

Kaipara District Council Proposed District Plan: Submission 178

Comments on Plan in relation to Hazardous Substances.

1 This submission is lodged on behalf of Mangawhai Estates which is a partnership of 5 people. Two of those, Ewan and Jenny Price, live on the land, while the others are respectively in Auckland and Tauranga. We have owned the land since 1981.

The resident partners live at 41B Clarke Road and tend to an avocado orchard which is within Lot 25 DP 329406 with an area of 12.4240 hectares. Adjoining the same proprietors have Lot 24 DP 329406 with an area of 15.3530 hectares, but that is not currently farmed although the apples and pear trees which were cultivated are still there. Competing with orchards in Poverty and Hawkes Bay was a significant loss. The residential area of Avocado Lane was previously in kiwi fruit but that also could not compete with much larger operations much closer to pack houses.

The area is under pressure from proposed residential subdivisions, but we have no intention of joining that group, although there has been some pressure to do so. Both our Lots border Paul Road which has no formed road at that point, and the NW area of that road is under water.

2 We are submitting this document without appearing in person, because running the orchard without any full-time employees is demanding in time, and that is exacerbated by the seemingly constant adverse weather. We are currently planting and grafting replacement trees of the Reed variety and reducing the Hass which is well supplied.

3 The orchard uses hazardous substances the year round. Spraying requires either liquid or powder supplies; diesel and petrol is used every day; fertilisers are used usually once every 2 months; I have a rifle and bullets in a locked cabinet; rat poison is laid under fruit trees; wasps are treated with aerosol. In short, an orchard going about its normal business is a rather lethal place.

4 The average individual is not going to comply with the proposal in the Plan in establishing the status of the chemical. They are both lengthy and in technical language, so will take time. The alternative is to check the instructions on the container and proceed as indicated on that document.

5 So in HS-R3 dealing with fertiliser confirming the product is to be temporarily stored it must also be of a particular sub-class. Bear in mind once the first hurdle is jumped there is little point to do anything more. It is a "temporary" arrangement. But there are other questions. That requires the product to be 30m from a watercourse. No mention of a shed, wall or door? No mention of the relevance of the 30 metres. Nor is "watercourse" defined in the Plan. The next question requires storage does not exceed 28 days. If the product is used 2 or 3 times a year proving that may be difficult. And why is that required? If anything, the potency of the fertiliser will deteriorate in storage. Finally, it must be intended for the location and not delivered or sold to a customer buying for example young fruit trees for planting.

6 The suggestion in the original submission was that there were more than enough auditing and supervision in the horticultural industry to supervise the activities contemplated by "land based primary industry." To add to that, at the cost of the farmer, is unfair and unnecessary. A Growsafe certificate is required in our orchard, plus an audit of the industry manual. A copy of Chapter 29 of the Manual as to fertiliser is attached. In addition to industry control the Food Act 2014 has its own

requirements supervised by the Ministry for Primary Industries. Most of the paper I have on file for that entity stipulate the cost to the grower of its services, already advising the anticipated increases year on year. Additionally, we have Regional Council controls of water use. Two officials come from Whangarei to check the chemical content and usage and also take a sample back for analysis although a separate diary is required at the end of the year. Four people all charging for their service. We are also included in the NRC inspection of the Avocado Lane residents' adherence to the wastewater system the plant for which is on Lot 24 referred to above. They pay the cost of that to the NRC.

7it is suggested the solution is to exclude horticulture from the HS provisions. We were party to a similar provision introduced some years ago when KDC proposed to include Avocado Lane in new by-laws for septic tanks and their treatment plant. KDC had no knowledge of the Building Consent for that system provided by KDC but excluded any jurisdiction when the Consent was provided by an appropriated authority As indicted above there are plenty of them in the horticultural industry.

8 While my time is limited, I will deal with any questions arising from the above.

Ewan Price

29 FERTILIZERS AND BIOSTIMULANTS

Principle	Level	Criteria	GAP Auditor Guidelines
29.01 Application records			
29.01.01 Up-to-date records of all fertilizer and bio-stimulant applications are kept. FV-GFS 29.01.01	Major	Records shall be kept of each fertilizer (organic and inorganic) and biostimulant application, including in hydroponic and fertigation systems.	Check records are maintained.
29.01.02 The records of all fertilizer applications shall include: Geographical area and the name or reference of the field, orchard, or greenhouse. FV-GFS 29.01.02	Minor	Geographical area and the name or reference of the field, orchard, or greenhouse	Check records include geographical areas and name of the block(s) and orchard.
29.01.03 04 05 06 The records of all fertiliser applications shall be complete. FV-GFS 29.01.03-06	Minor	Date(s) Name and type. Amount (rate or concentration as applicable). Name of the applicator to clearly identify the individual or team of workers performing the fertilisation	Check records include all in the criteria.
29.01.07 Management of fertilizers is supported with metrics. FV-GFS 29.01.07	Rec	Acceptable metrics allow calculating the following: The total amounts of potassium, nitrogen, and phosphorus applied on the farm (in kg/crop, kg/month, and kg/ha/month). Avoco Note - kg/season (for avocados) is a more suitable metric. Metrics should refer to inorganic and organic fertilizers, units of time (e.g., growing cycle), and amounts of fertilizer per kg of product and ha of production.	Check if metrics are calculated. Review metrics calculations to confirm the criteria is acceptable.

