Draft Trade Waste Bylaw 2027:

Statement of Proposal

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2. Executive Summary

Manawatū District Council (MDC) is proposing to adopt a new Trade Waste Discharge Plan and replace the Trade Waste Bylaw 2022 so the framework aligns with the Local Government (Water Services) Act 2025 (referred to as "the Act"). The framework separates Council's approach into the Plan, the Bylaw and permits: the Trade Waste Discharge Plan sets Council's overall approach; the Trade Waste Bylaw sets out the enforceable rules; and trade waste permits, which set site-specific conditions and controls.

The proposed framework is intended to protect public health, the wastewater network, treatment processes, the environment, and Council's compliance with its wider wastewater obligations. It is also intended to provide clearer rules for trade waste customers, a more risk-based approach to permits and monitoring, and clearer controls for tankered and transported trade waste.

Council welcomes feedback on the Draft Trade Waste Discharge Plan and Draft Trade Waste Bylaw. Submissions open on 15 March 2027 and close at 5pm on 18 April 2027. Hearings are proposed for 11 May 2027 with deliberations and adoption to follow.

3. Introduction

3.1. This Statement of Proposal explains Council's proposal to adopt a Trade Waste Discharge Plan and replace the current Trade Waste Bylaw, and invites feedback from trade waste dischargers, businesses, iwi and hapū, trade waste carriers and the wider community.

3.2. Unless otherwise indicated, key terms used throughout this Statement of Proposal, the Draft Trade Waste Discharge Plan and the Draft Trade Waste Bylaw have the same meaning as those defined in sections 4 and 184 of the Act.

3.3. For the purposes of the Act, trade waste generally means waste produced in the course of an industrial, commercial or trade process or operation, or a related process or operation, that is discharged into a wastewater network. It also includes tankered waste. Domestic wastewater is not regulated as trade waste.

3.4. Trade waste can include discharges from food premises, vehicle and equipment wash activities, manufacturing and processing premises, laboratories, health and dental premises, laundries, waste management activities, and tankered or transported waste. Trade waste needs to be managed because it can damage infrastructure, affect treatment processes, create worker and public safety risks, affect biosolids and discharge quality, and increase the risk of non-compliance with environmental and consent requirements.

3.5. Since the current Bylaw was adopted in 2022, the Act has introduced a new framework for trade waste. Council is therefore consulting on a Draft Trade Waste Discharge Plan and a replacement Draft Trade Waste Bylaw together. The Plan sets the overall approach, the Bylaw contains enforceable rules, and permits set site-specific conditions. Section 263 of the Act requires each water services bylaw to

be reviewed within two years of that section coming into force. Further information on the legislative requirements is provided in Section 6 of this Statement of Proposal.

3.6. The new framework provides a clearer distinction between policy and enforceable rules, modernise permit and compliance processes, and ensure trade waste is managed in a way that protects public health, the environment, Council's wastewater network, and wastewater treatment process.

3.7. This Statement of Proposal summarises the proposal, the main changes, the consultation process and the proposed timeline for hearings, deliberations and adoption.

3.8. This Statement of Proposal should be read together with the following documents:
- Draft Trade Waste Discharge Plan 2027
- Draft Trade Waste Bylaw 2027
- Summary of key changes
- Submission form
- Any other supporting material made available on Council's "Have Your Say" webpage

4. Why Council is proposing a Trade Waste Discharge Plan and new Trade Waste Bylaw

4.1. The Act introduced a new framework for water services management in New Zealand which created a new structure for water service bylaws and trade waste regulation. The new legislation changes how councils manage trade waste. MDC's current Bylaw remains a useful operational base, but it does not fully reflect the new role of a Trade Waste Discharge Plan, the updated permit review and appeal pathway, or the compliance and enforcement framework in the Act.

4.2. Council considered three broad approaches:
- retain the current Trade Waste Bylaw. This would provide continuity, but will not fully align with the Act or the new requirement for a Trade Waste Discharge Plan.
- amend the current bylaw and prepare a Trade Waste Discharge Plan. This approach addresses some legislative gaps, but presents a challenge in enabling clarity of the framework as well as user-friendliness. The existing bylaw was prepared under the previous framework, so amending it could leave the relationship between the Plan, Bylaw, and permits less clear.
- replace the current bylaw, prepare, and adopt a new Trade Waste Discharge Plan.

4.3. Council's preferred option is to replace the current Bylaw and adopt the new plan together.

4.4. Replacing the Bylaw also allows Council to address practical matters identified through the review, including permit status for existing dischargers, consistent

permit triggers, risk-based monitoring, tankered waste controls, incident notification, transition arrangements, roles and cost recovery. The detailed requirements are set out in the Draft Plan and Draft Bylaw.

