

## Chapter: CL – Contaminated Land

Feed-back No.	Section	Sub-section	Plan Provision	Feedback	Relief sought
<a href="#">143.34</a>	CL – Contaminated land	General		<p><u>Contaminated Land</u></p> <ul style="list-style-type: none"> <li>Provisions give effect to the objective and policy framework of the Draft Plan and to the National Environmental Standards for Assessing and Managing Soil to protect Human Health.</li> </ul>	
<a href="#">158.15</a>	CL – Contaminated land	General		<p>1. We support minimal provisions controlling contaminated land as we consider the NES for Assessing and Managing Contaminants in Soil to Protect Human Health is the appropriate mechanism for managing activities on contaminated land.</p>	
<a href="#">83.25</a>	CL – Contaminated land	General	General	<p>1. The Contaminated Land chapter provides objectives and policies under which resource consent applications under the NESCS will be assessed. ██████████ <b>support</b> the focus on human health as relevant to the NESCS.</p>	
<a href="#">83.26</a>	CL – Contaminated land	Objectives	Contaminated land is made safe for human health and its intended use before any change of use, land disturbance, development or subdivision.	<p><b>Support in part</b></p> <p>Objective CL-O1 is “<i>Contaminated land is made safe for human health and its intended use before any change of use, land disturbance, development or subdivision.</i>” ██████████ support the intent of this objective but it should only relate to a change of use or subdivision as addressed under the NESCS and noting that it will often be necessary to first disturb land to achieve this.</p> <p>The following <b>amendments</b> are proposed (additions in underline, deletions in strike through):</p> <p><i>CL-O1</i></p> <p><i>Contaminated land is made safe for human health and its intended use before any change of use, <del>land disturbance, development</del> or subdivision.</i></p>	

83.27	CL – Contaminated land	Policies	Require the investigation of contaminated land or potentially contaminated land prior to any change of use, land disturbance, development or subdivis	<p><b>Support in part</b></p> <p>██████████ <b>support</b> the intent of this policy but it should only relate to a change of use or subdivision as addressed under the NESCS and noting that it will often be necessary to first disturb land to achieve this.</p> <p>The following <b>amendments</b> are proposed (additions in underline, deletions in strike through):</p> <p><i>CL-P1 Investigation of contaminated and potentially contaminated land</i></p> <p><i>Require the investigation of contaminated land or potentially contaminated land prior to any change of use, <del>land disturbance, development</del> or subdivision of land that could result in an increase in the risk to human health <del>resulting from any contamination of the land.</del></i></p>		
141.94	CL – Contaminated land	Policies	CL-P1 Investigation of contaminated and potenti	CL-P1 Investigation of contaminated or potentially contaminated land	<p>Oppose in part</p> <p>Any investigation that is required needs to be consistent with the NESCS, which does not require production land investigations when continuing production land use.</p> <p>It should be clear in the policy that the NESCS is the basis of required investigations. This links with the fact that there are no rules but that the NESCS is the basis for the rules for contaminated land.</p>	Amend CL-P1 by adding “as set out in the National Environmental Standard for assessing and managing contaminants in soil to protect Human Health Regulations 2011.”
83.28	CL – Contaminated land	Policies	Any proposal to subdivide, use or develop contaminated land must	Policies CL-P2 addresses subdivision, use, development and remediation and management of contaminated land and introduce a distinction between management generally and more specific activities, for instance		

			<p>follow a best practice approach to: remediate, contain or dispose of any contamin</p>	<p>remediation, containment or disposal. The need for a distinction between the use of contaminated land and the different management options is unclear and may have unintended consequences, for instance policy CL-P2 as currently drafted could be interpreted as only allowing remediation, containment or disposal, not a combination of these measures. This is presumably not the intent and could be readily addressed by a focus on management generally as opposed to identifying particular tools, for instance containment.</p> <p>Similarly, in terms of CL-P2 it is not clear what best practice activities are and that management of activities is appropriately addressed by the requirement at CL-P2(2) to ensure that the land is suitable for its intended use.</p> <p>Subject to these amendments, it is considered that CL-P3 is unnecessary, with remediation and management a form of use and development and therefore addressed under CL-P2.</p> <p><u>Relief sought:</u></p> <p><b>Amend</b> as follows:</p> <p><i>CL-P2 Subdivision, use and development of contaminated land</i></p> <p><i>Any proposal to subdivide, use or develop contaminated land must follow a best practice approach to:</i></p> <ol style="list-style-type: none"> <li>1. <del>remediate, contain or dispose of any</del> <i>manage contaminated soil or manage activities on the contaminated land to protect human health; and</i></li> <li>2. <i>ensure the land is suitable for its intended use.</i></li> </ol>	
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<a href="#">83.29</a>	CL – Contaminated land	Policies	Ensure that the risks to human health from any remediation of, or any management works undertaken on, contaminated land, do not increase, and, where	<p>Policy CL-P3 address remediation and management of contaminated land and introduce a distinction between management generally and more specific activities, for instance remediation, containment or disposal.</p> <p>Subject to the amendments in Policy CL-P2, it is considered that CL-P3 is unnecessary, with remediation and management a form of use and development and therefore addressed under CL-P2. [REDACTED] seek that CL-P3 is deleted.</p> <p>[REDACTED] seek that Policy CL-P3 be <b>deleted</b>.</p>	
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