DUNEDIN CITY COUNCIL | kaunihera a-rohe o Ōtepoti

Notice of Meeting:

I hereby give notice that an ordinary meeting of the Dunedin City Council will be held on:

Date:	**Friday 4 December 2026**
Time:	**9:30 a.m.**
Venue:	**Council Chamber, Dunedin Public Art Gallery, the Octagon, Dunedin**
YouTube Link:	**Council Meeting – 4 December 2026**

Richard Briggs
Chief Executive Officer

Council

PUBLIC AGENDA

MEMBERSHIP

Mayor	Mayor Sophie Barker	
Deputy Mayor	Cr Cherry Lucas	
Members	Cr John Chambers	Cr Jo Galer
	Cr Christine Garey	Cr Doug Hall
	Cr Marie Laufiso	Cr Russell Lund
	Cr Mandy Mayhem	Cr Benedict Ong
	Cr Andrew Simms	Cr Mickey Treadwell
	Cr Lee Vandervis	Cr Steve Walker
	Cr Brent Weatherall	
Senior Officer	Richard Briggs, Chief Executive	
Governance Support Officer	Lynne Adamson	

Lynne Adamson
Governance Support Officer

Telephone: 03 477 4000
governance.support@dcc.govt.nz
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Note: *Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.*

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1 OPENING

Rev Dr Graham Redding, former Moderator of the Presbyterian Church of Aotearoa-NZ, former Minster of Knox Church Dunedin, former Principal of the Knox Centre for Ministry and Leadership, former Master of Knox College and lecturer in Chaplaincy Studies in the Theology Faculty, Otago University will open the meeting with a prayer.

2 PUBLIC FORUM

At the close of the agenda no requests for public forum had been received.

Please note that if your topic relates to the **10 year plan 2027-37**, you will have an opportunity to make a submission during the formal consultation process. You will also be able to speak to your submission at the **10 year plan hearings** which are scheduled to be held in **May 2027**.

3 APOLOGIES

At the close of the agenda no apologies had been received.

4 CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

DECLARATION OF INTEREST

EXECUTIVE SUMMARY

1. Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

2. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.

3. Staff members are reminded to update their register of interests as soon as practicable.

RECOMMENDATIONS

That the Council:

a) **Notes/Amends** if necessary the Elected Members' Interest Register attached as Attachment A; and

b) **Confirms/Amends** the proposed management plan for Elected Members' Interests.

c) **Notes** the proposed management plan for the Executive Leadership Teams' Interests.

Attachments

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Council Interest Register 27 November 2026				
Name	**Responsibility (i.e. Chairperson etc)**	**Declaration of Interests**	**Nature of Potential Interest**	**Member's Proposed Management Plan**
Mayor Sophie Barker	Shareholder	Ayrmed Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various publicly listed companies	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Property Owner	Residential Property Owner - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Beneficiary	Sans Peur Trust (Larnach Castle)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Mentor	Business Mentors NZ	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Vegetable Growers Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Alexander McMillan Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Patron	New Zealand International Science Festival	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Patron	Dunedin Horticultural Society	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Family Member	Family Member employed at Wilkinson Rogers	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Institute of Directors	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Dunedin Heritage Fund (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Grow Dunedin Partnership (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Heritage Avisory Group (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Local Government New Zealand (Zone 6) (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Co-Chair	Ōtepoti Dunedin Destination Management Plan Advisory Panel (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tertiary Precinct Planning Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Chinese Garden Advisory Group (Council Appointment)	No conflict Identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr John Chambers	Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Rental Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ōtākou Golf Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Opera Otago	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Settlers Association (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Hereweka Harbour Cone Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Okia Reserve Management Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Waikouaiti Coast Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Jo Galer	Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Southern Heritage Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various International Managed Funds	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various individual shares	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Co-Lead	Heritage Portfolio (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Hereweka Harbour Cone Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Theomin Gallery Management Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Christine Garey	Trustee	Garey Family Trust - Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Daughter employee	Halo Project	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Ashburn Hall Charitable Trust Board	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Performing Arts Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
		Sophia Charter (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	St Paul's Cathedral Foundation (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Theomin Gallery Management Committee (Olveston) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Doug Hall	Trustee	Cronus Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Clickfix Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	District Licensing Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various NZ,US shares and Crypto	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	West Harbour Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Marie Laufiso	Property Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Moray Place Community Building Trust - which owns property 111 Moray Place	Duty to Trust may conflict with duties of Council Office	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Women of Ōtepoti Recognition Initiative	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Corso Ōtepoti Dunedin Trust	Potential grants recipient	Withdraw from discussion and leave the table. If in public excluded leave the room. Seek advice prior to the meeting.
	Dunedin Branch Treasurer	P.A.C.I.F.I.C.A Inc	Potential grants recipient	Withdraw from discussion and leave the table. If in public excluded leave the room. Seek advice prior to the meeting.
	Expert Panel Member	Health Coalition Aotearoa Public Health Infrastructure Committee	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	The Ōtepoti Community Builders Charitable Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee/Secretary	Refugee Support Group	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Abrahamic Interfaith Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Saddle Hill Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Former Refugee Steering Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Puketai Residential Centre Liaison Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Social Wellbeing Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Cherry Lucas	Trustee	Otago Farmers Market	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Partner	Southway Enterprises	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Henderson Lucas Family Trust - Residential Dunedin Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Institute of Chartered Accountants	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Shanghai Association (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Local Government New Zealand (Zone 6) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tūhura Otago Museum Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ōtepoti Dunedin Destination Management Plan Advisory Panel (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Taieri Airport Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tertiary Precinct Planning Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Deputy Lead	Infrastructure Portfolio (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Te Poāri a Pukekura (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Mosgiel-Taieri Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Russell Lund	Shareholder	Loan & Mercantile Trust includes:	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Produce Place Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Dunedin Grain Store Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Loan & Mercantile 2000 Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Lund South Trust includes:	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Lund South Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Lund Dunedin Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Resource Values Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Sherwood Manor Properties Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Lund Central Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Lund South Administration Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Construction Operatives Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Lund South Properties Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	RV Lund Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	BDCRS Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Lund Frankton Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	President	Ariki Amateur Athletic & Harrier Club	Ariki is a member of Athletics Otago which receives grant funding from DCC.	Withdraw from discussion and leave the table. If in public excluded leave the room. Seek advice prior to the meeting.
	Co-Lead	Heritage Portfolio (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Heritage Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Theatre Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Mandy Mayhem	Chairperson	Waitati Hall Society Inc	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Keep Ōtepoti Dunedin Beautiful	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Co-ordinator	Emergency Response Group, Blueskin area	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	Blueskin Bay Amenities Society	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Blueskin A & P Society	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Zone Representative and Board Member	Keep New Zealand Beautiful	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Coastal Community Cycleway Network	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Waitati Music Festival Committee	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Property Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Disability Issues Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Gasworks Museum Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Keep Dunedin Beautiful (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Performing Arts Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Creative New Zealand Grants Advisory Panel (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Social Wellbeing Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Blueskin Bay Watch	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Benedict Ong	Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Listed Stocks	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Blis Technologies Limited (NZ listed public company)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	DCC Moana Pool Gym	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder	Benedict Ong Social Enterprise Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Andrew Simms	Director	Landseer Motor Investments Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Landseer Motor Investments Auckland Limited t/a Andrew Simms - Motor vehicle retail	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Stephen Duff Motors Limited t/a Andrew Simms Dunedin - Motor vehicle retail	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Three Diamond Automotive t/a Ralliart NZ - Race car preparation	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Cambridge Finance Limited - Financial Services	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	The Landseer Group Limited - Investments	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Otago Motorhome Centre Limited - Motor vehicle retail	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Landseer Motor Investments Henderson Limited - Motor vehicle retail	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Director	Landseer Motor Investments Moorhouse Limited - Motor vehicle retail	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Minaret Property Investments Limited - Property Investment	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	The Newfoundland Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	The Moturata Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Taieri Trails Group	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Taieri Cricket Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Mosgiel AFC	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Commercial Property. Andersons Bay Road, Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Heritage Fund (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Heritage Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tūhura Otago Museum Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Taieri Airport Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Honorary Board Member	Central Otago Clutha Trails Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Honorary Trustee	Clutha Gold Trail Charitable Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Mickey Treadwell	Director	Atawhai Interactive Tapui Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Co-owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Green Party of Aotearoa	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Otaru Sister City Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ice Sports Dunedin Incorporated (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ōtepoti Dunedin Live Music Advisory Panel (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Te Ao Tūroa Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Peninsula Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Lee Vandervis	Director	Lee Vandervis, Antonie Alm-Lequeux and Cook Allan Gibson Trustee Company Ltd - Residential Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Bunchy Properties Ltd - Residential and Lifestyle Farm Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Various publicly Audio and Lighting - Hire, Sales and Service Business	May contract and provide service to DCC	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	District Licensing Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Heritage Fund (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Okia Reserve Management Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Steve Walker	Trustee	Dunedin Wildlife Hospital Trust	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.
	Member	Orokonui Ecosanctuary	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.
	Member	New Zealand Labour Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Residential Property - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various publicly listed companies	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Sea Lion Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Justice of the Peace		No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Predator Free Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Edinburgh Sister City Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Heritage Fund (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Art Gallery Acquisitions Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Masters Games Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Regional Transport Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ōtepoti Dunedin Live Music Advisory Panel	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Predator Free Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Brent Weatherall	Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Business George Street, Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Brent Weatherall Jeweller Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Weatherall Trustee Company	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Residential Rental Properties	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Lead	Infrastructure Portfolio (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Acquisitions Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Keep Dunedin Beautiful (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Strath Taieri Communtiy Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Executive Leadership Team - Register of Interest - current as at 12 October 2026					
Name	**Date of Entry**	**Responsibility (i.e. Chairperson etc)**	**Declaration of Interests**	**Nature of Potential Interest**	**Member's Proposed Management Plan**
Richard Briggs	20/10/2026	No interests to declare at present			
Nicola Morand	09/05/2022	Owner	Residential Property Dunedin	No conflict identified	Seeks advice in advance of meeting if actual conflict arises.
	09/05/2022	Owner	Residential Property in Otago	No conflict identified	Seeks advice in advance of meeting if actual conflict arises.
	09/05/2022	Partner	Morand Painting & Decorating	No conflict identified	Seeks advice in advance of meeting if actual conflict arises.
	12/11/2025	Member	Te Rūnanga o Ōtākou	No conflict identified	Seeks advice in advance of meeting if actual conflict arises.
	12/11/2025	Member	Kāti Huirapa Runaka ki Puketeraki	No conflict identified	Seeks advice in advance of meeting if actual conflict arises.
	12/11/2025	Family member	Family member works for the DCC	No conflict identified	Seeks advice in advance of meeting if actual conflict arises.
Scott MacLean	23/01/2024	Owner	Residential property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	23/01/2024	Trustee	Te Poari a Pukekura Charitable Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	23/01/2024	Spouse is Chair	Dunedin Wildlife Hospital Trust (DWHT)	DCC has funded the DWHT	Take no part in discussions or decision making about the Trust or participate in any transactions between the Trust and DCC.
	19/05/2006	Family member	Family member works for the DCC	No conflict identified	Seeks advice in advance of meeting if actual conflict arises.
	06/05/2026	Family member	RB Recruitment - Occasionally deployed to work on Isaacs Construction sites	No conflict identified	Will not take part in any transactions with this company - or with Isaacs Construction while deployed to work on any of their sites
	08/09/2026	Owner	Residential property in Otago	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Carolyn Allan	01/03/2024	Owner	Residential property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	01/03/2024	Owner	Residential rental property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	01/03/2024	Member	Mountain Bike Otago	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Paul Henderson	15/01/2025	Owner	Residential property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	15/01/2025	Playing Member	Dunedin City Royal Football Club	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	10/10/2025	Navigator Member	Taituarā	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	10/10/2025	Partner	Ruru Workplace Solutions Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Mike Costelloe	10/10/2025	Owner	Residential property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

REPORTS

FREE CHRISTMAS PARKING - 2026

Department: Property

EXECUTIVE SUMMARY

1 This report seeks Council approval to provide free on-street parking at selected meters in central Dunedin from 22 December 2026 to 3 January 2027.

2 The free Christmas Parking initiative was introduced in 2021 to support central city retail activity during the Christmas period. The recommended approach continues this initiative, with existing maximum parking time limits remaining in place.

3 The estimated value of parking revenue not collected during the free parking period is in the order of $34,000 excluding GST. This estimate is based on approximately 300 parking spaces and assumes varying occupancy levels before and after Christmas.

4 On-street parking revenue is currently tracking unfavourably against budget. The December and January budgets have been phased to reflect the anticipated reduction in revenue associated with the initiative.

RECOMMENDATIONS

That the Council:

a) **Approves** free parking at selected on-street parking meters from 22 December 2026 to 3 January 2027 (inclusive), with existing maximum parking time limits continuing to apply.

BACKGROUND

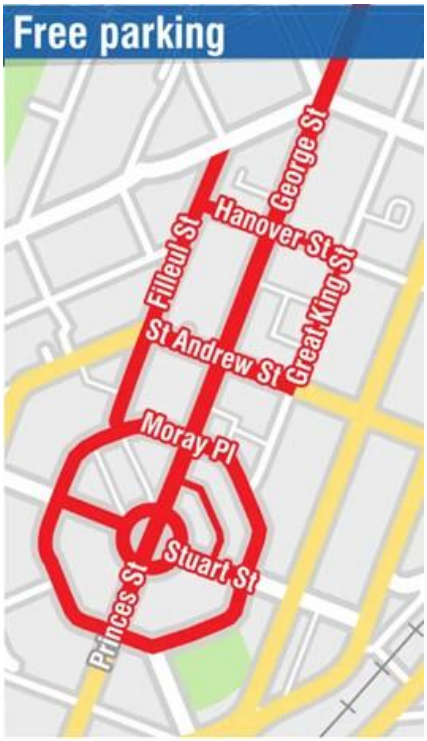
5 The Christmas Parking initiative was first introduced in 2021 to support central city retail activity during the Christmas period.

6 Since its introduction, free parking has been provided at selected on-street meters from three days before Christmas until 3 January. The selected parking areas are shown on the map below.

7 Existing parking time limits continue to be enforced during the initiative to maintain parking turnover.

8 The initiative has previously been approved under the Chief Executive's delegation and anecdotal feedback from the public has been positive.

Image – Free Christmas Parking Meter Map



DISCUSSION

9 The proposal for free Christmas Parking 2026/2027 is consistent with previous years. It would apply to the same selected on-street parking meters, with existing maximum parking time limits continuing to apply.

10 The estimated value of parking revenue not collected during the free parking period is approximately $34,000 excluding GST. This estimate is based on approximately 300 parking spaces and assumes occupancy of 80% for the three days before Christmas and 20% for the six days after Christmas.

11 This represents 0.86% of total on-street parking revenue collected in the 2025/26 financial year ($3.9m).

12 On-street parking revenue is tracking unfavourably against budget. The December and January parking revenue budgets have been phased to reflect the anticipated impact of the initiative.

OPTIONS

Option One – Approve the Christmas Parking Initiative (Recommended Option)

13 Approve free parking at selected on-street parking meters in central Dunedin from 22 December 2026 to 3 January 2027 inclusive. Existing maximum parking time limits will continue to be enforced.

Advantages

- Continues an established initiative that has generally been well received by the public.
- Supports central city retail activity during the Christmas period.
- Provides financial relief to motorists during a period of increased household expenditure.
- Maintains parking turnover through existing time limits.

Disadvantages

- The estimated value of parking revenue not collected is approximately $34,000 excluding GST.
- Although the initiative has been accounted for in the December and January budgets, Parking Revenue is already tracking unfavourably against budget.
- The extent of any additional retail activity generated by free parking is not quantified.

Option Two – Do not approve the free Christmas Parking initiative

14 Retain existing parking charges at all on-street parking meters throughout the Christmas period, with existing parking restrictions continuing to apply.

Advantages

- Creates the opportunity to collect approximately $34,000 excluding GST in parking revenue, subject to actual demand.

Disadvantages

- Discontinues an established Christmas initiative offered since at least 2021.
- Removes a seasonal financial benefit for motorists.
- May be negatively received by the public.
- Does not provide the intended incentive to encourage central city shopping during the Christmas period.

NEXT STEPS

15 If approved, the free Christmas parking initiative will be advertised through Council's communication channels and implemented at the selected on-street parking meters.

16 If Council does not approve the initiative, existing parking charges and restrictions will continue to apply throughout the Christmas period. No further action will be required

Signatories

Author:	Anna Nilsen - Group Manager, Property Services
Authoriser:	Scott MacLean - General Manager, City Services

Attachments

There are no attachments for this report.

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision promotes the social well-being of communities.
This decision promotes the economic well-being of communities in the present.

