

TRADE WASTE BYLAW 2026



Bylaw Name and Date

Approved by:	The Council		
Date approved:			
Date of effect:		Reviewed:	
Next review date:	2036	DOC ID:	

This bylaw is made under the authority of the Local Government (Water Services) Act 2025.

1. APPLICATION

- 1.1. This bylaw applies to any person discharging, applying to discharge, or declined a permit to discharge, trade waste to the Council wastewater network.

2. PURPOSE

- 2.1. The purpose of this bylaw is to control the discharge of trade waste into the wastewater network to:
- (a) Protect the health, safety and wellbeing of the public and people working in the wastewater network, from potential adverse effects of contaminants discharged to the wastewater network;
 - (b) Protect the wastewater network from misuse or damage and provide for efficient and effective management and operation of the wastewater network;
 - (c) Protect the environment from adverse effects of contaminants discharged to the wastewater network;
 - (d) Assist the Council to comply with Resource Management Act 1991 requirements for discharge of contaminants to the environment; and
 - (e) Provide a framework for trade waste permits that will provide a basis for monitoring trade waste discharges and for charging trade waste dischargers costs to cover conveying, treating and disposing of or reusing their wastes.

3. DEFINITIONS

- 3.1. In this bylaw, unless the context otherwise requires:

Act	Means the Local Government (Water Services) Act 2025 (and any amendments).
Approval approved	or Means approval or approved in writing by the Council.
Biosolids	Means settled material collected at a Council wastewater treatment plant that has been treated and/or stabilised.

Characteristic	Means any of the physical, biological or chemical features of trade waste including those described in Schedules A and C of the Trade Waste Discharge Plan.
Compliance officer	Means a person appointed by the Council under section 278 of the Act, and as an enforcement officer under section 177 of the Local Government Act 2002.
Condensing water or coolant	Means any water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter into solution or suspension.
Conditional trade waste	Means trade waste that has, or is likely to have, characteristics which exceed any of the characteristics defined in Schedule A of the Trade Waste Discharge Plan, but which does not have any prohibited characteristics as defined in Schedule 1 of this bylaw. Conditional trade waste may require pre-treatment prior to discharge and conditions may be included in the permit.
Contaminant	Means any substance (including gases, odorous compounds, liquids, solids and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat, when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water.
Contaminated stormwater	Means any stormwater containing a contaminant from a trade waste premises or from industrial or trade activity, that is not accepted for discharge to the stormwater network.
Controlled trade waste	For the avoidance of doubt, this includes trench water - which is groundwater, surface water, or stormwater that collects in a trench, ditch or depression during earthworks, construction, or road works. Means a trade waste that meets the characteristics defined in Schedule A of the Trade Waste Discharge Plan without pre-treatment.
Council	Means the Dunedin City Council, inclusive of its officers and/or authorised agents.
Discharge	Means to emit, deposit, or allow to escape.
Discharger	Means any person that discharges trade waste into the wastewater network.
Domestic wastewater	Is the discharge from fixtures or appliances generally intended for hygiene purposes, including toilets, showers, baths, kitchen and bathroom sinks, dishwashers and domestic washing machines, where that discharge is from: (a) property used solely for residential purposes; or (b) any other property, self-contained vehicle, septic tank or portable toilet, provided it does not contain any other contaminant generated from an industrial, commercial or trade activity.
Hazardous material	Means raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials, or any material which when mixed with the wastewater stream is likely to generate toxic, flammable, explosive or corrosive materials or any other material likely to be deleterious to

the wastewater network or the health and safety of Council staff and the public; or any hazardous substance as defined in the Hazardous Substances and New Organisms Act 1996.

Infringement fee	In relation to an infringement offence, means the infringement fee for the offence specified in this bylaw made under the Act.
Infringement offence	Means an offence that is identified in this bylaw as being an infringement offence.
LGA	Means the Local Government Act 2002 (and any amendments).
Management plan	Means a plan for management of trade waste generating activities which may be required as part of an application for a trade waste permit and / or as a condition of a trade waste permit.
Mass limits	Means the total mass of any characteristic that may be discharged to the wastewater network over any 24-hour period, or as Council may determine from time to time, from any single point of discharge or collectively from several points of discharge.
Permit OR Trade waste permit	Means a trade waste permit issued by the Council in accordance with this bylaw and section 190 of the Act authorising a person to discharge trade waste to the wastewater network, subject to conditions for the discharge. For the purpose of clauses 10.5 and 10.6 of this bylaw a permit includes a trade waste consent approved or continued under the Dunedin City Council Trade Waste Bylaw 2020. Explanatory note: Other Council material may also describe what is now a trade waste permit under this bylaw as a trade waste consent. Council systems will be updated over time to reflect the new terminology.
Permit holder	Is the person to whom a trade waste permit has been granted and includes any person who acts under the trade waste permit with the express or implied permission of the permit holder.
Person	Means a natural person, and includes a corporation sole, a body corporate and an unincorporated body.
Point of discharge	Means the boundary between the wastewater network and a private drain, but for the purposes of monitoring, sampling and testing, it may be an alternative point, as specified in the trade waste permit.
Premises OR Trade waste premises	Means any land or premises used, or intended to be used, for— (a) an industrial, commercial, or trade purpose; or (b) storing, transferring, treating, or discharging trade waste.
Pre-treatment	Means any processing of trade waste designed to reduce or vary any characteristic before discharge to the wastewater network in order to comply with the trade waste permit.