5. What is changing

5.1. The proposed framework keeps the main purpose of the current Bylaw, but changes how the framework is structured and modernises some parts of the regulatory system.

Current Framework	Proposed Framework
Trade waste is mainly managed through the existing Trade Waste Bylaw 2022 and Trade waste permits.	Trade waste will be managed through a Trade Waste Discharge Plan, a new Trade Waste Bylaw, and site-specific trade waste permits.
The current bylaw was prepared under the Sections 145 and 146 of the Local Government Act 2002.	The proposed framework is being aligned to the Act consultation and bylaw pathway.
Permit, monitoring, and enforcement provisions are contained in the existing bylaw.	Permit triggers, permit conditions, monitoring, infringement and enforcement provisions are updated and reorganised in the new framework.
Tankered waste is addressed, but the plan-led approach is absent.	The Draft Plan and Draft Bylaw expressly address transported and tankered trade waste as part of the new framework.
The current bylaw does not include the full statutory internal review process and appeal rights for declined trade waste permit applications provided for in the LGWSA 2025. Previous internal appeal provisions are set out in Clause 8 of the Explanatory Bylaw 2022.	The Draft Bylaw reflects the new internal review and appeal path for declined trade waste permit applications.
The current bylaw performs multiple functions, including setting Council's trade waste management approach, establishing regulatory requirements, and providing for permit administration.	The proposed framework separates these functions. The Trade Waste Discharge Plan sets the strategic approach, the Trade Waste Bylaw contains the enforceable rules, and trade waste permits apply site-specific requirements to individual dischargers.

5.2. The key changes are summarised above but are explained in greater detail in Appendix 1 of this proposal.

5.3. The Draft Bylaw proposes infringement fees of $1,000 for individuals and $3,000 for bodies corporate for the offences listed in clause 29.4. These are the maximum amounts permitted under section 269 of the Local Government (Water Services) Act 2025.

5.4. The proposed fees are intended to provide a meaningful deterrent and encourage compliance with the Bylaw, recognising that non-compliance may pose risks to public health, the environment, Council's wastewater infrastructure and treatment processes.

5.5. Council acknowledges that the offences listed in clause 29.4 may vary in seriousness and potential consequences. While a consistent infringement fee structure is proposed, Council welcomes feedback on whether the maximum amounts are proportionate or whether lower or differentiated fees would be more appropriate.

5.6. Infringement fees are distinct from ordinary trade waste fees and charges for service provision and cost recovery, and from any separate penalty fees for breaches of permit conditions. Infringement fees may be imposed through an infringement notice for a specified offence.

6. Statutory Requirements

6.1. The Act requires Council to prepare and issue a Trade Waste Discharge Plan by 26 August 2027. The Plan must set out Council's approach to regulating trade waste and trade waste discharges into wastewater networks. It must also identify key matters such as the trade waste premises and wastewater networks covered, any transport requirements or limits, any proposed or recommended trade waste bylaw, and the circumstances in which fees, charges or penalties may apply.

6.2. The Act also enables Council to make a water services bylaw for trade waste matters. A bylaw is needed because the Plan sets the overall approach, while enforceable requirements such as permit obligations, restricted or prohibited activities, infringement offences and compliance tools are more appropriately set out in the Bylaw and trade waste permits.

6.3. 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.

6.4. This proposal is not being progressed as a section 155 Local Government Act 2002 bylaw process. Council has still considered matters such as the reasons for the proposal, alternatives, proportionality, legal certainty, enforceability and rights-related implications as part of good decision-making.

6.5. The Act also provides internal review and appeal rights where a trade waste permit application is declined. These rights are recognised in the Draft Bylaw and will be reflected in Council's permit decision-making processes.

7. Summary of the Draft Trade Waste Discharge Plan

7.1. The Draft Trade Waste Discharge Plan sets out Council's overall approach to regulating trade waste and the discharge of trade waste into public wastewater networks. It is intended to explain the policy and operational framework rather than impose direct enforceable requirements itself. The Draft Plan states that enforceable requirements will sit mainly in the trade waste bylaw and individual permits.

7.2. The Draft Plan proposes objectives that focus on environmental protection, public health and safety, protection of the wastewater network and treatment system, regulatory compliance, fair and risk-based management, waste minimisation, and cost recovery. It applies to trade waste premises in the Manawatū District that discharge, or may discharge, trade waste into the public wastewater network. That includes food premises, dental and health premises, automotive and wash activities, laboratories, industrial and processing premises, laundries, waste management activities, and trade waste carriers or transport-related activities. Domestic wastewater is excluded.

7.3. The Draft Plan also proposes a risk-based and effects-based approach. That means higher-risk trade waste discharges are likely to face more intensive monitoring, tighter permit control, or more detailed operating requirements than lower-risk discharges. The Draft Plan also addresses transport of trade waste, fees and charges, penalties, monitoring, compliance, and ongoing review.

