Manawatū Water Services Committee

Meeting of 12 November 2026

Business Unit: Corporate
Date Created: 13 October 2026

Endorsement of Draft Trade Waste Bylaw, Discharge Plan and Statement of Proposal for Consultation

Purpose Te Aronga o te Pūrongo

To seek Manawatū Water Services Committee's endorsement of the Draft Trade Waste Discharge Plan 2027, Draft Trade Waste Bylaw 2027 and Statement of Proposal for public consultation.

Recommendations Ngā Tūtohinga

That the Manawatū Water Services Committee:

1) Endorses the Draft Trade Waste Discharge Plan 2027, Draft Trade Waste Bylaw 2027 and Statement of Proposal for referral to Council for consideration of public consultation; and

2) Recommends that Council:

    a. Adopts the Statement of Proposal (Attachment 1) and accompanying Summary of Information (Attachment 4) for consultation.

    b. Approves public consultation on the Draft Trade Waste Discharge Plan 2027 (Attachment 2) and Draft Trade Waste Bylaw 2027 (Attachment 3) together, using the special consultative procedure.

    c. Authorises the Chief Executive to approve minor editorial amendments to the consultation material before public notification, provided the amendments do not change the intent or substance of the proposal.

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Approved for submission by:
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1 Background Ngā Kōrero o Muri

1.1 Council's current Trade Waste Bylaw was adopted in 2022 and provides the current operational framework for managing trade waste discharges into the public wastewater network.

1.2 The Local Government (Water Services) Act 2025 (the Act) requires Council to prepare and issue a Trade Waste Discharge Plan within two years of section 185 commencing. Council must also review existing water services bylaws under section 263 to assess their consistency with the Act. The Draft Statement of Proposal identifies 26 August 2027 as the deadline for issuing the Plan.

1.3 The new legislation distinguishes the Trade Waste Discharge Plan, which sets the approach to managing trade waste, from the Trade Waste Bylaw, which contains enforceable rules, and individual permits, which apply site-specific conditions. A replacement bylaw is not itself an unconditional statutory requirement; it is Council's proposed means of providing an aligned and enforceable framework.

1.4 At its meeting on 10 June 2026, officers briefed the Manawatū Water Services Committee on the legislative changes affecting trade waste management, the proposed approach to developing the Trade Waste Discharge Plan and Bylaw, the key changes to the regulatory framework, and the indicative timeline for the review process.

1.5 Officers have prepared the Draft Plan, Draft Bylaw and Statement of Proposal. The Draft Plan and Draft Bylaw have already undergone external legal review, and feedback from that review has informed the current drafts. The proposed documents are presented for endorsement to progress to the next stage: public consultation, rather than final adoption.

1.6 The proposed approach is to consult on the Draft Plan and Draft Bylaw together through one consultation process.

2 Strategic Fit Te Tautika ki te Rautaki

2.1 Although the review is driven by legislative change, it also contributes to the following strategic priorities of Council

An environment to be proud of: The proposed framework supports this priority by managing the quality and characteristics of trade waste entering the wastewater network. This helps reduce risks to treatment processes, discharge quality and the receiving environment, and supports compliance with environmental requirements.

Infrastructure fit for future: The review supports protection and effective use of Council's wastewater network and treatment facilities. Clearer controls over discharges, including high-strength and tankered waste, can help Council manage treatment capacity and reduce avoidable damage or disruption.

A future planned together: Public consultation will provide businesses, trade waste carriers, mana whenua and the wider community with an opportunity to comment on the proposed Plan and Bylaw before Council makes its final decisions. This will help test whether the proposed requirements are clear and workable.

A prosperous, resilient economy: The proposed permit and monitoring framework aims to provide businesses with clearer requirements and more predictable processes. Its risk-based approach allows greater oversight of higher-risk discharges while avoiding unnecessary requirements for lower-risk activities.

Value for money and excellence in local government: Clearer permit administration, proportionate monitoring and transparent cost-recovery provisions support consistent regulatory decisions and responsible management of wastewater infrastructure.