Prohibited trade waste	Means a trade waste that contains, or is likely to contain, prohibited characteristics as defined in Schedule 1 to this bylaw. The waste is not acceptable for discharge into Council’s wastewater network.
Specified serious risk	Has the same meaning as in section 256 of the Act, namely, a serious risk of, or to, any of the following relating to the delivery of water services: (a) Illness, injury or death (b) Public health (c) The natural or built environment (d) Water services infrastructure (e) Sites of cultural significance
Stormwater	Means all surface water run-off resulting directly or indirectly from precipitation. For the purposes of this bylaw, this definition excludes contaminated stormwater.
Stormwater network	(a) means the water services infrastructure and processes that are— (i) used to provide a stormwater service; and (ii) owned by, or operated by, for, or on behalf of, a water service provider; and (b) includes any of the following that receives stormwater from, or conveys stormwater to, the infrastructure referred to in paragraph (a): (i) an overland flow path; (ii) green water services infrastructure; and (iii) a watercourse.
Tankered waste	(a) means water or other liquid, including waste matter in solution or suspension, that is conveyed by vehicle for disposal; but (b) does not include domestic wastewater that is discharged directly from houses, caravans, buses, or similar vehicles.
Trade waste	(a) means— (i) any waste that is produced in the course of an industrial, commercial, or trade process or operation, or in a related process or operation, and discharged into a wastewater network; and (ii) any tankered waste; and (iii) any contaminated stormwater(including trench water); but (b) does not include any class of waste or material that has been specified not to be trade waste by the Trade Waste Discharge Plan (e.g. domestic wastewater).
Trade Waste Discharge Plan	Means the Trade Waste Discharge Plan 2026, made by the Council under s185 of the Act.

Wastewater	Means water or other liquid, including waste matter in solution or suspension, discharged into the wastewater network.
Wastewater network	Means the infrastructure and processes that are— (a) used to provide a wastewater service; and (b) owned by, or operated by, for, or on behalf of the Council.
Working day	Means any day of the week, other than: (a) A Saturday, a Sunday, Waitangi Day, Otago Anniversary Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Matariki Observance Day, Labour Day; and (b) A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.

- 3.2. Part 2 of the Legislation Act 2019 applies to the interpretation of this bylaw.
- 3.3. Every schedule to this bylaw forms part of the bylaw.
- 3.4. Explanatory notes are not part of this bylaw, and the Council may add, amend or delete explanatory notes at any time without amending this bylaw.

EXPLANATORY NOTE: Explanatory notes are used to explain the intent of a clause in less formal language and/or to include additional helpful information.

4. RESTRICTIONS ON DISCHARGES OF TRADE WASTE

- 4.1. Any person that discharges, or proposes discharging, trade waste to the wastewater network, must obtain approval from the Council through the granting of a trade waste permit.

EXPLANATORY NOTE:

In accordance with s190(4) of the Act, a trade waste permit may only authorise trade waste to be discharged into a wastewater network—

- (a) from trade waste premises specified in the permit; or
- (b) by a person, specified in the permit, that transports trade waste

- 4.2. Unless expressly allowed by a trade waste permit no person may:
- (a) Discharge, or allow to be discharged, any trade waste into the wastewater network;
 - (b) Discharge, or allow to be discharged, any contaminated stormwater into the wastewater network;
 - (c) Discharge, or allow to be discharged, any trade waste or wastewater from their premises that is delivered to their premises from another person or premises into the wastewater network; or