Principle		Level	Criteria	GAP Auditor Guidelines
29.02	Storage			
29.02.01	<p>Fertilizers and bio-stimulants are stored in an appropriate manner that does not compromise food safety.</p> <p>FV-GFS 29.02.01</p>	Major	<p>Fertilizers and biostimulants shall be stored in a designated area separate from plant protection products (PPPs) and harvested or packed products.</p> <p>Cross contamination between fertilizers (organic and inorganic), biostimulants, and PPPs shall be prevented.</p> <p>Use of a physical barrier (wall, sheeting, etc.) may be based upon defined risk.</p> <p>Fertilizers and biostimulants that are applied together with PPPs (micronutrients, foliar fertilizers, etc.) can be stored with PPPs if both are kept in closed containers.</p>	Check during the site visit.
29.02.02	<p>Fertilizers and biostimulants are stored in an appropriate manner that reduces the risk of environmental contamination.</p> <p>FV-GFS 29.02.02</p>	Minor	<p>Fertilizers (organic and inorganic) and biostimulants shall be stored in a designated area. Appropriate measures shall have been taken to prevent the pollution of water sources (concrete foundations, walls, leak-proof container, etc.), or the fertilizers shall be stored at least 25 meters from water sources.</p> <p>Where necessary, inorganic fertilizers (powders, granules, liquids, etc.) shall be protected from atmospheric influences (sunlight, frost and rain, high temperatures, etc.). Based on a risk assessment (fertilizer type, weather conditions, storage duration and location), plastic coverage may be acceptable. It is permitted to store lime and gypsum in the field.</p> <p>As long as the storage requirements on the safety data sheet (SDS) are complied with, bulk liquid fertilizers can be stored outside in containers. The storage area shall be well ventilated and free from rainwater or heavy condensation.</p> <p>Inorganic fertilizers shall be stored in an area that is free from waste, does not constitute a breeding place for rodents, and where spillage and leakage can be cleared away.</p>	<p>Check during the site visit,</p> <ul style="list-style-type: none"> -25m away from water sources -protection from the weather / elements. -acceptable storage conditions are based on the water risk assessment and SDSs.

Principle		Level	Criteria	GAP Auditor Guidelines
29.03	Organic fertilisers			
29.03.01	<p>A risk assessment for organic fertilizer is conducted as per intended use.</p> <p>FV-GFS 29.03.01</p>	Major	<p>A risk assessment for organic fertilizer shall be documented, conducted prior to use of the organic fertilizer, and it shall consider the following:</p> <ul style="list-style-type: none"> - Type of organic fertilizer - Method of treatment - Microbial contamination - Weed/Seed content - Heavy metal content - Timing of application - Placement of application (e.g., in contact with edible portion of the crop) <p>Procedures shall take into consideration World Health Organization (WHO) guidance. This also applies to substrates from biogas plants.</p> <p>For commercially available organic fertilizers, accompanying documentation and certifications of quality and content may be substituted for a risk assessment.</p>	Review the documented organic fertiliser risk assessment.
29.03.02	<p>The interval between the application of organic fertilizer and harvest does not compromise food safety.</p> <p>FV-GFS 29.03.02</p>	Major	<p>Records shall show that the interval between the use of composted organic fertilizers and harvest does not compromise food safety.</p> <p>If raw animal manure is used, it shall be incorporated into the soil. The risks associated with the type of raw manure used and intended use shall be evaluated when establishing a preharvest interval, while adhering to the following minimum requirements:</p> <ul style="list-style-type: none"> - For tree crops (i.e., trees with the lowest fruit suspended well above the ground, so that the fruit does not come into contact with the soil, and excluding low bushes): Raw manure shall be applied prior to bud burst or on a shorter interval based on the risk assessment, but never shorter than 60 days prior to harvest. 	<p>Check the fertiliser records include organic fertiliser applications (if applicable).</p> <p>Check during the site visit.</p> <p>Cross check records of organic fertilizer applications and harvest.</p>

29.03.03	The use of human sewage sludge is prohibited on the farm. FV-GFS 29.03.03	Major	Human sewage sludge shall never be used in the production of registered crops. The use of human sewage sludge that has been composted or incorporated into a commercially available product is not permitted, regardless of lawful use according to prevailing regulations.	Check there is a Grower declaration for this season.
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	Principle	Level	Criteria	GAP Auditor Guidelines
29.04	Nutrient Content			
29.04.01	The content of major nutrients (nitrogen, phosphorus, potassium) in applied fertilizers is known. FV-GFS 29.04.01	Minor	Documented evidence/labels detailing major nutrient content (or recognized standard values) shall be available for all fertilizers (organic and inorganic) used on registered crops within the last 24 months.	Check for evidence of fertilizer content for purchased fertilizers used in the last 12 months Evidence can be from product packaging or a technical specification sheet.
29.04.02	Purchased inorganic fertilizers are accompanied by documented evidence of chemical content, including heavy metals. FV-GFS 29.04.02	Rec	Documented evidence detailing chemical content, including heavy metals, should be available for all inorganic fertilizers used on registered crops within the last 12 months.	Check for evidence of fertilizer content for purchased fertilizers used in the last 12 months Evidence can be from product packaging or a technical specification sheet.

Records: <ul style="list-style-type: none"> • 29 Fertilizer and Organic Fertilizer Application Records • 29 Fertilizer Inventory and Stocktake Records • 29 Organic Fertilizer Risk Assessment 	Resources: <ul style="list-style-type: none"> • 29 Fertilizer Management Plan • 29 Compost Standard and Application Requirements
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