3 Discussion and Options Considered Ngā Matapakinga me ngā Kōwhiringa i Wānangahia

3.1 The Act mandates the preparation of a Trade Waste Discharge Plan. A new bylaw is not mandatory in the same direct way; however, a bylaw is the appropriate mechanism for enforceable requirements such as permit obligations, prohibited activities, monitoring, infringement offences and compliance tools. The Draft Plan recommends a replacement bylaw for this reason.

3.2 Officers considered three broad options:

- Option 1- Retain current Bylaw. This requires the least immediate change but will not fully align with the Act or the new requirement for a Trade Waste Discharge Plan.

- Option 2- Amend current Bylaw and prepare a Plan. This preserves much of the existing framework and targets identified gaps, but retains a structure developed before the new statutory Plan requirements.

- Option 3- Replace Bylaw and adopt new Plan. This provides an opportunity to align the documents, streamline classifications and update permit, monitoring, compliance and transition provisions together.

3.3 Option 3 is preferred. It retains the main protections in the current Bylaw while providing a clearer Plan–Bylaw–permit structure. The proposed changes include a four-category system (Permitted, Conditional, Prohibited and Tankered Trade Waste), clearer permit triggers and conditions, risk-based monitoring, tankered waste controls, accidental discharge notification, updated infringement provisions and transitional arrangements.

3.4 Advantages and disadvantages of the preferred option:

Advantages

- it clearly aligns Council's trade waste framework with the Act;

- updates classifications, permit administration, monitoring and tankered waste controls in one coherent review;

- provides an explicit proposed infringement framework and supports proportionate, risk-based compliance; and

- allows related templates, officer authorisations and operational procedures to be updated consistently.

Disadvantages

- it requires more upfront work to consult, finalise and implement than simply retaining the existing Bylaw;
- businesses and permit holders will need clear information about new terminology, requirements and transition arrangements;
- proposed fee and infringement settings may attract submissions and will require a clear rationale and careful consideration before adoption; and
- operational systems, forms, training and any permit updates will require staff resources and staged implementation.

3.5 Officers consider the advantages of the preferred option outweigh its disadvantages. Most disadvantages concern transition and implementation, which can be informed by submissions and addressed before the final Plan and Bylaw are considered for adoption.

4 Risk Assessment Te Arotake Tūraru

4.1 The Committee is being asked to endorse documents for consultation, not to adopt the final Plan and Bylaw. The immediate risks therefore relate to public understanding, the quality of engagement and delivery within statutory timeframes. A descriptive assessment is proportionate to this stage of the process.

4.2 There is a risk that businesses or permit holders may misunderstand the practical effects of proposed permit, monitoring or fee provisions, which could reduce confidence in the process or the usefulness of submissions. This will be managed through the Statement of Proposal, a plain-language Summary of Information, direct communication with affected groups, and the opportunity to submit and be heard.

4.3 Delay in endorsement or subsequent approval to consult may compress the time available to hear submissions, make any amendments and issue the Trade Waste Discharge Plan by the statutory deadline. The proposed consultation and decision-making timetable is intended to manage this risk.

4.4 The Draft Plan and Draft Bylaw have already received external legal review. Operational, financial and compliance risks associated with implementing the final framework will be assessed further in light of submissions and before adoption. Officers consider the risks of progressing to consultation manageable.

5 Engagement Te Whakapānga

Significance of Decision

5.1 The immediate decision is to endorse the consultation documents for referral to Council. No final trade waste regulatory changes are being adopted through this report. The proposal is nevertheless relevant to existing and prospective trade waste dischargers and other parties with an interest in the wastewater network and environmental protection.

5.2 The Draft Trade Waste Discharge Plan and Bylaw will be consulted on together, in accordance with sections 186 and 188 of the Act. Consultation will be undertaken using the special consultative procedure under section 83 of the Local Government Act 2002. The Statement of Proposal and accompanying Summary of Information will support public understanding of the proposed changes.

