

---

## CLM Sector Group minutes, Wednesday 15 August 2018

---

Location:	Teleconference	
Present:	James Corbett	Auckland Council
	Michelle Begbie	Waikato Regional Council
	Paul Walker	Tonkin + Taylor
	Rachel Rait	Babbage Consultants
	Rowan Freeman	Environment Canterbury
	Sarah Smith	Envira Consulting
	Timothy Dee	Aurecon
	Wayne Plummer	WasteMINZ Board Champion
In attendance:	Nic Quilty	WasteMINZ
Guest:	Bruce Croucher	Ministry for the Environment (joined at 11.12am and left at 11.30am)
Apologies:	James Court	BP Oil New Zealand

### 1. Welcome, introductions and apologies

- The meeting commenced at 10.02am

## CLM Sector Group minutes, Wednesday 15 August 2018

### 2. Previous minutes of 16 May 2018 – accepted?

Resolution: That the Steering Committee receives and approves the previous minutes.

Moved: Michelle Begbie

Seconded: Timothy Dee

Carried: Unanimously

### 3. Actions arising from last meeting on 16 May 2018

Action	Allocated to	Deadline	Status
<p>PFAS: Contact Bruce Croucher and ask him:</p> <ol style="list-style-type: none"> <li>1. Is the Ministry still intending to incorporate PFAS into the guidance documents and if so, how?</li> <li>2. What is happening about discharge of PFAS to aquatic environments, as there are issues with trade waste discharges of PFAS; there are no set levels.</li> <li>3. Did the Ministry have any feedback on the health effects of PFAS that an MfE expert panel recently released?</li> </ol> <p>Further information: Nic forwarded Bruce's responses to the Steering Committee on 20 and 22 June.</p>	Nic	25 May 18	Completed. See further information on left hand side.
<p>MfE's CLM work programme: Send an email to the Steering Committee, asking them to identify their top three priorities that they would like to see addressed</p>	Nic	18 May 18	Completed
<p>MfE's CLM work programme: Speak to Paul Evans about the Steering Committee's proposed action plan; identify three priorities and solutions to these, set up a meeting with the appropriate people at the Ministry, meet with them, present the priorities and solutions.</p> <p>Further information:</p> <ul style="list-style-type: none"> <li>• The priorities were identified and one priority identified and agreed on.</li> <li>• A meeting hasn't been set up with MfE as the priority's actions haven't been committed to yet.</li> <li>• This is an agenda item at the 15 August meeting.</li> </ul>	Nic	18 May 18	Completed. See further information on left hand side.

## CLM Sector Group minutes, Wednesday 15 August 2018

Strategic Plan: Draft up potential visions and put on Google Docs for review by the Steering Committee	Nic	18 May 18	Completed
Lead paint: Advise Paul Evans that the Steering Committee would like to be part of ALGA's lead paint working group and let the Steering Committee know the outcome of this discussion. Further information: <ul style="list-style-type: none"> <li>Michelle has advised Dave Bull, who is leading this for ALGA. He is waiting for further direction from ALGA on whether they will set up a special interest group.</li> </ul>	Nic	18 May 18	Completed. See further information on left hand side.
Webinars: Speak to Paul about the following potential webinars: <ul style="list-style-type: none"> <li>Monthly webinar, where a person who is working towards CEnvP (SC) certification presents a project they are working on</li> <li>Q &amp; A session on the benefits of being a WasteMINZ member if you are a contaminated land practitioner.</li> <li>The Sector Group's Strategic Plan and Work Plan and Q &amp; A</li> </ul> Further information: <ul style="list-style-type: none"> <li>Paul was receptive to the first suggestion but felt that a webinar is not the best forum for the second and third suggestions.</li> <li>Nic will speak to Paul about putting an item and link to the strategic plan in the next CLM Digest.</li> </ul>	Nic	25 May 18	Completed. See further information on left hand side.
Conference: Speak to MfE about the possibility of them presenting on the PFAS guidelines from the Australian EPA. Further information: <ul style="list-style-type: none"> <li>Bruce Croucher, the EPA and NZDF are presenting in a PFAS session at the conference.</li> </ul>	Nic	25 May 18	Completed. See further information on left hand side.
Conference: Include the tension between sustainability and health protection in the Call for Papers for the CLM Stream to consider	Nic	21 May 18	Completed
Conference: Contact Tim to discuss the two people in his team who would like to talk about what's happening in the UK	Nic	25 May 18	Not required as abstracts were submitted via the Call for Papers.

## CLM Sector Group minutes, Wednesday 15 August 2018

Meetings: Remove the physical locations from the meeting invites for the rest of the year and resend	Nic	18 May 18	Completed
--	-----	-----------	-----------

#### 4. Sector Group's priority – action plan

- Steering Committee discussion.

#### 5. MfE's consultation on *Sampling and Analysis of Per- and Poly-fluorinated Substances*

- Nic: Consultation closes on 24 August.
- The Steering Committee discussed the potential content of the submission.

