

THE DRAFT WHAKAMAHERE WHAKATŪ NELSON PLAN KEY INFORMATION

The Draft Whakamahere Whakatū Nelson Plan combines the current resource management plans for Nelson into one combined Plan that reflects Central government requirements and direction, current best practice, and the latest research and local information. Once notified, the Nelson Plan will guide how we use our natural resources, where and how we develop land, and how we protect our environment.

CONTAMINATED LAND AND HAZARDOUS SUBSTANCES

What is contaminated land?

Contaminated land refers to areas where soil may be contaminated due to current or past activities at the site. These areas are registered on the Hazardous Activities and Industries List.

How Council deals with activities on contaminated land - in particular earthworks and soil disturbance - is governed by the National Environmental Standard for Assessing and Managing Contaminants in Soils to Protect Human Health (NESCS), to ensure that soil contaminants are dealt with appropriately.

What are hazardous substances?

Another piece of legislation, the Hazardous Substances and New Organisms Act (HSNO) deals with the management, transport and storage of most hazardous substances, and the introduction and management of organisms new to New Zealand. Administration of that legislation resides primarily with the Environmental Protection Authority.

How does the Draft Plan approach these matters?

Nelson City Council considers that the NESCS and HSNO effectively manage activities relating to hazardous substances and contaminated land and that there is no need for the Council to add further requirements or processes to this legislation.

Although the Draft Nelson Plan can cover the potential effects of contamination and hazardous substances on sensitive activities and environments (such as the coast, wetlands or water), these are already covered by the general rules that apply to all discharges. The only specific rule proposed relates to the management of hazardous facilities in proximity to the National

Grid and transmission infrastructure. Accordingly, there are no additional provisions proposed in the Draft Nelson Plan.

Where can I find more information about the Hazardous Substances and New Organisms Act?

See this link for the legislation:

<http://www.legislation.govt.nz/act/public/1996/0030/latest/DLM381222.html#DLM382982>

Where can I find more information on the National Environmental Standard for Contaminants in Soil?

See this link for the legislation:

<http://www.legislation.govt.nz/regulation/public/2011/0361/latest/whole.html>

When would I need a resource consent?

For transporting and storing large quantities of hazardous substances or for introducing new organisms to New Zealand, you are required to make an application to the Environmental Protection Agency.

For removing or replacing a fuel storage system, sampling or disturbing more than 25m³ of soil per 500m² on land that is listed on the Hazardous Substances and Industries List, you will need a resource consent, consistent with the NESCS.



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What has changed compared to the Nelson Resource Management Plan (NRMP)?

The contaminated land approach of the NRMP has generally been carried over into the Draft Nelson Plan, with the NESCS being the primary management method to be used.

HSNO has its own requirements outside of the Resource Management Act. There is no need to duplicate those requirements under the Draft Plan, particularly when combined with other measures in the plan to manage environmental effects more broadly. Relying on HSNO is a new approach that simplifies the NRMP 'screening procedures', which currently require detailed technical assessments for compliance purposes.

Further information on the Nelson Plan

This key information sheet is a summary of the provisions in the Draft Nelson Plan that relate to Contaminated land and hazardous substances. It should not be used as a definitive representation of content.

To view actual Draft Nelson Plan content, please go to shape.nelson.govt.nz. To find the Contaminated land and hazardous substances provisions refer to: Part 2 HAZ – Hazards and risks; Part 3 CON – Contaminated land; Part 3 HAZS – Hazardous substances.

v.2, 9 September 2020 – A2462726



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