Newslink Case-notes for November 2022 prepared 20 October 2022.

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Legal Case-notes November 2022

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We would appreciate comments and suggestions from members on content, format or information about cases that might be of interest to members as not all cases may have been reported in "Your Environment".

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Summaries of cases from Thomson Reuter's "Your Environment".

This month we report on six court decisions covering diverse situations associated with subdivision, development and land use activities from around the country:

- A successful prosecution of the owners of a ship that had been sunk at Rocky Bay, Waiheke Island.
- This consent order concerned an appeal by 11 Cheshire Street Body Corporate against a decision of the Auckland Council ("the council") to grant resource consent to another party for a proposed retirement village
- An appeal involving two separate consent processes for the same development, and whether an appellant could challenge the second consent on the basis he had allegedly been misled into withdrawing his opposition to the first.
- An unsuccessful application for leave to appeal the decision of the Court of Appeal in Hunter v Auckland Council. This follows the unsuccessful appeal listed above.
- A consent order on an appeal regarding the minimum legal width of driveways for residential activities (1 to 6 residential units) specified in the proposed Dunedin City Second Generation District Plan
- An unsuccessful appeal concerning a decision of the Environment Court ("EC") granting resource consent to Bendigo Station Ltd ("Bendigo") for a land subdivision

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CASE NOTES NOVEMBER 2022:

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R v Lenssen - [2022] NZDC 16038

Keywords: prosecution; coastal marine area; enforcement order

This was the prosecution of J Lenssen ("L") and C Subritzky ("S"), who had both been found guilty of one charge of dumping a ship in the coastal marine area in violation of s 15A(2) of the RMA 1991. In 2019 a vessel broke its moorings in a storm and went aground on rocks at Rocky Bay, Waiheke Island. The owner was approached by the defendants and agreed to pay them $10,000 for the salvage and disposal of the vessel. It was meant to be taken apart and disposed of as landfill. Following a report from the public that the vessel had been purposely sunk, the harbourmaster began investigating. L denied that the vessel had been sunk and instead told the harbourmaster it had been pumped out, re-floated and towed, hauled out, crushed and buried as landfill at a property. S told the harbourmaster a similar story. Eventually, the police received photographs of the sinking of the vessel. Using those photographs the harbourmaster's office identified a search area and the police maritime unit was then able to locate the shipwreck. L and S were then tried before a jury and found guilty of the charge. In these sentencing proceedings, S was seeking a discharge without conviction.

In terms of environmental effects, evidence suggested the effect on benthic fauna would be the smothering of benthic invertebrates from disturbance within the footprint of the sunk vessel. Recolonisation of the area was unlikely to occur until the vessel was removed. While the sunk vessel could form an artificial reef habitat for encrusting organisms, this was not always beneficial from a biosecurity viewpoint. While the wreck did not

appear to be a navigation hazard at its current location and depth, it was said it could become a hazard if it were to shift into the intertidal area as a result of storms.

The Court firstly addressed S's application for discharge without conviction. Section 107 of the Sentencing Act 2002 required that the Court must not discharge an offender without conviction unless satisfied that the consequences of a conviction would be "out of all proportion" to the gravity of the offence. In this case, the Court found no acute repercussion personal to S that would make a conviction wholly disproportionate. S had submitted that because of his medical history, including a number of broken bones from work-related accidents, he needed to look for work which was not as physically demanding as his present contracting business. He said a conviction would be a major impediment to being hired in any management or supervisory role. The Court found that these consequences were not specific but generally speculative. It understood that his prospects would be affected by a conviction, but that was not a disproportionate consequence in the context of the gravity of the offence. S was therefore convicted of the charge.

Regarding the defendants' liability, the Court rejected their suggestion that it was difficult to ascertain from the jury's verdicts whether each defendant was found guilty as a party or as a principal. This was the first time this issue had been raised, and the Crown case at trial was presented on the basis the defendants were charged and liable as principals – no mention was made of party liability to the jury by any counsel. The Court concluded that the jury's verdicts must have been on the basis that each defendant was a principal in the offending. The Court also dismissed the defendants' argument that their offending was "a failed attempt at a complex salvage and a well-meaning misadventure rather than a deliberate act". The jury had been required to make a finding of deliberateness. In fact, the offence of contravening s 15A was unusual because most offences under the RMA 1991 (being contraventions of ss 9, 11, 12, 13, 14 and 15) were of strict liability, while s 15A required deliberateness. For this reason, the defendants' culpability had to be regarded as being at a high level to start with, when compared to those who contravene a strict liability provision. In this context, the Court determined that a starting point of $30,000 for each defendant was appropriate.

