
Regulatory and Hearings Committee

Komiti Whiriwhiri Kaupapa

OPEN MINUTES

Minutes of a meeting of the Regulatory and Hearings Committee held in Committee Room One Chamber, Municipal Building, Garden Place, Hamilton and via Audio Visual Link on Wednesday 26 April 2023 at 9.33am.

PRESENT

Chairperson Cr M Donovan

Heamana

Members Deputy Mayor A O’Leary
Cr A Bydder
Cr A Casey-Cox
Cr L Hutt (via zoom)
Cr M Tauariki
Cr M van Oosten

In Attendance: Mayor P Southgate
Cr S Thompson (via zoom)
Eeva-Liisa Wright – General Manager Infrastructure Operations
Raewyn Simpson – Senior Planner
Kyll Foley – Environmental Policy Analyst
Ross Wightman – Compliance Manager

Governance Team: Amy Viggers - Governance Lead
Nicholas Hawtin - Governance Advisor

1. Apologies – *Tono aroha*

Resolved: (Cr Donovan/Cr van Oosten)
That the apologies for absence from Cr Huaki and Cr Wilson are accepted.

2. Confirmation of Agenda – *Whakatau raarangi take*

Resolved: (Cr Donovan/Cr A Casey-Cox)
That the agenda is confirmed.

3. Declarations of Interest – *Tauaakii whaipanga*

No members of the Council declared a Conflict of Interest.

4. Confirmation of the Regulatory and Hearings Committee meeting Open Minutes of 5 December 2022

Resolved: (Cr van Oosten/Cr Casey-Cox)

That the Regulatory and Hearings Committee confirm the Open Minutes of the Regulatory and Hearings Committee Meeting held on 5 December 2022 as a true and correct record.

4. Hamilton Trade Waste and Wastewater Bylaw Engagement Report

[Roderick Aldridge](#) spoke to his submission and presentation (**Appendix 1**) which requested Council change approach to trade waste water to be a coordinated positive future focused approach to change.

[James Court \(Mark Laurenson, 4Sight Consulting Limited, on behalf of Fuel Companies\)](#) spoke to their submission and presentation (**Appendix 2**) on the financial/health and safety concerns created by proposed bylaw, in particular the reporting requirements of the discharge of their car washes and cafes. They responded to questions from Elected Members concerning cumulative pollution impacts.

The Environmental Policy Analyst outlined the staff report and spoke to matters raised by submitters. He responded to questions from Elected Members concerning the future review of the Cemeteries and Crematorium Bylaw 2012.

Elected Members requested the following matters be addressed in the deliberations report:

- the requests from fuel company to reduce reporting requirement
- If Hamilton City Council was an outlier in regards to trade waste water reporting requirements;
- the cumulative impact of pollution from trade waste;
- the current levels of compliance impact;
- Level of compliance between existing users verses newly granted users;
- Example of a conditional consent;
- Examples of reduction of waste water at source;
- the impact on residential and commercial water waste users.

Resolved: (Deputy Mayor O’Leary/Mayor Southgate)

That the Hearings and Engagement Committee:

- a) receives the report;
- b) hears and considers submissions to the draft Hamilton Trade Waste and Wastewater Bylaw; and
- c) notes that the Deliberations Report will be considered at the 30 May 2023 Infrastructure and Transport Committee meeting.

The meeting was declared closed at 10:18am

Appendix 1

Draft Tradewaste and Wastewater Treatment Review

Oral submission support document

I thank the Council for the opportunity to suggest improvements to the Tradewaste and Wastewater Treatment Review.

I speak as a private Hamilton citizen who wants to ensure a better future for us all.

I seem to be the first speaker. I would like to set the tone of the hearing today by suggesting measures that have wins for us all.

Since I made my submission, Cyclone Gabrielle and other extreme weather events have shown that more than minor changes are needed urgently to protect our waterways and their wildlife from harm. Clearly we need to help businesses and citizens to avoid generating (toxic) wastewater in the first place or failing that, to treat it to remove toxicity before it can enter our waterways.

In my submission I supported the Council's reasons for updating the Tradewaste and Wastewater Treatment Bylaw, in particular, to give effect to

"Te Ture Whaimana (also known as the Vision and Strategy of the Waikato River) is the primary direction setting document for activities that affect the Waikato River. It encompasses the vision for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come."

I pointed out that:

"The Bylaw therefore needs more than a minor update. It needs to include proactive measures to avoid generating wastewater in the first place."