- (d) Alter trade waste to be discharged to the wastewater network by:
 - (i) using refuse or garbage grinders, or macerators;
 - (ii) adding, or allowing the addition of potable water, stormwater, condensing water or coolant to trade waste; or
 - (iii) otherwise diluting trade waste.
- 4.3. Trade waste permits will not be issued for the prohibited activities outlined in Schedule 1 of this bylaw.
- 4.4. Any person that has discharged, or is discharging, trade waste into the wastewater network in a manner that contravenes a provision of this bylaw, a trade waste permit (including any condition imposed on a permit, or provision or requirement of a management plan), or is contrary to the Trade Waste Discharge Plan, must:
 - (a) Stop the discharge;
 - (b) As soon as practicable, notify the Council of the characteristics, estimated volume, timing and location of the discharge;
 - (c) Provide a report to the Council within three (3) working days of the discharge occurring; and
 - (d) Pay to the Council any applicable penalty fees.
- 4.5. The Council may:
 - (a) Refuse to accept any classification of trade waste discharge; and
 - (b) Cease accepting any trade waste discharge.

5. STORAGE, TRANSPORT, HANDLING AND USE OF HAZARDOUS MATERIALS

- 5.1. Any person must take all reasonable steps to prevent the accidental entry of any hazardous materials into the wastewater network as a result of leakage, spillage or other mishap.
- 5.2. No person will cause or allow any hazardous materials to be stored, transported, handled or used, in a manner that may cause the material to enter the wastewater network and cause harmful effects.

6. TRADE WASTE CLASSIFICATION

- 6.1. All trade wastes will be classified by the Council into the following categories:
 - (a) Conditional (Category A) – Significant industry, major discharges, generates more than 5m³ per day of trade waste; may effect on-going network operation and/or the quality of the treated effluent that is discharged, and/or may require pre-treatment;
 - (b) Conditional (Category B) – Minor discharges with pre-treatment;
 - (c) Controlled (Category C) – Flows and contaminant loads below set baseline limits in Schedule A of the Trade Waste Discharge Plan without pre-treatment or approval to exceed limits is required;
 - (d) Tankered waste; or
 - (e) Prohibited.

Explanatory Note:

Characteristics of trade waste classified as 'controlled' are outlined in Schedule A of the Trade Waste Discharge Plan.

Characteristics of trade waste classified as 'prohibited' are outlined in Schedule 1 of this bylaw and Schedule C of the Trade Waste Discharge Plan.

7. TRADE WASTE PERMIT

Application

- 7.1. On receipt of any application for a trade waste permit or to vary an existing permit, Council may:
- (a) Require the applicant to submit any additional information it considers necessary to reach an informed decision or accurate classification;
 - (b) Require an application to be supported by an independent report/statement completed by a suitably experienced external auditor to verify any or all information supplied by the applicant;
 - (c) Require the applicant to submit a management plan; and
 - (d) Whenever appropriate have the discharge monitored as provided for in clauses 8.1-8.6 of this bylaw.
- 7.2. When determining whether to approve an application for a trade waste permit, the Council will take into consideration any matters it considers relevant. Matters to be considered are outlined in the Trade Waste Discharge Plan.

Explanatory note:

All trade waste permits must be consistent with any relevant wastewater environmental performance standard made under s138 of the Water Services Act 2021 (see s190(3)).

- 7.3. Where the applicant for a trade waste permit is an occupier but not the owner of the property, the Council may also discuss the application with the owner of the property.
- 7.4. Where a trade waste premises has separate points of discharge from more than one area, a separate copy of the description of the trade waste and premises must be included in applications for permits in respect of each area. This applies whether the discharges from each area are part of one process or separate processes.
- 7.5. Where trade waste is produced from more than one process on the trade waste premises, details of each process and the associated trade waste produced must be included in any application for a trade waste permit.
- 7.6. The Council may grant or refuse an application for a trade waste permit.

Explanatory note:

Section 191 of the Act provides that a person whose application to the Council for a trade waste permit is declined may apply to the Council for an internal review of that decision (the original decision).

A person who applies for an internal review must do so:

(a) no later than:

(i) 20 working days after the day on which the original decision first came to the person's notice; or

(ii) any later date that the Council allows; and

(b) in the manner and form required by the Council.

Nothing in this note affects any right of appeal or review, including any internal review process, available under the Act.

- 7.7. Except where a trade waste permit is suspended or cancelled under this bylaw, a trade waste permit remains in force until it expires at the end of the term prescribed in the permit.

Change in circumstances

- 7.8. Any person who does, proposes to, or is likely to:

(a) vary the characteristics of a trade waste discharge that is regulated by an existing permit;

(b) change the method or means of pre-treatment for the discharge of trade waste under an existing permit; or

(c) vary any of the conditions imposed on a trade waste discharge permit;

must apply to the Council for a new trade waste permit or apply for a variation to the existing permit.

Explanatory note:

Where significant change to a permit is proposed, a new permit application will likely be required.

