

Kiwifruit Orchard Registration Project



Frequently asked questions

What is the HAIL list?

HAIL is a list of 53 activities and industries identified by the Ministry for the Environment (MfE) which have the potential to discharge contaminants to soils where the activity or industry is taking or has taken place in the past. Kiwifruit orchards come under the HAIL A.10.

What is HAIL A.10?

HAIL A.10. is *Persistent pesticide bulk storage or use including sports turfs, market gardens, orchards, glass houses or spray sheds*. This HAIL is used to capture information on a variety of land uses where persistent pesticides have been bulk stored or used.

Does this mean my land is contaminated?

No. Your site has been entered on the register as a Verified Site History. This means the land use history has been confirmed as one that appears on the HAIL list. In this case the history is a kiwifruit orchard where pesticide use has occurred.

How will this affect my site?

Registration of your site has no effect on current land use. However, if land use changes or the land is subdivided, an investigation to determine the effects of pesticide sprays on site soils will be required.

Why has this project been undertaken?

To fulfil their functions under the Resource Management Act (RMA) regional councils are required to keep a record of the location of hazardous activities (past or present) that have the potential to contaminate land. This will enable councils to manage potential risk to the environment and to people's health.

The National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health applies to all land on the HAIL register. If the land use changes, the effects of any contaminants on human health will need to be assessed as part of the consent process.

Is this only happening in the Bay of Plenty?

No. This is a nationwide project for all activities appearing on the HAIL list. In areas of New Zealand with horticultural-based economy, such as Hawke Bay, Tasman, Marlborough and Canterbury regions, most orchard land has been registered.

Why are kiwifruit orchards being singled out?

The Regional Council has started the project with kiwifruit orchards as they are the predominant commercial orchard activity in the region. We are working towards including all types of activities where persistent pesticides are used or stored on the register.

What if the Regional Council's information is incorrect?

After receiving your letter from the Regional Council, you have a month to respond with evidence if you believe the information held is incorrect. We will need evidence that kiwifruit has not been grown on your land, or that sprays have never been used. If evidence shows our information is incorrect, we will acknowledge your site was entered onto the register in error.

What happens next?

If your site information is correct, after one month the information will be forwarded to your local district or city council to be included on their property files. Your site will remain on the register with the category Verified Site History until there is a change of use or subdivision.

What if I want to change the use or subdivide my land?

As your site contains a HAIL activity, the National Environmental Standard applies. Your local district or city council will require a site investigation by a suitably qualified and experienced practitioner as part of the resource consent process to change the use of your land or subdivide your site. The site investigation will involve collecting a number of soil samples within the area of the kiwifruit orchard, and the samples will be sent to an accredited laboratory for analysis for heavy metals such as arsenic, cadmium, copper, lead, zinc and organo chlorine pesticides such as DDT.

What happens if when a property has been soil tested and the results are clear? Will the property then be taken off the HAIL register?

When a property has been soil tested and no contaminants have been detected, the category on the Land Use Register is changed from 'Verified Site History' to 'No Identified Contamination'. The site report will be updated to show an investigation has been undertaken, and what the results of that investigation were.

The HAIL activity is pesticide use or bulk storage on an orchard. If this activity has not occurred the entry of the site on the Land Use Register will be shown as an error.