And that:

"Given the recent postponing of the Three Waters Reform until after the election the updated Bylaw will apply for an indefinite period."

There is a Chinese proverb that says something like this:

"When is the best time to plant a tree? Answer: 20 years ago.

When is the second best time to plant a tree? Answer: Now."

The best time to have invested in a proactive wastewater system would have been 20 years ago. The second best time is now.

My suggestions for doing things sooner and better:

Change the way we see things:

A problem with what we are doing now is also an opportunity to do things differently and better.

What is a cost now can be an investment in the future with a return better than any alternative investment – especially if you compare it with the cost of another extreme event.

What is waste to one business can be a resource for another business. Work with businesses to find these opportunities. Promote a circular economy.

Coordinate changes to the wastewater system with other positive changes to get positive feedback.

For example when the stormwater system is "daylighted" and a wetland is restored, the wastewater

system could also be upgraded - with its own natural or artificial wetlands if appropriate - and the advantages explained to the affected businesses and citizens.

Use natural/biological systems which depend only on energy from the sun rather than relying on technological systems which depend on fossil fuels which are being rapidly depleted. For example, cooperate with other local authorities, government bodies, businesses and the public to restore wetlands throughout the catchment to slow and filter out harmful chemicals and excess nutrients before they can enter waterways. Don't confine them to channels and rush them downstream to flood the waterway downstream. Technical solutions always have limits which can be exceeded by extreme events with catastrophic consequences as we have seen.

I invite Councillors and everybody to come up with your own ideas to create positive feedback.

Roderick Aldridge

Appendix 2



HCC Trade Waste & Wastewater Quality Bylaw

James Court / April 2023

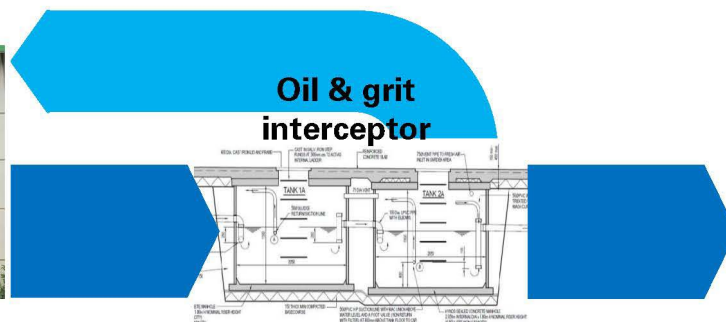


Agenda

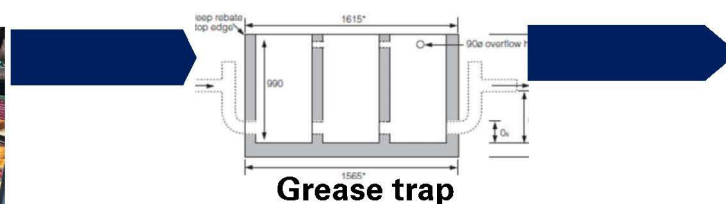
- Overview of service station trade waste discharges
 - Activities – Car wash, Café
 - Treatment devices and programmed maintenance
 - Discharge Quality
- Trade Waste Bylaw Issues

