**Before the Independent Hearing Panel appointed by the Canterbury Regional Council**

**IN THE MATTER OF** The Resource Management Act 1991

AND

**IN THE MATTER OF** Applications CRC222040 CRC222041 and CRC222043 by Canterbury Regional Council to discharge agrichemicals to air, land and water within or adjacent to all waterways within the Canterbury Region for exotic weed control

**Addendum to Section 42A Officer’s Report**

**Evidence of Jeffrey George Bluett**

**Dated of Evidence 15 February 2024**

# Introduction

## Background

## Name and Qualifications

## Scope of Evidence

The Canterbury Air Regional Plan (CARP) defines the activity status of the discharge of contaminants into air consent application as restricted discretionary activity. My evidence focuses on the first eight matters defined by CARP rule 7.79.

* 1. Matters of discretion:
		1. Herbicide formulation;
		2. Method of application;
		3. Operator Training;
		4. Measures to avoid spray drift;
		5. Compliance with NZS8409:2004 Management of Agrichemicals;
		6. Benefits to the community;
		7. Matters Set out in CARP rule 7.2; and
		8. Potential effects of not meeting conditions of rule 7.79.
	2. Review of the proposed consent conditions;
	3. Comments on the relevant submissions; and
	4. Conclusions.

# Review Process and Documents

# Herbicide Formulation Rule 7.79 a(1)

The formulation of the herbicides and adjunctives has been covered in the expert evidence of Dr. Nick Ranger (Wildlands)[[1]](#footnote-1). In summary, the expert opinion provided by Dr. Ranger indicates that CRC is identifying and using herbicides and adjunctives that are effective but have relatively low toxicity to non-target species and environments.

David Gill – Agronomist

# Method of Application: Rule 7.79 a(2)

## Helicopters:

Evidence and presentation by Tony Michelle

Evidence and presentation by Brian Richardson

## Unmanned Aerial Vehicle (UAV or Drones)

## Ground Based Backpack Spraying

## Truck Mounted Spray Gun

## Summary: Method of Application

The specific method of application selected by the CRC and its herbicide application contractors for a particular site is determined by site accessibility, size of the area to be sprayed, and the sensitivity of the adjacent non-target areas.

In my opinion, the application methods selected and used by CRC, as far as practical, balance the sometimes-conflicting objectives of making the herbicide toxicologically effective, making the application cost-effective and minimising the overspray on non-target areas. In summary, I consider that the application methods selected and used by CRC represent accepted with good practice within the industry.

# Operator Training: Rule 7.79 a(3)

In summary, CRC staff and subcontractors have appropriate training and if following the required protocols will be operating using best practice methods. I consider that the training and qualifications required of CRC staff and contractors who are involved with the application of agrichemicals application meet legislated requirements and align with accepted good practice within the industry.

# Measures to Avoid Spray Drift: Rule 7.79 a(4)

## Summary: Measures to Avoid Spray Drift

During the site visits I made observations of the operator’s methods used to avoid/reduce agrichemical spray drift. These observations and my discussions with the operators are consistent with the information presented by the applicant.

In summary it is my view that CRC staff and subcontractors are using effective and accepted best practice methods to avoid (or at least minimise) agrichemical spray drift.

# Compliance with NZS8409:2004 Management of Agrichemicals: Rule 7.79 a(5)

In my view, as long as the operators comply with the Handbooks for Spraying and the recommended conditions of consent, ECan staff and subcontractors will comply with NZS8409:2004.

# Benefits to the Community: Rule 7.79 a(6)

In my view the benefits of the agrichemicals application programme to the local and wider regional communities are numerous and high value.

# Matters Set out in Rule 7.2: Rule 7.79 a(7)

The applicant’s proposed monitoring, collection and provision of data and information is comprehensive for creating a complete and accurate picture of each discharge to air activity. I consider this represents a best practice approach to record keeping which meets requirements of Rule 7.2 part f.

# Potential Effects of Not Meeting the Conditions of rule 7.79 Rule 7.79 a(8)

To the best of my knowledge over the last three years of the CRC agrichemical spraying programme there have been no complaints or records of significant adverse environmental effects occurring. Therefore, I consider that the application meets the requirements of CARP Rule 7.79(8).

# Review of the Proposed Consent Conditions

I provided Ms Beattie with my review comments on these conditions which she considered and incorporated into the conditions attached to her evidence. In my opinion the proposed set of conditions will ensure that the spraying activities undertaken are consistent with the effects, mitigation and monitoring discussed in my evidence. The proposed set of conditions will also ensure that the activity will be consistent with and meet the requirements of the matters of discretion of CARP rule 7.79.

I will check in with Ms Beattie on revised set of conditions.

# Comments on the Relevant Submissions

I consider that the issues and concerns raised by:

* 1. Mr Rogers are addressed in my evidence on clauses 2, 3, 4, 5, 6 and 8 of CARP rule 7.79;
	2. Mr Howard are addressed in my evidence on clause 3 of CARP rule 7.79; and,
	3. NZFFA are addressed in my evidence on clauses 2 and 4 of CARP rule 7.79.

In addition to this it is my opinion that proposed conditions of consent will effectively address the issues and concerns raised by these three submitters.

# Summary and Conclusion

In my opinion the applicant has provided a robust and comprehensive description of the activity, mitigation, monitoring, adverse effects and benefits of the proposed discharge of contaminants into air.

I have considered the eight relevant matters of discretion defined by CARP rule 7.79. I have reviewed the proposed conditions of consent and analysed the relevant submissions made on the application. I have made two field trips to observe the proposed spray methods being undertaken.

Having completed these tasks I conclude that the proposed activity of discharging contaminants into the air can be undertaken without causing any significant adverse effects. In my opinion the benefits of undertaking the activity certainly outweigh the risks of potential adverse effects.

From the perspective of air quality, subject to the proposed conditions being attached, I support the granting of this consent.

# Jeff Bluett



# 26 March 2024

1. Nick Ranger (Wildlands). Technical Evidence for Environment Canterbury Agrichemical Spray Consent Application. Wildland’s Report reference No. 6914b. December 2023. [↑](#footnote-ref-1)