8. Proposed Draft Trade Waste Bylaw

8.1. The Draft Trade Waste Bylaw is intended to replace the current Trade Waste Bylaw and provide the enforceable rules needed to give effect to the Draft Plan. The draft bylaw regulates trade waste discharges into the public wastewater network, including permit requirements, prohibited activities, pre-treatment requirements, tankered waste controls, monitoring, fees and charges, offences, and transitional provisions.

8.2. The Draft Bylaw keeps a classification structure for trade waste but simplifies it to permitted, conditional, prohibited trade waste and tankered waste. It updates permit triggers, permit-condition tools, accidental discharge notification, tankered and mobile trade waste controls, monitoring, fees, infringement provisions and transition arrangements. It also recognises of the statutory internal review and appeal pathway for declined trade waste permit applications

8.3. The proposed classification approach is summarised below

Trade waste type	What it means
Permitted Trade Waste	May be discharged without a trade waste permit if it meets the permitted

	discharge limits and all relevant bylaw requirements.
Conditional Trade Waste	Requires a trade waste permit because it does not meet all permitted discharge characteristics but may be acceptable subject to specific conditions.
Prohibited Trade Waste	Must not be discharged to the public wastewater network. A trade waste permit will not be issued for prohibited trade waste.
Tankered Waste	Requires Council approval and may only be discharged at a Council-approved site by an approved contractor, subject to applicable code compliance and record-keeping requirements.

8.4. The updated enforcement provisions are intended to align Council's enforcement tools with the Act, support a risk-based and proportionate compliance approach, and provide clearer pathways for monitoring, investigation, infringement, compliance orders, offences, and remedial action where required. Detailed operational enforcement procedures, delegations and internal processes will be addressed through supporting reports and implementation planning rather than in this Statement of Proposal.

8.5. The draft also includes transitional provisions so that existing permits, exemptions, or approvals can continue for a period after commencement, subject to the transitional clauses finally adopted.

9. What this means for businesses and permit holders

9.1. For most existing trade waste customers, the proposal is not about creating an entirely new type of control from scratch. It is mainly about moving to a clearer structure and updating the framework to reflect the new law.

9.2. If adopted, the new framework is likely to mean that:

- existing permit holders will need to understand the new bylaw and plan;
- some permit conditions may be reviewed or updated over time;
- some businesses that currently operate under informal or older arrangements may need clearer permit status;
- businesses that generate higher-risk discharges may face more structured monitoring or reporting requirements;

- carriers and tankered waste operators may face clearer rules about approved discharge points and records; and
- fees, charges, and any penalty-fee settings will be made clearer.

9.3. Council is not proposing to remove the basic protections that currently exist. The proposal is intended to keep the necessary controls while making the framework easier to understand and better aligned with the new legal structure.

10. Legal quality, proportionality and rights considerations

10.1. Council considers the proposed framework reasonable and proportionate because trade waste can create risks to public health, worker safety, wastewater infrastructure, treatment processes and the environment. A bylaw is appropriate because the Plan sets the overall approach, while enforceable requirements, permit obligations, infringement offences and administration are better provided through a water services bylaw made under section 258 of the Local Government (Water Services) Act 2025. Council has considered legal quality, rights-related implications, proportionality and enforceability in preparing the proposal and will consider submissions and any further legal advice before deciding whether to adopt the Plan and Bylaw.

11. Consultation Process

11.1. Council is consulting on the Draft Trade Waste Discharge Plan and Draft Trade Waste Bylaw together as part of one consultation process, with the bylaw consultation undertaken under section 156 of the Local Government Act 2002 as applied by section 258(7) of the Act.

11.2. Anyone can make a submission about Council's Draft Trade Waste Discharge Plan and Draft Trade Waste Bylaw as described in this Statement of Proposal.

11.3. Submissions can be made online through Council's Make Your Mark webpage, by email, by hand delivery to 135 Manchester Street, Feilding, or by post to

Manawatū District Council
Private Bag 10001
Feilding 4743
New Zealand

Please use the subject line "Draft Trade Waste Bylaw".

11.4. Submissions close at 5pm on 18 April 2027

11.5. Submitters should state whether they wish to speak to their submission at a hearing. Written submissions may be made public after the close of

submissions, subject to Council's usual treatment of personal contact details and any privacy requests

12. Proposed Timeline

12.1. **Submissions Open- 15 March – 18 April 2027**

Public consultation on both the Draft Bylaw and the Trade Waste Discharge Plan.

12.2. **Hearings- 11 May 2027**

A hearing will be held for those who wish to present their submission to council in person. Each submitter who wishes to speak at the hearing will be contacted in April 2027 and assigned a speaking time.