Māori and Cultural Engagement

5.3 The proposal has potential relevance to mana whenua interests in water quality and environmental protection. Mana whenua will be offered an opportunity to engage on the proposal through appropriate Council relationship channels. Feedback received will be considered alongside other submissions before final decisions are made.

Community Engagement

5.4 Consultation is proposed from 15 March to 5pm on 18 April 2027. Materials will be available through Council's Make Your Mark consultation webpage and other usual channels. Submissions may be made online, by email, post or hand delivery. A hearing is proposed for submitters wishing to speak.

5.5 In addition to general public notification, officers propose targeted communications to known trade waste permit holders, relevant businesses and trade waste carriers. Communications will explain the key changes and how to provide feedback, with particular attention to permit requirements, transitional arrangements and proposed fees.

6 Operational Implications Ngā Pānga Whakahaere

6.1 The immediate operational implications are preparing consultation material, public notification, answering enquiries, administering submissions, organising hearings and preparing the deliberations and adoption reports. These tasks will require coordination between the Infrastructure Compliance and the Strategy teams, Manawatū Water Services, communications and governance staff.

6.2 If the documents are subsequently adopted, further work will be needed to update permit and application templates, monitoring and record-keeping processes, officer authorisations, infringement notice administration, fee processes and customer guidance. The scope and sequencing of that work will be confirmed after consultation. Implementation can be prioritised according to the nature and risk of discharges.

7 Financial Implications Ngā Pānga Ahumoni

7.1 No additional budget is sought through this report. Consultation and finalisation of the Draft Plan, Draft Bylaw and Statement of Proposal are expected to be managed within existing work programmes and budgets.

8 Statutory Requirements Ngā Here ā-Ture

8.1 The Act requires Council to prepare and issue a Trade Waste Discharge Plan by 26 August 2027. The Act also provides for trade waste bylaws and trade waste permits and enables a bylaw to provide for infringement offences and fees.

8.2 Because the Draft Plan recommends a new Trade Waste Bylaw, Council must consult on the Draft Plan and Draft Bylaw together. The bylaw consultation is undertaken under section 156 of the Local Government Act 2002, as applied by section 258(7) of the Act.

8.3 A Statement of Proposal has been prepared to support public consultation on the proposed Trade Waste Discharge Plan and Trade Waste Bylaw, in accordance with the special consultative procedure under section 83 of the Local Government Act 2002.

8.4 Section 83(1)(a)(ii) provides for a summary of information where Council considers, on reasonable grounds, that it is necessary to enable public understanding of the proposal. Given the technical nature of the proposed changes and the relationship between the Trade Waste Discharge Plan and Bylaw, officers have prepared a summary to make the key changes more accessible and support informed public participation. The summary has been prepared in accordance with section 83AA of the Local Government Act 2002.

9 Next Steps Te Kokenga

9.1 Subject to the Committee's endorsement, the Draft Trade Waste Discharge Plan, Draft Trade Waste Bylaw, Statement of Proposal and Summary of Information will be presented to Council on 2 December 2026 for approval to proceed with public consultation

9.2 Following the close of submissions, a Hearing is scheduled for 11 May 2027 for submitters wishing to present their views in person.

9.3 Deliberations are scheduled for the Manawatū Water Services Committee meeting on 27 May 2027. However, if no submissions are received, deliberations would be moved forward to the Council meeting scheduled for 11 May 2027.

9.4 Following consideration of submissions, the Committee will make recommendations to Council on the final Trade Waste Discharge Plan and Trade Waste Bylaw, including any amendments arising from consultation.

9.5 Council is expected to consider the final documents for adoption on either 16 June or 21 July 2027, subject to completion of the consultation and decision-making process. This timetable allows for the Trade Waste Discharge Plan to be issued before the statutory deadline of 26 August 2027.

10 Attachments Ngā Āpitihanga

- Attachment 1: Draft Statement of Proposal - Proposed Trade Waste Discharge Plan 2027 and Proposed Trade Waste Bylaw 2027
- Attachment 2: Draft Trade Waste Discharge Plan 2027
- Attachment 3: Draft Trade Waste Bylaw 2027
- Attachment 4: Summary of Information