Where can I get more information?

- Visit your regional or unitary council’s website.
- Call your local district or city council and ask for a LIM Report (Land Information Memorandum).
- Have a look at the historical certificate of title (Land Information NZ).
- Have a look at historical aerial photographs (available from NZ Aerial Mapping).
- Find out about the previous uses of the land you are conveyancing, or of any neighbouring land.
- Ask questions of the vendor and real estate agent.
- Contact the contaminated sites staff at your regional or unitary council and ask if they hold any information on the site you are conveyancing.
- Get a site investigation done - the level of risk can only be assessed on a site-by-site basis.
- Ask questions of the vendor and real estate agent.

Who is responsible for a contaminated site?
The landowner is generally responsible and liable for cleaning up a contaminated site, even if contamination was caused by a previous owner. It is therefore in the interests of both the vendor and the purchaser to investigate the property thoroughly.

What if it might be a contaminated site?
Advising your client to have the land tested by an experienced contaminated site investigator. Your regional or unitary council may be able to advise you of consultants experienced in this work. Otherwise, look in the Yellow Pages under Environmental Consultants. Your regional or unitary council may also advise how to best manage and clean up a contaminated site.

You have been asked to convey a property which may be contaminated.

What is a contaminated site?
It is a site where hazardous substances occur at a concentration sufficiently above background levels to cause an immediate or long-term hazard to human health or the environment.

Experience has shown that sites previously used as industrial, agricultural or horticultural land are more likely than others to contain areas of contamination. Land can become contaminated when hazardous substances are leaked, spilt or disposed of. Often the contamination was unintentional and occurred despite following recommended management practices. In the past, the use, handling and storage of hazardous chemicals were often of a lesser standard than required today.

Why is contamination a problem?
Some contaminants break down in the soil very slowly, while some don't break down at all, so they may be present on a site for a very long time. Some contaminants pass through the food chain and concentrate in the tissues of fish, birds, livestock or humans.

If your environment is contaminated, your health may be affected by:
- direct contact with contaminated soil (through contact with the ground or breathing in dust)
- consuming food or water (eating food grown on contaminated land or drinking water polluted from runoff into streams or ground water).

As well as endangering your health, hazardous substances can:
- limit the use of the land
- cause corrosion to building structures
- reduce land values.

Contaminated Land

WHAT YOU NEED TO KNOW WHEN CONVEYANCING A PROPERTY

- Find out about the previous uses of the land you are conveyancing, or of any neighbouring land.
- Check with your local district or city council for any information they may have about the area.
- Contact the contaminated sites staff at your regional or unitary council and ask if they hold any information on the site you are conveyancing.
- Get a site investigation done - the level of risk can only be assessed on a site-by-site basis.
- Ask questions of the vendor and real estate agent.
Hazardous Activities and Industries List (HAIL)

This list shows the main land uses or industries which typically use hazardous substances that could cause contamination. Whether or not a specific site is contaminated will depend on the past and present management of the hazardous substances. Please be aware that even if the property has been used for an activity or industry that does not appear on the list, it may still be contaminated.

1. Abrasive blasting
2. Acid or alkali plant
3. Agrichemical spray contractors
4. Airports
5. Analyst - commercial analytical laboratory sites
6. Asphalt or bitumen
7. Battery manufacturing or recycling
8. Brake lining manufacturers
9. Cement or lime manufacturing
10. Cemeteries
11. Chemical manufacturing
12. Coal and coke yards
13. Concrete and cement
14. Concrete plants
15. Defence works and establishments
16. Drum and tank re-conditioning
17. Dry cleaning plants
18. Electrical transformers
19. Electronics - manufacturing, repairing, reconditioning
20. Engine reconditioning
21. Explosive production or bulk storage
22. Fertiliser manufacturing
23. Foundry operations
24. Gasworks
25. Gun, pistol or rifle ranges
26. Iron and steel works
27. Landfill sites
28. Livestock dips or spray races
29. Market gardens, orchards or glass houses
30. Metal treatment or coating
31. Mining and mineral processing
32. Motor vehicle workshops
33. Paint manufacturing and formulation
34. Pest control
35. Pesticide manufacturing
36. Petroleum industries
37. Pharmaceutical manufacturing
38. Port activities
39. Power stations and switchyards
40. Printing
41. Railway yards
42. Sframill
43. Scrap yards
44. Service stations
45. Smelting or refining
46. Tannery, fallmongery or hide curing
47. Transport depots
48. Storage tanks for fuel and chemicals
49. Waste storage, treatment or disposal
50. Wood treatment and preservation
51. Wool, hide and skin merchants
52. Any site that has been, or could have been, subject to the migration of hazardous substances present in soil or water on adjacent sites
53. Any other facility or activity that stores, uses or disposes of hazardous substances

Advise clients generally of risk of contamination and the implications in terms of future liabilities and costs.

Conveyancing Property?
Advice for Lawyers

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