



DRAFT REGIONAL POLICY STATEMENT

May 2016

Chapter 9

Land

Whenua me te oneone

I.9 Significant Resource Management Issues: Land

Issue 9.1 Human activity in Whakatū Nelson can result in erosion, which reduces the productivity of the land. It also affects water quality by adding sediment and nutrients to waterways.

Many of the Eastern hills of Nelson have previously been farmed, but this land use proved to be unsustainable due to erosion, soil infertility and weed reversion problems. Much of this country was acquired by the former NZ Forest Service and planted in exotic forest, partly as an effort to overcome this problem.

Plantation forestry now covers 9,624 hectares (23%) of Whakatū Nelson's land area and delivers economic benefits to the region. Forestry can stabilise erosion-prone land. It also has environmental benefits including acting as a carbon sink (absorbing and storing carbon dioxide).

Nevertheless, accelerated erosion on this challenging terrain can still occur as a result of historical and current clearance of vegetation and earthworks such as tracking, land re-contouring and vehicle movements. This may be in addition to, or exacerbate, the rate of natural erosion that occurs as a result of climatic events. Storms are likely to increase in frequency and intensity as a result of climate change, in turn exacerbating erosion and sedimentation rates.

Even on flat or less steep land, poorly managed earthworks associated with land development can lead to erosion and sedimentation during inclement weather.

Land development, forestry and other land use activities need to be carefully managed, in a manner consistent with industry best practice, to ensure that the land use is sustainable and off-site adverse effects are minimised. Insufficient attention to slope stabilisation during earthworks, sediment control, poor stormwater management, debris clearance and re-vegetation affect the productive and life supporting capacity of soils and landscape values, and also have implications for downstream values, including freshwater and coastal water quality, fisheries, recreational uses and aquatic biological diversity in terms of sediment and nutrient inputs.

Issue 9.2 Some historical and current land uses have the potential to contaminate soil and receiving waters and impact on human health.

Direct or indirect exposure to a hazardous substance that has contaminated the soil can cause adverse health effects. Common

examples of hazardous substances that may contaminate soils are petroleum products, pesticides and herbicides. In Whakatū Nelson, areas potentially affected by contamination may include former orchards, commercial glasshouses and sheep dips. Soil contamination therefore has the potential to restrict the residential and recreational use of land now and into the future. The potential for the current community and future generations to live and play safely on land and in water in Whakatū Nelson needs to be retained.

R.9 Resource Management Responses: Land

Objectives

Objective 9.1 Land is managed in a manner which safeguards the life supporting capacity of the soil and avoids increasing the flow of nutrients and sediments into waterways.

Objective 9.2 To avoid, remedy or mitigate contamination of soil.

Policies

Policy 9.1 Land uses will be managed so that soil erosion is not accelerated beyond natural levels.

Explanation

Vegetation clearance, soil disturbance and earthworks are the major types of land use that cause accelerated soil erosion. The physical characteristics of the land (such as slope stability, soil type, gradient and proximity to water) provide a basis for predicting the potential effects of the land uses, and therefore the best erosion control methods to use.

In 2015 the Government consulted on a proposed National Environmental Standard for Plantation Forestry (NES-PF) which would establish a technical standard for forestry activities and set out when an activity is permitted and when consent is required. The NES-PF would override rules for plantation forestry in council planning documents, except in relation to matters where councils are allowed to be more stringent than the NES-PF.

Areas that are significant to Whakatū Nelson in cultural, heritage, ecological and landscape terms may necessitate more stringent controls being applied through the Nelson Plan to forestry activities, than those set out in a finalised NPS-PF.

Policy 9.2 Manage current land uses and potentially contaminated sites to avoid risks to the environment and human health.

Explanation

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) establishes national guidelines for managing soil contamination.

The NESCS requires the Council to identify all areas in Nelson where activities and industries have operated that are considered likely to cause land contamination resulting from hazardous substance(s) use, storage or disposal.

The Council prepared its Hazardous Activities and Industries List (HAIL) database by researching historical photos, trade directories and property information to establish which areas of land in Nelson could be at risk of contamination because they are likely to have been used for HAIL activities in the past.

This is a land use assessment and no soil testing was carried out by Council during the compilation of the database. Inclusion of a property in the database does not mean that soil contamination is known to be present.

Soil contamination creates a risk to human health and can therefore constrain development options on properties. For these reasons it is important that current or potential owners are aware of any known soil contamination or the potential for soil contamination.

