

Submission by

Hamilton City Council Staff

REVIEW OF WAIPA DISTRICT COUNCIL'S TRADE WASTE BYLAW (2011) AND WASTEWATER DRAINAGE BYLAW (2011)

5 July 2021

It should be noted that the following submission is from staff at Hamilton City Council and does not necessarily represent the views of the Council itself.

1.0 EXECUTIVE SUMMARY AND RECOMMENDATIONS

- 1.1 Hamilton City Council staff support the intent to align the proposed Waipa District Council Wastewater and Trade Waste Bylaw 2021 (the 'Bylaw'), with Hamilton City Council's Trade Waste and Wastewater Bylaw.
- 1.2 Further recommendations are made and are based on our experiences of giving effect to the clauses within Hamilton's Bylaw over the last 5 years.
- 1.3 Hamilton City Council staff consider that the inclusion of a more specific set of definitions (or subcategories) relating to tankered waste will be beneficial for waste management.
- 1.4 Hamilton City Council staff note an inconsistency between Clause 3, Schedule 1 of the Bylaw (Common Private Drains) and of the Regional Infrastructure Technical Standards and recommend that this is reviewed.
- 1.5 Hamilton City Council staff recommend the addition of a new clause to enable improved tracking of waste.

2.0 INTRODUCTION

- 2.1 Hamilton City Council staff welcome the opportunity to review and make a submission to Waipa District Council's new combined Wastewater and Trade Waste Bylaw 2021 ('the Bylaw').
- 2.2 Hamilton City Council staff acknowledge the Future Proof Sub-Regional Three Waters Strategy (of which both Waipa District Council and Hamilton City Council are partners) which seeks alignment of strategic direction.
- 2.3 Council staff also support the Vision & Strategy (Te Ture Whaimana o te Awa o Waikato) which seeks the restoration and protection of the Waikato River.
- 2.4 We understand that Waipa District Council has sought to align the Bylaw with Hamilton City Council's Trade Waste and Wastewater Bylaw (2016).
- 2.5 We note that our own bylaw, which manages trade waste and wastewater, is currently subject to review. Recommendations within this submission will also be considered in the review of

our bylaw.

- 2.6 Hamilton City Council staff have provided the following submission points for Waipa District Council to consider.

3.0 KEY MESSAGES

- 3.1 Hamilton City Council staff acknowledge Waipa District Council staff in the effort that has gone into aligning the Bylaw with Hamilton City Council's Trade Waste and Wastewater Bylaw (2016).
- 3.2 Hamilton City Council and Waipa District Council have a combined Shared Services provided by Waikato Local Authority Shared Service (WLASS) to manage trade waste on behalf of each council. The purpose of this entity is to deliver a consistent service that also protect and enhance the environment.
- 3.3 Prior to this Bylaw review, many clauses within each of Waipa District Council's and Hamilton City Council's bylaw differed. This has resulted in some administration and monitoring inefficiencies.
- 3.4 The Bylaw now aligns with Hamilton City Council's Trade Waste and Wastewater Bylaw (2016), including the adoption of consistent structure, clauses, and definitions. This will assist in the provision of a more efficient shared trade waste service and enable improved outcomes for the community we service will be achieved.
- 3.5 Since the adoption of Hamilton City Council's Trade Waste and Wastewater Bylaw (2016), staff have been monitoring the effectiveness of each bylaw and identifying any new issues. Hamilton City Council's Bylaw is currently subject to a 5-year review as required by Section 158 of the Local Government Act 2002.
- 3.6 Taking into account these findings over the last 5 years, staff consider there are further benefits and consistency for both Waipa and Hamilton that can be achieved across the region using their bylaws.
- 3.7 These are discussed in detail further below. Please note that Hamilton City Council staff are available to have further discussions and work with Waipa District Council staff on potential and appropriate amendments.