#### 6. WasteMINZ conference

- Keynotes (all titles TBC):
  - Kylie Cochrane, Aurecon Australia: *How we engage with people on big projects and infrastructure*
  - Tony Cussins, Tonkin + Taylor: *Learnings from a contaminated site investigation*
  - Dave Bull, HAIL Environment: *Leading questions*. This will be followed by a panel discussion on lead.
  - Hans van der Wal, Duncan Cotterill: *Who does what and why it matters*
  - Peter Shannon, Shine Lawyers: *PFAS class action in Australia: Legal issues*
- Presenters:
  - Nic forwarded out the spreadsheet, which noted the sessions and the presenters and presentations within each session prior to today's teleconference.
- Better consent conditions, compliance and reporting workshop:
  - Runs from 10am to 5pm on Monday, 5 November.

## CLM Sector Group minutes, Wednesday 15 August 2018

Presentation title	Presenter
What the law says about consent conditions; the good, the bad and the ugly [title TBC]	Hans van der Wal, Duncan Cotterill
The problems Christchurch City Council's compliance team has encountered and how they work with planners	Karen McMullon, Christchurch City Council
Six years on – a compliance audit of NESCS consents in Christchurch	Agnes van der Erf & Isobel Stout, Christchurch City Council
Writing consent conditions that focus on NESCS requirements for the Piece of Land	Carmel Mangan, Hamilton City Council
S.M.A.R.T.E.R. conditions 101	Andrew Kalbarczyk, Auckland Council
Where it's at: I got two guidelines and a dirty site. Better RAP performances	Terre Nicholson, HD Geotechnical
The muck stops here: What can be left on site and what controls to impose	Dave Bull, HAIL Environmental
Improving consent conditions for remedial and management options	Rachel Rait, Babbage Consultants

### 7. Upcoming CLM networking event and webinars

- 16 August: CLM networking event, which will include two discussions:
  - Contaminated soil waste disposal – how can we improve the acceptance process? Discussion facilitated by Chris Hillman (Tonkin + Taylor)
  - Valuing contaminated land (which will include how contamination affects land value and what contaminated land practitioners can do to improve understanding). Discussion facilitated by James Blackwell (4Sight Consulting)
- ACTION: Nic will circulate the key points, if this is possible.
- 30 August: NESCS consenting process – presented by Carmel Mangan (Hamilton City Council) and Terre Nicholson (HD Geotechnical)
- 18 September: The importance of developing good ground models for site contamination assessments – presented by Dr Kim Atkinkaynak, Aurecon
- October (exact date TBC): Remediation of a Chlorinated Solvent Plume via Physical stripping, Bioremediation, and Chemical Reduction – presented by Luke Beirne, Aurecon
- ACTION: Nic will advise Sarah when Luke's webinar is scheduled, once a date has been finalised.

---

## CLM Sector Group minutes, Wednesday 15 August 2018

---

### 8. Minister for the Environment's response to letter regarding CEnvP (Site Contamination) Certification Scheme

- ACTION: Nic will ask Jo Gascoigne, from the Ministry, if she is happy to meet with her and Michelle to discuss this issue, and keep the Steering Committee updated.

### 9. Landcare Research ecological receptor guidelines (consultation draft)

- Michelle: Most of you will be aware of these guidelines, which are intended to be a tool for councils. This piece of work looked at background concentrations of a suite of common contaminants. There is also a users' guide, which is still in draft. The guidelines are still marked 'consultation draft'. They have been peer reviewed by Nick Kim, who has made some suggestions and Jo is quite responsive to those. The guidelines are a really useful document with some risk derived numbers and they have had a really good peer review. The guidelines need MfE support and the Ministry needs to add them to their suite of documents. The guidelines also need more money to endorse them. This issue has also gone to the Regional Waste and Contaminated Land Officers Forum. They will be taking up through the resource managers group and CEOs. Could this Sector Group also make it clear to MfE that they would like the guidelines to be modified, as required, and published?
- Steering Committee feedback:
  - We've been trying to use the Eco SGVs in the Bay of Plenty and Waikato since they came out. We don't really understand how they were derived. We are a bit confused about how they can be linked to risk and background. The usual toxicological framework hasn't been used. I would like to see this explained to the industry.
  - I'm also struggling how exactly to use the guidelines in the context of the RMA. What is the intention of these numbers? When should they be applied?
  - How do they fit into the hierarchy of guidelines?
  - How do people see them being used?
  - If we approached the Ministry to note our support, could it be included as a water quality issue? Water quality, urban development and climate change are the Ministry's priorities.
  - Maybe we could also suggest the guidelines go out for consultation?

---

## CLM Sector Group minutes, Wednesday 15 August 2018

---

- We should consider taking the remaining work back through Envirolink since it was originally an Envirolink project and MfE are unlikely to have other funds available.
- ACTION: Nic to circulate the presentation and minutes from Jo Cavanagh's workshop that was held a couple of years ago to the Steering Committee.
- ACTION: Michelle to suggest to Jonathan Caldwell and the Regional Waste and Contaminated Land Officers Forum (who is helping to direct progress) that a funding application, which would enable the revisions and a limited consultation period (including MfE), is made to Envirolink.

