

SECTION 42A REPORT RECOMMENDATIONS VERSION

24 April 2025

Contaminated Land (CL)

Introduction

Land can become contaminated when hazardous substances are not used, stored, or disposed of in a safe way. People can be exposed to contaminated land by direct contact with contaminated soil, swallowing food or water from contaminated environments, and breathing vapours or contaminated dust.

The subdivision, development, and use of contaminated or potentially contaminated land is managed by the requirements of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS).

The District Plan does not include any rules relating to contaminated land, because these are included in the NESCS which already applies in the District. Resource consent may be required from the District Council under the NESCS. This chapter does however contain objective and policy guidance for assessing resource consents which are required under the NESCS. Resource consent may also be required from the regional council for some activities taking place on potentially contaminated and contaminated land.¹

The provisions in this chapter apply in addition to the provisions of the other chapters in the District Plan.

Objectives and Policies

Objectives	
CL-O1	Contaminated Land
Human health and the environment are protected from the adverse effects of the subdivision, development or use of contaminated land.	
Policies	
CL-P1	Managing Effects of Contaminated Land
Require any proposal for subdivision, development, or use of contaminated land 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 health of people and the environment.	
CL-P2	Remediation Works
1	The remediation or mitigation works for contaminated land shall be undertaken in such a way to not pose increased risk to human health or the environment compared to if remediation had not occurred; and
2	Use and development of remediated contaminated land does not damage or destroy any containment works, unless comparable or better containment is provided.

¹ CRC (50.10)