

CL

**Contaminated
Land**

DRAFT
WAITAKI DISTRICT PLAN



Waitaki

DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI

Contaminated Land

Introduction

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS) provides regulations for activities occurring on pieces of land where soil may be contaminated in a way that poses a risk to human health. The NESCS regulations ensure that land affected by contaminants in soil is appropriately identified and assessed at the time of being developed and, if necessary, remediated or the contaminants contained to make the land safe for human use. WDC is required to observe and enforce the requirements of the NESCS.

Control of contaminated sites is shared by district and regional councils. District councils are responsible for managing changes to land under the NESCS regulations and the prevention or mitigation of any adverse effects of the development, subdivision or use of contaminated land. Regional councils are responsible for the control of discharges to the environment, such as discharges from a contaminated site to soil, air, groundwater or surface water. Regional councils are also responsible for the investigation of land for the purpose of identifying and monitoring contaminated land.

The Hazardous Activities and Industries List (HAIL) produced by the Ministry for the Environment is used to identify sites to include in regional council contaminated land databases. HAIL identifies 53 activities and industries that are considered hazardous and have the potential to contaminate a site from the use, storage or disposal of a hazardous substance. Environment Canterbury and Otago Regional Council both provide a register and mapping to identify land where hazardous activities are known to have occurred or are currently occurring. Please refer to the regional council websites for further information.

Council has a responsibility to control the effects of contaminated sites on human health. Many historical land use activities have led to the contamination of land. Potentially contaminated sites range from former landfill sites and gasworks sites through to areas contaminated with sewage or other waste. In many cases, the contamination is not confined to the site at which the activity took place. Potential adverse human health effects typically arise where contaminated sites are redeveloped, and site construction workers, residents or occupiers are exposed to contaminants. Human health risks also need to be considered when contaminated matter is transported to another site.

In most cases, the responsibility for the management of environmental effects arising from contaminated land will sit with the Otago and Canterbury Regional Councils, for example leaching of contaminants to waterbodies or groundwater from land development or disturbance activities.

Objectives

CL-O1 Managing contaminated land

The risks to human health from the unacceptable exposure to contaminated land as a result of subdivision and development are minimised.

Policies

CL-P1 Identification of contaminated sites

Identify, in conjunction with the relevant Regional Council, sites that may be subject to potential contamination as a result of historical land uses and activities.

CL-P2 Minimising risks from contaminated lands

Minimise the risk to people and the environment from subdivision, use and development of land that may contain, or does contain, elevated levels of contaminants by:

1. enabling site investigations to better understand the type and level of contaminants present; and
2. having particular regard to management measures proposed, which may include remediation, containment, or disposal of contaminated soil; and
3. applying a best practice approach to remediation that does not pose a more significant risk to human health than if the remediation had not occurred; and
4. ensuring the land is suitable for its intended use.

Rules

There are no rules in this chapter. Reference should instead be made to the rules contained in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.