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	✓	☐	☐
Economic Development Strategy	✓	☐	☐
Environment Strategy	☐	☐	☐
Arts and Culture Strategy	☐	☐	☐
3 Waters Strategy	☐	☐	☐
Future Development Strategy	☐	☐	☐
Integrated Transport Strategy	☐	☐	☐
Parks and Recreation Strategy	☐	☐	☐
Other strategic projects/policies/plans	☐	☐	☐

This decision supports the social and economic well-being of the community by providing a seasonal parking benefit and supporting central city retail activity.

Māori Impact Statement

No specific impacts on Māori have been identified in relation to this proposal.

Sustainability

There are no implications for sustainability based on previous annual initiatives.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

There are no implications.

Financial considerations

The December and January parking revenue budgets already account for the anticipated impact of the initiative. The potential financial impact has been outlined in this report.

Significance

This decision is considered low significance under Council's Significance and Engagement Policy.

Engagement – external

No formal external engagement has been undertaken. Anecdotal feedback from previous initiatives has been positive.

Engagement - internal

Discussions have been held with Transport, Communications and Marketing, and Parking Operations.

Risks: Legal / Health and Safety etc.

Discussions have been held with Transport, Communications and Marketing, and Parking Operations.

Conflict of Interest

There is no conflict of interest.

SUMMARY OF CONSIDERATIONS
Community Boards There are no specific implications for Community Boards.

HEARINGS COMMITTEE RECOMMENDATIONS ON SUBMISSIONS TO THE PROPOSED TRADE WASTE DISCHARGE PLAN 2026 AND PROPOSED TRADE WASTE BYLAW 2026

Department: 3 Waters

EXECUTIVE SUMMARY

1 This report presents findings of the Hearings Committee (the Committee) on the submissions to the proposed Trade Waste Discharge Plan 2026 (the proposed Plan) and the proposed Trade Waste Bylaw 2026 (the proposed Bylaw).

2 After considering submissions received, the Committee recommends some amendments to the proposed Plan and proposed Bylaw as notified. The Committee recommends the Council adopts the proposed Plan (Attachment A) and proposed Bylaw (Attachment B) with a date of effect of 16 December 2026. Please see Attachment C for the minutes of the Hearing Committee.

3 A marked-up version of the proposed Bylaw showing the Committee's recommended amendments to the proposed Plan as notified is included as Attachment D. A marked-up version of the proposed Bylaw showing the Committee's recommended amendments to the proposed Bylaw as notified is included as Attachment E.

4 At the beginning of the Bylaw, in Attachment B and E, an additional explanatory note has been included by staff to meet new requirements of the Regulatory Standards Act 2025 (the RSA 2025) that came into effect on 1 July 2026, and which now apply to proposed or existing secondary legislation. The Dunedin City Council Chief Executive confirms that the proposed Bylaw is consistent with the principles of responsible regulation in the RSA 2025 as set out in the Consistency Accountability Statement and Summary of Underpinning Analysis (Attachment F).

RECOMMENDATIONS

That the Council:

a) **Notes** the minutes of the Hearings Committee (Attachment C).

b) **Adopts** the Trade Waste Discharge Plan 2026 (Attachment A).

c) **Adopts** the Trade Waste Bylaw 2026 (Attachment B).

d) **Approves** a date of effect for the Trade Waste Discharge Plan 2026 and Trade Waste Bylaw 2026 of 16 December 2026.

e) **Revokes** the Trade Waste Bylaw 2020 from 16 December 2026.

BACKGROUND

Purpose of the Trade Waste Discharge Plan 2026 and Trade Waste Bylaw 2026.

5 The DCC and other councils across New Zealand use bylaws to set local rules and requirements to regulate the discharge of trade waste to their wastewater networks.

6 The Local Government (Water Services) Act 2025 (LGWSA) requires a territorial authority to prepare and issue a trade waste discharge plan no later than 26 August 2027. The trade waste discharge plan must set out the territorial authority's approach to regulating trade waste in its district and discharges of trade waste into the wastewater network. The proposed Plan includes the proposal for the DCC to make a trade waste bylaw.

7 The purpose of the proposed Bylaw is to control and monitor 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) Manage, regulate and 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.

8 To do this, the proposed Plan and proposed Bylaw:

a) Establish clear requirements for the classification and discharge of trade waste to the wastewater network.

b) Create a framework and processes for obtaining trade waste permits and the conditions that may be included in permits.

c) Set enforceable obligations for customers relating to discharge of trade waste to the wastewater network and transporting of trade waste.

Consultation on the proposed Trade Waste Discharge Plan 2026 and proposed Trade Waste Bylaw 2026.

9 At its 13 August 2026 meeting, Council approved a statement of proposal, draft proposed Plan and draft proposed Bylaw for consultation purposes.

10 Public consultation followed for one month, beginning on 17 August and closing on 18 September 2026. Methods to inform the public about the proposal and the opportunity to make submissions included information on the DCC website, information on the DCC Public Noticeboard published in the *Otago Daily Times*, and targeted emails to a range of partners and stakeholders, including all current DCC trade waste customers.

11 The public could submit on the proposed Bylaw and proposed Plan via an online form on the DCC's website, or via email. The online form asked whether submitters supported the proposed Plan and proposed Bylaw, supported but with amendments, opposed or were neutral. The consultation documents available included the Statement of Proposal, and full text versions of both the proposed Plan and proposed Bylaw.

New requirements under the Regulatory Standards Act 2025

12 To meet the requirements of the RSA 2025 that came into effect on 1 July 2026 for existing secondary legislation, including bylaws, local government chief executives must evaluate secondary legislation for consistency with the principles of responsible regulation as set out in section 9, and modified by section 19, of the RSA 2025.

13 The Dunedin City Council Chief Executive's confirmation that the proposed Bylaw is consistent with the principles of responsible regulation is set out in the Dunedin City Council's Consistency Accountability Statement and Summary of Underpinning Analysis. The Summary of Underpinning Analysis sets out the analysis of consistency against each of the RSA 2025 principles, noting that some of these principles do not apply (see Attachment F).

14 A new explanatory note has been included at the beginning of the proposed Bylaw to confirm that the Bylaw is consistent with the principles of the RSA 2025 and to provide links to the Consistency Accountability Statement and Summary of Underpinning Analysis, as required by the Ministry of Regulation.

DISCUSSION

Consultation results and topics of concern

15 Five submissions were received on the proposed Plan and proposed Bylaw. Submitters were generally supportive of the proposed Plan and proposed Bylaw, with some raising questions, concerns, or suggestions relating to trade waste permit requirements, specific existing trade waste discharges/consents, and infringement offences and enforcement. No submitters appeared at the hearing to speak to their submission.

16 The key issue that was raised by a submitter related to the request that the Bylaw provide for the discharge to the wastewater network of water generated during maintenance, repair, and upgrade of hazardous sites, where that water is contaminated with Persistent Organic Pollutants (POPs).

Committee findings

17 The Committee was made up of myself (Cr Lee Vandervis) as Chair, Cr John Chambers and Cr Joanne Galer and met on 4 November 2026 to consider the five submissions and deliberate on

the submission points outlined in the staff report. Please see Attachment C for the minutes of the hearing and deliberations.

18 Deliberations included considering the staff recommendations for amendments regarding management of POPs. The Committee agreed with the staff recommendation to add a definition of POPs to the proposed Plan and the proposed Bylaw. The recommended definition provides a general description of POPS and references the list of POPs in the Hazardous Substances and New Organisms Act 1996. The Committee also agreed with the staff recommendation to clarify that POPs are a characteristic of prohibited trade waste discharges through an amendment to Schedule 1 of the Bylaw and Schedule C of the Plan. These amendments clarify that discharges containing all POPs are prohibited, not only discharges containing organochlorine pesticides and herbicides as previously listed in the DCC Trade Waste Bylaw 2020.

19 Staff advice explained that POPs are very stable compounds that do not readily break down through chemical or biological processes and remain for a long time in the environment and in organisms. Storage and disposal of POPs is currently regulated by the Hazardous Substances and New Organisms Act 1996 (HSNO) and the Hazardous Substances (Storage and Disposal of Persistent Organic Pollutants) Notice 2004. DCC does not have facilities at its wastewater treatment plants (WWTP) to remove POPs before the treated wastewater is discharged to the environment.

20 The DCC holds multiple resource consents from the Otago Regional Council that authorise WWTP discharge activities, including permits for discharges to the coast. Discharge consents are in place to ensure the potential for wastewater discharges to result in adverse effects on the receiving environment is appropriately controlled. A condition of the discharge consent for the Tahuna WWTP, for example, requires that "*The discharge, outside the mixing zone, shall not result in any significant adverse effects on aquatic life."* Given the nature of POPs, if POPs were discharged to the environment from the Tahuna WWTP it could result in adverse effects on aquatic life. As a result, DCC may not be able to maintain compliance with the Tahuna WWTP discharge consent in this respect.

21 The Committee recommends the proposed Plan and proposed Bylaw are adopted by the Council with the additions and amendments recommended by staff, as summarised at paragraph 18 and as shown in mark-up at Attachments D and E. The reasons for the Committee's recommendations are:

a) DCC WWTPs cannot remove or treat POPs. Therefore, discharges of POPs into the DCC wastewater network would have potential long-term cumulative impacts on the WWTPs, and compliance with WWTP discharge consents could be compromised as POPS would be discharged from the WWTP to sensitive receiving environments.

b) If POPs were discharged to the wastewater network, all wastewater passing through the WWTP would have to be treated to remove POPs to prevent POPs from reaching the receiving environment. Installing the facilities for treating POPs at the WWTP would come at a significant cost to DCC and the ratepayer.

22 Other matters raised by submitters were considered. The other submitters generally supported the proposed Plan and proposed Bylaw, raising questions related to their individual discharges or permits. Matters of individual permits or discharges are addressed by Trade Waste staff with the customer.

23 One submitter was concerned the proposed requirement for all trade waste customers to obtain a permit was not a risk-based approach and the approach in the 2020 Bylaw should be retained. The Committee accepted the staff analysis that the proposed Bylaw framework requiring all trade waste dischargers to hold a discharge permit aligns with the approach in the LGWSA. Staff concluded that the proposed framework provides a more consistent approach for trade waste customers and ensures that all customers have appropriate documentation, in the form of an issued permit, confirming their rights and obligations for the discharge of trade waste to the wastewater network. The proposed Bylaw contains categories of trade waste discharges which clearly provides a risk-based approach.

24 One submitter agreed stronger enforcement, as proposed in the Bylaw, for genuine non-compliance is necessary and suggested infringement offences should target high-risk breaches only and penalties should be calibrated to the severity of the breach of the Bylaw or trade waste permit. Staff advised the DCC generally uses education as the first approach to non-compliance with the Bylaw and trade waste permits and that infringement notices would likely be used as a tool to enforce compliance in instances where non-compliance is not rectified in a timely or appropriate manner, where non-compliance is repeated over a period of time with limited or no improvement, or where the non-compliance results in severe outcomes or significant risks. The LGWSA sets maximum infringement fees for individuals and organisations, with the DCC having discretion to apply fees up to this limit as appropriate to the nature and scale of the infringement.

25 The Committee considered that the proposed approach in the Bylaw and Plan is not inconsistent with what the submitters were seeking in paragraphs 22 - 24 above. Staff recommended, and the Committee agreed, that no other amendments were required in response to these submissions.

Plan and New Bylaw

26 It is proposed that Council makes the Trade Waste Discharge Plan 2026 (with the recommended amendments) and new Trade Waste Bylaw 2026 (with the recommended amendments and inclusion of an explanatory note to meet the requirements of the RSA 2025) and revokes the Trade Waste Bylaw 2020. According to section 189 of the LGWSA, the Plan and Bylaw are to be reviewed no later than 10 years after the date on which they are made.

Date of effect

27 16 December 2026 is recommended as a date of effect to allow staff time to finalise preparations for implementation of a new Bylaw and Plan.

OPTIONS

Option One – Adopt the proposed Plan and proposed Bylaw with the committee's recommended additions and the additional explanatory note inserted in the proposed Bylaw by staff (Recommended Option)

Advantages

- Addresses matters raised by submitters appropriately.

- Trade waste discharges to the DCC's wastewater network will be managed appropriately by the Plan and Bylaw by reflecting both current legislative and regulatory provisions and current and emerging development trends.

- Meets the statutory requirements of the RSA 2025 for secondary legislation adopted after 1 July 2026.

- Meets the statutory requirements to adopt a Trade Wate Plan by 27 August 2027.

Disadvantages

- None identified.

Option Two – Refer the proposed Bylaw and proposed Plan back to the Committee for further consideration

28 Should the Council consider there are outstanding matters of concern that have not been satisfactorily addressed by the Hearings Committee, the Council may request that the Hearings Committee further evaluate those concerns and develop additional recommended responses.

Advantages

- The Committee has further opportunity to consider changes to the proposed Bylaw and proposed Plan.

Disadvantages

- Prolongs the process for adopting the Trade Waste Discharge Plan 2026 and Trade Waste Bylaw 2026.

NEXT STEPS

29 If the Council approves the Committee recommendations and the proposed explanatory note at the beginning of the Bylaw, the Bylaw and Plan will come into effect on 16 December 2026 and staff will implement them from that date forward.

30 The Consistency Accountability Statement and Summary of Underpinning Analysis will be published on the Council website and the relevant webpage links will be added to the explanatory note at the beginning of the final Bylaw.

Signatories

Author:	Jacinda Baker - Senior Policy Analyst
Authoriser:	Cr Lee Vandervis - Chairperson

Attachments

	Title	Page
⇩A	Trade Waste Discharge Plan 2026	30
⇩B	Trade Waste Bylaw 2026	50
⇩C	Minutes of Hearing	73
⇩D	Marked up Trade Waste Discharge Plan 2026	75

⇩E Marked up Trade Waste Bylaw 2026 95
⇩F Consistency Accountability Statement and Summary of Underpinning Analysis 118

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision promotes the environmental well-being of communities in the present and for the future.

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	☐	☐	✓
Economic Development Strategy	☐	☐	✓
Environment Strategy	✓	☐	☐
Arts and Culture Strategy	☐	☐	✓
3 Waters Strategy	☐	☐	☐
Future Development Strategy	☐	☐	✓
Integrated Transport Strategy	☐	☐	✓
Parks and Recreation Strategy	☐	☐	✓
Other strategic projects/policies/plans	☐	☐	✓

This report has been prepared with reference to Dunedin's strategic framework.

Māori Impact Statement

This report supports responsible wastewater management, which aligns with the importance of the health of the environment and waterways to Māori. Māori individuals and organisations had the opportunity to provide feedback on the proposed Bylaw and proposed Plan via the public consultation process – a specific notification email about the consultation being open was sent to Aukaha. No submissions from Aukaha or rūnaka were received.

Sustainability

The proposed Bylaw and proposed Plan are intended to enable the DCC to manage discharges of trade waste to the wastewater network in a manner that supports the long-term sustainability of the wastewater network and the environment.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

This report and the recommended decisions have no immediate direct implications for these plans and strategies. However, the proposed Bylaw and proposed Plan are intended to enable the DCC to manage use of the wastewater network in a manner that supports the DCC to achieve the objectives set out in these plans and strategies.

Financial considerations

There are no known specific financial implications related to this report and the recommended decisions. The costs of immediate implementation of the proposed Bylaw and proposed Plan (if adopted) can be met from existing budgets.

Significance

This report and the recommended decisions have been assessed as low significance in terms of the Council's Significance and Engagement Policy.

Engagement – external

It is noted these decisions are part of the Special Consultative Procedure and result from external consultation being undertaken.

SUMMARY OF CONSIDERATIONS
Engagement - internal 3 Waters Regulation and Policy staff have engaged with other 3 Waters staff, including Plant Operations staff, as part of the analysis of submissions and formulation of staff recommendations.
Risks: Legal / Health and Safety etc. There are no risks identified.
Conflict of Interest No conflicts of interest have been identified as a result of submissions or recommendations on the proposed Trade Waste Discharge Plan 2026 or proposed Trade Waste Bylaw 2026.
Community Boards No implications for Community Boards have been identified as a result of submissions or recommendations on the proposed Trade Waste Discharge Plan 2026 or proposed Trade Waste Bylaw 2026.

TRADE WASTE DISCHARGE PLAN			
Approved by:	The Council		
Sponsor:	Jared Oliver, Planning Manager, 3 Waters		
Department responsible:	3 Waters		
Date approved:	4 December 2026	**Reviewed:**	
Next review date:	December 2036	**DOC ID:**	

1. Purpose

The Trade Waste Discharge Plan (this plan) sets out the approach that the Council will take to regulate trade waste in Dunedin and the discharge of trade waste into the wastewater network.