12.3. **Deliberations- 27 May 2027**

Council will deliberate on all written and oral submissions. However, if no submissions are received, deliberations would be moved forward to the Council meeting scheduled for 11 May 2027.

12.4. **Adoption – 16 June/21 July 2027**

Following the consideration of submissions on the draft Bylaw, final decisions will be made and the proposed Manawatū District Council Trade Waste Bylaw 2027 and Trade Waste Discharge Plan will be considered for adoption by Council.

13. Appendix 1 – Key differences between the 2022 Bylaw and the draft Bylaw 2027

This table summarises how the key rules and supporting matters in the Manawatū District Council Trade Waste Bylaw 2022 have been retained, updated, moved or supplemented in the proposed Trade Waste Discharge Plan 2027 and Draft Trade Waste Bylaw 2027.

Note: References to the "Draft Plan" mean the Draft Trade Waste Discharge Plan 2027. References to the "Draft Bylaw" mean the Draft Trade Waste Bylaw 2027. Permit templates, forms, delegations, procedures and customer guidance are implementation tools and do not replace enforceable Bylaw or permit requirements.

2022 Bylaw provisions	**Where it sits in the proposed framework**	**Reallocation and explanation**
A. Existing 2022 Bylaw matters and where they sit in the proposed framework		
Preliminary provisions and statutory basis 2022 Bylaw cl 1	Draft Bylaw 2027: cls 1.1-1.2 Draft Plan: Legislative and Regulatory Framework; Trade Waste Bylaw - Assessment and Recommendations Appendix B (section 185 checklist)	Reallocated and updated. The 2022 Bylaw was made under ss 145 and 146 of the Local Government Act 2002. The proposed Bylaw is made under s 258 of the Act. The Plan provides the s 185 strategic framework and recommends the new Bylaw as the enforceable instrument.
Purpose 2022 Bylaw cl 2	Draft Bylaw 2027: cl 2 Draft Plan: Executive Summary; Objectives; Legislative and Regulatory Framework	Retained and expanded. The core purposes of protecting public health, the environment and the wastewater network remain. The proposed framework also expressly links the Bylaw to the Trade Waste Discharge Plan, LGWSA 2025, wastewater environmental performance standards, resource consent compliance, risk-based regulation and cost recovery.
Application to premises and tankered waste 2022 Bylaw cl 3	Draft Bylaw 2027: cls 3, 9 and 12 Draft Plan: Scope and Application; Transport of Trade Waste	Split between the enforceable application of the Bylaw and the broader scope of the Plan. The Bylaw applies to trade waste discharged or proposed to be discharged to the public wastewater network, including tankered waste. The Plan explains the premises, networks and approved discharge locations covered by the framework.

2022 Bylaw provisions	Where it sits in the proposed framework	Reallocation and explanation
Interpretation and definitions 2022 Bylaw cl 5	Draft Bylaw 2027: cl 3.3 and Schedule 4 Draft Plan: Appendix A (Definitions and Interpretation)	Reallocated to schedules/definitions in the proposed framework and updated for LGWSA 2025 terminology. Definitions such as Trade Waste, Tankered Waste, Compliance Officer, Trade Waste Permit, Trade Waste Premises and Trade Waste Discharge Plan have been updated or added to align the Plan, Bylaw and permits.
Relationship with explanatory material and other bylaws 2022 Bylaw cls 5.3-5.6 and explanatory notes	Draft Bylaw 2027: cls 3.3, 4.3 and 4.4 Draft Plan: Relationship between the Plan, Bylaw and permits; Strategic alignment	Updated. The proposed Bylaw keeps explanatory/advice/guidance notes non-operative and confirms that the Bylaw should be read with the Act, the Plan and any applicable permit. The Plan now explains the relationship between strategic direction, enforceable bylaw requirements, permit conditions and operational guidance.
Discharges that are not allowed 2022 Bylaw cl 6.1	Draft Bylaw 2027: cl 10.1 Draft Plan: Trade Waste Management, Monitoring and Enforcement Framework; Wastewater Quality and Monitoring Requirements	Substantive prohibitions are retained in the Bylaw. These include prohibitions on trade waste discharges to stormwater, unauthorised discharges to wastewater, dilution using potable/condensing/cooling water, and stormwater entering trade waste. The Plan provides the risk and monitoring context.
Leakage, spillage, accidental discharge and incident reporting 2022 Bylaw cls 6.2-6.3	Draft Bylaw 2027: cls 10.2-10.3 Draft Plan: Trade Waste Management, Monitoring and Enforcement Framework; Information, Monitoring and Record Keeping; operational incident procedures	Retained and strengthened. The proposed Bylaw requires immediate phone notification and, in any event, notification no later than 24 hours after becoming aware of the incident, followed by a written incident report within 10 working days. The Plan supports this through monitoring, record-keeping and enforcement processes.
Storage, transportation and handling of hazardous substances 2022 Bylaw cl 7	Draft Bylaw 2027: cl 11 Draft Plan: Business Risk Assessment and Management Controls; Information, Monitoring and Record Keeping; Appendix D (risk assessment factors)	Retained as an enforceable Bylaw requirement. Supporting risk management, record-keeping and monitoring expectations are now better explained in the Plan and may also be reflected in permit conditions or operational procedures.

