

Chapter 12 Hazardous Substances and Contaminated Land (part)

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12.1 Hazardous substances

To be addressed in Phase 2 of the District Plan Review.

12.2 Contaminated land

Phase 1 of the District Plan Review addresses the overall objectives and policies for contaminated land, and enables the enforcement of observance of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES).

Phase 2 looks at managing the effects of development and the use of contaminated land in order to protect water supplies, particularly within groundwater protection zones, productive soils, and significant natural and cultural heritage sites, which are not covered by the NES.

12.2.1 Objective

12.2.1.1 Objective - Contaminated land - managing effects

- a. Land containing elevated levels of contaminants is managed to protect:
 - i. human health;
 - ii. water supplies, particularly within ground water protection zones;
 - iii. productive soils; and
 - iv. significant natural and cultural heritage sites

from the adverse effects of subdivision, development and use of contaminated land and natural hazards, including from site investigations, earthworks and soil disturbance, and to enable the land to be used in the future.

12.2.2 Policy

12.2.2.1 Policy

- a. Require any proposal to subdivide, use or develop contaminated or potentially contaminated land to apply a best practice approach to investigate the risks, and either remediate the contamination or manage activities on contaminated land to protect people and the environment.

Note:

The status of some activities will be determined by the requirements of the Resource Management ([National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health](#)) Regulations 2011. Reference should be made to the Ministry for the Environment website for a copy of these regulations, a user's guide, and documents incorporated by reference in these regulations.

12.2.3 Other Methods

- a. The Ministry for the Environment's [Hazardous Activities and Industries List \(HAIL\)](#), the list of properties on Environment Canterbury's [Listed Land Use Register](#), Council records, and site investigations shall provide the basis for identifying whether land is contaminated or potentially contaminated. It is the duty of the person undertaking any activity to ascertain whether the land is contaminated, irrespective of whether the land is identified as having a current or past use that is identified in the HAIL. Use of the [Ministry for the Environment's Contaminated Land Management Guidelines](#) will form part of the approach to achieving best practice. Where contamination is confirmed and this data becomes known to Council it will be included on Land Information Memorandums (LIM).