The preparation of this plan meets Council's obligations under the Local Government (Water Services) Act 2025 (the Act).

2. Context

Section 185 of the Act requires a territorial authority to prepare and issue a trade waste discharge plan, which may include proposals for a trade waste bylaw.

This plan, together with the Trade Waste Bylaw 2026 (the Bylaw), regulates the discharge of trade waste from trade waste premises and vehicles transporting trade waste, into the DCC wastewater network.

3. Scope

This plan and the Bylaw apply to any person discharging or applying to discharge trade waste to the Council wastewater network, and the premises or vehicle from which trade waste is discharged.

This plan does not apply to domestic wastewater discharged directly from a property or self-contained vehicle to the wastewater network as this is not trade waste.

This plan sets out the approach the Council will take to regulate trade waste and the discharge of trade waste to the wastewater network, including:

- the types of premises to which this Plan applies;
- determining the category of trade waste to be discharged based on the type of activities undertaken on the premises, equipment or processes used, and the discharge created;
- setting conditions that will be applied to discharge of trade waste into the wastewater network;
- setting requirements or limits on transporting trade waste;
- circumstances where fees, charges or penalties will be imposed; and
- proposing a trade waste bylaw necessary to implement this plan.

The Council will consider this plan when:

- assessing applications for a trade waste permit;
- assessing a trade waste discharge that does not have a permit or needs a new permit to address changes in circumstances or discharge;
- assessing a trade waste discharge that has a permit to determine fees and charges, and compliance with this plan, the permit, or the Bylaw; or
- carrying out any monitoring.

4. Trade Waste Bylaw

The Council, through this plan, proposes a new trade waste bylaw to replace the existing Trade Waste Bylaw 2020. A bylaw is considered necessary to implement this plan.

The Bylaw, which was consulted on alongside this plan, contains rules and other provisions relating to:

- Restrictions on discharges of trade waste
- Storage, transport, handling and use of hazardous materials
- Trade waste classification
- Trade waste permits. Including the application process, change in circumstances, permit conditions, and transfer, review and termination of a permit
- Monitoring, including sampling, flow metering, and estimated discharge volume
- Enforcement, breaches and infringement offences
- Administrative matters, including requirements for the payment of fees and charges

5. Definitions

5.1. In this plan, unless the context otherwise requires:

Act	Means the Local Government (Water Services) Act 2025 (and any amendments).
Approval or approved	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.
Bylaw (the Bylaw)	Trade Waste Bylaw 2026.
Characteristic	Means any of the physical, biological or chemical features of trade waste including those described in Schedules A and C of this plan.
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 this plan, but which does not have any prohibited characteristics as defined in Schedule C of this plan. Conditional trade waste may require pre-treatment prior to discharge and conditions may be included in the permit.
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. 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.

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.
Controlled trade waste	Means a trade waste that meets the characteristics defined in Schedule A of this plan without pre-treatment.
Council	Means the Dunedin City Council inclusive of its officers and/or 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.
Food preparation facilities	Means any premise with a commercial kitchen, or any premise discharging trade waste where food is cooked, prepared or baked. Does not include facilities where pre-made food is brought in and only heated and/or served.
Infringement fee	In relation to an infringement offence, means the infringement fee for the offence specified in the Bylaw.
Infringement offence	Means an offence that is identified in the 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 section 190 of the Act authorising a person to discharge trade waste to the wastewater network, subject to conditions for the discharge. **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.
Persistent organic pollutants	Means toxic, carbon-based synthetic chemicals that resist degradation and remain intact in the environment for decades. They include any substance listed in Schedule 2A of the Hazardous Substances and New Organisms Act 1996 and include a substance or manufactured article containing 1 or more of those substances.
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 designated 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 a trade waste permit.
Prohibited trade waste	Means a trade waste that contains, or is likely to contain, prohibited characteristics as defined in Schedule C to this plan. The waste is not acceptable for discharge into Council's wastewater network.
Stormwater	Means all surface water run-off resulting directly or indirectly from precipitation. For the purpose of this plan, 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; (ii) any tankered waste; and (iii) any contaminated stormwater; but (b) does not include any class of waste or material that has been specified not to be trade waste by this plan (e.g. domestic wastewater).
Vehicle washing event	Means temporary washing of vehicles that is not an operational component of a commercial, industrial or trade activity. For example, fundraising car washes or car washing for car rallies.
Vehicle wash facilities	Means any property: (a) with facilities to commercially wash vehicles; or (b) where vehicles are washed on site as part of operations, such as vehicle sales yards, bus depots, or truck yards.
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.

5.2. Part 2 of the Legislation Act 2019 applies to the interpretation of this Plan.

5.3. Every schedule to this plan forms part of the plan.

5.4. Explanatory notes are not part of this plan and the Council may add, amend or delete explanatory notes at any time without amending this plan.

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

6. Council approach to regulation of trade waste

Classification of discharges

6.1. In accordance with the Bylaw, all trade waste discharges will be classified by the Council into the following categories:

(a) Conditional (Category A) – Significant industry, major discharges, generates more than $5m^3$ 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 this 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 this plan.

Property/processes producing conditional trade waste are outlined in Schedule B of this plan.

Characteristics of trade waste classified as prohibited are outlined in Schedule C of this plan and Schedule 1 of the Bylaw.

Trade waste permit applications

6.2. Council will determine the classification of trade waste discharge and where a premises discharges conditional or controlled trade waste, or a person is transporting/discharging tankered waste, the person responsible for the discharge must apply for a permit in accordance with the permit application provisions in the Bylaw.

Assessment of trade waste permit applications

6.3. In considering an application for a trade waste permit, the Council will take into consideration any matters it considers relevant, including (without limitation) 1 or more of the following:

(a) Risk assessment of potential damage to the environment due to an accidental discharge of a chemical or contaminant to the wastewater network;

(b) The possibility of unscheduled, unexpected or accidental discharge events and the degree of risk these could cause to humans, the wastewater network and the environment;

(c) Any actual or potential effects on the wastewater network;

(d) Any actual or potential effects on the Council's ability to discharge wastewater to the final receiving environment or re-use wastewater, or on the use or disposal of biosolids;

(e) The extent to which trade waste may react with other trade waste or wastewater to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion, or deterioration of the wastewater network;

(f) The nature of any wastewater treatment process and the degree to which the trade waste is capable of being treated in the wastewater treatment plant;

(g) The capacity of the wastewater network and the capacity of any wastewater treatment plant, and other facilities;

(h) The flows and velocities in the wastewater network and the material or construction of the wastewater network and its components;

(i) The potential impacts on the health and safety of Council staff and agents responsible for managing the wastewater network, and the public

(j) The compliance history of the applicant;

(k) Other existing or reasonably foreseeable future trade waste discharges to the wastewater network;

(l) The availability of alternative collection, treatment, and disposal systems or processes;

(m) The provision to Council of any information relating to the trade waste;

7. Conditions of trade waste permits

7.1. If the Council grants a trade waste permit, it may specify any requirements, terms and conditions, and limits, in a trade waste permit that the permit holder must satisfy before discharging trade waste into the wastewater network or transporting trade waste, including (without limitation) 1 or more of the matters outlined in clauses 7.2-7.13 below.

7.2. Council may impose conditions relating to the storage, handling, treatment, or discharge of trade waste, including:

(a) The source of the trade waste;

(b) The location in the wastewater network where trade waste will be discharged;

(c) Any requirements for storage, handling, treatment, or discharge of trade waste; and

(d) The provision and implementation of a management plan.

EXPLANATORY NOTE:

Where a management plan is required as a condition of a trade waste permit, it may address:

- Any waste minimisation and contaminant reduction measures necessary, e.g. use of more efficient processes; use of less raw materials; use of less toxic materials; efficient use of materials; reduce, reuse, recycling and recovery; and water conservation.
- Contingency and emergency planning and management procedures
- Storage, handling and/or bunding of hazardous materials
- Onsite processes and equipment for pre-treatment of discharges, and management and maintenance of pre-treatment systems
- Monitoring and recording of discharges (including in-line discharge monitoring equipment and instrumentation specifications, and in-line discharge monitoring trigger levels)
- System maintenance

- Control of stormwater
- Discharge biochemical oxygen demand (BOD_5) monitoring frequency
- Site hours of operation

7.3. Council may impose conditions requiring the permit holder to notify the Council immediately on discovery of any accident, including spills or process mishaps, which may cause a breach of the Bylaw or any condition of a trade waste permit, or cause damage to the wastewater or stormwater networks.

7.4. Council may impose conditions managing the quantity of discharge, including: volumetric requirements, conditions, or limits; maximum daily volume; maximum rate of discharge; the timing or duration of discharge; and the method(s) to be used for measuring flow rates and/or volume.

7.5. Council may impose conditions managing the quality of the trade waste discharge, including:

(a) Contaminant requirements, conditions, or limits;

(b) The requirement to comply with controlled discharge characteristics in Schedule A of this plan, or maximum limits or permissible ranges for identified characteristics different to those specified in Schedule A, including mass limits and maximum daily concentrations or volumes;

EXPLANATORY NOTE:

When setting any mass limit allocations for a particular characteristic the Council will consider:

- the treatment capacity and operational requirements of, and risk to, the wastewater network, and risks to occupational health and safety, public health, and the ultimate receiving environment;
- conditions in the wastewater network near the trade waste point of discharge and elsewhere in the wastewater network;
- the extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
- whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
- any requirements of the Council to reduce any contaminant discharge within the wastewater network or that may impact the discharge from the wastewater treatment plant to the environment;
- how great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the wastewater network;
- the total mass of the characteristic allowable in the wastewater network, and the proportion (if any) to be reserved for future allocations; and
- whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on wastewater reticulation, the treatment process, or on the receiving environment.

(c) The degree of acidity, or alkalinity of the trade waste at the time of discharge;

(d) The temperature of the trade waste at the time of discharge; and

(e) Any alteration of the trade waste.

7.6. Council may impose pre-treatment requirements or conditions including:

(a) Provision of an appropriate pre-treatment system to reduce or vary any characteristic of any trade waste before discharge to the wastewater network. Without limitation to the activities for which pre-treatment may be required, the Council will require pre-treatment of discharges from the following:

(i) Dental facilities - Typically, an amalgam trapping disposal system that complies with ISO 11143:2008 Dentistry – amalgam separators will be required.

(ii) Food preparation facilities - Typically, a grease removal system will be required.

EXPLANATORY NOTE:

Installation of a grease removal system must be in accordance with the Building Act 2004.

The Building Act 2004 requires a grease removal system to be installed for any activity where it may contain grease or oils. Trade waste permits generally allow between 200 and 500 g/m^3 grease after pre-treatment depending on the source of origin. An appropriate and well-maintained grease removal system should ensure trade waste meets this limit. When selecting a grease removal system, trade waste dischargers are strongly advised to consider:

- Whether the system is the correct size and design to treat the anticipated flows.
- Accessibility of the system for inspection and maintenance purposes.

A maintenance plan should include the frequency of inspection and cleaning, and identification of the person or company to be used to undertake cleaning of the grease removal system and dispose of the grease as tankered waste.

(iii) Vehicle wash facilities, service station forecourts, automotive dismantlers, car crushing facilities, metal merchants, vehicle washing events. Typically, an interceptor system will be required to remove oils, grease, fuels and sediments.

EXPLANATORY NOTE:

Trade waste permits generally allow up to 200 g/m^3 oils and grease after pre-treatment.

If the area is covered, and stormwater is prevented from entering the interceptor, the discharge can be made directly into the wastewater network via an interceptor.

If the area is uncovered (not roofed) and there is both stormwater and trade waste discharges from the site, then a two-way valve may be required to direct wastewater flows to the wastewater network and stormwater flows to the stormwater network. There are two types of valve:

- Mechanical – where the valve opens and closes automatically when washing takes place, diverting the wash water to the wastewater network or stormwater to the stormwater network.

- Manual - where the valve is opened and closed manually by an operator.

If a manual valve is proposed the applicant must provide information on what measures will be implemented to avoid risks of the valve not being operated correctly.

(iv) Contaminated stormwater – Typically treatment to remove or reduce contaminants (including sediment) prior to discharge to the wastewater network will be required.

(v) Discharges classified as conditional - The type of pre-treatment system will depend on the nature of the discharge.

EXPLANATORY NOTE:

Typical types of pre-treatment include:

- ***pH control or adjustment:*** pH may need to be actively controlled in some discharges e.g. electroplaters; waste treatment companies; tanneries and fellmongeries; laundries, radiator repair shops or concrete manufacturers.
- ***Screening:*** For wastes composed primarily of water and particulate matter rather than dissolved material, screening can be a cost-effective, efficient pre-treatment. Typical screening applications include fish processing wastewaters, small goods manufacture, laundries, meat processing and vegetable processing.
- ***Dissolved air floatation (DAF):*** If the density difference between solids and wastewater is marginal or if the solids have a high oil and grease content then a form of DAF can be an effective pre-treatment process. Typical applications include meat processing plants, tanneries and fellmongeries.
- ***Filter bags:*** This is a method of pressurised liquid filtration in which the product to be filtered is passed through a filter bag from inside to outside leaving the solids trapped in the bag. Typical applications include small meat and food processing plants with relatively high oil and grease loads.
- ***Grease removal systems:*** The most common types are passive, enzyme (or grease converter) and mechanical (or automatic). Grease removal systems must be sized correctly for them to operate effectively.

(b) Pre-treatment systems, where required, are to be provided, operated and maintained by the permit holder at their expense.

7.7. Council may impose conditions relating to the measurement or monitoring of trade waste discharges, including:

(a) Identification of the location, at or prior to the point of discharge, where compliance with the trade waste permit will be measured and monitored;

(b) Provision and maintenance of safe and reasonable access for the Council to the point where the discharge is measured and monitored and to inspect pre-treatment systems;

(c) Requirement for installation of a meter or sampling device.

(d) Requirement for the permit holder to undertake monitoring of any trade waste discharge at a premise or tankered waste vehicle to determine:

(i) Whether a discharge complies with the bylaw and a trade waste permit;

(ii) The classification of the discharge;

(iii) Determination of trade waste quantity; or

(iv) Determination of trade waste quality.

(e) Requirement for flow metering in any of the following circumstances:

(i) On discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade waste;

(ii) When the Council will not approve a method of flow estimation; or

(iii) When the discharge represents a significant proportion of the total flow/load received by the Council; or

(iv) In any case, where Council requires a meter as a condition of consent for the measurement of the rate or quantity of discharge of trade waste.

(e) Where a flow meter is required, the following conditions will apply:

(i) The permit holder is responsible for the supply, installation, calibration, reading and maintenance of any flow 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.

(ii) 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.

(iii) Flow 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.

(iv) 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 ±10 % but with no greater a deviation from the previous meter calibration of ±5%. A copy of independent certification of each calibration result must be submitted to the Council.

7.8. Council may impose conditions specifying requirements for sampling and laboratory testing by an authorised officer or agent of the Council, or the permit holder. Sampling and laboratory testing will be undertaken 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. Where a permit holder is responsible for arranging sampling and laboratory testing, details of any such sampling and analytical results must be made available to the Council on request.

7.9. Council may impose conditions in a permit outlining the qualification, training, or supervision requirements for staff involved with the discharge of trade waste to the wastewater network.

7.10. Council may impose requirements relating to unique identifiers (for example, a code that enables DCC to identify particular trade waste premises or a vehicle used to transport trade waste) as a condition of the permit.

7.11. Council may impose any record-keeping, audit, and inspection requirements in the permit. Council is entitled to monitor and audit any trade waste discharge for compliance through any of the following:

(i) Inspection of the pre-treatment system;

(ii) Auditing of any plans for the maintenance of the pre-treatment system;

(iii) Auditing of any trade waste permit conditions including of requirements in any management plan;

(iv) Inspection of the nature and characteristics of the discharge; or

(v) Auditing the sampling and analysis carried out by a self-monitoring trade waste permit holder. Analysis will be performed by an International Accreditation New Zealand approved laboratory.

7.12. The Council may impose any other conditions considered reasonably necessary including:

(a) The requirement to pay any fees and charges set or imposed by the Council, including a penalty fee that may be imposed if a permit holder does not comply with the terms of their permit;

(b) Any condition necessary to ensure the efficient operation of the wastewater network;

(c) The requirement to hold public liability insurance where failure to comply with the trade waste permit (including any management plan), the Bylaw, or this plan, could result in damage to the wastewater network or could result in the Council being in breach of any statutory obligation;

(d) Any condition necessary to ensure protection of the health and safety of Council staff and agents responsible for managing the wastewater network and the public;

(e) The requirement to prepare and comply with a management plan; and

(f) The term of the trade waste permit.