2022 Bylaw provisions	Where it sits in the proposed framework	Reallocation and explanation
General pre-treatment requirements 2022 Bylaw cls 8.1-8.2	Draft Bylaw 2027: cl 22 Draft Plan: Pre-Treatment and Operational Controls; Trade Waste Management, Monitoring and Enforcement Framework Permits: site-specific pre-treatment conditions	Reorganised. General pre-treatment has moved from a standalone early part of the 2022 Bylaw to Part Four of the proposed Bylaw. The Bylaw retains the power to require pre-treatment, while the Plan explains when pre-treatment may be needed and permits apply specific requirements.
Food premises, grease risks and permanent sink screens 2022 Bylaw cls 8.3 and 8.5	Draft Bylaw 2027: cls 23 and 24 Draft Plan: Pre-Treatment and Operational Controls; Appendix H sector guidance Permits/approvals: maintenance and servicing requirements	Retained and streamlined. Food premises requirements now sit together with the grease interceptor provisions. The Plan provides sector guidance and explains typical pre-treatment and management controls.
Amalgam traps for dental premises 2022 Bylaw cl 9	Draft Bylaw 2027: cl 25 Draft Plan: Appendix H; Pre-Treatment and Operational Controls Permits: maintenance and disposal records	Retained as an enforceable Bylaw requirement, with record-keeping and disposal expectations able to be supported through permit conditions and operational guidance.
Grease interceptors 2022 Bylaw cl 10	Draft Bylaw 2027: cl 24 Draft Plan: Pre-Treatment and Operational Controls; Appendix H Permits/approvals: cleaning frequency, contractor and maintenance records	Retained and updated. The proposed Bylaw continues to prohibit grease trap converters or mechanical removal systems and retains requirements for cleaning, approved contractors and inspection. Some operational detail is supported through the Plan, permits and guidance.
General classification of trade waste 2022 Bylaw cl 11	Draft Bylaw 2027: cl 5 Draft Plan: Appendix C; Trade Waste Management, Monitoring and Enforcement Framework	Simplified. The 2022 Bylaw used Permitted, Controlled, Conditional and Prohibited categories. The proposed Bylaw uses Permitted, Conditional, Prohibited and Tankered categories, with risk-based management and monitoring explained in the Plan.

2022 Bylaw provisions	Where it sits in the proposed framework	Reallocation and explanation
Permitted Trade Waste 2022 Bylaw cl 12	Draft Bylaw 2027: cl 6 and Schedule 1 Draft Plan: Appendix C; Trade Waste Management, Monitoring and Enforcement Framework	Retained. Permitted Trade Waste may be discharged without a permit if it complies with Schedule 1 and does not contain Prohibited Trade Waste. The Plan explains the lower-risk management approach, while the Bylaw keeps the enforceable criteria.
Controlled Trade Waste 2022 Bylaw cl 13 and definition	Draft Bylaw 2027: cls 5 and 7 (classification); cls 31.2 and 31.4 (existing Controlled permits) Draft Plan: Appendix C (trade waste categories); risk categorisation framework Permits: Conditional Trade Waste permits	Controlled is removed as a separate class. Under cl 31.4, existing Controlled permits expire at their stated expiry and are re-issued as Conditional permits. The general transition clause 31.2 also applies.
Conditional Trade Waste 2022 Bylaw cl 13	Draft Bylaw 2027: cl 7 and Part Three permit provisions Draft Plan: Trade Waste Management, Monitoring and Enforcement Framework; Appendix H	Retained and broadened. Conditional Trade Waste remains the main permit-based category for discharges that do not meet permitted criteria but are not prohibited. The Plan provides industry guidance and risk factors, while the Bylaw contains the enforceable permit requirement.
Prohibited Trade Waste 2022 Bylaw cl 14	Draft Bylaw 2027: cl 8 and Schedule 2 Draft Plan: Appendix C; Enforcement Framework	Retained. Prohibited Trade Waste must not be discharged and no permit may be issued for it. The Plan explains the management approach and enforcement context.
Tankered Waste 2022 Bylaw cl 15	Draft Bylaw 2027: cl 9 Draft Plan: Transport of Trade Waste Permits/approvals/operational procedures: carrier approvals, WasteTrack, discharge site conditions	Retained and expanded. The proposed framework gives tankered and transported waste a clearer place in both the Bylaw and the Plan. The Bylaw contains enforceable controls for approved sites, WasteTrack records, source information, testing and refusal of loads; the Plan explains transport requirements, carrier controls and operational expectations.
Permit application requirements 2022 Bylaw cl 16	Draft Bylaw 2027: cl 13 Draft Plan: Trade Waste Management, Monitoring and Enforcement Framework; Appendix F application checklist Operational material: application forms	Reallocated across the framework. The Bylaw retains the core application requirement, including applications for Conditional Trade Waste, tankered waste and variations. The Plan and application checklist explain the information likely to be required, while forms can sit outside the Bylaw.

