

Contaminated Land

Introduction

Contaminated land is land that has significant adverse effects on the environment or land that is reasonably likely to have significant adverse effects on the environment. The subdivision, development, or change of use of contaminated land can expose people to increased levels of contamination from hazardous substances that were previously used or stored on-site. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) provides a rule framework for managing certain activities on land affected or potentially affected by soil contaminants. The Council is responsible for administering the NESCS.

This chapter provides objective and policy direction for the assessment of any resource consent application made under the NESCS.

Responsibility for the management of environmental effects arising from contaminated land sits with the CRC Canterbury Regional Council, e.g. leaching of contaminants to waterbodies or groundwater from land development or disturbance activities.

Objectives

CL-O1 Management of contaminated land

Contaminated land is made safe for human health and its intended use before any change of use, ~~land~~ soil¹ disturbance, development or subdivision.

Policies

CL-P1 Investigation of contaminated and potentially contaminated land

Require the investigation of contaminated land or potentially contaminated land prior to any change of use, ~~land~~ soil² disturbance, development or subdivision of land that could result in an increase in the risk to human health resulting from any contamination of the land.

CL-P2 Subdivision, use and development of contaminated land

Any proposal to subdivide, use or develop contaminated land must follow a best practice approach to:

1. manage and remediate³ contaminated soil to protect human health; and
2. ensure the land is suitable for its intended use.

CL-P3 Remediation and management works

Ensure that the risks to human health from any remediation of, or any management works undertaken on, contaminated land, do not increase risks to human health from the contamination that is present,⁴ and, where possible encourage the reduction of those risks.⁵

Rules

¹ BP Oil, et al [196.43]

² BP Oil, et al [196.43]

³ Panel Decision Report, Part 8 Section 4.5.1.

⁴ Road Metals [169.14] and Fulton Hogan [170.15]

⁵ Panel Decision Report, Part 8 Section 4.6.1. relating to Schedule 1, cl 10(2)

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