The Court also determined to make an enforcement order requiring the removal of the wreck and any items associated with it from the seabed, and their lawful disposal in a suitable facility or location on land. This was made pursuant to s 314(1)(b)(i), in order to require the defendants to do something which was necessary to ensure compliance by them with the RMA 1991. The Court then took into account that the cost of removing the wreck would be around $35,000. In determining a reduction to the starting point, it did not consider a "dollar-for-dollar" reduction to be appropriate. Instead, a one-third reduction was appropriate to recognise the financial burden of the enforcement order.

L and S were each sentenced to pay a fine of $20,000, to pay court costs of $130 and solicitor's costs of $113, and to an enforcement order requiring removal of the wreck and its lawful disposal. Ninety per cent of the fines were to be paid to the Auckland Council.

Decision date 23 August 2022 Your Environment 12 September 2022.

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11 Cheshire Street Body Corporate v Auckland Council - [2022] NZEnvC 163,

Keywords: consent order; resource consent

This consent order concerned an appeal by 11 Cheshire Street Body Corporate against a decision of the Auckland Council ("the council") to grant resource consent to another party for a proposed retirement village in Parnell. The appellant was concerned about construction effects, including noise and vibration, size and scale of the proposed buildings and the conditions of consent. The parties had filed consent memoranda to resolve the appeal, which included revised conditions of consent. Following a request from the Court, the parties had also provided a brief analysis outlining the effects and nature of the agreed amendments.
The Court had also raised concerns about the interchangeable use of the terms "approval" and "certification" in relation to management plans, given the generally accepted role of the council to certify rather than approve such plans. The council had then submitted an amended version of the conditions, with all references to "approval" having been amended to "certification", except for several specific conditions. The council explained that it had retained "approval" in these cases to allow some flexibility in ensuring the best environmental outcomes. It confirmed that the conditions were appropriately framed with clear objectives and criteria in order to avoid unlawful delegation of decision-making. As no other parties raised any objection to this, the Court confirmed these conditions. Pursuant to s 279(1)(b) of the RMA 1991, the Court ordered, by consent, that resource consent was granted subject to the conditions agreed by the parties. There was no order as to costs.
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Decision date 26/8/2022 Your Environment 16/09/2022

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Blueskin Projects Ltd v Dunedin City Council - [2022] NZEnvC 80

Keywords: consent order; district plan proposed

This consent order concerned an appeal regarding the minimum legal width of driveways for residential activities (1 to 6 residential units) specified in the proposed Dunedin City Second Generation District Plan ("the PDP"). The parties had filed a consent memorandum setting out their agreement to resolve the appeal, which was also signed by the s 274 parties. Pursuant to s 279(1)(b) of the RMA 1991 the Court directed, by consent, that the Dunedin City Council amend the PDP as agreed by the parties. By consent, there was no order as to costs.

Decision date 17/05/2022 Your Environment 13/06/2022

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Hunter v Auckland Council - [2022] NZCA 205

Keywords: Court of Appeal; judicial review; resource consent; heritage value; residential

This appeal involved two separate consent processes for the same development, and whether an appellant could challenge the second consent on the basis he had allegedly been misled into withdrawing his opposition to the first. The Auckland Council ("the council") had granted consent to the second and third respondents (known together as "Burley") to restore a single villa of some historic heritage. The appellant, K Hunter ("H"), was a neighbour who objected to the development, mostly because the development would create further shading that would affect an elderly tenant who resided in a flat on H's property. Although H had raised his concerns with Burley and also asked the council to notify him as an affected person of any application received, the council had not notified him and Burley had obtained resource consent on a non-notified basis. H then commenced judicial review proceedings, seeking a declaration that the grant of consent was invalid and for the consent to be set aside, as well as interim relief to stop the work pending determination of the matter ("the first proceedings"). In response, Burley offered to apply for a new consent on a limited notified basis with new plans if H withdrew his action. H believed the new plans would be materially different, and so he discontinued the first proceedings. Burley then made a fresh application for consent, but H disagreed that the new proposal was materially different to the first one. The new consent was granted by a panel for the council ("the second consent decision"), and H, believing he had been "tricked", commenced fresh judicial review proceedings in the High Court ("the second proceedings"), which were declined (see *Hunter v Auckland Council* [2020] NZHC 1720). H now appealed to this Court.