2022 Bylaw provisions	Where it sits in the proposed framework	Reallocation and explanation
Consideration of permit applications 2022 Bylaw cl 17	Draft Bylaw 2027: cl 14 Draft Plan: Appendix D (Risk assessment factors); Trade Waste Management, Monitoring and Enforcement Framework	Retained and updated. The Bylaw keeps detailed decision-making criteria and now includes an advice note on internal review and appeal rights under ss 191-197 of the LGWSA 2025. The Plan provides the risk-based assessment context.
Permit conditions 2022 Bylaw cl 18.1 and Schedule 3	Draft Bylaw 2027: cl 15 and Schedule 3 Draft Plan: Trade Waste Management, Monitoring and Enforcement Framework; Permit conditions; Appendix E (operational documents) Permits: site-specific conditions	Clause 15 and Schedule 3 set out possible permit conditions, including controls for home-based, food and mobile premises and carriers. Individual permits specify applicable site-specific conditions.
Mass limits and allocation of wastewater treatment/network capacity 2022 Bylaw cl 18.2	Draft Bylaw 2027: cl 15.2 and permit conditions Draft Plan: Wastewater Quality and Monitoring Requirements; Infrastructure and Capacity Considerations	Retained in substance but framed more simply in the Bylaw. The Plan now carries more of the strategic context about treatment capacity, contaminant load, infrastructure constraints and growth planning.
Flow or volume metering 2022 Bylaw cl 19	Draft Bylaw 2027: cl 16 Draft Plan: Information, Monitoring and Record Keeping; Wastewater Quality and Monitoring Requirements Permits: metering conditions and reporting intervals	Retained. Metering remains an enforceable permit-based tool, with monitoring and reporting expectations supported by the Plan and permit conditions.
Duration of permit 2022 Bylaw cl 20	Draft Bylaw 2027: cl 17 Draft Plan: Implementation Plan; permit administration processes	Retained. The maximum five-year permit term is retained, with the Bylaw setting enforceable requirements and the Plan supporting staged implementation and permit administration.
Permit variation at Council initiative 2022 Bylaw cl 21	Draft Bylaw 2027: cl 19 Draft Plan: Permit conditions; Implementation Plan; monitoring and review	Retained. Council can vary permit conditions where necessary to address changes in discharge characteristics, network conditions, resource consent obligations or other legal requirements. The Plan provides the implementation and monitoring context.

2022 Bylaw provisions	Where it sits in the proposed framework	Reallocation and explanation
Suspension or cancellation of right to discharge 2022 Bylaw cl 22	Draft Bylaw 2027: cl 20 Draft Plan: Enforcement Framework	Retained and reframed as suspension of discharges or cancellation of permits on notice. Grounds remain focused on permit breach, failure to maintain control, bylaw non-compliance, serious risk, failure to provide or comply with a Discharge Management Plan, unpaid fees and prohibited discharges. The Plan explains how this sits within a graduated enforcement approach.
Disconnection 2022 Bylaw cl 23	Draft Bylaw 2027: cl 21 Draft Plan: Enforcement Framework Operational procedures: disconnection process and cost recovery	Retained with an added safeguard. The proposed Bylaw allows disconnection following suspension or cancellation, provided disconnection will not create unsanitary conditions at the premises. Cost recovery is also expressly addressed.
Sampling and monitoring 2022 Bylaw cl 24	Draft Bylaw 2027: cl 26 Draft Plan: Wastewater Quality and Monitoring Requirements; Information, Monitoring and Record Keeping; Appendix D (Risk assessment factors)	Retained and expanded. The Bylaw provides the enforceable basis for sampling, testing, monitoring, audits, inspections, information requests and records. The Plan explains how monitoring will be risk-based and used to support compliance and future permitting decisions.
Fees and charges 2022 Bylaw cl 25	Draft Bylaw 2027: cl 27 Draft Plan: Fees and Charges Other: Council Schedule of Fees and Charges; permits	Retained and updated. The proposed Bylaw now refers to s 258(3) of the LGWSA 2025 and s 150(1)-(4) of the LGA 2002. Ordinary fees, additional charges, penalty fees and fee payment obligations are distinguished from infringement fees.
Transfer or termination of rights and responsibilities 2022 Bylaw cl 26	Draft Bylaw 2027: cl 18 Draft Plan: Implementation Plan; permit administration processes	Retained. Transfer, termination, change of occupier, notice of disconnection, final invoicing and waiver/remission matters remain in the Bylaw. The Plan supports administration and transition arrangements.
Offences and breaches 2022 Bylaw cl 27	Draft Bylaw 2027: cls 28- 30; Schedules 5 and 6 (infringement notice and reminder) Draft Plan: Trade Waste Management, Monitoring and Enforcement Framework; Fees and Charges	Reallocated and expanded to align with the LGWSA 2025. The Bylaw now separates general offences/breaches, infringement offences, infringement fees, notice forms and compliance/enforcement powers. The Plan explains the graduated enforcement approach and flags that infringement fees will need to be justified in consultation material.