Where only minor change is sought, a variation to the existing permit may be acceptable.

The permit holder should discuss the proposed changes with DCC trade waste officers to receive advice on the course of action required.

Conditions of permits

- 7.9. When granting any trade waste permit, the Council may specify any requirements, conditions, and limits that the permit holder must satisfy before discharging trade waste into a wastewater network or transporting trade waste, including:
- (a) requirements relating to the storage, handling, treatment, or discharge of trade waste;
 - (b) notification requirements (for example, notification requirements relating to unintended or accidental discharge of trade waste, whether into a wastewater network, a stormwater network, or the environment);
 - (c) volumetric requirements, conditions, or limits;
 - (d) contaminant requirements, conditions, or limits;
 - (e) treatment requirements or conditions;
 - (f) measurement or monitoring requirements;
 - (g) laboratory testing requirements;
 - (h) qualification, training, or supervision requirements;
 - (i) requirements relating to unique identifiers (for example, a code that enables an entity to identify particular trade waste premises or a vehicle used to transport trade waste);
 - (j) record-keeping, audit, and inspection requirements;
 - (k) a requirement to pay a fee or a charge;
 - (l) a requirement to prepare and comply with a management plan;
 - (m) the term of the permit;
 - (n) other conditions considered reasonably necessary;
 - (o) requirements for tankered waste.
- 7.10. The matters that may be imposed as conditions of any trade waste permit are outlined in more detail in the Trade Waste Discharge Plan.
- 7.11. A trade waste permit will be issued in the name of the permit holder. The permit holder will not, unless written approval is obtained from the Council:
- (a) allow a point of discharge to serve another premises, or the private drain to that point of discharge to be extended by pipe or any other means to serve another premises; or
 - (b) in particular and not in limitation of the above, allow trade waste from any other party to be discharged at their point of discharge, or anywhere within their premises.

Transferring a permit

- 7.12. A permit holder will not, unless written approval is obtained from the Council, transfer to any other person, the rights and responsibilities provided for under this bylaw and under their permit and this bylaw.
- 7.13. A permit holder may apply to the Council to transfer the whole of their interest in that trade waste permit to any other owner or occupier of the premises (the transferee), where substantially the same activity with the same characteristics is being carried out and the transferee agrees to the transfer.
- 7.14. An application to transfer must be made in writing to Council on the prescribed form no less than five (5) working days prior to the required transfer of that trade waste permit.
- 7.15. The Council may grant or refuse an application for transfer of a trade waste permit.
- 7.16. A transfer has no effect until Council approval is given to the transferee.

Review of permit by Council

- 7.17. The Council may review a trade waste permit at any time, including in the following circumstances:
- (a) Failure to comply with a condition of a trade waste permit, including a failure to comply with or implement any requirements set in a management plan;
 - (b) Failure to maintain effective control over the trade waste discharge;
 - (c) Development and availability of any new control and treatment technologies;
 - (d) A change in the characteristics or the classification of the trade waste discharge;
 - (e) If new information on the trade waste discharge becomes available, which was not known to the Council at the time it granted the trade waste permit;
 - (f) Any change in the Council's legal requirements to discharge contaminants from the wastewater network (i.e. resource consents), or other relevant legislative requirements; or
 - (g) To manage mass limits of organic waste (BOD₅ limits).
- 7.18. Following the completion of a review under clause 7.18, the Council may, by decision in writing:
- (a) Allow the trade waste permit to continue unchanged;
 - (b) Vary the conditions of the trade waste permit;
 - (c) Suspend the trade waste permit for a specified period; or
 - (d) Cancel the trade waste permit.

Termination of permit

- 7.19. The permit holder will give at least two working days' notice in writing to the Council of their requirement for disconnection of the discharge connection and/or termination of the trade waste permit, except where demolition or relaying of the discharge drain is required or the permit is for a Conditional (Category A) classified discharge, in which case the permit holder will give at least 10 working days' notice in writing to the Council.
- 7.20. When a permit holder ceases to occupy a trade waste premises and has not transferred the permit to any other person under clauses 7.12-7.16, the permit will be terminated, but the termination does not relieve the permit holder from any obligations existing at the date of termination. The permit holder is liable for any trade waste charges until the period of notice required under clause 7.19 is completed or the discharge ceases (whichever is the latter). The permit holder will notify the Council of the new address details for final invoicing.

8. Monitoring

- 8.1. It is the responsibility of the permit holder to ensure that any discharge from the trade waste premises complies with this bylaw, the Trade Waste Discharge Plan, and the trade waste permit, including any requirement included in a management plan.