The Court rejected H's argument that the High Court had erred by "removing" a particular ground of review and that this indicated the High Court's bias against H. H had argued before the High Court that the circumstances in which the first proceedings were withdrawn were relevant to the second proceedings. The Court firstly dismissed the suggestion that the High Court had wrongly "removed" this ground when it issued a minute that said the council could choose not to focus on this ground. The Court found it was clear from the judgment that H had indeed advanced that argument, and the High Court had recorded that submission but rejected it. Second, the Court found that the High Court's reasoning in dismissing that ground was not erroneous. The High Court had determined that H's argument could not be a ground for review of the second consent decision that was now under review because the basis upon which H had withdrawn the first proceedings did not impact the lawfulness of the panel's decision in any way. The Court agreed that the earlier withdrawal did not affect the process that led to the second consent decision. It agreed with the High Court that even if H had continued the first proceedings, the best outcome that he could have hoped for would have been an order quashing the earlier consent decision. He was now effectively in the same position since Burley had agreed to make a new consent application and the council had considered the matter anew. The Court also dismissed the suggestion that the High Court judge had been "biased" because it was evident from the foregoing analysis that the High Court had acted appropriately.

The Court also held that H's claim that Burley had engaged in "dishonest conduct" was not an issue that this Court or the High Court could properly consider. The Court said judicial review was concerned with whether the decision under review was made in accordance with the relevant law and in a way that was procedurally fair. Allegations of dishonest conduct could only be considered if they were said to have affected the decision-making process. Further, that would require seeing the response of those accused under cross-examination, and as there was no cross-examination in this case, there was no evidential basis on which to determine any allegations of wrongdoing.

H had also alleged that the High Court erred in finding that the panel had properly addressed heritage matters in reaching the second consent decision. It was common ground that the development would increase the shading to H's property and that there would be some loss of residential amenity. However, there were different opinions among the experts giving evidence to the panel as to how significant the effects would be, and how that should be weighed up against heritage issues that flowed from the property's location in a heritage overlay (and that Burley's proposal purported to protect the villa's heritage values in line with the overlay objectives). The Court noted that on judicial review, the High Court was limited to considering whether the panel properly undertook the task of considering all the evidence and reaching a decision in accordance with the relevant provisions in the RMA 1991. The Court agreed there was no procedural error as the panel had clearly done so. It said that H appeared to essentially disagree with the panel's assessment of how serious the adverse amenity effects would be, and that was not a complaint amenable to judicial review.

The appeal was dismissed. The respondents were entitled to costs for a standard appeal on a band A basis with usual disbursements.

Decision date 24/05/22 Your Environment 15/06/2022

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Hunter v Auckland Council - [2022] NZSC 104

Keywords: leave to appeal; judicial review; resource consent

This was an application for leave to appeal the decision of the Court of Appeal in Hunter v Auckland Council [2022] NZCA 205. The applicant, K Hunter ("H"), had sought judicial review of a decision of the Auckland Council ("the council") to grant resource consent enabling the development of a villa in Auckland. The site was within the Single House Zone under the Auckland Unitary Plan ("AUP") and was subject to a Special Character Areas Overlay and Historic Heritage Overlay. K had been unsuccessful in the High Court and Court of Appeal. The Court disagreed with H's submission that the proposed appeal would raise issues of general or public importance about the approach to interpretation of the relevant parts of the AUP. The Court said it would be required to consider various factual matters particular to this case and held that the issues regarding the AUP suggested by H were essentially a challenge to the assessment of the evidence and to the merits of the council's decision. The Court also disagreed that there appeared to be a miscarriage of justice following the Court of Appeal's decision. H had alleged that there were problems with the process followed by the council's hearings panel ("the Panel"). The Court held that the council had explained the Panel's process (for example, that it was standard practice for an applicant for a resource consent to pay the costs of the Panel's process, a fact with which H had taken issue). The Court also rejected H's claim of judicial bias, finding there was nothing in the material before the Court to substantiate that.
H also alleged that there had been "criminal fraud" by the respondents, which he claimed the courts had ignored. This stemmed from earlier events when H had initially commenced judicial review proceedings against the respondents but had then discontinued those first proceedings on the basis of an offer by the respondents to apply for a new resource consent, which H had believed would be materially different from their first application. Unsatisfied that the second resource consent application was materially different, H believed he had been tricked into discontinuing his first proceedings and had then commenced fresh judicial review proceedings. The Court reiterated the High Court's finding that the basis upon which H had withdrawn the first proceedings did not impact the lawfulness of the Panel's decision in any way. In any event, H was now in the same position he would have been in, had he continued with the first proceedings, because the respondents had filed a new consent application and the council had considered the matter anew.
The Court also rejected H's submission that the courts had ignored relevant equitable principles, particularly the principle that a person must come to equity with clean hands. The Court repeated the Court of Appeal's comment that the focus of judicial review was different. The Court of Appeal had said that allegations of dishonest conduct could only be considered if they were said to have affected the decision-making process under review.
The application for leave to appeal was dismissed. H was to pay one set of costs of $2,500 to the respondents.
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Decision date 2/9/2022 Your Environment 19/09/2022