Trade waste discharges from service stations

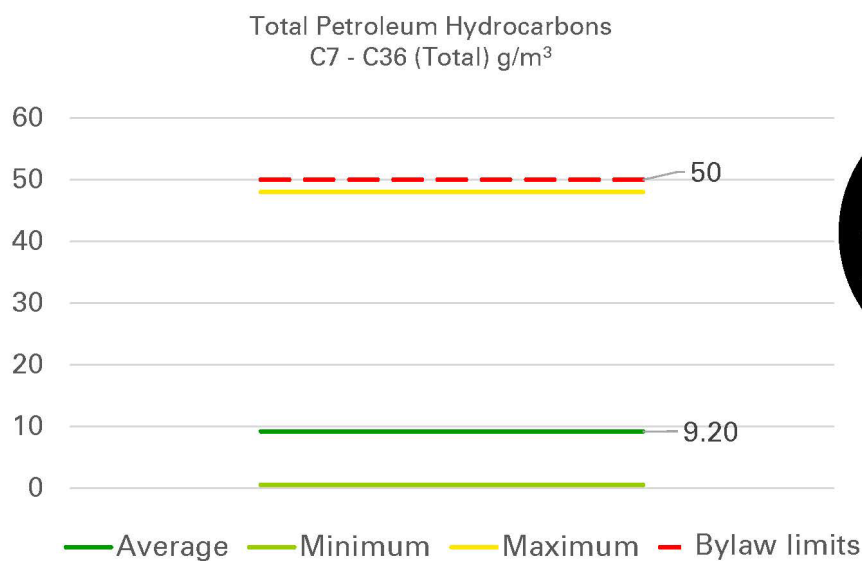
1. Carwash



2. Cafe

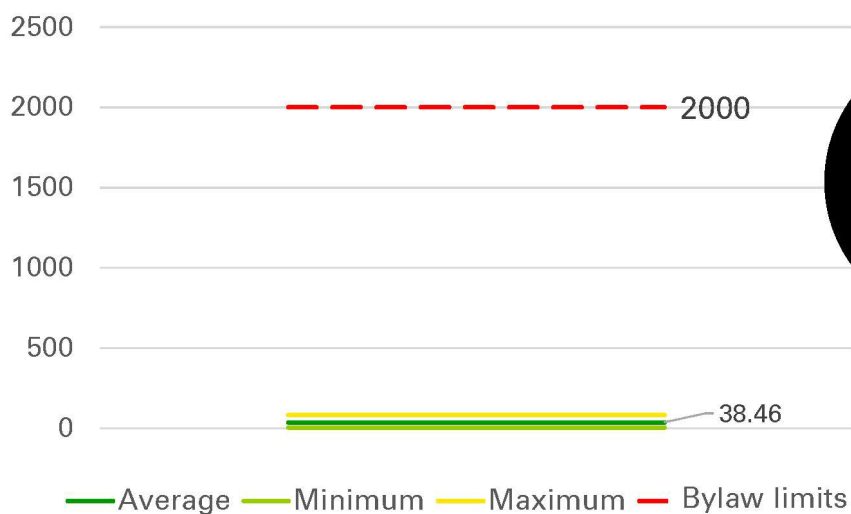


Carwash Discharge Quality



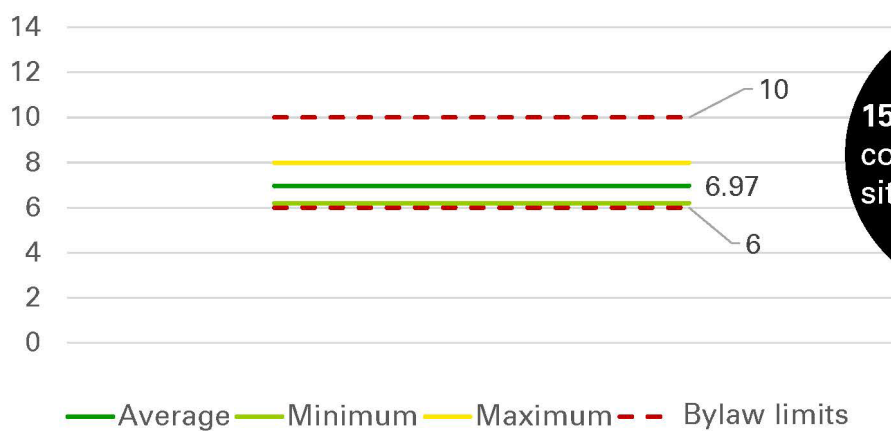
163 samples
collected from 39
sites

Total suspended solids g/m³



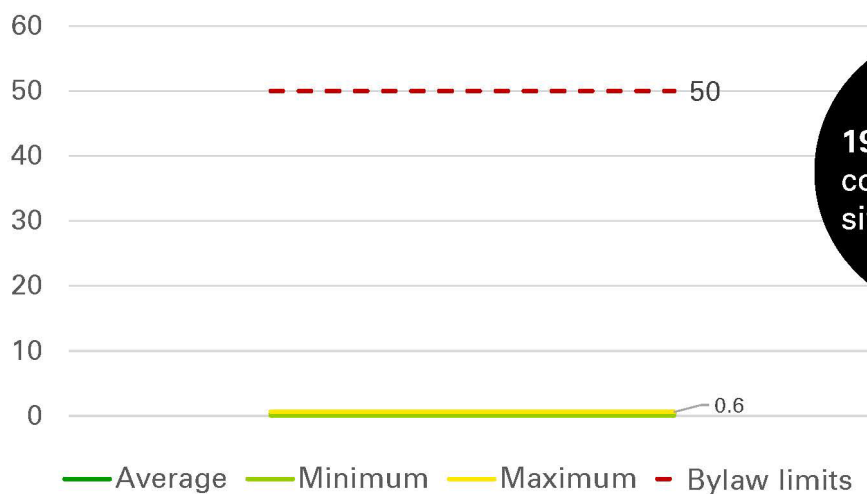
37 samples
collected from **5**
sites

pH

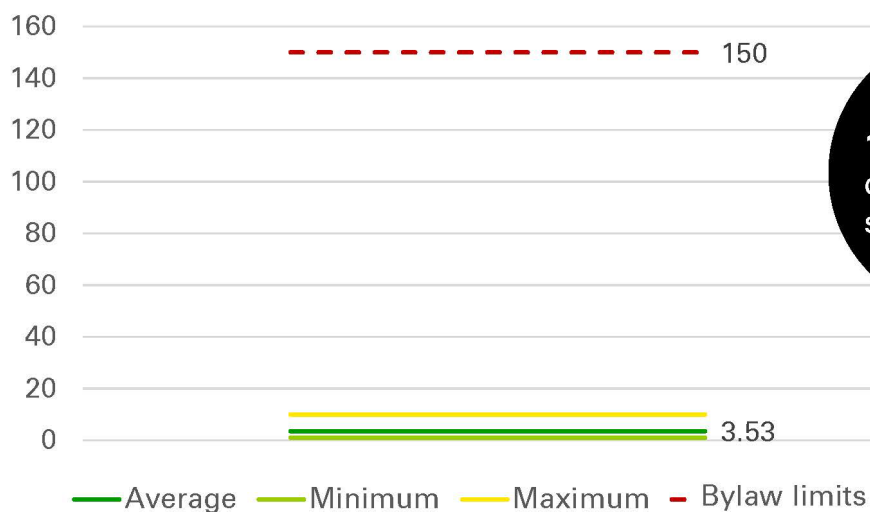