EXPLANATORY NOTE:

The Council is likely to set the following duration times as the term for the following types of permit:

(a) For trade waste discharges with a Category A classification, a trade waste permit may be granted for a period up to ten (10) years where the Council is satisfied that:

- The nature of the activity, or the process design and/or management of the premises are such that the permit holder has a demonstrated ability to meet the conditions of the trade waste consent during its term;
- Waste minimisation and contaminant reduction techniques are successfully being utilised, as necessary; or
- Significant investment in pre-treatment facilities has been made.

(b) For food preparation facilities the term of trade waste permit may be granted for a period up to three (3) years.

(c) In all other cases the trade waste permit may be granted for a period up to five (5) years.

7.13. A trade waste permit for tankered waste may be granted subject to any of the considerations or conditions outlined above in clauses 7.1-7.12 (as relevant) and such additional conditions that the Council may impose, including, but not limited to the following matters:

(a) The types of trade waste to be discharged and the wastewater treatment plant to which the tankered waste can be discharged;

EXPLANATORY NOTE:

(i) Green Island Wastewater Treatment Plant can receive domestic wastewater and may receive stock truck effluent waste.

(ii) Tahuna Wastewater Treatment Plant can receive grease from a grease removal system.

(iii) Tankered waste cannot be disposed of at any other wastewater treatment plant or at any other point in the wastewater network without approval.

(iv) Other types of tankered trade waste cannot be disposed of at wastewater treatment plants without approval.

(b) The requirements and approval process for the discharge of tankered waste comprising anything other than domestic wastewater, stock truck effluent, or grease from a grease removal network, including the notice period to be provided to the treatment plant before proposed discharge;

(c) The requirement to fill in Tankered Waste Disposal Forms to record load details, including the volume, contents, and source, of the tankered waste, and for this information to be provided to the Council at time of discharge; and

(d) Requirements to avoid cross contamination between different types of tankered waste, including requirements for only single category load (i.e. only sewerage or only grease, no mixed loads), and for the tanker to be thoroughly washed between tanker loads of varying waste categories.

SCHEDULE A - CONTROLLED TRADE WASTE DISCHARGE STANDARDS

1 A trade waste discharge is classified as 'controlled' where it:

(a) Does not exceed a 24-hour volume of 5m^3 and a flow rate of 2.0 L/s at any time, at the point of discharge; and

(b) It has the following characteristics:

CHARACTERISTIC	DESCRIPTOR
Temperature	≤40°C
pH	6.0 – 9.0 pH units
Solids	
• Non-faecal gross solids	< 15 mm maximum dimension
• Suspended solids	< 600 g/m^3
• Settleable solids	< 25 ml/L
• Fibrous, woven, sheet film or any other material that may interfere with the wastewater network	None allowed
Free layer (whether floating or settled) of solvents or organic liquids	None allowed
Emulsions of paint, latex, adhesive, rubber or plastic that may interfere with the wastewater network	None allowed
Radioactivity levels	≤ levels specified in *CSP1 Code of safe practice for the use of unsealed radioactive materials (2010).*
Colour or colouring substance that may interfere with the wastewater network	None allowed
Fats, oils and grease	
• free or floating layer of fats, oils or grease	None allowed
• fats, oil or grease containing substances that will become viscous between 0°C and 65°C	None allowed
Explanatory note: A trade waste permit for Category A and B trade waste generally allows a trade waste discharge after pre-treatment containing fat, oil or grease: • of animal or vegetable origin up to a maximum 500g/m^3 • of other origin up to a maximum of 200g/m^3	
Organic waste (as measured by Biological Oxygen Demand – BOD_5)	None allowed
Explanatory note: Trade waste permits for Category A and B trade waste generally allow BOD_5 up to a maximum of 3500g/m^3. Discharge levels determined on a case-by-case assessment of wastewater network capacity and mass limits.	

and

(c) maximum concentrations of chemical compounds do not exceed the following concentrations:

CHEMICAL CHARACTERISTIC	MAXIMUM CONCENTRATION (g/m^3)
Aluminium (dissolved)	100
Antimony	10

CHEMICAL CHARACTERISTIC	MAXIMUM CONCENTRATION (g/m^3)
Arsenic	5
Barium	10
Beryllium	0.005
Biphenyls	
• Polychlorinated biphenyls (PCBs)	0.002
• Polybrominated biphenyls (PBBs)	0.002 each
Boron	25
Bromine	5
Cadmium	0.5
Chlorine	
• Free chlorine	3
• Hypochlorite	30
Chromium (trivalent and hexavalent)	5
Cobalt	10
Copper	10
Cyanide – weak acid dissociable (as CN)	5
Formaldehyde (as HCHO)	50
Fluoride	30
Halogenated aliphatic compounds	1
Hydrocarbons	
• Petroleum hydrocarbons	30
• Monocyclic aromatic hydrocarbons	5
• Polycyclic aromatic hydrocarbons (PAHs)	0.05
• Halogenated aromatic hydrocarbons (HAHs)	0.002
Iron (dissolved)	100
Lead	10
Manganese	20
Mercury	0.05
MBAS (Methylene blue active substances)	500
Molybdenum	10
Nickel	10
Nitrogen	
• Free ammonia	50
• Ammonium salts	200
• Kjeldahl nitrogen	150
• Total Nitrogen	300
Phosphorus (Total, as P)	50
Pesticides	
• Organophosphate pesticides	0.1
• Other pesticides (including insecticides, herbicides, fungicides, but excludes	0.2 in total

CHEMICAL CHARACTERISTIC	MAXIMUM CONCENTRATION (g/m^3)
organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	
Phenols	
• Chlorinated phenols	0.02
• Other phenolic compounds (excluding chlorinated phenols)	50
Selenium	10
Silver	2
Sulphate	500
Sulphite	15
Sulphide (as H_2S on acidification)	5
Thallium	10
Tin (metal, not as tributyl and other organotin compounds);	20
Zinc	10

and

(d) pharmaceutical waste (except those containing cytotoxic compounds or material, which are prohibited in Schedule C of the Trade Waste Discharge Plan) discharged does not exceed the following volumes and concentrations of active ingredients per calendar month:

Volume limit	Active concentration
10 Litres	125mg/5ml
5 Litres	250mg/5ml
3 Litres	Above 250mg/5ml

2 If any limits in clause (1) (a), (b), or (c) of this schedule are different to the active concentration limits in (1)(d), the lower limit becomes the controlled discharge.

Explanatory note: The following is an indicative list of activities that may generate controlled trade wastes.

- Beauticians
- Cafes or sandwich bar – where no hot food is cooked
- Carpet or dog cleaning mobile units *
- Dairies (where no food is prepared, cooked, or baked, i.e. pre-made food is brought in and only heated)
- Dog groomers/washing stations *
- Hairdressers

- Ice cream parlours
- Painter (small commercial) *
- Pet shops, catteries, kennels
- Pharmacies

** Wastes from these facilities must be disposed of to land, or into the wastewater network. They must not be disposed of into the Council stormwater network.*

SCHEDULE B – PROPERTY/PROCESSES PRODUCING CONDITIONAL TRADE WASTE

The list below provides examples of properties and processes that are likely to discharge conditional trade waste.

- Abattoirs
- Beverage manufacturers (including wineries)
- Bakeries
- Cafes
- Community halls or churches - with catering facilities
- Concrete batching plants
- Construction, or works on the road, that results in the formation of trenches where trench water accumulates
- Dairy processing plants
- Delicatessens
- Dentists
- Doctors – with surgical facilities
- Drycleaners
- Electroplaters
- Funeral parlours
- Fellmongers
- Food processors
- Foundries
- Galvanisers
- Hospitals
- Hotels and motels with catering facilities or laundry
- Laboratories
- Laundries
- Landfills
- Manufacturing
- Medical centres with surgical facilities
- Marae
- Mechanical workshops
- Metal finishers
- Metal merchants
- Mortuaries
- Property with commercial refuse or garbage grinders or macerators
- Printers
- Restaurants
- Salad bars
- Schools, polytechnics, universities with laboratories or catering facilities
- Service stations
- Spray painting facilities
- Sports/recreational facilities - with catering facilities or pool
- Stock sale yards
- Sushi (with on site preparation)
- Swimming pools and spa pools - non-domestic (e.g. schools, gyms, sport/recreation/health facilities)
- Takeaways
- Tankered waste
- Tanneries and leather finishing
- Textile fibre and textile processors
- Trench water
- Vehicle wash facilities
- Vehicle washing event (e.g. fundraising car washes or car washing for car rallies)
- Veterinary surgeries
- Waste management processes
- Wholesalers/retailers including butchers, greengrocers and fishmongers
- Wool scourers

SCHEDULE C - 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 persistent organic pollutants, including, but not limited to, 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.

TRADE WASTE BYLAW			
TRADE WASTE BYLAW 2026			
Approved by:	The Council		
Date approved:	4 December 2026		
Date of effect:	16 December 2026	**Reviewed:**	
Next review date:	16 December 2036	**DOC ID:**	

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

EXPLANATORY NOTE:

This bylaw has been assessed for consistency with the principles of responsible regulation in section 9 of the Regulatory Standards Act 2025. See the Dunedin City Council's Consistency Accountability Statement and Summary of Underpinning Analysis at www.dunedin.govt.nz/regulatory-analysis-documents

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 or approved	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. 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.
Controlled trade waste	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.
Persistent organic pollutants	Means toxic, carbon-based synthetic chemicals that resist degradation and remain intact in the environment for decades.

	They include any substance listed in Schedule 2A of the Hazardous Substances and New Organisms Act 1996 and include a substance or manufactured article containing 1 or more of those substances.
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 $5m^3$ 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 (BOD_5 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 ±10 % but with no greater a deviation from the previous meter calibration of ±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 persistent organic pollutants, including, but not limited to, 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.

(a) 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);

(b) Solids from mudtanks or interceptors; or

(c) 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.

DUNEDIN CITY COUNCIL | kaunihera a-rohe o Ōtepoti

Hearings Committee - Bylaws and Policies

Proposed Trade Waste Bylaw 2026 and Trade Waste Discharge Plan 2026

MINUTES

Minutes of an ordinary meeting of the Consultation Hearings held in the Council Chambers, Dunedin Public Art Gallery, The Octagon, Dunedin on Wednesday 04 November 2026, commencing at 10:00 am

PRESENT

Chairperson	Cr Lee Vandervis
Members	Cr John Chambers Cr Jo Galer
IN ATTENDANCE	John McAndrew (Head of 3 Waters), Scott Campbell (Regulation and Policy Team Leader), and Jacinda Baker (Senior Policy Analyst)
Governance Support Officer	Roxanne Davies

1 WELCOME AND INTRODUCTIONS

Cr Vandervis opened the hearing, welcomed attendees, and introduced the Hearings Panel. Roxanne outlined the housekeeping arrangements.

2 APOLOGIES

There were no apologies.

3 DECLARATIONS OF INTEREST

Members were reminded of the need to stand aside from decision-making when a conflict arose between their role as an elected representative and any private or other external interest they might have.

Moved (Cr Lee Vandervis/Cr Jo Galer):

That the Committee:

a) **Notes** the Elected Members' Interest Register attached as Attachment A; and

b) **Confirms** the proposed management plan for Elected Members' Interests.

Motion carried (CH/2026/004)

PART A REPORTS

5 SUMMARY OF CONSULTATION ON PROPOSED TRADE WASTE DISCHARGE PLAN 2026 AND TRADE WASTE BYLAW 2026 AND STAFF RECOMMENDATIONS ON MATTERS RAISED

A report from 3 Waters informed the Hearings Committee on the submissions received during consultation on the proposed Trade Waste Discharge Plan 2026 and proposed Trade Waste Bylaw 2026.

Five submissions were received. Overall, submitters were generally supportive of the proposed Plan and Bylaw, with some raising questions, concerns, or suggestions relating to trade waste consent and permit requirements, permits for discharges to the wastewater network, infringement offences and enforcement, and the management of Persistent Organic Pollutants (POPs).

The Head of 3 Waters (John McAndrew), Regulation and Policy Team Leader (Scott Campbell), and Senior Policy Analyst (Jacinda Baker) spoke to the report and responded to questions.

Moved (Cr Lee Vandervis/Cr John Chambers):

That the Committee:

a) **Notes** the feedback from the public engagement of the proposed Trade Waste Discharge Plan 2026 and proposed Trade Waste Bylaw 2026; and

b) **Recommends** that Council adopt the proposed Trade Waste Discharge Plan 2026, as amended; and

c) **Recommends** that Council adopt the proposed Trade Waste Bylaw 2026, as amended.

Motion carried (CH/2026/005)

The hearing concluded at 11:07 am.

TRADE WASTE DISCHARGE PLAN			
Approved by:	The Council		
Sponsor:	Jared Oliver, Planning Manager, 3 Waters		
Department responsible:	3 Waters		
Date approved:	4 December 2026	**Reviewed:**	
Next review date:	December 2036	**DOC ID:**	

1. Purpose

The Trade Waste Discharge Plan (this plan) sets out the approach that the Council will take to regulate trade waste in Dunedin and the discharge of trade waste into the wastewater network.

The preparation of this plan meets Council's obligations under the Local Government (Water Services) Act 2025 (the Act).

2. Context

Section 185 of the Act requires a territorial authority to prepare and issue a trade waste discharge plan, which may include proposals for a trade waste bylaw.

This plan, together with the Trade Waste Bylaw 2026 (the Bylaw), regulates the discharge of trade waste from trade waste premises and vehicles transporting trade waste, into the DCC wastewater network.

3. Scope

This plan and the Bylaw apply to any person discharging or applying to discharge trade waste to the Council wastewater network, and the premises or vehicle from which trade waste is discharged.

This plan does not apply to domestic wastewater discharged directly from a property or self-contained vehicle to the wastewater network as this is not trade waste.

This plan sets out the approach the Council will take to regulate trade waste and the discharge of trade waste to the wastewater network, including:

- the types of premises to which this Plan applies;
- determining the category of trade waste to be discharged based on the type of activities undertaken on the premises, equipment or processes used, and the discharge created;
- setting conditions that will be applied to discharge of trade waste into the wastewater network;
- setting requirements or limits on transporting trade waste;
- circumstances where fees, charges or penalties will be imposed; and
- proposing a trade waste bylaw necessary to implement this plan.

The Council will consider this plan when:

- assessing applications for a trade waste permit;
- assessing a trade waste discharge that does not have a permit or needs a new permit to address changes in circumstances or discharge;
- assessing a trade waste discharge that has a permit to determine fees and charges, and compliance with this plan, the permit, or the Bylaw; or
- carrying out any monitoring.

4. Trade Waste Bylaw

The Council, through this plan, proposes a new trade waste bylaw to replace the existing Trade Waste Bylaw 2020. A bylaw is considered necessary to implement this plan.

The Bylaw, which was consulted on alongside this plan, contains rules and other provisions relating to:

- Restrictions on discharges of trade waste
- Storage, transport, handling and use of hazardous materials
- Trade waste classification
- Trade waste permits. Including the application process, change in circumstances, permit conditions, and transfer, review and termination of a permit
- Monitoring, including sampling, flow metering, and estimated discharge volume
- Enforcement, breaches and infringement offences
- Administrative matters, including requirements for the payment of fees and charges

5. Definitions

5.1. In this plan, unless the context otherwise requires:

Act	Means the Local Government (Water Services) Act 2025 (and any amendments).
Approval or approved	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.
Bylaw (the Bylaw)	Trade Waste Bylaw 2026.
Characteristic	Means any of the physical, biological or chemical features of trade waste including those described in Schedules A and C of this plan.
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 this plan, but which does not have any prohibited characteristics as defined in Schedule C of this plan. Conditional trade waste may require pre-treatment prior to discharge and conditions may be included in the permit.
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. 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.