### 10. Update from MfE

- Bruce:
  - There haven't really been any changes since I delivered by webinar a couple of months ago for WasteMINZ or ALGA (in April) on the Ministry's work programme.
  - We are going through a reshaping process, which should be in place by 1 October. We are going into new teams and work streams and are bringing teams together who work in similar areas. We are looking at hazardous substances in a much more holistic way. No-one that was working on the NESCS or the guidelines documents actually remains within the same teams that were doing this work before.
  - We are doing quite a lot of work in the PFAS space though. It is an all government approach. There is a governance group and a working group. LGNZ is on the governance group. Three regional councils and one district council are on the working group; Christchurch, Auckland, Horizons and Manawatu. We put out a document last week around sampling analysis consultation, which closes next Friday. This piece of work will help guide how things are sampled for PFAS in New Zealand. We are trying to get some consistency around comparable results from everyone taking samples. There are also another couple of pieces of work that are proposed to go on around PFAS; some around waste water treatment and landfills. There is also some work that is due to commence in response to the scoping study completed by Tonkin + Taylor on non-foam PFAS sources in New Zealand.
- Steering Committee: I'm curious on what has triggered the all governance approach to consistency with PFAS.
- Bruce: It's the levels that we are required to sample. We haven't previously had to do this with any other contaminants, apart from Dioxin. We wanted to make sure that the testing was going to give us results that were consistent and robust. A lot of that was driven by the NZDF.

## CLM Sector Group minutes, Wednesday 15 August 2018

- Steering Committee: We have just had a discussion about the Envirolink Tools grant that Jo Cavanagh did on ecological receptors. The document has some way to go. Has this been included in the Ministry's work plan?
- Bruce: Until the reshaping is finalised, the Ministry isn't in a position to say what is and isn't on its work plan. Musts are being done and shoulds and coulds are in a holding pattern.
- Nic: The Steering Committee's priority is reviewing and updating MfE's *Working towards a comprehensive policy framework for managing contaminated land in New Zealand position paper* and it would like to assist the Ministry by identifying what needs to be updating (via consultation) and updating the paper. Would the Ministry be open to this?
- Bruce: The framework has been mentioned, as it is a fundamental document for driving the strategy forward for contaminated land. We are aware some work needs to be done. The Ministry is trying to become much more collaborative and the sort of processes where people are willing to help or take the lead is something to investigate in the future, once the new teams are in place at the beginning of October. The Steering Committee could meet with the relevant people at the Ministry prior to Christmas (we won't know who the relevant people will be until this time). I am always happy to take calls and set up meetings.

### 11. General business

- Work plan: Nic to populate work plan and ask for feedback on actions.

### 12. Next meeting

- Wednesday, 28 November 2018, 10am to 12pm, by teleconference.

### Action items from this meeting:

Action Point	Allocated to	Deadline
Speak to Paul about putting an item and link to the strategic plan in the next CLM Digest	Nic	24 Aug 18

## CLM Sector Group minutes, Wednesday 15 August 2018

Action Point	Allocated to	Deadline
Draft up the issues it would like to discuss with the Ministry, and forward it to the Steering Committee, to ensure that there is agreement	Nic	24 Aug 19
Circulate Aurecon's draft submission on MfE's <i>Sampling and Analysis of Per- and Poly-fluorinated Substances</i>	Tim	16 Aug 18
Check if Tonkin + Taylor's draft submission on MfE's <i>Sampling and Analysis of Per- and Poly-fluorinated Substances</i> can be circulated and circulate to the Steering Committee if given approval	Paul	17 Aug 18
Set up a teleconference for early next week to discuss the key points that need to be noted in the submission for <i>Sampling and Analysis of Per- and Poly-fluorinated Substances</i>	Nic	17 Aug 18
Circulate key points of discussion items from 16 August CLM networking event	Nic	24 Aug 18
Ask Jo Gascoigne if she is happy to meet with Nic and Michelle to discuss the Ministry supporting the CEnvP (Site Contamination) Certification Scheme on 18 September	Nic	24 Aug 18
Finalise a date for Nic and Michelle to meet with Jo Gascoigne and keep Steering Committee updated	Nic	30 Aug 18
Circulate the presentation and minutes from Jo Cavanagh's workshop on the Landcare Research ecological receptor guidelines that was held a couple of years ago to the Steering Committee	Nic	22 Aug 18
Michelle to suggest to Jonathan Caldwell and the Regional Waste and Contaminated Land Officers Forum (who is helping to direct progress) that a funding application, which would enable the revisions and a limited consultation period (including MfE), is made to Envirolink.	Michelle	22 Aug 18
Populate work plan with information from the strategic plan and ask for feedback from the Steering Committee	Nic	22 Aug 18
Provide feedback on the draft work plan	Steering Committee	30 Aug 18

Meeting closed at 11.35am