2022 Bylaw provisions	Where it sits in the proposed framework	Reallocation and explanation
Repeals, savings and transitional provisions 2022 Bylaw cl 28	Draft Bylaw 2027: cls 31.1–31.4 Draft Plan: Implementation Plan; Appendix G (matters requiring confirmation before final adoption)	Clause 31 saves existing permits, exemptions and approvals to their expiry (or 12 months if undated), carries forward pending applications, and provides for Controlled permits to be re-issued as Conditional (cl 31.4).
Schedule 1: Permitted Discharge Characteristics 2022 Bylaw Schedule 1	Draft Bylaw 2027: Schedule 1 Draft Plan: Wastewater Quality and Monitoring Requirements; Appendix D (risk assessment factors)	Schedule 1 sets the proposed Permitted Trade Waste characteristics and volume thresholds. The Plan provides monitoring and risk guidance, with site-specific limits applied through permits where relevant.
Schedule 2: Prohibited Characteristics 2022 Bylaw Schedule 2	Draft Bylaw 2027: Schedule 2 Draft Plan: Appendix C (trade waste categories); Trade Waste Management, Monitoring and Enforcement Framework	Retained as an enforceable schedule. Prohibited characteristics remain in the Bylaw, with the Plan explaining why these discharges present unacceptable risk and how non-compliance will be managed.
Schedule 3: General Conditions for Trade Waste Permits 2022 Bylaw Schedule 3	Draft Bylaw 2027: Schedule 3 Draft Plan: Permit conditions; Appendix E operational documents Permits: site-specific conditions	Schedule 3 retains general permit-condition options and includes possible controls for home-based, food, mobile and carrier activities, to be applied through individual permits.
B. New material in the proposed framework with no direct 2022 Bylaw equivalent		
Trade Waste Discharge Plan as a statutory instrument No direct equivalent in 2022 Bylaw	Draft Plan: whole document, especially Executive Summary, Relationship between the Plan, Bylaw and permits, and Legislative and Regulatory Framework Draft Bylaw 2027: gives effect to the Plan	New. The LGWSA 2025 requires Council to prepare and issue a Trade Waste Discharge Plan. The Plan now sets the strategic and operational framework, while the Bylaw contains enforceable requirements and permits provide site-specific controls.

2022 Bylaw provisions	Where it sits in the proposed framework	Reallocation and explanation
Current state assessment and trade waste inventory No direct equivalent in 2022 Bylaw	Draft Plan: Current State Assessment; Implementation Plan; Monitoring, Review and Continuous Improvement	New Plan material. This provides an evidence base for risk categorisation, permitting priorities, monitoring, compliance and infrastructure planning.
Trade Waste Separation Programme No direct equivalent in 2022 Bylaw	Draft Plan: Trade Waste Separation Programme Draft Bylaw 2027: relevant permit, pre-treatment and monitoring powers support implementation where needed	New strategic material. The programme considers whether higher-risk or higher-strength trade waste streams should be separated, diverted, monitored or managed closer to source over time. It does not replace permits, pre-treatment, monitoring or compliance controls.
Infringement offence regime and prescribed forms No direct equivalent in 2022 Bylaw	Draft Bylaw 2027: cl 29 and Schedules 5 and 6 Draft Plan: Trade Waste Management, Monitoring and Enforcement Framework; Fees and Charges Statement of Proposal: What is changing (proposed fees and consultation feedback)	Clause 29 identifies infringement offences and proposes fees of $1,000 for individuals and $3,000 for bodies corporate. Schedules 5 and 6 contain notice forms. The SOP invites feedback on the proposed fee amounts.
Penalty fees for permit non-compliance No clear equivalent in 2022 Bylaw	Draft Bylaw 2027: cls 27.2-27.3 Draft Plan: Fees and Charges; penalty fees and non-compliance costs Permits: relevant permit condition and fee trigger	Newly clarified. The proposed Bylaw now sets out when a penalty fee may be imposed for non-compliance with a permit condition and confirms that penalty fees are separate from infringement fees.
Stakeholder engagement and implementation readiness No direct equivalent in 2022 Bylaw	Draft Plan: Stakeholder Engagement; Implementation Plan; Appendix E (operational documents) and Appendix G (pre-adoption matters) Operational material: forms, templates, delegations, procedures and customer guidance	New Plan material. These matters support consultation and implementation rather than creating standalone enforceable obligations in the Bylaw.