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.
Controlled trade waste	Means a trade waste that meets the characteristics defined in Schedule A of this plan without pre-treatment.
Council	Means the Dunedin City Council inclusive of its officers and/or 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.
Food preparation facilities	Means any premise with a commercial kitchen, or any premise discharging trade waste where food is cooked, prepared or baked. Does not include facilities where pre-made food is brought in and only heated and/or served.
Infringement fee	In relation to an infringement offence, means the infringement fee for the offence specified in the Bylaw.
Infringement offence	Means an offence that is identified in the 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 section 190 of the Act authorising a person to discharge trade waste to the wastewater network, subject to conditions for the discharge. **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.
Persistent organic pollutants	Means toxic, carbon-based synthetic chemicals that resist degradation and remain intact in the environment for decades. They include any substance listed in Schedule 2A of the Hazardous Substances and New Organisms Act 1996 and include a substance or manufactured article containing 1 or more of those substances.
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 designated 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 a trade waste permit.
Prohibited trade waste	Means a trade waste that contains, or is likely to contain, prohibited characteristics as defined in Schedule C to this plan. The waste is not acceptable for discharge into Council's wastewater network.
Stormwater	Means all surface water run-off resulting directly or indirectly from precipitation. For the purpose of this plan, 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; (ii) any tankered waste; and (iii) any contaminated stormwater; but (b) does not include any class of waste or material that has been specified not to be trade waste by this plan (e.g. domestic wastewater).
Vehicle washing event	Means temporary washing of vehicles that is not an operational component of a commercial, industrial or trade activity. For example, fundraising car washes or car washing for car rallies.
Vehicle wash facilities	Means any property: (a) with facilities to commercially wash vehicles; or (b) where vehicles are washed on site as part of operations, such as vehicle sales yards, bus depots, or truck yards.
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.

5.2. Part 2 of the Legislation Act 2019 applies to the interpretation of this Plan.

5.3. Every schedule to this plan forms part of the plan.

5.4. Explanatory notes are not part of this plan and the Council may add, amend or delete explanatory notes at any time without amending this plan.

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

6. Council approach to regulation of trade waste

Classification of discharges

6.1. In accordance with the Bylaw, all trade waste discharges will be classified by the Council into the following categories:

(a) Conditional (Category A) – Significant industry, major discharges, generates more than $5m^3$ 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 this 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 this plan.

Property/processes producing conditional trade waste are outlined in Schedule B of this plan.

Characteristics of trade waste classified as prohibited are outlined in Schedule C of this plan and Schedule 1 of the Bylaw.

Trade waste permit applications

6.2. Council will determine the classification of trade waste discharge and where a premises discharges conditional or controlled trade waste, or a person is transporting/discharging tankered waste, the person responsible for the discharge must apply for a permit in accordance with the permit application provisions in the Bylaw.

Assessment of trade waste permit applications

6.3. In considering an application for a trade waste permit, the Council will take into consideration any matters it considers relevant, including (without limitation) 1 or more of the following:

(a) Risk assessment of potential damage to the environment due to an accidental discharge of a chemical or contaminant to the wastewater network;

(b) The possibility of unscheduled, unexpected or accidental discharge events and the degree of risk these could cause to humans, the wastewater network and the environment;

(c) Any actual or potential effects on the wastewater network;

(d) Any actual or potential effects on the Council's ability to discharge wastewater to the final receiving environment or re-use wastewater, or on the use or disposal of biosolids;

(e) The extent to which trade waste may react with other trade waste or wastewater to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion, or deterioration of the wastewater network;

(f) The nature of any wastewater treatment process and the degree to which the trade waste is capable of being treated in the wastewater treatment plant;

(g) The capacity of the wastewater network and the capacity of any wastewater treatment plant, and other facilities;

(h) The flows and velocities in the wastewater network and the material or construction of the wastewater network and its components;

(i) The potential impacts on the health and safety of Council staff and agents responsible for managing the wastewater network, and the public

(j) The compliance history of the applicant;

(k) Other existing or reasonably foreseeable future trade waste discharges to the wastewater network;

(l) The availability of alternative collection, treatment, and disposal systems or processes;

(m) The provision to Council of any information relating to the trade waste;

7. Conditions of trade waste permits

7.1. If the Council grants a trade waste permit, it may specify any requirements, terms and conditions, and limits, in a trade waste permit that the permit holder must satisfy before discharging trade waste into the wastewater network or transporting trade waste, including (without limitation) 1 or more of the matters outlined in clauses 7.2-7.13 below.

7.2. Council may impose conditions relating to the storage, handling, treatment, or discharge of trade waste, including:

(a) The source of the trade waste;

(b) The location in the wastewater network where trade waste will be discharged;

(c) Any requirements for storage, handling, treatment, or discharge of trade waste; and

(d) The provision and implementation of a management plan.

EXPLANATORY NOTE:

Where a management plan is required as a condition of a trade waste permit, it may address:

- Any waste minimisation and contaminant reduction measures necessary, e.g. use of more efficient processes; use of less raw materials; use of less toxic materials; efficient use of materials; reduce, reuse, recycling and recovery; and water conservation.
- Contingency and emergency planning and management procedures
- Storage, handling and/or bunding of hazardous materials
- Onsite processes and equipment for pre-treatment of discharges, and management and maintenance of pre-treatment systems
- Monitoring and recording of discharges (including in-line discharge monitoring equipment and instrumentation specifications, and in-line discharge monitoring trigger levels)
- System maintenance

- Control of stormwater
- Discharge biochemical oxygen demand (BOD_5) monitoring frequency
- Site hours of operation

7.3. Council may impose conditions requiring the permit holder to notify the Council immediately on discovery of any accident, including spills or process mishaps, which may cause a breach of the Bylaw or any condition of a trade waste permit, or cause damage to the wastewater or stormwater networks.

7.4. Council may impose conditions managing the quantity of discharge, including: volumetric requirements, conditions, or limits; maximum daily volume; maximum rate of discharge; the timing or duration of discharge; and the method(s) to be used for measuring flow rates and/or volume.

7.5. Council may impose conditions managing the quality of the trade waste discharge, including:

(a) Contaminant requirements, conditions, or limits;

(b) The requirement to comply with controlled discharge characteristics in Schedule A of this plan, or maximum limits or permissible ranges for identified characteristics different to those specified in Schedule A, including mass limits and maximum daily concentrations or volumes;

EXPLANATORY NOTE:

When setting any mass limit allocations for a particular characteristic the Council will consider:

- the treatment capacity and operational requirements of, and risk to, the wastewater network, and risks to occupational health and safety, public health, and the ultimate receiving environment;
- conditions in the wastewater network near the trade waste point of discharge and elsewhere in the wastewater network;
- the extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
- whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
- any requirements of the Council to reduce any contaminant discharge within the wastewater network or that may impact the discharge from the wastewater treatment plant to the environment;
- how great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the wastewater network;
- the total mass of the characteristic allowable in the wastewater network, and the proportion (if any) to be reserved for future allocations; and
- whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on wastewater reticulation, the treatment process, or on the receiving environment.

(c) The degree of acidity, or alkalinity of the trade waste at the time of discharge;

(d) The temperature of the trade waste at the time of discharge; and

(e) Any alteration of the trade waste.

7.6. Council may impose pre-treatment requirements or conditions including:

(a) Provision of an appropriate pre-treatment system to reduce or vary any characteristic of any trade waste before discharge to the wastewater network. Without limitation to the activities for which pre-treatment may be required, the Council will require pre-treatment of discharges from the following:

(i) Dental facilities - Typically, an amalgam trapping disposal system that complies with ISO 11143:2008 Dentistry – amalgam separators will be required.

(ii) Food preparation facilities - Typically, a grease removal system will be required.

EXPLANATORY NOTE:

Installation of a grease removal system must be in accordance with the Building Act 2004.

The Building Act 2004 requires a grease removal system to be installed for any activity where it may contain grease or oils. Trade waste permits generally allow between 200 and 500 g/m^3 grease after pre-treatment depending on the source of origin. An appropriate and well-maintained grease removal system should ensure trade waste meets this limit. When selecting a grease removal system, trade waste dischargers are strongly advised to consider:

- Whether the system is the correct size and design to treat the anticipated flows.
- Accessibility of the system for inspection and maintenance purposes.

A maintenance plan should include the frequency of inspection and cleaning, and identification of the person or company to be used to undertake cleaning of the grease removal system and dispose of the grease as tankered waste.

(iii) Vehicle wash facilities, service station forecourts, automotive dismantlers, car crushing facilities, metal merchants, vehicle washing events. Typically, an interceptor system will be required to remove oils, grease, fuels and sediments.

EXPLANATORY NOTE:

Trade waste permits generally allow up to 200 g/m^3 oils and grease after pre-treatment.

If the area is covered, and stormwater is prevented from entering the interceptor, the discharge can be made directly into the wastewater network via an interceptor.

If the area is uncovered (not roofed) and there is both stormwater and trade waste discharges from the site, then a two-way valve may be required to direct wastewater flows to the wastewater network and stormwater flows to the stormwater network. There are two types of valve:

- Mechanical – where the valve opens and closes automatically when washing takes place, diverting the wash water to the wastewater network or stormwater to the stormwater network.

- Manual - where the valve is opened and closed manually by an operator.

If a manual valve is proposed the applicant must provide information on what measures will be implemented to avoid risks of the valve not being operated correctly.

(iv) Contaminated stormwater – Typically treatment to remove or reduce contaminants (including sediment) prior to discharge to the wastewater network will be required.

(v) Discharges classified as conditional - The type of pre-treatment system will depend on the nature of the discharge.

Explanatory note

Typical types of pre-treatment include:

- ***pH control or adjustment:*** pH may need to be actively controlled in some discharges e.g. electroplaters; waste treatment companies; tanneries and fellmongeries; laundries, radiator repair shops or concrete manufacturers.
- ***Screening:*** For wastes composed primarily of water and particulate matter rather than dissolved material, screening can be a cost-effective, efficient pre-treatment. Typical screening applications include fish processing wastewaters, small goods manufacture, laundries, meat processing and vegetable processing.
- ***Dissolved air floatation (DAF):*** If the density difference between solids and wastewater is marginal or if the solids have a high oil and grease content then a form of DAF can be an effective pre-treatment process. Typical applications include meat processing plants, tanneries and fellmongeries.
- ***Filter bags:*** This is a method of pressurised liquid filtration in which the product to be filtered is passed through a filter bag from inside to outside leaving the solids trapped in the bag. Typical applications include small meat and food processing plants with relatively high oil and grease loads.
- ***Grease removal systems:*** The most common types are passive, enzyme (or grease converter) and mechanical (or automatic). Grease removal systems must be sized correctly for them to operate effectively.

(b) Pre-treatment systems, where required, are to be provided, operated and maintained by the permit holder at their expense.

7.7. Council may impose conditions relating to the measurement or monitoring of trade waste discharges, including:

(a) Identification of the location, at or prior to the point of discharge, where compliance with the trade waste permit will be measured and monitored;

(b) Provision and maintenance of safe and reasonable access for the Council to the point where the discharge is measured and monitored and to inspect pre-treatment systems;

(c) Requirement for installation of a meter or sampling device.

(d) Requirement for the permit holder to undertake monitoring of any trade waste discharge

at a premise or tankered waste vehicle to determine:

(i) Whether a discharge complies with the bylaw and a trade waste permit;

(ii) The classification of the discharge;

(iii) Determination of trade waste quantity; or

(iv) Determination of trade waste quality.

(e) Requirement for flow metering in any of the following circumstances:

(i) On discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade waste;

(ii) When the Council will not approve a method of flow estimation; or

(iii) When the discharge represents a significant proportion of the total flow/load received by the Council; or

(iv) In any case, where Council requires a meter as a condition of consent for the measurement of the rate or quantity of discharge of trade waste.

(e) Where a flow meter is required, the following conditions will apply:

(i) The permit holder is responsible for the supply, installation, calibration, reading and maintenance of any flow 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.

(ii) 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.

(iii) Flow 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.

(iv) 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 ±10 % but with no greater a deviation from the previous meter calibration of ±5%. A copy of independent certification of each calibration result must be submitted to the Council.

7.8. Council may impose conditions specifying requirements for sampling and laboratory testing by an authorised officer or agent of the Council, or the permit holder. Sampling and laboratory testing will be undertaken 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. Where a permit holder is responsible for arranging sampling and laboratory testing, details of any such sampling and analytical results must be made available to the Council on request.

7.9. Council may impose conditions in a permit outlining the qualification, training, or supervision requirements for staff involved with the discharge of trade waste to the wastewater network.

7.10. Council may impose requirements relating to unique identifiers (for example, a code that enables DCC to identify particular trade waste premises or a vehicle used to transport trade waste) as a condition of the permit.

7.11. Council may impose any record-keeping, audit, and inspection requirements in the permit. Council is entitled to monitor and audit any trade waste discharge for compliance through any of the following:

(i) Inspection of the pre-treatment system;

(ii) Auditing of any plans for the maintenance of the pre-treatment system;

(iii) Auditing of any trade waste permit conditions including of requirements in any management plan;

(iv) Inspection of the nature and characteristics of the discharge; or

(v) Auditing the sampling and analysis carried out by a self-monitoring trade waste permit holder. Analysis will be performed by an International Accreditation New Zealand approved laboratory.

7.12. The Council may impose any other conditions considered reasonably necessary including:

(a) The requirement to pay any fees and charges set or imposed by the Council, including a penalty fee that may be imposed if a permit holder does not comply with the terms of their permit;

(b) Any condition necessary to ensure the efficient operation of the wastewater network;

(c) The requirement to hold public liability insurance where failure to comply with the trade waste permit (including any management plan), the Bylaw, or this plan, could result in damage to the wastewater network or could result in the Council being in breach of any statutory obligation;

(d) Any condition necessary to ensure protection of the health and safety of Council staff and agents responsible for managing the wastewater network and the public;

(e) The requirement to prepare and comply with a management plan; and

(f) The term of the trade waste permit.

EXPLANATORY NOTE:

The Council is likely to set the following duration times as the term for the following types of permit:

(a) For trade waste discharges with a Category A classification, a trade waste permit may be granted for a period up to ten (10) years where the Council is satisfied that:

- The nature of the activity, or the process design and/or management of the premises are such that the permit holder has a demonstrated ability to meet the conditions of the trade waste consent during its term;
- Waste minimisation and contaminant reduction techniques are successfully being utilised, as necessary; or

- Significant investment in pre-treatment facilities has been made.

(b) For food preparation facilities the term of trade waste permit may be granted for a period up to three (3) years.

(c) In all other cases the trade waste permit may be granted for a period up to five (5) years.

7.13. A trade waste permit for tankered waste may be granted subject to any of the considerations or conditions outlined above in clauses 7.1-7.12 (as relevant) and such additional conditions that the Council may impose, including, but not limited to the following matters:

(a) The types of trade waste to be discharged and the wastewater treatment plant to which the tankered waste can be discharged;

EXPLANATORY NOTE:

(i) Green Island Wastewater Treatment Plant can receive domestic wastewater and may receive stock truck effluent waste.

(ii) Tahuna Wastewater Treatment Plant can receive grease from a grease removal system.

(iii) Tankered waste cannot be disposed of at any other wastewater treatment plant or at any other point in the wastewater network without approval.

(iv) Other types of tankered trade waste cannot be disposed of at wastewater treatment plants without approval.

(b) The requirements and approval process for the discharge of tankered waste comprising anything other than domestic wastewater, stock truck effluent, or grease from a grease removal network, including the notice period to be provided to the treatment plant before proposed discharge;

(c) The requirement to fill in Tankered Waste Disposal Forms to record load details, including the volume, contents, and source, of the tankered waste, and for this information to be provided to the Council at time of discharge; and

(d) Requirements to avoid cross contamination between different types of tankered waste, including requirements for only single category load (i.e. only sewerage or only grease, no mixed loads), and for the tanker to be thoroughly washed between tanker loads of varying waste categories.

