

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of hearings on the Kaipara Proposed District Plan
(KPDP) Hearing 6 - Hazardous Substances

Submission from:

New Zealand Agricultural Aviation Association
(NZAAA)

To:

Hearing Commissioners, Hearing 6 - Hazardous
Substances

Date:

09/03/2026

1. NZAAA Response to S42A Addendum Report relating to HS-R3 Fertiliser storage

- 1.1 The s42A Addendum Report (para#42) states that 'watercourse' should be understood according to its ordinary meaning a natural or artificial channel through which water flows which is consistent with the definition of 'water body' under section 2 of the RMA
- 1.2 The s42A Addendum Report rejects the need for a specific definition of a 'water course' and recommends that a plain-English note or cross-reference be added in the rule or its explanatory text to assist plan users with this interpretation of a 'water course'.
- 1.3 NZAAA supports the intent to reference a 'water body' as defined in section 2 of the RMA (and carried across in its entirety to the New Natural Environment Bill).
- 1.4 Formed rural airstrips and associated access tracks generally include water tables to direct run-off water away from the storage and operational areas and these water tables should not be considered as a 'water course' or water body' therefore we submit that the RMA definition should be referenced directly for clarity.
- 1.5 NZAAA supports the s42A Addendum Report (para#43) recommendation that the 28-day duration limit (former condition c) be deleted from Rule HS-R3.
- 1.6 NZAAA sought deletion of HS-R3 which included that 'Fertiliser is temporarily stored for rural production activities and is classed as sub-class 6.3, 6.4 and 6.5;' the s42A Addendum Report (para#43) recommends retaining these conditions.
- 1.7 It is not clear whether the KPDP definition of 'fertiliser' includes soil conditioners such as lime of which some lime products have no hazard classification and while others do. Lime is a critical element for maintaining soil PH levels for primary production.
- 1.8 Super Air is NZ's largest aerial topdressing operator. Of their total volume of fertiliser applied circa 19% is lime in the Kaipara/Northland region.

1.9 Not all fertilisers have 1 or all of the hazard classifications 6.3, 6.4 or 6.5 (such as sulphate of ammonia which has none). Additionally, it is confusing as to whether each fertiliser must have all 3 hazardous classifications. This is further confused by the transition to the Globally Harmonised System (GHS) of classification that has not been included in the rule. NZAAA submits that the condition relating to hazard classifications 6.3, 6.4 and 6.5 is confusing and could have unintended consequences for maintaining primary production.

1.10 I note that there is no definition in the plan for rural production activities, therefore the rule should refer to primary production activities which is a defined term in the Plan and the National Planning Standards.

2. Decisions sought

2.1 Reject in part the s42A Addendum Report (para#43) recommendation for a revised rule by **amending** the permitted activity conditions of HS-R3 and **adding** a definition for waterbody to the Plan

1. Activity status: Permitted

Where:

- a. Fertiliser is temporarily stored for **rural primary** production activities ~~and is classed as sub-class 6.3, 6.4 and 6.5;~~ and
- b. The storage location is more than 30m from a ~~watercourse~~ waterbody; and
- c. ~~the duration of the storage does not exceed 28 days within any 12-month period; and~~
- c. The substance stored is intended for rural production use and not for retail sale.

2.2 Include the definition for **waterbody** from Section 2 of the RMA in the Plan

Thank you for the opportunity to present this additional statement in response to the s42A Addendum Report.



Tony Michelle
Executive Officer
NZ Agricultural Aviation Association