being read from a distance of five metres;
  - (ii) be maintained for the duration of the spraying; and
  - (iii) advise:
    - a) That spraying is in progress;
    - b) The proposed dates of the spraying;
    - c) The spray methods used;
    - d) The active chemicals being used;
    - e) The agency conducting the operation; and
    - f) Contact details for the agency, including the 24-hour freephone number described in Condition (18).
- (20) (a) The consent holder shall advise all schools located within 250 metres of the perimeter of the areas to be sprayed, at least five working days prior to spraying.
- (b) Where practicable, spraying within 250 metres of schools shall be carried out in the school holidays.
- (21) The consent holder shall notify the appropriate Ngai Tahu papatipu runanga at least seven days prior to the commencement of spraying.
- (22) Where herbicides and surfactants are to be discharged within 50 metres of flood protection plantings or other plantings, the person or authority responsible for the plantings shall be advised of the intention to spray at least five working days prior to application of herbicide.
- (23) Where discharge occurs in an ECan Flood Control Rating District, the consent holder shall notify Environment Canterbury River Engineering at least seven days prior to the commencement of discharge.

## Reporting

- (24) The personnel carrying out the spraying shall keep daily records of any herbicides and surfactants discharged during the spraying operation/programme. This shall include the location of the water sources used for diluting herbicide solutions and for cleaning spray equipment. The records shall be provided to the Canterbury Regional Council upon request.
- (25) (a) In the event of a herbicide spill into a water body, the consent holder shall immediately:
- (i) Notify the owners or operators of any public, community, or private drinking water supplies located within that water body;
  - (ii) Notify the Canterbury Regional Council, Attention: RMA Compliance & Enforcement Manager;
  - (iii) Implement all practicable measures to reduce the concentration of the contaminant in the receiving environment. Such measures may include cessation of activities that may have caused the excessive concentrations or removal of contaminant source(s).
  - (iv) Implement all practicable measures to prevent a recurrence of the spill event.
- (26) (a) The consent holder shall provide, by July 31 each year, a report to the Canterbury Regional Council, attention: RMA Compliance and Enforcement Manager, summarising the spraying that has occurred in the previous 12 months.
- (b) The report shall include, but not be limited to:
- (i) the types and amounts of herbicides and surfactants used;
  - (ii) the areas of operation;
  - (iii) spray method used;
  - (iv) starting dates and locations; and
  - (v) the duration of spraying.

## Administration

- (27) The lapsing date for the purposes of section 125 shall be 30 September 2012.
- (28) The Canterbury Regional Council may, once per year, on any of the last five working days of January or July, serve notice of its intention to review the conditions of this consent for the purposes of:
- (a) dealing with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage; or
  - (b) requiring the adoption of the best practicable option to remove or reduce any adverse effect on the environment; or
  - (c) requiring the consent holder to carry out monitoring and reporting instead of, or in addition to, that required by the consent.

**(please print applicant's name)**

"I \_\_\_\_\_ hereby amend my application to include the above proposed resource consent conditions to avoid or mitigate any adverse effects arising from the activity. I have read and understood the conditions and will be able to comply fully. I also acknowledge that endorsing the above conditions is in no way written authorisation to commence the activity that is the subject of this application."

**signed and dated** \_\_\_\_\_

Applicant