SCHEDULE A - CONTROLLED TRADE WASTE DISCHARGE STANDARDS

1 A trade waste discharge is classified as 'controlled' where it:

(a) Does not exceed a 24-hour volume of 5m^3 and a flow rate of 2.0 L/s at any time, at the point of discharge; and

(b) It has the following characteristics:

CHARACTERISTIC	DESCRIPTOR
Temperature	≤40°C
pH	6.0 – 9.0 pH units
Solids	
• Non-faecal gross solids	< 15 mm maximum dimension
• Suspended solids	< 600 g/m^3
• Settleable solids	< 25 ml/L
• Fibrous, woven, sheet film or any other material that may interfere with the wastewater network	None allowed
Free layer (whether floating or settled) of solvents or organic liquids	None allowed
Emulsions of paint, latex, adhesive, rubber or plastic that may interfere with the wastewater network	None allowed
Radioactivity levels	≤ levels specified in *CSP1 Code of safe practice for the use of unsealed radioactive materials (2010).*
Colour or colouring substance that may interfere with the wastewater network	None allowed
Fats, oils and grease	
• free or floating layer of fats, oils or grease	None allowed
• fats, oil or grease containing substances that will become viscous between 0°C and 65°C	None allowed
Explanatory note: A trade waste permit for Category A and B trade waste generally allows a trade waste discharge after pre-treatment containing fat, oil or grease: • of animal or vegetable origin up to a maximum 500g/m^3 • of other origin up to a maximum of 200g/m^3	
Organic waste (as measured by Biological Oxygen Demand – BOD_5)	None allowed
Explanatory note: Trade waste permits for Category A and B trade waste generally allow BOD_5 up to a maximum of 3500g/m^3. Discharge levels determined on a case-by-case assessment of wastewater network capacity and mass limits.	

and

(c) maximum concentrations of chemical compounds do not exceed the following concentrations:

CHEMICAL CHARACTERISTIC	MAXIMUM CONCENTRATION (g/m^3)
Aluminium (dissolved)	100
Antimony	10

CHEMICAL CHARACTERISTIC	MAXIMUM CONCENTRATION (g/m^3)
Arsenic	5
Barium	10
Beryllium	0.005
Biphenyls	
• Polychlorinated biphenyls (PCBs)	0.002
• Polybrominated biphenyls (PBBs)	0.002 each
Boron	25
Bromine	5
Cadmium	0.5
Chlorine	
• Free chlorine	3
• Hypochlorite	30
Chromium (trivalent and hexavalent)	5
Cobalt	10
Copper	10
Cyanide – weak acid dissociable (as CN)	5
Formaldehyde (as HCHO)	50
Fluoride	30
Halogenated aliphatic compounds	1
Hydrocarbons	
• Petroleum hydrocarbons	30
• Monocyclic aromatic hydrocarbons	5
• Polycyclic aromatic hydrocarbons (PAHs)	0.05
• Halogenated aromatic hydrocarbons (HAHs)	0.002
Iron (dissolved)	100
Lead	10
Manganese	20
Mercury	0.05
MBAS (Methylene blue active substances)	500
Molybdenum	10
Nickel	10
Nitrogen	
• Free ammonia	50
• Ammonium salts	200
• Kjeldahl nitrogen	150
• Total Nitrogen	300
Phosphorus (Total, as P)	50
Pesticides	
• Organophosphate pesticides	0.1
• Other pesticides (including insecticides, herbicides, fungicides, but excludes	0.2 in total

CHEMICAL CHARACTERISTIC	MAXIMUM CONCENTRATION (g/m^3)
organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	
Phenols	
• Chlorinated phenols	0.02
• Other phenolic compounds (excluding chlorinated phenols)	50
Selenium	10
Silver	2
Sulphate	500
Sulphite	15
Sulphide (as H_2S on acidification)	5
Thallium	10
Tin (metal, not as tributyl and other organotin compounds);	20
Zinc	10

and

(d) pharmaceutical waste (except those containing cytotoxic compounds or material, which are prohibited in Schedule C of the Trade Waste Discharge Plan) discharged does not exceed the following volumes and concentrations of active ingredients per calendar month:

Volume limit	Active concentration
10 Litres	125mg/5ml
5 Litres	250mg/5ml
3 Litres	Above 250mg/5ml

2 If any limits in clause (1) (a), (b), or (c) of this schedule are different to the active concentration limits in (1)(d), the lower limit becomes the controlled discharge.

Explanatory note: The following is an indicative list of activities that may generate controlled trade wastes.

- Beauticians
- Cafes or sandwich bar – where no hot food is cooked
- Carpet or dog cleaning mobile units *
- Dairies (where no food is prepared, cooked, or baked, i.e. pre-made food is brought in and only heated)
- Dog groomers/washing stations *
- Hairdressers

- Ice cream parlours
- Painter (small commercial) *
- Pet shops, catteries, kennels
- Pharmacies

** Wastes from these facilities must be disposed of to land, or into the wastewater network. They must not be disposed of into the Council stormwater network.*

SCHEDULE B – PROPERTY/PROCESSES PRODUCING CONDITIONAL TRADE WASTE

The list below provides examples of properties and processes that are likely to discharge conditional trade waste.

- Abattoirs
- Beverage manufacturers (including wineries)
- Bakeries
- Cafes
- Community halls or churches - with catering facilities
- Concrete batching plants
- Construction, or works on the road, that results in the formation of trenches where trench water accumulates
- Dairy processing plants
- Delicatessens
- Dentists
- Doctors – with surgical facilities
- Drycleaners
- Electroplaters
- Funeral parlours
- Fellmongers
- Food processors
- Foundries
- Galvanisers
- Hospitals
- Hotels and motels with catering facilities or laundry
- Laboratories
- Laundries
- Landfills
- Manufacturing
- Medical centres with surgical facilities
- Marae
- Mechanical workshops
- Metal finishers
- Metal merchants
- Mortuaries
- Property with commercial refuse or garbage grinders or macerators
- Printers
- Restaurants
- Salad bars
- Schools, polytechnics, universities with laboratories or catering facilities
- Service stations
- Spray painting facilities
- Sports/recreational facilities - with catering facilities or pool
- Stock sale yards
- Sushi (with on site preparation)
- Swimming pools and spa pools - non-domestic (e.g. schools, gyms, sport/recreation/health facilities)
- Takeaways
- Tankered waste
- Tanneries and leather finishing
- Textile fibre and textile processors
- Trench water
- Vehicle wash facilities
- Vehicle washing event (e.g. fundraising car washes or car washing for car rallies)
- Veterinary surgeries
- Waste management processes
- Wholesalers/retailers including butchers, greengrocers and fishmongers
- Wool scourers

SCHEDULE C - 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 persistent organic pollutants, including, but not limited to, 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.

TRADE WASTE BYLAW			
TRADE WASTE BYLAW 2026			
Approved by:	The Council		
Date approved:	4 December 2026		
Date of effect:	16 December 2026	**Reviewed:**	
Next review date:	16 December 2036	**DOC ID:**	

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

EXPLANATORY NOTE:

This bylaw has been assessed for consistency with the principles of responsible regulation in section 9 of the Regulatory Standards Act 2025. See the Dunedin City Council's Consistency Accountability Statement and Summary of Underpinning Analysis at www.dunedin.govt.nz/regulatory-analysis-documents

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 or approved	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. 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.
Controlled trade waste	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.

Persistent organic pollutants	Means toxic, carbon-based synthetic chemicals that resist degradation and remain intact in the environment for decades. They include any substance listed in Schedule 2A of the Hazardous Substances and New Organisms Act 1996 and include a substance or manufactured article containing 1 or more of those substances.
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 $5m^3$ 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 (BOD_5 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 ±10 % but with no greater a deviation from the previous meter calibration of ±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 persistent organic pollutants, including, but not limited to, 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.

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Consistency Accountability Statement:

Dunedin City Council Trade Waste Bylaw 2026

Agency responsible	Dunedin City Council
Portfolio	3 Waters
Date finalised	17 November 2026

Statement of Review

I confirm that the Dunedin City Council has assessed the above secondary legislation for consistency with the principles of responsible regulation as set out in section 9 and modified by section 19, of the Regulatory Standards Act 2025.

This assessment identified no inconsistencies with the principles of responsible regulation.

Richard Briggs

Chief Executive

Dunedin City Council

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Summary of Underpinning Analysis: Dunedin City Council Trade Waste Bylaw 2026

Agency responsible	Dunedin City Council
Portfolio	Corporate and Regulatory Services
Date finalised	17 November 2026

Rule of Law: 9(a)(i)

The law should be clear and accessible	
Inconsistency identified?	No inconsistency identified.

Summary of agency analysis

The review of the Dunedin City Council Trade Waste Bylaw 2026 was conducted in accordance with the requirements of the Local Government (Water Services) Act 2025. The bylaw was reviewed in accordance with the statutory requirements of the Local Government Act 2002 (LGA 2002) using the consultation requirements of section 82 and the special consultative procedure (SCP) at section 83 of that Act. Before making the bylaw, the Council made the determinations at section 155 of that Act and determined that the proposed amended bylaw was the most appropriate form of bylaw.

Rule of Law: 9(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively	
Inconsistency identified?	No inconsistency identified

Summary of agency analysis

Before making the Bylaw, the Council made the determinations at section 155 of that Act and determined that the proposed Bylaw did not give rise to any implications under the New Zealand Bill of Rights Act 1990. The purpose of the Bylaw is to regulate the discharge of trade waste to the wastewater network. In this sense, limiting what trade waste can be discharged to the wastewater network is a proportionate responses and justifiable limitation. This is also in accordance with the requirements of the Local Government (Water Services) Act 2025.

Rule of Law: 9(a)(iii)

Every person is equal before the law	
Inconsistency identified?	No inconsistency identified.

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Summary of agency analysis
The Bylaw sets out a framework for all trade waste customers to obtain trade waste permits and would not result in the Bylaw being administered unequally to the degree that it is likely to be contrary to the rule of law.

Rule of Law: 9(a)(iv)

There should be an independent impartial judiciary	
Inconsistency identified?	Not applicable.
Summary of agency analysis	

Rule of Law: 9(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion	
Inconsistency identified?	No inconsistency identified.
Summary of agency analysis	
The Bylaw does not provide for the resolution of legal rights and liability in a manner that is contrary to the rule of law.	

Liberties: 9(b)

Legislation should not unduly diminish a person's liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person	
Inconsistency identified?	No inconsistency identified.
Summary of agency analysis	
The LGA 2002 requires the Council to ensure that any bylaw does not unreasonably limit the right to certain freedoms under the New Zealand Bill of Rights Act 1990. Before making the proposed Bylaw the Council, at its meeting of the 13 August 2026, determined that it did not give rise to any implications under that Act. The purpose of the Bylaw is to regulate the discharge of trade waste to the wastewater network. In this sense, limiting what trade waste can be discharged to the wastewater network is a proportionate responses and justifiable limitation. This is also in accordance with the requirements of the Local Government (Water Services) Act 2025.	

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Taking of property: 9(c)

Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless- • **there is a good justification for the taking or severe impairment; and** • **fair compensation for the taking or severe impairment is provided to the owner; and** • **the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment**	
Inconsistency identified?	No inconsistency identified.
Summary of agency analysis	

The Bylaw does not authorise acquisition of property and any limitations on property use are minor and proportionate. No inconsistency identified.

Taxes, fees and levies: 9(d)

The importance of maintaining consistency with section 22(a) of the Constitution Act 1986 (Parliamentary control of taxation)	
Inconsistency identified?	Not applicable.
Summary of agency analysis	

Taxes, fees and levies: 9(e)

Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates	
Inconsistency identified?	Not applicable.
Summary of agency analysis	

While the Bylaw does not set specific fees and charges, it enables the setting of fees and charges for trade waste permits and discharges. The Local Government (Water Services) Act 2025 provides for fees and charges to be set for trade waste services and to include these in annual budgets.
The Bylaw also provides for infringement offences and prescribes infringement fees in accordance with the Local Government (Water Services) Act 2025. Infringement fees prescribed under the Bylaw are penalties for specified contraventions rather than fees for the provision of goods or services and do not engage this principle.

Taxes, fees and levies: 9(f)

Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in	

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relation to both— • the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and • the costs of efficiently achieving the objective or providing the function	
Inconsistency identified?	No inconsistency identified.
Summary of agency analysis	
Fees and charges for trade waste permit applications and for discharges of trade waste are determined to recover partial costs for the provision of these services.	

Role of courts: 9(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation	
Inconsistency identified?	Not applicable.
Summary of agency analysis	

Role of courts: 9(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review	
Inconsistency identified?	No inconsistency identified.
Summary of agency analysis	
The Bylaw enables the Council to make determinations but does not seek to limit access to the courts.	

Good law-making: 9(i)

The importance of consulting, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation	
Inconsistency identified?	No inconsistency identified.
Summary of agency analysis	
The bylaw review was carried out in accordance with the statutory requirements of the LGA 2002 using the consultation procedures set out in that Act as well as the Council's Significance and Engagement Policy. The Council determined that the proposed Bylaw was the most appropriate form of bylaw and did not give rise to any implications under the New Zealand Bill of Rights Act 1990.	

The Council approved the proposed Trade Waste Bylaw and the statement of proposal at its meeting on 13 August 2026. Consultation was carried out from 17 August – 18 September 2026. Those who could be affected by the bylaw were notified of the review and invited to have their say. Submitters to the Bylaw had the opportunity to present their views to the Trade Waste Bylaw Hearings Committee.

Good law-making: 9(j)

The importance of carefully evaluating— • **the issue concerned; and** • **the effectiveness of any relevant existing legislation and common law; and** • **whether the public interest requires that the issue be addressed; and** • **any options (including non-legislative options) that are reasonably available for addressing the issue; and** • **who is likely to benefit, and who is likely to suffer a detriment, from the legislation**	
Inconsistency identified?	No inconsistency identified.
Summary of agency analysis	

In reviewing the Trade Waste Bylaw 2020, the Council made the statutory determinations at section 155 of the LGA 2002 and determined on 13 August 2026 that a bylaw is the most appropriate way to address some trade waste discharge related issues in Dunedin. The LGA 2002 requires the use of special consultative procedure (SCP) when making, amending or revoking a bylaw. SCP was used to consult on the proposed Bylaw from 17 August – 18 September 2026.

Good law-making: 9(l)

Legislation should be expected to produce benefits that exceed the costs of the legislation to the public or persons	
Inconsistency identified?	No inconsistency identified.
Summary of agency analysis	

The benefits of the Bylaw to protect the wastewater network by regulating the discharge of trade waste to the wastewater network, exceed the costs of the legislation to the public and the ratepayer.

Good law-making: 9(m)

Legislation should be the most effective, efficient, and proportionate response to the issue concerned that is available	
Inconsistency identified?	No inconsistency identified.

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Summary of agency analysis

As required by the LGA 2002, the Council has determined that:

- A bylaw is the most appropriate way to address some trade waste issues in Dunedin, and
- The Bylaw is the most appropriate form of bylaw, and
- The Bylaw does not give rise to implications under the New Zealand Bill of Rights Act 1990.

PROPOSED CHANGES TO THE COMMUNITY ACCESS GRANT REPORT

Department: Events and Enterprise Dunedin

EXECUTIVE SUMMARY

1 This report updates the Grants Subcommittee and seeks a decision on proposed amendments to the Dunedin Venues Management Limited (DVML) Community Access Fund (CAF) criteria to ensure the fund remains accessible to the community.

RECOMMENDATIONS

That the Council:

a) **Decides** whether to approve the proposed amendments to the Community Access Fund.

BACKGROUND

2 In 2011, the Dunedin City Council (DCC) established an annual Community Access Fund (CAF) for Dunedin Venues Management Limited (DVML) to ensure the community had access to one of DVML's venues (Forsyth Barr Stadium or Dunedin Centre) for community events.

3 The fund opens twice yearly, in March and September, aligning with the DCC Community Event Grant funding rounds. The CAF provides up to $750,000 annually for community use, covering eligible costs such as venue hire, security, venue staffing and cleaning associated with the two DVML venues.

4 The Community Access Grant Service Level Agreement between DCC and DVML is included as Attachment A.

5 Since the fund was established, both DVML and DCC staff have received ongoing feedback from community groups regarding its operation.

6 This is the first comprehensive review of the fund since its establishment.

7 The recommendations in this report are informed by feedback from both community groups and DVML to Council staff. The feedback aims to improve access to the venues and streamline the application process.

DISCUSSION

8 Several minor amendments to the existing CAF are recommended and are outlined below.

9 It is recommended that greater flexibility be introduced in the allocation of funding between the Dunedin Centre (DC) and Forsyth Barr Stadium (FBS). Demand for each venue varies from year to year, and the current fixed allocation of $150,000 for the DC and $600,000 for the FBS can create operational challenges when funding requests do not match the funding allocation between venues. A more flexible allocation would enable funding to be directed where it is needed most without requiring additional approval processes.

10 Payments are currently made twice annually, comprising a $500,000 deposit in September, followed by a further $250,000 payment in February. It is recommended that these payments be consolidated into a single annual payment made each September. This consolidated single yearly payment approach is not intended to result in a single yearly application approach.

11 It is recommended that the fund adopt a dual application approach. This would allow a portion of the fund to continue to be allocated through the existing six-monthly funding rounds, while reserving a portion for events that require longer lead times and greater funding certainty. Examples of possible community events that would benefit from a longer lead in time include Wild Dunedin's Nature Dome, the Dunedin Arts Festival, Moana Nui, and the Dunedin Symphony Orchestra.

12 Staff also recommend removing the current Community Event Hierarchy (Attachment B) from both the policy and DVML's contractual agreements with community groups. The details in the hierarchy give event organisers an inflated perception of the likelihood of bookings being cancelled or rescheduled. Removing the hierarchy and replacing it with a simple paragraph in the policy would provide event organisers with greater certainty regarding venue availability and booking confirmations while simplifying the booking process. Suggested wording for the paragraph is “Events are prioritised based on their size and impact. Where event dates and locations clash, higher-priority community or commercial events may take precedence. While organisers will be involved in discussions and every effort will be made to accommodate all events, some community events may need to be rescheduled or cancelled to enable events with greater anticipated audience, visitor, and economic benefits.”