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Canyon Vineyard Ltd v Central Otago District Council - : [2022] NZHC 2458

Keywords: High Court; resource consent; subdivision; rural; objectives and policies; visual impact; procedural

This appeal concerned a decision of the Environment Court ("EC") granting resource consent to Bendigo Station Ltd ("Bendigo") for a land subdivision. In 2019, the Central Otago District Council ("the council") had granted Bendigo consent for a 12-lot subdivision and land use consent for residential building platforms on eight of the lots. The appellant, Canyon Vineyard Ltd ("Canyon"), owned an adjoining property on which there was a working vineyard, cellar door, restaurant, and conference and function venue. The views from Canyon's property were regarded as spectacular, and Canyon appealed the council's decision in the EC on the grounds that aspects of the proposal would have unacceptable visual effects when viewed from Canyon's property.
The EC appeal involved some processes that were relevant to this appeal. After the EC appeal was filed, Bendigo made further revisions to its proposal (now "the Revised Proposal"), which largely concerned mitigation measures, such as earth mounding and screen planting. The EC then recorded that the evidence produced by Bendigo at the subsequent hearing in April 2021 was not sufficiently accurate to enable an evaluation of the visual effects (eg Bendigo's plans were not to scale). The EC granted leave to Bendigo to adduce further evidence in the form of properly dimensioned plans, and accordingly, Bendigo filed amended plans. Canyon then alleged that the amended plans contained significant changes (namely, that mitigation measures had been redesigned). The EC directed Bendigo to produce a brief explaining the new plans, and directed that caucusing of expert witnesses should then follow. It said that if there were issues to be resolved by the EC, a hearing would have to be reconvened. A hearing was then indeed reconvened in July. Following the EC's assessment, the EC issued an interim decision and dismissed the appeal, granting resource consent to Bendigo in respect of the Revised Proposal and directing the parties to finalise the conditions of consent (see Canyon Vineyard Ltd v Central Otago District Council [2021] NZEnvC 136). In its final decision, the EC accepted the final conditions suggested by Bendigo, but rejected Canyon's proposed amendments on the basis they were outside the ambit of the comments called for on draft final conditions (see Canyon Vineyard Ltd v Central Otago District Council [2021] NZEnvC 187). Canyon now appealed both the interim and final decisions of the EC.
Canyon's first ground of appeal was that the EC had erred in accepting the Revised Proposal. It submitted that the EC should have acknowledged that it was a significant change, and also argued that the EC should have ruled that the proposal as it stood was outside the scope of evidence agreed to be called after the April 2021 hearing. Canyon claimed that the EC's processes in this regard amounted to a breach of natural justice. This was rejected by the Court. The Court stressed that after Canyon had raised concerns about the amended plans, the Court had allowed opportunity for the experts to confer and it had expressly recognised that a further hearing would be required to resolve any further issues raised; a hearing was indeed reconvened. The Court said that Canyon had had ample opportunity to change the course of the proceedings by filing further evidence or disputing the EC's ability to receive the Revised Proposal and the amended plans. Canyon's failure to do so was not an error of law on the EC's part.
The second ground of appeal was that the EC had erred in finding that the proposal was not contrary to the objectives and policies of the Central Otago Operative District Plan ("the Plan") for the purposes of s 104D(1)(b) of the RMA 1991. Canyon firstly argued that the objective in the Plan "[t]o maintain and where practicable enhance rural amenity values" meant that an existing unspoilt rural environment could not be changed to a rural residential environment. However, the Court agreed with Bendigo that the weight of recent authority (in particular Brial v Queenstown Lakes District Council [2021] NZHC 3609) suggested that "maintaining" amenity values did not require retention of an open landscape; the policy framework in this case anticipated landscapes absorbing certain adverse effects of proposals while maintaining rural amenities. Secondly, Canyon argued that the EC had incorrectly read down the words "contrary to" in s 104D as being synonymous with "not being repugnant or antagonistic to", which it said was the wrong standard. Related to the Court's findings on the meaning of "maintain", the Court rejected this argument on the basis that the objective to "maintain" rural amenity values encompassed some changes to the landscape. Canyon was not entitled to an unchanged rural landscape with no visible buildings.
Canyon's third ground was that the EC had erred in finding that the adverse effects would be not more than minor. The EC had found that the proposal passed both limbs of s 104D(1) – both this "minor" adverse effects test, and the "not contrary" to plan objectives and policies test discussed above. The Court stressed that appeals from the EC to this Court were limited only to questions of law, and it resisted Canyon's invitation to
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relitigate a significant number of the EC's factual assessments. The Court did, however, address several claims that purportedly involved errors of law. It found no error in the EC's reasoning.
Finally, the Court rejected Canyon's claims of procedural problems in the way the EC, in its final decision, had rejected Canyon's proposed amendments to the conditions of consent. The Court said that as soon as the EC had declined the appeal on its merits as part of its interim decision, the matters of substance were concluded. The EC's call for comments on final conditions was simply a courtesy afforded to consider form, not substance. The appeal was dismissed. Costs were awarded in favour of Bendigo and the council on a 2B basis.

