

# Trade Waste and Wastewater Bylaw review

## Frequently asked questions

### **1: What is a bylaw, and why do we have them?**

Bylaws are local laws specific to the Hamilton city, and are an important tool used by councils to protect the public from nuisance, protecting, promoting, and maintaining public health and safety, or minimising the potential for offensive behaviour in public places.

### **2: What is the role of the Trade Waste and Wastewater Bylaw 2016?**

The Trade Waste and Wastewater Bylaw is one of the tools Council utilises to protect the city's wastewater network, our important wastewater treatment process and prevent overflows.

The Bylaw sets out what is and is not allowed into the city's wastewater. It gives clarity on everyone's responsibilities in using the wastewater system, and provides clear direction to trade waste consent holders and tanker waste operators on their requirements needed to discharge waste into the city's wastewater system.

### **3: What is trade waste?**

Trade waste is a type of wastewater, discharged into the wastewater system from industrial and business activities. It has the potential to contain high levels of pollutants not found in ordinary domestic waste, like grease, oils, chemicals, metals and sediments. When these pollutants enter the wastewater system, they can block pipes, cause overflows and damage the wastewater system. This places both public health and the environment at risk. By minimising the pollutants in trade waste, we can protect the health of the public and the environment.

### **4: Why do we need to manage trade waste?**

Due to its contents, trade waste has the potential to damage and disrupt our wastewater network and can impact our ability to effectively treat it. By managing what can and can't go into our wastewater network, we can protect the network and ensure the plant operates smoothly. This keeps our river clean, and helps avoid impacts such as blocked pipes, wastewater overflows and network damage.

### **5: How will the Three Waters Reform impact the Trade Waste and Wastewater Bylaw 2016?**

As part of its legislated review cycles, Council must review its Trade Waste and Wastewater Bylaw. If the Bylaw is not reviewed and adopted by July 2023, Council runs the risk of the Bylaw being revoked. Without a Bylaw, Council would have no framework to manage the discharge of trade waste and wastewater in Hamilton.

Government's Three Waters Reform shifts responsibility for Three Waters Services from councils to new entities from 1 July 2024. Legislation to enable the entities, came into force in December 2022 and further legislation is going through Parliamentary processes. Council bylaws relating to management and provision of water services may be managed differently under the entity structure.

Changing the Bylaw would incur additional cost and time, and result in a Bylaw which may be managed differently under new structures soon after. Rolling over the existing Bylaw would maintain Council's ability to manage trade waste until legislative powers are transferred to the new entity. Should there be any change to Government's timelines or direction, Council has the option to revisit the bylaw at any time.

## **6: What changes have been made to the Trade Waste and Wastewater Bylaw 2016?**

Changes have been proposed to the Bylaw which ensure it is fit for purpose. These include:

- the inclusion of the Te Raa Aro ki a Matariki (Matariki Observed) as a public holiday
- the correction of two outdated references made to the Local Government Act 2002, and the Land Transfer Act 1952.
  - section 10 was amended in 2019 to change the purpose of the Local Government Act in relation to wastewater
  - a premises is now defined by the Building Act 2004, instead of the Land Transfer Act 1952
- strengthening the linkage of the Bylaw with Te Ture Whaimana, and the Waikato River-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

## **8: What is Te Ture Whaimana, and how is it relevant.**

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.

Te Ture Whaimana has been imbedded in legislation since 2010. The purpose of the changes to the Bylaw is to make users aware of this requirement.

## **7: Will these changes affect me?**

No. Changes to the Bylaw have been limited to align with existing legal references which changed since the bylaw was adopted in 2016. These are changes already in effect in other bylaws and policies. While these changes might seem like they have a low impact on how the Bylaw functions, we want to ensure everyone is aware of them.

## **9: What is mortuary waste, and how is it relevant?**

Mortuary waste is wastewater used in the embalming process. It is generally made up of arterial blood, chemicals and water. Our review showed us there are cultural sensitives around the handling and disposal of mortuary waste. We are not currently proposing any changes in how this trade waste is managed in terms of the Bylaw, however we are investigating its management and will be establishing a working group in 2023.

## **10: Will my feedback really make a difference?**

The Trade waste and Wastewater Bylaw is a great tool to enable us to work with industry and businesses to protect our valuable waterways.

When considering any changes a member of the public may recommended to us as part of this review, we need to consider how effective any changes will be in the 11 months it sits under Council before Government's Three Waters Reform comes into effect.

In that time, we want to ensure we have a Bylaw that is fit for purpose and value your feedback to help us achieve that. Make sure you have your say between 17 January 2023 and 17 March 2023.