- 8.2. The Council may undertake, or require the permit holder to undertake monitoring of any trade waste discharge at a premise or tankered waste vehicle to determine:
- (a) Whether a discharge complies with this bylaw, the Trade Waste Discharge Plan and a trade waste permit (including any conditions or management plans);
 - (b) The classification of the trade waste discharge;
 - (c) Determination of trade waste volumes;
 - (d) Determination of trade waste content; or
 - (e) The calculation of fees and charges that apply.
- 8.3. The sampling, preservation, transportation and analysis of the sample will be undertaken by an authorised officer or agent of the Council, or the permit holder, in accordance with accepted industry standard methods, or by a method specifically approved by the Council. All monitoring fees and charges must be paid by the permit holder.
- 8.4. Where the consent holder disputes the analytical results, the discharger may request that the Council resamples the discharge. All resampling and analysis costs are to be met by the permit holder.
- 8.5. The Council may increase the frequency of its monitoring, if there are reasonable grounds to suspect that a discharge is occurring in a manner that contravenes this bylaw, a Trade Waste Discharge Plan, or a trade waste permit, including any requirement in a management plan.
- 8.6. The Council is entitled to monitor and audit any trade waste discharge for compliance with this bylaw, the Trade Waste Discharge Plan, and the trade waste permit, including any requirement included in a management plan. Monitoring may include any of the following:
- (a) Inspection of the pre-treatment system;
 - (b) Auditing of any plans for the maintenance of the pre-treatment system;
 - (c) Auditing of any trade waste permit conditions including any requirements of a management plans;
 - (d) Inspection of the nature and characteristics of the discharge; or
 - (e) Monitoring carried out by a self-monitoring trade waste permit holder. Analysis will be performed by an International Accreditation New Zealand approved laboratory.

Flow metering

- 8.7. Flow metering may be required by the Council in any of the following circumstances:
- (a) on discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade waste;
 - (b) when the council will not approve a method of flow estimation; or
 - (c) when the discharge represents a significant proportion of the total flow/load received into the wastewater network; or
 - (d) in any case, where Council requires a meter as a condition of the permit for the measurement of the rate or quantity of discharge of trade waste.
- 8.8. The permit holder is responsible for the supply, installation, calibration, reading and maintenance of any meter or devices as required by the Council for the measurement of the

rate or quantity of discharge of trade waste. Any meter or flow devices are subject to the approval of the Council but remain the property of the permit holder.

- 8.9. Records of flow and/or volume must be available for viewing at any time by the Council and must be submitted to the Council at prescribed intervals by the permit holder in a format approved by the Council.
- 8.10. Meters must be located in a position approved by the Council which provides the required degree of accuracy and must be readily accessible for reading and maintenance. The meters must be located in the correct position according to the manufacturer's installation instructions.
- 8.11. The permit holder must arrange for in situ calibration of the flow metering equipment in accordance with *NZS10012:Part 1* upon installation and at least once a year thereafter to ensure its performance. The meter accuracy must be $\pm 10\%$ but with no greater a deviation from the previous meter calibration of $\pm 5\%$. A copy of independent certification of each calibration result must be submitted to the Council.
- 8.12. Should any meter installed for the specific purpose of measuring a trade waste discharge, be found, after being calibrated, to have an error greater than that specified in clause 8.11 as a repeatable measurement, the Council may:
 - (a) make an adjustment to the fee calculation in accordance with previous readings and the permit holder must pay or be credited according to such adjustment; or
 - (b) where the permit holder can explain the reason for the error and establish a reasonable basis for an adjustment, make a reasonable adjustment to the fee calculation.

Estimating discharge volume

- 8.13. Where no meter or similar apparatus is required, the Council may estimate the quantity of the trade waste discharge based on:
 - (a) a proportion of the water supplied to the premises (or other such basis as seems reasonable);
 - (b) previous discharge quantity at a time of similar operating conditions; or
 - (c) the flow measurement during the immediately preceding charging period;provided that in circumstances where a large variation in the actual quantity of discharge from the estimate calculated in this clause may be likely, then the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate.
- 8.14. If these cannot be achieved, then the Council has the right to require installation of a Council approved flow measurement device at the permit holder's expense.
- 8.15. Should any meter or other flow measurement device be out of repair or cease to register, or be removed, Council will estimate the discharge for the period since the previous reading of such meter, (based on the average of the previous 12 months charged to the person discharging) and the consent holder must pay according to such estimate. If, by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the discharge, then Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the permit holder must pay according to such an estimate.

- 8.16. Where in the opinion of the Council, a meter has been tampered with, the Council (without prejudice to the other remedies available) may declare the reading void and estimate the discharge as provided for in clause 8.13.