Decision date - 27/9/2022 Your Environment - 06/10/2022

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~~~~~~This month's cases were selected by Roger Low, rlow@lowcom.co.nz, and Hazim Ali, hazim.ali@aucklandcouncil.govt.nz.

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OTHER NEWS ITEMS

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Council looking to charge developers who fail to retain or plant enough trees

The Press reports that Christchurch developers could soon be charged tens of thousands of dollars if their new properties fail to reach a leafy threshold. In an effort to protect Christchurch's trees from intensified housing, the Christchurch City Council on Thursday decided to start a process to introduce new tree protections into the district plan. It wants to bring in charges for companies behind new residential sites if their developments have less than 20% tree canopy cover.
Read the full story here.

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Environmental Defence Society opposes proposed Lincoln South development

Star News reports that the Environmental Defence Society has joined forces with Lincoln Voice in opposition to the proposed Lincoln South development. The case is expected to go to mediation, then onto a hearing if mediation fails.
Read the full story here.

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National Policy Statement for Highly Productive Land released

Radio New Zealand reports that the Government has released the National Policy Statement for Highly Productive Land aimed at protecting the country's most productive land from urban development. Councils will now need to identify, map and manage productive land to protect it from inappropriate use and development.

Read the full story here.

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The fight for the greenbelt

Stuff reports that Arrowtown locals have long supported keeping a rural greenbelt around the town, to give it a well-defined boundary. One man, Dave Hanan, who owns an historic gold miner's cottage, is preparing an uphill battle against encroaching development from luxury mansions and the like. He, and numerous others, are concerned such development will encroach on, and ruin, the town's character and greenbelt. Hanan claims he is trying to protect the town from "urban bleed" of property development.

Read the full story here.

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Auckland Council seeks clarification over new land protection standards

Radio NZ reports that following Environment Minister David Parker's announcement regarding new standards to help protect productive land from urban sprawl, Auckland Council is seeking clarification on powers now held by councils nationwide. Auckland Council planning committee chairman, Chris Darby, has specifically enquired whether councils now have greater powers to reject private plan changes from developers before they reach an independent hearings process.

Read the full story here.

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Approval for Waikato solar farm

The New Zealand Herald reports that the Environmental Protection Authority has approved Harmony Energy's proposal for about 330,000 solar panels to be installed on 182 hectares at Te Aroha West. The panels will generate electricity to power 30,000 homes.

Read the full story here.