14. Appendix 2 – Draft Trade Waste Bylaw 2027

15. Appendix 3 – Draft Trade Waste Discharge Plan 2027

16. Appendix 4 – FAQs for Businesses and Permit Holders

What are the main differences between the current bylaw and the proposed bylaw?	The proposed bylaw updates the current framework to align with the Act. It provides clearer permit triggers, updated permit conditions, clearer tankered and transported waste controls, updated accidental discharge notification requirements, updated monitoring and compliance provisions, and clearer transitional arrangements.
Will my current trade waste permit still be valid?	Yes. Existing permits and approvals or exemptions will remain valid until their stated expiry date. Where no expiry date is specified, they will expire 12 months after the new Bylaw commences. Renewals will be considered under the new Bylaw.
Will it be more difficult to get a permit?	The proposal is intended to make the permit framework clearer and more consistent, rather than create unnecessary barriers. Permit requirements will be proportionate to the nature, scale and risk of the discharge. Higher-risk discharges may require more information or more specific conditions than lower-risk discharges.
Is the permit application process changing?	The proposed bylaw is intended to clarify when a permit is required, what information may be needed, what conditions may be imposed, and what review and appeal rights apply if an application is declined.
Will I have to do more reporting or monitoring?	This will depend on the nature and risk of the discharge. The proposed framework supports risk-based monitoring, so higher-risk discharges may be subject to greater oversight, while lower-risk discharges should not be over-regulated.
Will it cost more?	Ordinary trade waste fees and charges will continue to be set through Council's usual processes. The Draft Bylaw proposes infringement fees of $1,000 for individuals and $3,000 for bodies corporate for specified offences. These amounts represent the maximum infringement fees permitted under the Local Government (Water Services) Act 2025 and would only apply where specified breaches of the Bylaw occur. Council welcomes feedback on the proposed infringement fees.

17. Appendix 5 – Submission Form

(Insert logo)

Statement of Proposal:

- Proposed Trade Waste Discharge Plan 2027 and Proposed Trade Waste Bylaw 2027

Manawatū District Council is seeking feedback on the Draft Trade Waste Discharge Plan 2027 and the Draft Trade Waste Bylaw 2027.

Submissions must be received by 5pm on 18 April 2027.

Late submissions may not be accepted.

Submissions may be made public as part of Council's decision-making process. Your name and submission may be included in Council reports and made available to elected members, the media and the public. Personal contact details will be managed in accordance with Council's usual privacy processes.

How to make a submission

Online: Home | Make your mark Manawatū

Email: submissions@mdc.govt.nz Please use the subject line "Proposed Trade Waste Discharge Plan and Trade Waste Bylaw submission".

Post: Manawatū District Council, Private Bag 10001, Feilding 4743, New Zealand

Hand deliver: Manawatū District Council, 135 Manchester Street, Feilding

Your details

First name: _____**Last name:**_____

Organisation (*if applicable)***:** _____

Postal address: _____

Email address: _____ **Phone number:** _____

Would you like to speak to Council in support of your submission?

☐ Yes ☐ No

If you tick yes, Council will contact you after submissions close to arrange a speaking time. If you do not tick a box, Council will assume that you do not wish to be heard.

Your submission

Draft Trade Waste Discharge Plan 2027

Do you support the Draft Trade Waste Discharge Plan 2027?

☐ Yes ☐ Yes, with changes ☐ No ☐ Neutral / no position

Please tell us what you support, oppose, or would like changed. Where possible, refer to the relevant part of the Draft Trade Waste Discharge Plan and explain the change you are seeking.

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Additional comments on the Draft Trade Waste Discharge Plan 2027

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Draft Trade Waste Bylaw 2027

Do you support the Draft Trade Waste Bylaw 2027?

☐ Yes ☐ Yes, with changes ☐ No ☐ Neutral / no position

Please tell us what you support, oppose, or would like changed. Where possible, refer to the relevant clause or schedule of the Draft Trade Waste Bylaw and explain the change you are seeking.

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Additional comments on the Draft Trade Waste Bylaw 2027

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Remember: your submission must reach Council by 5pm on 18 April 2027.

Thank you for your feedback.