157 samples
collected from **39**
sites

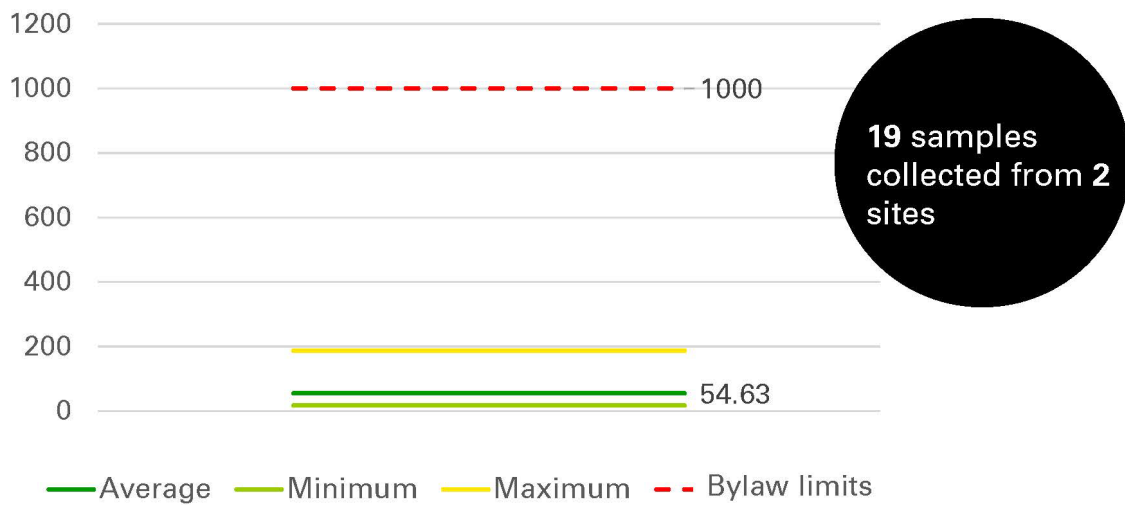
Total phosphorus g/m³



Total Nitrogen (TKN) g/m³



cBOD g/m³



Why a submission on the Bylaw?

- Onerous sampling and reporting requirements
 - Quarterly sampling events
 - Quarterly reporting
 - Trade waste management plan
 - Cleaner production plans
 - 24 hour composite sampling
- Inconsistent with other bylaws