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Population slow-down - are we on track for a housing oversupply

NZ Advisor reports that NZ saw 48,899 new homes consented in 2021 – up 24% compared with the previous year – but that was coupled with the weakest population growth in 30 years. Are we on track to have an oversupply of houses - is supply actually starting to outstrip demand? “I don’t think we are moving toward an oversupply,” said Satish Ranchhod, senior economist for Westpac. “But the balance between demand and supply will undergo a big transformation over the next few years. We’ll have more houses per capita than we’ve seen for some time.”
Read the full story here.

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Rural rezoning for Nelson subdivision

Radio NZ reports that the Nelson City Council has approved a plan change to allow the rural Kākā Valley to be subdivided for housing. The housing development was first proposed for the rural valley near central Nelson two years ago and Save the Maitai have since campaigned to protect and preserve the valley's rural character. Environmental planning manager Maxine Day said the plan change included a number of zone changes, including a residential area above Atawhai and a higher density area in the Maitai Valley along with a network of open space and recreational zones.
Read the full story here.

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The right to fully accessible housing

Newsroom reports that the demand for accessible homes far outweighs the supply, but funding and the building code keep throwing up obstacles to finding a solution. What is accessible housing? Is it the ramp into the front door, the modified bathroom with a rail? Function over beauty? The UN ‘decency’ housing principles that make up part of the right to a decent home define accessibility in terms of physical access, affordability and access without discrimination. One out of every six NZers has some form of accessibility need from their home - from those with arthritis to those reliant on a mobility aid and everything in between.
Read the full story here.

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36 sites of cultural significance returned to Maniapoto

The Guardian reports that after decades of fighting for reparations, Ngāti Maniapoto have won the battle for reparation from the NZ Government. The Maniapoto Claims Settlement bill became law last week and, among other details, saw 36 sites of cultural significance returned to the tribe. The crown acknowledged it had indiscriminately killed women and children during the Waikato wars and looted and destroyed iwi property for no reason.
Read the full story here.

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Consumer NZ looks into breach of renters' rights

Stuff reports that Consumer NZ carried out a nationwide “mystery shop” of rental agents and found one in 10 asked potential tenants to share more personal information than necessary. Property managers could be breaking the law by asking potential tenants to share personal information including bank statements, gender and relationship status, in breach of the guidance from the Office of the Privacy Commissioner. The OPC guidance was designed to help landlords and property managers comply with the Privacy Act and states that a landlord or property manager should never ask a prospective tenant for information protected under the Human Rights Act 1993.
Read the full story here.

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'Momentous day' for hapū securing return of land

NZ Herald reports that the Ngāti Kearoa-Ngāti Tuara hapū has taken a significant step towards securing the return of land from Rotorua Lakes Council. The hapū signed a 'heads of' agreement with the council at Tarewa Pounamu Marae that seeks to address past grievances. This includes the return of land associated with Karamu Takina springs - which supplies drinking water to Rotorua city - and two other pieces of land. "It is 67 years since our hapū leaders agreed to support the community by providing water for the town. However, they didn't agree to their lands being sold," Robyn Bargh, chair of Te Rūnanga o Ngāti Kearoa Ngāti Tuara.
Read the full story here.

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National Policy Statement for Highly Productive Land released

Content Type: News and Current Awareness
Article Detail: News, Building and Construction, New Zealand, 18/09/2022
Radio New Zealand reports that the Government has released the National Policy Statement for Highly Productive Land aimed at protecting the country's most productive land from urban development. Councils will now need to identify, map and manage productive land to protect it from inappropriate use and development.
Read the full story here.

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Impacts of rezoning land use

Otago Daily Times reports that a proposal to rezone a triangle of land at the doorstep of the historic township of Arrowtown went under the microscope at a two-day hearing this week. It concerned a proposal by its owner, Adam Feeley, to re-zone his family’s 6.2ha block. The latest proposal — a type of rural lifestyle zoning called "precinct" — has council support. The zoning requires a minimum 6000sq m section size — with an average of 1ha — and allows homes of up to 500sq m. If the proposal is approved by the court, Mr Feeley could apply for resource consent to subdivide the site with up to five new sections, in addition to his existing home and separate cottage.
Read the full story here.

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Hamilton City Council fined more than $75,000 over wastewater discharge

Stuff reports that Hamilton City Council has been fined $76,500 for a discharge of more than 1.2 million litres of wastewater into a Hamilton stream. The council previously pleaded guilty over the discharge and apologised to the community.
Read the full story here.

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