



PROPOSED  
**KAIPARA**  
DISTRICT PLAN

## DISTRICT-WIDE MATTERS

# Hazardous Substances, Contaminated Land

## General Overview

**We are reviewing and updating our current District Plan – looking ahead to the next 10 to 15 years. The Kaipara District Plan is essentially the ‘rule book’, which is applied to manage development, activities and the environment within the district.**

The District Plan influences the future shape and feel of our district, which is why it's important for Kaipara communities to be informed and get involved. Its purpose is to protect our environment, historic locations and cultural tāonga for future generations, through sustainable management of our resources, while supporting our communities to develop and grow.

We're seeking input on the Proposed District Plan from Monday 28 April to Monday 30 June 2025.

**Many parts of the Kaipara district are susceptible to risk associated with hazardous substances and contaminated land.**

### Hazardous substances

Hazardous substances are used in a wide range of activities within the Kaipara district including industrial operations (such as chemical warehousing, manufacturing plants and bulk storage facilities), workshops, agricultural and horticultural activities, and in some cases home occupations. The sites where such activities take place are defined as a hazardous facility.

Using, storing and disposing of hazardous substances allows people to provide for their social and economic wellbeing. However, hazardous substances may have adverse effects on human health and the wider environment. Harm can occur as a result of an accidental release, spill, unintended chemical reaction, fire or explosion.

The management of hazardous substances is addressed in the Hazardous Substances and New Organisms Act 1996 (HSNO) and the Health and Safety at Work Act 2015 (HSWA) and related regulations, which are managed and enforced by WorkSafe NZ.

### Contaminated Land

Land can become contaminated when hazardous substances have not been used, stored, or disposed of appropriately.

Traditional primary industries have left a legacy of contaminated land in the district (such as sheep dips and orchards). Council needs to manage activities on land where contamination has been identified to prevent risks to human health and safety, and to the environment.

Any resource consent application for a land use activity or subdivision that involves soil disturbance, or a change in the use of the land, may be subject to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS).

The resource consent process may require a detailed site investigation to determine whether or not the site is contaminated. Information about site contamination is kept on the Council property file and is available through the Land

## How much is changing?



NOT  
MUCH

A LOT

Information Memorandum (LIM) and Project Information Memorandum (PIM) processes. The status of some activities on contaminated land (such as soil disturbance) is determined by the requirements of the NES-CS.

### What are we proposing?

We are proposing simple and enabling rules across the Kaipara district to manage

the risks associated with the storage, use and disposal of hazardous substances.

The proposed rules are not intended to duplicate the functions of other relevant legislation. Instead, it is to ensure that significant hazardous facilities that may pose a risk are located away from sensitive environments.

As contaminated land is predominately managed by

the NES- CS, the proposed provisions include only objective and policies, but not rules.

The provisions for hazardous substances have been updated to reflect current legislation and guidance on this topic but are largely like the Operative Kaipara District Plan 2013 provisions. There are only minor changes for contaminated land to reflect the NES.

# Hazardous Substances, Contaminated Land Key FAQs

## How will I know what volumes/quantities of hazardous substances can be stored at my property?

The activity status table with permitted activity thresholds is included in the chapter by the class of hazardous substance (i.e. Class 1 Explosive) and the respective quantities permitted within each zone. In most cases household products and products required for farming and horticultural activities are permitted.

## What if I am establishing a significant hazard facility?

Resource consent may be required depending on the types of hazardous substances and the quantities of hazardous substances stored onsite.



## If I have contaminated land on my property, how does the District Plan apply?

In most cases, the NES-CS will apply. Depending on the activity proposed (i.e. subdivision, re-development, or earthworks) a resource consent may be required. The site may also be registered as a HAIL (Hazardous Activities and Industries List) activity.

## Summary

- There are no significant changes to the management of hazardous substances or contaminated land in the Proposed District Plan.
- We are not proposing to duplicate the requirements of other applicable legislation in respect to the management of hazardous substances. We are focused on the location of significant hazardous facilities, particularly within sensitive environments where the risk may be greater.

**We'd love to hear  
your views:**

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