OPTIONS

Option One – Recommended Option – Approve all recommendations within the report

That the Grants Subcommittee approves all recommendations in this report.

Advantages

- Reduces barriers for community groups accessing DVML venues.
- Provides greater certainty for community groups when booking DVML venues.

Disadvantages

- There are no known disadvantages.

Option Two – Approve some recommendations within the report

That the Grants Subcommittee identifies and approves a some of recommendations outlined in this report.

Advantages

- Reduces some barriers for community groups accessing DVML venues.
- Provides increased certainty for community groups when booking DVML venues.

Disadvantages

- Depending on the recommendations selected and amendments made, the changes might not fully address community feedback or achieve the intended outcomes.

Option Three – Do not approve recommendations within the report

That the Grants Subcommittee does not approve the recommendations outlined in this report.

Advantages

- There are no known advantages.

Disadvantages

- Community groups are unlikely to experience reduced barriers to accessing DVML venues.
- Community groups are unlikely to gain greater certainty when booking DVML venues.

NEXT STEPS

13 Staff will implement the Subcommittee decision and work with DVML to update the administration and funding arrangements in a timely manner.

Signatories

Author:	Dan Hendra - Team Leader - Events Teresa Fogarty - Destination Manager
Authoriser:	Mike Costelloe - General Manager, Arts, Culture & Economic Development

Attachments

	Title	Page
⇩A	Community Access Grant DCC and DVML Service Level Agreement	130
⇩B	Community Event Hierarchy	134

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities.
This decision promotes the social well-being of communities in the present and for the future.
This decision promotes the economic well-being of communities in the present and for the future.
This decision promotes the environmental well-being of communities in the present and for the future.
This decision promotes the cultural well-being of communities in the present and for the future.

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	✓	☐	☐
Economic Development Strategy	✓	☐	☐
Environment Strategy	☐	☐	✓
Arts and Culture Strategy	✓	☐	☐
3 Waters Strategy	☐	☐	✓
Future Development Strategy	☐	☐	✓
Integrated Transport Strategy	☐	☐	✓
Parks and Recreation Strategy	☐	☐	☐
Other strategic projects/policies/plans	✓	☐	☐

The recommendations align with Dunedin's Festival and Events Plan, ensuring community groups have access to city venues, and that events provide social cohesion and city vibrancy.

Māori Impact Statement

The proposed changes are intended to improve access to Council venues for community events and activities. This may benefit a range of cultural events, including those involving mana whenua, mātāwaka, and Pasifika communities. The proposal supports the objectives of Te Taki Haruru by enabling opportunities for cultural connection, participation, and community wellbeing.

Sustainability

By providing greater accessibility into city venues, community groups will likely benefit more.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

No implications.

Financial considerations

There are no financial considerations in this report.

Significance

The decision is considered low in terms of Council's Significance and Engagement Policy.

Engagement – external

DVML have engaged with previous recipients of the Community Access Grant who have provided feedback that has been included within this report.

SUMMARY OF CONSIDERATIONS
Engagement - internal No internal engagement.
Risks: Legal / Health and Safety etc. There are no identified risks.
Conflict of Interest No conflicts of interest have been identified.
Community Boards There are no implications for Community Boards.

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Service Level Agreement
2024/25
Between Dunedin City Council and Dunedin Venues Management Limited

1 Introduction

1.1 The Dunedin City Council (DCC) wishes to form partnerships with a variety of organisations with goals that align with and enhance DCC's Strategies. It is the DCC's desire to support Dunedin Venues Management Limited (DVML) to increase the wellbeing of Dunedin City's residents through provision of funding to maintain the Community Access Fund (the "Fund") operated by DVML.

1.2 This Agreement is created with the understanding that all activities associated with the negotiation, implementation and review of this arrangement will be undertaken in an ethical, professional, and responsible manner between DCC and DVML.

2 Dunedin City Council Strategies

2.1 The activity and goals of DVML align to the Economic, Social Wellbeing, Ara Toi (Arts and Culture), and Parks and Recreation Strategies of the DCC. DVML's activities and goals also align with the City's Festivals and Events Plan 2018 – 2023.

3 Purpose of the Grant

3.1 All monies provided by DCC through this Agreement will be used by DVML to provide affordable access to the Forsyth Barr Stadium and the Dunedin Centre by not-for-profit groups ("Group/s"). Access for the Groups to these venues will be enabled by an application to the Fund administered by DVML, through two contestable funding rounds each March and September annually.

4 Dunedin City Council Undertakes to:

4.1 Grant an agreed sum of $750,000 (plus GST) to assist DVML with provision of the Fund for the purposes outlined in clause 3.1 of this Agreement.

4.2 DVML will invoice DCC each August for payment in September ($500,000 plus GST) and each January for payment in February ($250,000 plus GST). Payment must be made no later than the 20th day of the relevant payment month (as described above) following receipt of invoice.

4.3 The DCC will provide advice, feedback, and support to DVML as required so that DVML can achieve the purposes outlined in clause 3.1 of this Agreement. This includes reviewing the grants DVML proposes to provide to applicants following the two grant application rounds (and prior to distribution of funds); and providing feedback to DVML staff on applications.

4.4 DCC may work with DVML to undertake a satisfaction survey and/or obtain feedback from recipients on their views of the Fund.

Initial

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5 Dunedin Venues Management Ltd Accountabilities

5.1 To use the grant monies for the purposes outlined in clause 3.1 and in accordance with DVML's Community Events Funding Policies ("DVML Policy").

5.2 To divide the Fund between the two venues: $600,000 (plus GST) to be allocated against Forsyth Barr Stadium, and $150,000 (plus GST) to be allocated against the Dunedin Centre.

5.3 To refund to the DCC any grant monies received by DVML which are not applied for or paid out in accordance with clause 3.1 of this Agreement, except in the case of Government imposed pandemic-related restrictions. Where events are unable to proceed due to Government imposed pandemic-related restrictions, and a date cannot be re-scheduled within the same financial year, DVML is able to retain the unspent funds.

5.4 To develop and maintain, in consultation with the DCC, the DVML Policy and application processes that assist a diverse range of Groups to access the Fund. DVML agree that the DVML Policy should align with the DCC's Strategic Framework.

5.5 DVML may allocate the grant funding received from the DCC under this Agreement to Groups but only in accordance with the DVML Policy. Should a Group not adhere to the DVML Policy and guidelines, DVML must seek DCC approval/guidance for the event.

5.6 DVML must publicly acknowledge the grant in its Annual Report and Accounts and in publicity material related to the Fund.

5.7 DVML will report annually to DCC as follows:

5.7.1 By 31 October: Provide a list of the proposed Fund recipients for DCC review prior to disbursement of grants; and an explanation of why Groups have been declined.

5.7.2 By 20 January: Provide a summary of all grants distributed.

5.7.3 By 31 January: If DCC or DVML have any issues with the delivery of the outcomes, set out in clause 3.1 of this Agreement, or any other matter under this Agreement, the affected party will convene a meeting of the parties no later than this date.

5.7.4 By 31 April: Provide a list of the proposed Fund recipients for DCC review prior to disbursements of grants; and an explanation of why Groups have been declined.

5.7.5 By 20 July: Report providing financial reconciliation which includes the number of events; attendees; user groups; dates; type of events and spaces used; any monies not allocated; and any issues / successes.

5.8 To supply DCC with a copy of the Annual Report/Accounts no later than 30 August annually.

6 Dispute Resolution

6.1 Where there is a dispute on any matter between DCC and DVML, a disputes resolution and escalation process will be executed. The disputes resolution process is outlined in Appendix One.

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7 Term of this Agreement

7.1 This Agreement covers the period of one year from 1 August 2024 to 31 July 2025 (the "Term") subject to the Accountabilities in clause 5 of this Agreement being met.

8 Termination

8.1 This Agreement continues until ended by:

i) expiry of the Term; or

ii) by either party to this Agreement terminating for any reason at any time by giving 10 working days' notice in writing to the other party ("Termination Date").

8.2 If this Agreement is terminated in accordance with clause 8.1, the DCC will only pay to DVML the grant sum calculated under this Agreement to the Termination Date; and DCC may recover from DVML any sums paid in advance of DVML supplying the outcomes set out in clause 3.1 of this Agreement beyond the Termination Date.

9 Dunedin City Council's Representative

9.1 Dan Hendra, Team Leader – Events or a nominee, will administer all aspects of this Agreement and is the official DCC representative who will liaise with DVML.

10 Dunedin Venues Management Limited Representative

10.1 Brenna McCann, Event Operations Manager at DVML will liaise with the DCC.

Agreement prepared for **Dunedin City Council** by:	Agreement prepared for **Dunedin Venues Management Limited** by:
Dan Hendra	Brenna McCann
Team Leader – Events	Events Operations Manager
Approved for **Dunedin City Council** by:	Executed for **Dunedin Venues Management Limited** by:
Signature of authorised officer	Signature (Signed by: Adam La Hood 588FF360CD024E7...)
Sandra Dawn Graham	Adam La Hood
Full name of authorised officer	Full name
Chief Executive Officer	CFO
Position of authorised officer	Position
Date Agreement signed: 27-8-2024	06-Sep-24

If your bank account details change, please let us know in the first instance.

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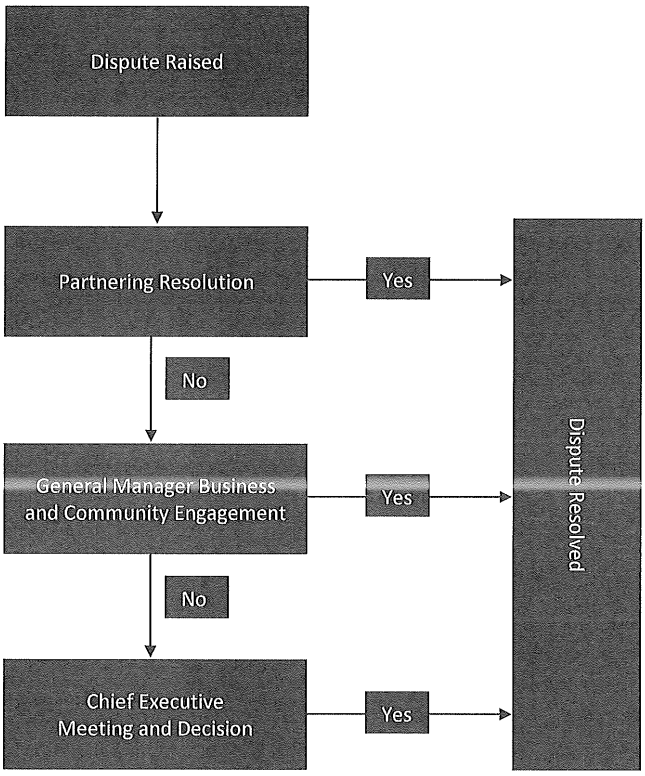
APPENDIX ONE: DISPUTE RESOLUTION PROCEDURE

If there is a dispute between the parties in relationship to this Agreement or any matter arising from it, the parties will in good faith, in the first instance, use their best endeavours to resolve the dispute themselves.

The dispute must be in writing and notified to the other party within 14 days of being notified of a decision.

If the parties themselves cannot resolve the dispute, then the flow chart below is to be used to resolve the dispute.

Again, a party must request escalation of the dispute to the next stage of the flow chart within 14 days of a decision in each case.



No dispute arising gives either Party the right to suspend their obligations under the terms of this Agreement.

Community Event Hierarchy

At the time of booking community events will be classed as event type 2, 3, 4 or 5 as determined by DVML in its discretion.

No event type 2 event will be rescheduled or cancelled.

Event types 3, 4 and 5 may be cancelled or rescheduled by DVML should a type 1 booking be accepted by DVML with no less than 12 weeks' notice.

Event type 4 and 5 may be cancelled or rescheduled by DVML should a type 2 booking be accepted by DVML with no less than 16 weeks' notice.

An event type 4 event takes precedence over an event type 5 event should there be two events applying for a single date.

Incidental community events should not take precedence over confirmed event types 2, 3, 4 or 5.

Type of Event	Indicative criteria:	Examples
Type 1: Major Commercial Event	This type of event may include any of the following: - An event where a Hirer will pay in excess of $10,000 for the hire of the space. - An event with a projected attendance of 1,500 paying people. - An event which gains national and/or international media exposure. - An event that requires no community funding.	- Commercial concerts and events - Exhibitions and conferences
Type 2: Commercial Event	This type of event may include any of the following: - An event with a projected attendance of approximately 1,000 paying people. - An event which gains national media exposure. - An event which may require subsidised community funding only. - An event which requires a long lead in time due to the booking of production and entertainers.	- Concerts - Conferences - Exhibitions
Type 3: Large Community Event	This type of event may include any of the following: - An event where the anticipated attendance is less than 1,000 paying people. - An event which includes local and national entertainers. - An event which requires full community funding. - An event which has significant local media exposure.	- Community concert - Fundraising event
Type 4: Medium Community Event	This type of event may include any of the following: - An event where the anticipated attendance is 300 – 1,000 people. - An event which requires full community funding. - An event which has some local media exposure.	- School events
Type 5: Small Community Event	This type of event may include any of the following: - An event where the anticipated attendance is 25 - 299. - An event which requires full community funding. - An event which has no media exposure guaranteed.	- Community funding/training seminar

MEETING SCHEDULE FOR 2027

Department: Civic

EXECUTIVE SUMMARY

1 The report seeks the adoption of a meeting schedule for 2026, in accordance with Clause 19(6)(a) of Schedule 7 of the Local Government Act 2002.

2 The proposed meeting schedule, appended as Attachment A, covers the period from January 2027 through to 31 December 2027.

RECOMMENDATIONS

That the Council:

a) **Approves** the proposed meeting schedule for 2027 as attached to the report or advises alternate meeting dates.

b) **Notes** that the Community Boards will confirm their meeting dates at their next meetings.

BACKGROUND

3 Every year Council adopts a schedule of meetings for the year ahead to provide some certainty in programming work and reporting.

4 Public and school holidays have been considered in setting the schedule, and additional meetings will be provided for as required.

5 Council meetings will be held on Wednesdays at three-week intervals commencing with public forum at 9.00 am. Council meetings that conflict with other sector meetings will be held on a Tuesday.

6 Committees will also meet on Wednesdays.

7 On the information currently available, important dates in the Council's programme of business are:

Annual Plan:

i) Council is to consider options and budget reports towards the development of the draft Annual Plan in January 2026 and consider a document for consultation in February 2026.

ii) Submission hearings and deliberations will take place in May 2026.