9. ENFORCEMENT, BREACHES AND INFRINGEMENT OFFENCES

Enforcement

- 9.1. Council may stop accepting trade waste, suspend or cancel a trade waste permit, and/or require remedial action to comply with this bylaw, the Trade Waste Discharge Plan, the trade waste permit and any relevant management plan, or other actions provided for under any legislation, where:
- (a) Any trade waste is discharged in a manner that is contrary to the provisions of this bylaw, the Trade Waste Discharge Plan, a trade waste permit and/or any relevant management plan;
 - (b) The Council considers that the discharge is a threat to the integrity of the wastewater network, the environment, the safety of individuals or public health;
 - (c) The Council considers that the discharge may result in a breach of any of its Resource Management Act 1991 requirements;
 - (d) There is a failure to pay trade waste fees and charges;
 - (e) Failure to maintain effective control over a trade waste discharge;
 - (f) The existence of any circumstances which, in the opinion of the Council, render it necessary in the public interest to cancel the permit; or
 - (g) The permit holder discharges any prohibited substance.

Breaches

- 9.2. Every person who breaches any provision of this bylaw, that is not an offence under the Act or an infringement offence under clause 9.3, commits an offence and is liable on conviction to a fine not exceeding \$500.

Explanatory note:

Offences in the Act relating to the wastewater network and trade waste include those set out in ss312-318 and s324. A person who commits an offence may be liable on conviction to the penalties set out in the Act which, for individuals, range from maximum fines of \$50,000 - \$500,000, and terms of imprisonment not exceeding 2 years, and for a body corporate or unincorporated body a range of maximum fines from \$500,000 to \$3 million.

Infringement offences

- 9.3. A person commits an infringement offence if they:
- (a) discharge trade waste into a wastewater network without a trade waste permit.
 - (b) breach a trade waste permit.

- (c) negligently dispose of materials or substances in, or discharge them into, a wastewater network and that disposal or discharge causes a specified serious risk.
 - (d) connect to, disconnect from, or discharge material or substances into a wastewater network without the authorisation of Council.
 - (e) fail to comply with a direction given by a compliance officer.
 - (f) fail to comply with a compliance order issued under s297 of the Act or an order of the court made under the Act.
- 9.4. A compliance officer may issue an infringement notice for infringement offences under the Act, specified in clause 9.3 of this bylaw.
- 9.5. The infringement notice must be in the form prescribed in Schedule 2 of this bylaw. The form of reminder notice is set out in Schedule 3 of this bylaw.
- 9.6. The infringement fee for infringement offences in clause 9.3 of this bylaw is set at \$1000 for an individual, or \$3000 for a body corporate.

10. BYLAW ADMINISTRATION

Fees and Charges

- 10.1. The Council may prescribe fees and charges for the performance of any function or power or provision of any service under this bylaw in accordance with s258(3) the Act.
- 10.2. Every application for a trade waste permit must be made on the prescribed form and be accompanied by the applicable fee payable, as determined by the Council.
- 10.3. The permit holder is liable to pay for the discharge of trade waste and related services in accordance with the Council's fees and charges and any penalty fee imposed for not complying with the trade waste permit or Trade Waste Discharge Plan.
- 10.4. The Council may:
- (a) Recover costs in accordance with the Act and the LGA; or
 - (b) Recover any costs as provided for in any condition of a trade waste permit.

Explanatory note:

Fees and charges that may be applicable include:

- Application fees for trade waste consents
- Annual fees for trade waste discharges
- Unit rates for volume discharged
- Unit rates for characteristics discharged
- Tankered waste charges
- Monitoring fees
- Recovery of clean-up costs and for damage to the wastewater network or environment

- Connection fees
- Penalty fees

Where any permit holder (including any contractor) causes damage to the wastewater network or interferes with, or causes a failure of, the processes of a wastewater treatment plant; the Council may recover costs in accordance with ss175 and 176 of the LGA.

Transitional provisions

- 10.5. Any trade waste permit approved under the Dunedin City Council Trade Waste Bylaw 2020 continues in force but:
- (a) Expires on the date specified in that permit; or
 - (b) If no expiry date is specified, expires 12 months from the date that this bylaw comes into effect; and
 - (c) Can be renewed only by application made and determined under this bylaw.
- 10.6. Any application for a trade waste permit made under the Dunedin City Council Trade Waste Bylaw 2020 that has not been granted at the time of this bylaw coming into force will be deemed to be an application made under this bylaw.

Additional information to the Trade Waste Bylaw 2026

This additional information does not form part of this bylaw. It contains information to help users understand, use and maintain this bylaw. This information may be updated at any time.