4.0 DEFINITION AND CATEGORISATION OF TANKERED WASTE

- 4.1 Hamilton City Council is in the process of drafting a new set of definitions for the management of tankered waste that enters its Pukete Wastewater Treatment Plant (WWTP). These are considered necessary to provide clarity to suppliers and transporters of tankered waste and will assist in the overall management of tankered waste and improved customer experiences.
- 4.2 Improved definitions will not only better enable Hamilton City to manage tankered waste and treatment required; it will also provide for the recovery of costs based on what is received at the WWTP.
- 4.3 Staff similarly recommend the inclusion in the Bylaw of a more specific set of definitions (or subcategories) for Waipa District's tankered waste and provides the following information for Waipa District Council's consideration:
- 4.4 The Bylaw as drafted by Waipa District Council adopts Hamilton City Council's definition of 'Tankered Waste'. This reads as follows:

"means water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, excluding domestic wastewater discharged directly from house buses, caravans, buses and similar vehicles."

- 4.5 Hamilton City Council staff note that this definition does allow for the acceptance or rejection of tankered waste should it be required, however we have experienced that this definition also gives rise to several issues:
- This definition means that tankered waste is priced on a 'volume' basis. For example, fats, oils and grease' (FOG) can be received at a WWTP for the same price as tankered industrial wastewater (which may require specific treatment management). This can result in inefficient handling of tankered waste, the inability to regulate what is managed by the tankered waste process and does not allow for the accurate recovery of costs for certain types of tankered waste.
 - Tankered waste could include mixed loads including 'domestic waste', 'FOG' or other industrial waste.
- 4.6 Hamilton City Council staff consider that reviewing the definition of 'Tankered Waste' within the Bylaw will enable these issues to be resolved, whilst also enabling tankered waste to be accepted and rejected should it be required. We consider that a new definition could be formulated around the following subcategories:
- Domestic waste.
 - Fats, oils and grease.
 - All other industrial waste.

5.0 OTHER MATTERS

- 5.1 In addition to the points made above, Hamilton City Council staff have noted several matters which we wish to draw Waipa District Council's attention to. These are:
- Inconsistency of the Bylaw with the Regional Infrastructure Technical Standards; and
 - Tracking of Tankered Waste.
- 5.2 These are summarised under the following sub-headings.
- Inconsistency of the Bylaw with the Regional Infrastructure Technical Standards**
- 5.3 Hamilton City Council staff note an inconsistency between Clause 3, Schedule 1 of the Bylaw (Common Private Drains) and Drawing D5.22 the Regional Infrastructure Technical Standards (RITS), as described below.
- 5.4 Schedule 1 outlines the criteria to which connections into Waipa District Council's wastewater network will need to comply. Any connections not in accordance with Schedule One can be refused at the discretion of Waipa District Council (Clause 4.6 (h)). Clause 1 of Schedule 1 requires that *"Unless otherwise approved by Council, all connections to the wastewater system must comply with the Regional Infrastructure Technical Standards" (RITS).*
- 5.5 However, this is in contradiction to Clause 3 of Schedule 1 of the Bylaw. The Bylaw permits a single main servicing more than two properties remains in private ownership. This is in contrast to Drawing D5.22 of the RITS. Both examples are illustrated by Figure 1 below. It is recognised that the RITS example refers to an accessway, however it is understood that this example is also applied for more than two customers through private property.

