

CL – Contaminated Land

Contaminated land can have adverse effects on human health if it is not appropriately managed. The subdivision, change of use, or disturbance of *contaminated land* can expose people to increased levels of contamination.

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS) provide a national environmental standard for activities on pieces of land where soil may be contaminated in such a way as to be a risk to human health. The NES-CS contains a set of planning controls that direct the requirement for consent or otherwise for activities on contaminated or *potentially contaminated land*.

District councils are responsible for applying and enforcing the provisions of the NES-CS. The NES-CS does not contain any objectives or policies and those in the District Plan will apply. This chapter contains objective and policy direction for the assessment of any resource consent applications required under the NES-CS in accordance with the requirements of section 104 of the RMA.

Regional councils identify and monitor *contaminated land*. Greater Wellington Regional Council administers the Selected Land Use Register (SLUR), a regional database of sites that have been, or may have been, used for activities and industries included in the Hazardous Activities and Industries List (HAIL) established by the Ministry for the Environment. The Regional Council also manages discharges of contaminants from *contaminated land* into air, water, or land pursuant to section 15 of the RMA and contaminated soil in the Coastal Marine Area and the beds of rivers and lakes.

Objectives

CL-01	Identification and management of <i>contaminated land</i>
<i>Contaminated land</i> is identified and managed so that it is safe for human health and its intended use.	

Policies

CL-P1	Identification of <i>contaminated land</i> and <i>potentially contaminated land</i>
<p>Identify <i>contaminated land</i> or <i>potentially contaminated land</i> by:</p> <ul style="list-style-type: none">a. Working with Greater Wellington Regional Council to maintain the Selected Land Use Register; andb. Requiring the investigation of contaminant risks for land with a history of activities on the Hazardous Activities and Industries List prior to subdivision, change of use, or disturbance.	

CL-P2	Management of <i>contaminated land</i>
<p>Manage the subdivision, change of use, or disturbance of <i>contaminated land</i> to ensure it is safe for human health by:</p> <ul style="list-style-type: none">a. Encouraging a best practice approach to land management for sites with elevated contaminant levels, which may include remediation, containment, and/or disposal of contaminated soil; andb. Ensuring the land is suitable for its intended use.	

Rules

There are no rules in the District Plan with respect to *contaminated land*. The NES-CS manages subdivision, use, and disturbance of *contaminated or potentially contaminated land* and may require resource consent for these activities. Clause 5 of the NES-CS sets out the situations in which it applies.