Relevant legislation:	Local Government (Water Services) Act 2025
Associated documents:	Trade Waste Discharge Plan 2026
History of bylaw:	The Green Island Borough Council Trade Waste Bylaw No.11 1987 was revoked and replaced by the Dunedin City Council Trade Waste Bylaw 2008. The Trade Waste Bylaw 2008 was revoked and replaced by the Trade Waste Bylaw 2020, and the Stormwater Quality Bylaw 2020. The Trade Waste Bylaw 2020 was revoked and replaced with the Trade Waste Bylaw 2026. The Trade Waste Discharge Plan 2026 was developed to work alongside the Bylaw, in accordance with the Local Government (Water Services) Act 2025.

SCHEDULE 1 - PROHIBITED TRADE WASTE

General prohibited characteristics

- 1 A trade waste is prohibited from discharge to the wastewater network, where that trade waste will, immediately or in the course of time:
 - (a) Cause or result in the following effects in the wastewater network:
 - (i) Damage;
 - (ii) Interference with the free flow of wastewater; or
 - (iii) Foul-smelling gases or substances of a nature or quantity to create public nuisance;
 - (b) Affect the health and safety of any Council staff or its agents responsible for managing the wastewater network;
 - (c) Interfere with UV disinfection at the treatment plant; or
 - (d) Upon final disposal of treated wastewater or biosolids:
 - (i) Breach any limits or conditions imposed under the Resource Management Act 1991;
 - (ii) Be toxic to fish, animals or plants;
 - (iii) Cause a change in colour or visual clarity, in receiving water after reasonable mixing; or
 - (iv) Cause oil or grease films, scums or foams.

Specific prohibited characteristics

- 2 The following are specifically prohibited from discharge to the wastewater network:
 - (a) Any materials which combine with water to form a cemented mass;
 - (b) Any material with flammable or explosive properties, including oil, fuel, solvents, calcium carbide, either on its own or in combination with wastewater;
 - (c) Asbestos;
 - (d) Tin (as tributyl and other organotin compounds);
 - (e) Any organochlorine pesticides or herbicides;
 - (f) All wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act 1996;
 - (g) Any of the following health care wastes:
 - (i) Those prohibited for discharge to the wastewater network by NZS 4304:2002 Management of Healthcare Waste;
 - (ii) Solid wastes from any hospital, clinic, office or surgery of a medical or veterinary facility or laboratory, convalescent or nursing home or health transport facility; including, but not limited to: hypodermic needles; syringes; instruments; utensils; swabs; dressings; bandages; any paper or plastic item of a disposable nature; or any portions of human or animal anatomy;
 - (iii) Infectious or hazardous wastes likely to pose a threat to public health and safety; and
 - (iv) Any waste containing or contaminated by cytotoxic compounds or material.

- (h) Waste with radioactive levels in excess of the Office of Radiation Safety guidelines (ORS C11: Code of Practice for Unsealed Radioactive Materials (2020), Ministry of Health);
- (i) Solids from mudtanks or interceptors; or
- (j) Toxic wastes.

SCHEDULE 2: INFRINGEMENT NOTICE

INFRINGEMENT NOTICE **Section 272 Local Government (Water Services) Act 2025**

NOTICE NO:

ENFORCEMENT AUTHORITY: Dunedin City Council

TO: [full name, full address, other identifying detail, if known, for example date of birth]

Details of alleged infringement offence

Provision of the Local Government (Water Services) Act 2025 and/or the Trade Waste Bylaw 2026:

Description of offence:

Location:

Date:

Approximate Time:

The fee for this infringement is [\$1000.00 / \$3000.00]

Time and place for payment of infringement fee

The infringement fee is payable to the Dunedin City Council within 28 days after *[date notice is delivered personally or served by post]*

The infringement fee is payable to the Dunedin City Council at:

- <http://www.dunedin.govt.nz/do-it-online/pay-online>
- in person at The Dunedin City Council, Customer Service Centre, The Civic Centre, 50 The Octagon, Dunedin or the Mosgiel, South Dunedin, Port Chalmers, Blueskin or Waikouaiti Public Library Service Centres

If proceedings for the infringement offence described in this notice are commenced:

- a) it is a defence if you prove that the infringement fee has been paid to the Council using one of the methods above, before or within 28 days after the service of a reminder notice on you, but
- b) it is not a defence that the infringement fee has been paid other than as stated in a).

Right to request a hearing

You must write to the Council if you wish to do any of the following things:

- (a) raise a matter concerning the circumstances of the alleged offence for consideration by the Council; or
- (b) deny liability for the alleged offence and request a court hearing; or
- (c) admit liability for the offence, but have the court consider submissions as to penalty or otherwise.