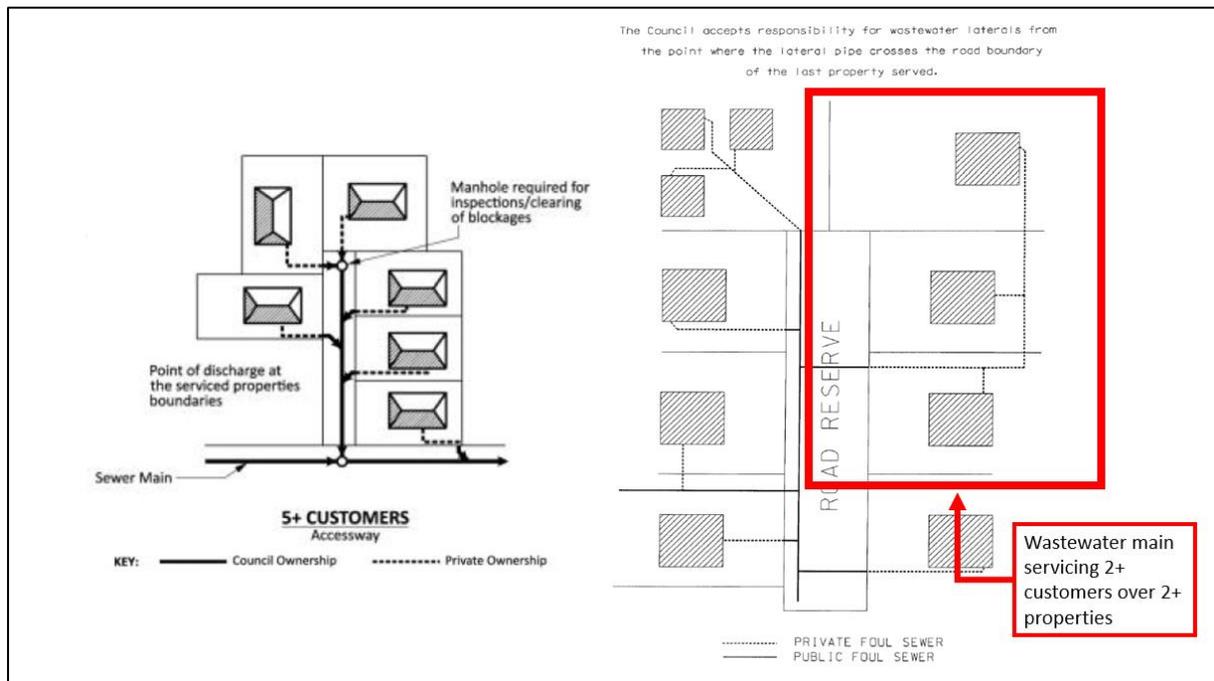


Figure 1: Common Private Drain ownership structure as demonstrated on the Regional Infrastructure Technical Standards (left), vs the Draft Wastewater and Trade Waste Bylaw 2021 (right)

- 5.6 The standards as they are presented in the Bylaw may result in several owners over a single stretch of a wastewater network. This may likely lead to complications in terms of network ownership and operation, including responsibility should the network require maintenance, renewal or upgrade.
- 5.7 Although the RITS does enable councils to set their own specifications within their bylaws, Hamilton City Council staff are curious whether this was intended. Hamilton City Council staff recommend that Clause 3 Schedule 1 is reviewed, and if required, amended to be consistent with the RITS.

Tracking of Tankered Waste

- 5.8 Wastewater managers and plant operators approve the disposal of trade waste, and therefore need to know specifically what is entering the wastewater treatment plant to provide treatment capacity and protection of treatment processes. This is to ensure compliance with our resource consent to discharge treated wastewater issued by Waikato Regional Council.
- 5.9 Hamilton City Council staff collected data through use of Condition 9.3 of the Hamilton City Council Trade Waste and Wastewater Bylaw (2016) to characterise tankered waste. Auditing of this data indicated that the information received from consent holders did not always match laboratory results. We consider that best management practice is not being applied within our Hamilton City Bylaw and will be seeking to track tankered waste.
- 5.10 The provision of tracking data from trade waste transporters to trade waste receivers will ensure the accuracy of the data. It will also be administratively more efficient, allow better reporting, provide for better cost collection, and minimise non-compliance with discharge consents and biosolids quality parameters.
- 5.11 Hamilton City Council staff also recognise that good data streams are important to managing wastewater activities. To ensure that data collected from transporters is consistent and in a standardised format, whilst providing a tracking system appropriate to Hamilton City Council, we will be seeking best practice data collection systems and will need to 'approve' the system. The following clause will be proposed in Hamilton City Council's Bylaw review:

9.X: information collected as required by Clause 9.3 must be provided by a system approved by Council.

- 5.12 A Guidance Note supporting this new clause will also be proposed, detailing the process for the approval of a system, and the delegated authority for system approval.
- 5.13 Hamilton City Council staff highly recommend strengthening bylaw requirements for tracking Waipa's tankered waste to provide best practice waste traceability, as well as treatment plant protection.

6.0 FURTHER INFORMATION AND OPPORTUNITY TO DISCUSS OUR SUBMISSION

- 6.1 Should Waipa District Council require clarification of the above points, or additional information, please contact **Kyall Foley** (Environmental Policy Analyst - City Waters) on 07 245 0040, email kyall.foley@hcc.govt.nz in the first instance.
- 6.2 Hamilton City Council staff would welcome the opportunity to discuss the content of our submission with Waipa District Council in more detail.

Yours faithfully



Richard Briggs
CHIEF EXECUTIVE