Nelson landowners need to make informed decisions when building on sites that are identified in the HAIL database. Innovative, cost effective methods can be used to manage this material on-site. However, there will be some situations where the best option is to dispose of the soil to landfill, which can be a significant cost. The Council has reduced this financial impact by providing for bulk testing of soil in some circumstances, and reducing landfill disposal fees where soil has already been tested.

While historical contamination can be addressed in the way described above, the Council also needs to ensure that current land uses do not lead to further contamination in the future. The way that hazardous substances and facilities are managed is key to ensuring this.

Methods

Regulatory methods	Who	Policy link
Nelson Plan		
Include rules that reduce the potential for land use activities to have adverse effects on waterbodies, such as increased nutrients and sedimentation.	Council	Policy 9.1
Include rules relating to vegetation clearance and land disturbance activities to minimise the risk of accelerated erosion, minimise discharges of sediment to water, and maintain the benefits of riparian vegetation for water bodies.	Council	Policy 9.1
Pursue a farm plan approach with landowners to account for and manage erosion risk and sediment and nutrient run-off.	Council	Policy 9.1
Include specific forestry rules, taking into account whether or not the NES for Plantation Forestry (NES-PF) is progressed. If implemented, the NES-PF is likely to replace many of the existing district and regional plan rules for managing plantation forestry.	Council	Policy 9.1
Include activity lists and rules relating to the handling, use and storage of hazardous substances and the management of hazardous facilities, to avoid future contamination issues.	Council	Policy 9.2
Other Statutory Policies, Standards and Plans		
Changes in land use, soil disturbance and subdivision are three key activities which trigger a requirement under the NESCS to test the soil and carry out an assessment of whether there is contamination of the site.	Council	Policy 9.2
Maintain the HAIL database and update this when new information about potentially contaminated land is provided from resource consent processes and other sources.	Council	Policy 9.2
Make HAIL information available to the public through the issue of Land Information Memoranda (LIMs) and Project Information Memoranda (PIMs) so informed decisions can be made related to the ongoing use of the land or any proposed new use of the land.	Council	Policy 9.2

Non-regulatory methods	Who	Policy link
Monitoring and information		
Undertake permitted activity monitoring of land management practices.	Council	Policy 9.1
Provide advice and information on sustainable land management practices to help people avoid environmental effects when carrying out vegetation clearance and land disturbance activities.	Council	Policy 9.1

Non-regulatory plans and strategies

Review Council's approach to managing its own production forestry assets, including the choice of tree species for replanting, and options for land retirement.	Council	Policy 9.1
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Develop practices and procedures for testing and accepting spoil from HAIL sites at the landfill.	Council	Policy 9.2
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Funding and assistance

Reduce landfill disposal fees for soil from residential and commercial HAIL sites where the soil has already been tested.	Council	Policy 9.2
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Anticipated environmental results

Anticipated Environmental Result	Link to policy	Indicator	Data Source
Increased awareness and use of land management practices which avoid or minimise soil erosion and sedimentation.	Policy 9.1	Reduction in proportion of steep land affected by slips, slumps etc. Reduced levels of sediment in streams, rivers and the coastal environment.	Land use surveys Water quality indicators
A reduction in the adverse effects of land management practices on water quality.	Policy 9.1	As above.	Water quality indicators
A reduction in the hazard posed by contaminated sites in Nelson due to the management and use of potentially contaminated land, in accordance with the NESCS.	Policy 9.2	The potential for contamination is addressed at the time that resource consent for new uses is sought and obtained.	HAIL database Resource consent records
A reduction in the risk of contamination posed by the handling, use and storage of hazardous substances and hazardous facilities.	Policy 9.2	No new contaminated sites are created as a result of the future use of hazardous substances or the operation of hazardous facilities.	Monitoring and enforcement records

Principal reasons

In Whakatū Nelson, the way in which land is managed has a profound effect on freshwater and coastal receiving environments. Given the marginality of much of the region's topography for agricultural production, the effects of erosion are less about soil loss, and more about sedimentation, and its effects on downstream values. Production forestry brings with it considerable economic benefits, and in itself has helped to

address historical sources of sedimentation, but its own effects, particularly during harvesting, need to be managed. This last matter has been emphasised in initial feedback from the public on the potential direction of Whakamahere Whakatū.

The impacts that historical and future land uses can have on Whakatū Nelson's future development, in terms of the potential for soil and water contamination, need to be addressed through the provision of information and development controls at the appropriate decision-making points.