In your letter, you must request a hearing, admit liability in respect of the offence, and set out the submissions that you would like the court to consider.

You must ensure that your request is received on or before the last day for payment.

If you deny liability and request a court hearing, the Council will then, if it decides to commence court proceedings in respect of the alleged offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court.

If you admit liability but wish to have the court consider submissions, the Council will then, if it decides to commence court proceedings in respect of the offence, file your letter with the court. You are not entitled to make oral submissions to the court.

If the court finds you guilty or you make submissions, costs will be imposed in addition to any penalty.

Next steps

If you do not request a hearing and you do not pay the infringement fee or the amount of the infringement fee remaining unpaid within 28 days after the service of this notice, you will become liable to pay a fine and court costs.

Contact details:

Dunedin City Council

50 The Octagon

Dunedin

Phone: 03 477 4000

Email: dcc@dcc.govt.nz

Date:

Signature:

(Enforcement Officer)

SCHEDULE 3: INFRINGEMENT NOTICE REMINDER

Reminder Notice No:

Informant:

Name:

Address:

Details of person to whom infringement notice issued

Full name: *[first name(s), family name]*

Full address:

Date of birth:

Gender:

Occupation:

Telephone number(s):

Details of alleged infringement offence

The informant shown above alleges that you committed an infringement offence:

On: *[date and time of offence]*

At: *[place]*

In that you: *[specify details of offence]*

The offence is one against *[specify enactment and provision contravened]*.

Name or number, if any, of officer who issued notice: *[specify]*

Service details

(To be provided for filing in court.)

Infringement notice served by personal service/by prepaid post/electronically (if permitted)* on: *[date]*

Reminder notice served by personal service/by prepaid post/electronically (if permitted)* on: *[date]*

At: *[address]*

*Select one.

Infringement fee

The infringement fee for this offence is: *[\$[amount]*

Amount of infringement fee unpaid: *[\$[amount]*

Other fees *[specify (if any)]*: *[\$[amount]*

Total payable: *[\$[amount]*

Other penalties *[specify (if any)]*:

Procedure for payment of infringement fee

[Specify method(s) of payment.]

You must pay the infringement fee within 28 days after the service of this notice. The last day for payment is *[date]*.

Information

If you wish to deny the alleged offence or wish to have a court consider submissions, follow the directions in paragraph 4 of the notes below.

If, under [section 21\(3A\) or \(3C\)\(a\)](#) of the Summary Proceedings Act 1957, you enter or have entered into a time-to-pay arrangement with the informant in respect of an infringement fee payable by you, paragraphs 4(b) and (c) below do not apply and you are not entitled either to request a hearing to deny liability or to ask the court to consider any submissions in respect of the infringement.

Please read the notes below. If there is anything you do not understand in the notes, you should consult a lawyer.

Notes to defendant

Payment

1 If you pay the infringement fee or the amount of the infringement fee remaining unpaid within 28 days after the service of this notice, no further enforcement action will be taken against you.

Defences

2 You will have a complete defence against proceedings relating to the alleged offence if you can show the infringement fee or the amount of the infringement fee remaining unpaid has been paid to the informant and received at the address shown on the front page of this notice within 28 days after the service of this notice.

3 Late payment, or payment made to any other address, will not constitute a defence to proceedings in respect of the alleged offence.

Further action

4 You must write to the informant if you wish to do any of the following things:

(a) raise a matter concerning the circumstances of the alleged offence for consideration by the informant; or

(b) deny liability for the alleged offence and request a court hearing; or

(c) admit liability for the offence, but have the court consider submissions as to penalty or otherwise. In your letter, you must request a hearing, admit liability in respect of the offence, and set out the submissions that you would like the court to consider.

You must ensure that your request is received on or before the last day for payment.

If you deny liability and request a court hearing, the informant will then, if it decides to commence court proceedings in respect of the alleged offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court.

If you admit liability but wish to have the court consider submissions, the informant will then, if it decides to commence court proceedings in respect of the offence, file your letter with the court. You are not entitled to make oral submissions to the court.

If the court finds you guilty or you make submissions, costs will be imposed in addition to any penalty.

Next steps

If you do not request a hearing and you do not pay the infringement fee or the amount of the infringement fee remaining unpaid within 28 days after the service of this notice, you will become liable to pay a fine and court costs.

Note: All payments, queries, and correspondence regarding this reminder notice must be directed to the informant at the address shown on the front of this notice. When writing, please include the date of the alleged infringement offence, the reminder notice number, and your address for replies.