8 Meetings for Te Pae Māori have been scheduled as per the meeting schedule.

9 Hearings panels, working groups, sub-committees and workshops will be scheduled as required during the triennium.

10 As this report is for administrative purposes only, options and the summary of considerations are not required.

NEXT STEPS

11 If approved, the Council diary will be updated.

Signatories

Author:	Robyn Dillon - Manager Governance
Authoriser:	Gina Hu'akau - Community Partnerships Manager

Attachments

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DRAFT 2027 Meeting Schedule

January			February			March			April			May			June		
1	F	New Years Day	1	M		1	M		1	T	SHCB / STCB / MTCB	1	S		1	T	
2	S	Public holiday	2	T		2	T		2	F		2	S		2	W	Citizenship / WHCB / Council Agenda
3	S		3	W	Citizenship / Hearing	3	W	Policy & Planning / Citizenship / Council Agenda	3	S		3	M	Council - 10 yp Hearings	3	T	DHF / WCCB / SHCB
4	M	Observed Day after New Year's Day	4	T		4	T	DHF	4	S		4	T	Council - 10 yp Hearings	4	F	
5	T		5	F		5	F		5	M		5	W	Citizenship / Council - 10 yp Hearings	5	S	
6	W		6	S	Waitangi Day	6	S		6	T		6	T	Council - 10 yp Hearings	6	S	
7	T		7	S		7	S		7	W	Citizenship / Council Agenda / WHCB / WCCB	7	F		7	M	Kings Birthday
8	F		8	M	Observed Waitangi Day	8	M		8	T	LGNZ - Zone 5 & 6 Meeting	8	S		8	T	
9	S		9	T	Hearing / OPCB	9	T		9	F	LGNZ - Zone 5 & 6 Meeting	9	S		9	W	Council / P & P Agenda
10	S		10	W	Council Agenda	10	W	Council	10	S		10	M		10	T	
11	M		11	T	STCB / MTCB	11	T	Te Pae Māori Agenda	11	S		11	T	Council	11	F	PPC Hearing
12	T		12	F	Hearing	12	F	ARAC Agenda / PPC Hearing	12	M		12	W	Council Agenda	12	S	
13	W		13	S		13	S		13	T		13	T		13	S	
14	T		14	S		14	S		14	W	Council	14	F		14	M	
15	F		15	M		15	M		15	T		15	S		15	T	ARAC Agenda
16	S		16	T	Hearing / F & P Agenda	16	T	CE Performance & Employment Committee	16	F		16	S		16	W	Policy & Planning / Council Agenda
17	S		17	W	Council	17	W		17	S		17	M	Council Deliberations	17	T	
18	M		18	T	WHCB / WCCB / SHCB	18	T	Te Pae Māori	18	S		18	T	Council Deliberations / Grants Agenda	18	F	
19	T		19	F		19	F	ARAC / Council Agenda / Council Agenda	19	M		19	W	Council Deliberations / F & P Agenda	19	S	
20	W	Council Agenda	20	S		20	S		20	T		20	T	Council Deliberations	20	S	
21	T		21	S		21	S		21	W	F & P Agenda	21	F	Council Deliberations	21	M	
22	F		22	M		22	M	Otago Anniversary	22	T		22	S		22	T	ARAC
23	S		23	T	Finance & Performance	23	T		23	F		23	S		23	W	Council
24	S		24	W	P & P Agenda	24	W		24	S		24	M		24	T	Council Agenda / Grants Agenda
25	M		25	T		25	T	Council - adoption of consultation document	25	S	ANZAC Day	25	T	Grants / OPCB	25	F	Matariki
26	T		26	F		26	F	Good Friday	26	M	Observed ANZAC Day	26	W	Finance & Performance	26	S	
27	W	LTP/BAU Council	27	S		27	S		27	T		27	T	STCB / MTCB	27	S	
28	T		28	S		28	S		28	W	Council Hearings Agenda / Finance & Performance	28	F		28	M	
29	F					29	M	Easter Monday	29	T	Consultation closes 12 noon	29	S		29	T	CE Performance & Employment Committee
30	S					30	T	Consultation opens / OPCB	30	F	Council Agenda for 11 May Council Meeting	30	S		30	W	Council audit report and adoption of 10 year plan
31	S					31	W	Council				31	M	Final 10 YP To Audit			

Public holidays	BAU Council meetings/Agendas	Finance & Performance	Community Board meetings	School holidays	Audit, Risk and Assurance
	Special Council meetings/Agendas	Policy & Planning	Dunedin Heritage Fund (DHF)	LGNZ	

Last Updated: 26 November 2026

DRAFT 2027 Meeting Schedule

July				August				September				October				November				December			
1	T	Grants		1	S			1	W	Citizenship	P & P Agenda	1	F			1	M			1	W	Citizenship	
2	F			2	M			2	T	DHF	WCCB	MTCB	2	S			2	T	Grants Agenda		2	T	CE Performance & Employment Committee
3	S			3	T	Council		3	F	ARAC			3	S			3	W	Citizenship		3	F	PPC Hearing
4	S			4	W	Citizenship	Te Pae Māori Agenda	4	S				4	M			4	T			4	S	
5	M			5	T			5	S				5	T	Council	ARAC Agenda	5	F	Te Pae Māori Agenda		5	S	
6	T			6	F			6	M				6	W	Citizenship		6	S			6	M	Council Agenda for 15 Dec
7	W	Citizenship	Council Agenda	7	S			7	T				7	T	LGNZ - Zone 5 & 6 Meeting		7	S			7	T	Council Annual Plan / ARAC Agenda
8	T			8	S			8	W	Policy & Planning	Council Agenda		8	F	LGNZ - Zone 5 & 6 Meeting		8	M			8	W	Council Annual Plan Budget
9	F			9	M			9	T	WHCB	STCB	SHCB	9	S			9	T	Grants		9	T	Council Annual Plan Budget
10	S			10	T			10	F				10	S			10	W	Council Agenda		10	F	
11	S			11	W	Te Pae Māori	F & P Agenda	11	S				11	M	Council Agenda		11	T	Armistice Day		11	S	
12	M			12	T			12	S				12	T	ARAC	OPCB	12	F	Te Pae Māori		12	S	
13	T	OPCB		13	F			13	M				13	W	P & P Agenda		13	S			13	M	
14	W	Council	P & P Agenda	14	S			14	T				14	T	WCCB	STCB	14	S			14	T	ARAC
15	T	WCCB	SHCB	15	S			15	W	Council			15	F			15	M			15	W	Council
16	F			16	M			16	T				16	S			16	T	OPCB		16	T	
17	S			17	T			17	F				17	S			17	W	Council	F & P Agenda	17	F	
18	S			18	W	Finance & Performance	Council Agenda	18	S				18	M	Council for adoption of Annual Report		18	T	WHCB	WCCB	18	S	
19	M			19	T			19	S				19	T			19	F			19	S	
20	T			20	F			20	M				20	W	Policy & Planning	Council Agenda	20	S			20	M	
21	W	Policy & Planning		21	S			21	T	CE Performance & Employment Committee			21	T	WHCB	MTCB / SHCB	21	S			21	T	
22	T	WHCB	STCB / MTCB	22	S			22	W	Grants Agenda			22	F			22	M			22	W	
23	F			23	M			23	T				23	S			23	T			23	T	
24	S			24	T			24	F				24	S			24	W	Finance & Performance		24	F	
25	S			25	W	Council		25	S				25	M	Labour Day		25	T	DHF / SHCB / MTCB / STCB		25	S	Christmas Day
26	M			26	T			26	S				26	T			26	F			26	S	Boxing Day
27	T	LGNZ SuperLocal	Council Agenda	27	F	ARAC Agenda	PPC Hearing	27	M				27	W	Council		27	S			27	M	Observed Christmas Day
28	W	LGNZ SuperLocal		28	S			28	T	Council Agenda			28	T			28	S			28	T	Observed Boxing Day
29	T	LGNZ SuperLocal		29	S			29	W	Grants			29	F	PPC Hearing		29	M			29	W	
30	F			30	M			30	T				30	S			30	T	Council Agenda		30	T	
31	S			31	T	OPCB							31	S							31	F	

CE Performance and Employment	Grants Subcommittee	Te Pae Māori	Hearings	Citizenship

BAU Council - 3 Weekly

Consultation (10YP and WSS) starts on Easter Tuesday: 30 March for 30 days ending at 12 noon on Thursday 29 April.

*PPC - Proposed Parking Changes

Last Updated: 26 November 2026

DRAFT MEETING SCHEDULE FOR 2027

MEETING	MEETING DATE
January 2027	
Council	Wednesday 27 January
February 2027	
Citizenship	Wednesday 3 February
Waitangi Day Observation	**Monday 8 February**
Otago Peninsula Community Board	Tuesday 9 February
Mosgiel-Taieri Community Board	Thursday 11 February
Strath Taieri Community Board	Thursday 11 February
Council	Wednesday 17 February
West Harbour Community Board	Thursday 18 February
Waikouaiti Coast Community Board	Thursday 18 February
Saddle Hill Community Board	Thursday 18 February
Finance and Performance Committee	Tuesday 23 February
March 2027	
Citizenship	Wednesday 3 March
Policy and Planning Committee	Wednesday 3 March
Dunedin Heritage Fund	Thursday 4 March
Council	Wednesday 10 March
Hearings Committee – Proposed Parking Changes	Friday 12 March
CE Performance & Employment Committee	Tuesday 16 March
Te Pae Māori	Thursday 18 March
Audit, Risk and Assurance Committee	Friday 19 March
Otago Anniversary	**Monday 22 March**
Council – adoption of consultation document	Thursday 25 March
Good Friday	**Friday 26 March**
Easter Monday	**Monday 29 March**
10 YP Consultation opens	**Tuesday 30 March**
Otago Peninsula Community Board	Tuesday 30 March
Council	Wednesday 31 March

April 2027	
Saddle Hill Community Board	Thursday 1 April
Strath Taieri Community Board	Thursday 1 April
Mosgiel-Taieri Community Board	Thursday 1 April
Citizenship	Wednesday 7 April
West Harbour Community Board	Wednesday 7 April
Waikouaiti Coast Community Board	Wednesday 7 April
LGNZ – Zone 5 & 6 Meeting	Thursday 8 April
LGNZ – Zone 5 & 6 Meeting	Friday 9 April
School Holidays	**Saturday 10 April – Monday 26 April 2027**
Council	Wednesday 14 April
Anzac Day Observation	**Monday 26 April**
Finance and Performance Committee	Wednesday 28 April
10 YP Consultation closes	**Thursday 29 April – 12 noon**

May 2027	
Council (10 YP Hearings)	Monday 3 – Friday 7 May
Council	Tuesday 11 May
Council (10 YP Deliberations)	Monday 17 – Friday 21 May
Grants Subcommittee	Tuesday 25 May
Otago Peninsula Community Board	Tuesday 25 May
Finance and Performance Committee	Wednesday 26 May
Strath Taieri Community Board	Thursday 27 May
Mosgiel-Taieri Community Board	Thursday 27 May

June 2027	
Citizenship	Wednesday 2 June
West Harbour Community Board	Wednesday 2 June
Dunedin Heritage Fund	Thursday 3 June
Waikouaiti Coast Community Board	Thursday 3 June
Saddle Hill Community Board	Thursday 3 June
Kings Birthday	**Monday 7 June**
Council	Wednesday 9 June
Hearings Committee – Proposed Parking Changes	Friday 11 June
Policy and Planning Committee	Wednesday 16 June
Audit, Risk and Assurance Committee	Tuesday 22 June
Council	Wednesday 23 June
Matariki	**Friday 25 June**
CE Performance & Employment Committee	Tuesday 29 June

July 2027	
Grants Subcommittee	Thursday 1 July
School Holidays	**Monday 3 July – Friday 18 July**
Citizenship	Wednesday 7 July
Otago Peninsula Community Board	Tuesday 13 July
Council	Wednesday 14 July
Saddle Hill Community Board	Thursday 15 July
Waikouaiti Coast Community Board	Thursday 15 July
Policy and Planning Committee	Wednesday 21 July
Strath Taieri Community Board	Thursday 22 July
West Harbour Community Board	Thursday 22 July
Mosgiel-Taieri Community Board	Thursday 22 July
LGNZ Conference	Tuesday 27 – Thursday 29 July
August 2027	
Council	Tuesday 3 August
Citizenship	Wednesday 4 August
Te Pae Māori	Wednesday 11 August
Finance and Performance Committee	Wednesday 18 August
Council	Wednesday 25 August
Hearings Committee – Proposed Parking Changes	Friday 27 August
Otago Peninsula Community Board	Tuesday 31 August

September 2027	
Citizenship	Wednesday 1 September
Waikouaiti Coast Community Board	Thursday 2 September
Mosgiel-Taieri Community Board	Thursday 2 September
Dunedin Heritage Fund	Thursday 2 September
Audit, Risk and Assurance Committee	Friday 3 September
Policy and Planning Committee	Wednesday 8 September
West Harbour Community Board	Thursday 9 September
Strath Taieri Community Board	Thursday 9 September
Saddle Hill Community Board	Thursday 9 September
Council	Wednesday 15 September
CE Performance & Employment Committee	Tuesday 21 September
Grants Subcommittee	Wednesday 29 September
School Holidays	**Monday 25 September – Sunday 10 October**

October 2027	
Council	Tuesday 5 October
Citizenship	Wednesday 6 October
LGNZ – Zone 5 & 6 Meeting	Thursday 7 and 8 October
Audit, Risk and Assurance Committee	Tuesday 12 October
Otago Peninsula Community Board	Tuesday 12 October
Waikouaiti Coast Community Board	Thursday 14 October
Strath Taieri Community Board	Thursday 14 October
Council	Monday 18 October
Policy and Planning Committee	Wednesday 20 October
West Harbour Community Board	Thursday 21 October
Mosgiel-Taieri Community Board	Thursday 21 October
Saddle Hill Community Board	Thursday 21 October
Labour Day	**Monday 25 October**
Council	Wednesday 27 October
Hearings Committee – Proposed Parking Changes	Friday 29 October
November 2027	
Citizenship	Wednesday 3 November
Grants Subcommittee	Tuesday 9 November
Te Pae Māori	Friday 12 November
Otago Peninsula Community Board	Tuesday 16 November
Council	Wednesday 17 November
Waikouaiti Coast Community Board	Thursday 18 November
West Harbour Community Board	Thursday 18 November
Finance and Performance Committee	Wednesday 24 November
Dunedin Heritage Fund	Thursday 25 November
Saddle Hill Community Board	Thursday 25 November
Mosgiel-Taieri Community Board	Thursday 25 November
Strath Taieri Community Board	Thursday 25 November
December 2027	
Citizenship	Wednesday 1 December
CE Performance & Employment Committee	Thursday 2 December
Hearings Committee – Proposed Parking Changes	Friday 3 December
Council (Annual Plan Budget)	Tuesday 7 December - Thursday 9 December
Audit, Risk and Assurance Committee	Tuesday 14 December
Council	Wednesday 15 December

PROPOSED EVENT ROAD CLOSURES

Department: Transport

EXECUTIVE SUMMARY

1 The DCC has received temporary road closure applications relating to the following events:

i) New Years Eve Celebrations

ii) George Street Market Day

iii) Royal NZ Pipe Band Association Otago Centre Competition

iv) Chinese New Year Celebrations

v) Motorsport Racing Event – Norwood Street

vi) Motorsport Racing Event – Stedman Road and Odlins Place

vii) Stadium Concerts

viii) South Dunedin Street Festival

2 This report recommends that Council approves the temporary closure of the affected roads.

RECOMMENDATIONS

That the Council:

a) **Resolves** to close the roads detailed below (pursuant to Section 319, Section 342, and Schedule 10 clause 11(e) of the Local Government Act 1974 (LGA 1974)):

i) New Years Eve Celebrations

Thursday, 31 December 2026	7.00am to 7.00am on Friday, 1 January 2027	• Lower Octagon, between George Street and Princes Street • Lower Stuart Street, between the Octagon and Moray Place *Bath Street access available*
	2.00pm to 4.00am on Friday, 1 January 2027	• The Octagon, George Street, Princes Street and Upper Stuart Street, between each end of Moray Place

ii) George Street Market Day

Sunday, 7 February 2027	3.00am to 10.00pm	• George Street, between The Octagon and Frederick Street • Hanover Street, between Filleul Street and Great King Street • St Andrew Street, between Filleul Street and Great King Street

	3.00am to 12.00am	• Bath Street, between George Street and Lower Stuart Street
	7.00am on Sunday 7 February 2027 to 11.00am on Monday, 8 February 2027	• Lower Octagon, between The Octagon Central Carriageway and Lower Stuart Street • Lower Stuart Street, between The Octagon and Moray Place
	3.00am to 7.00pm	*Vehicle Tow Notice* • The streets listed above will be subject to a full road closure for the event. • All vehicles parked in the closed area from 3.00am will be towed.

iii) Royal NZ Pipe Band Association Otago Centre Competition

Saturday, 13 February 2027	9.30am to 11.00am	• Moray Place, between View Street and Princes Street
	9.30am to 4.30pm	• The Octagon and George Street, between Moray Place and The Octagon • Stuart Street, between The Octagon and Moray Place • Princes Street, between The Octagon and Moray Place

iv) Chinese New Year Celebrations

Saturday, 13 February 2027	5.30pm to 11.30pm	• Queens Garden cul-de-sac, between Cumberland Street and the carpark
	9.30pm to 10.30pm	• Thomas Burns Street, between Fryatt Street and Mason Street

v) Motorsport Racing Event – Norwood Street

Wednesday, 17 February 2027	2.00pm to 8.00pm	• Norwood Street, between 189 Norwood Street and North Road, including Clava Street and Nisbit Street

vi) Motorsport Racing Event – Stedman Road and Odlins Place

Sunday, 28 February 2027	8.00am to 6.00pm	• Stedman Road, between 66 Stedman Road and Dukes Road North • Odlins Place, from Stedman Road to end

vii) Stadium Concerts

Thursday, 4 March 2027 to Saturday, 6 March 2027 AND	7.00am on Thursday, 4 March 2027 to 5.00pm on Saturday, 6 March 2027 AND	• Anzac Avenue, between Butts Road and Union Street

Thursday, 18 March 2027 to Saturday, 20 March 2027	7.00am on Thursday, 18 March 2027 to 5.00pm on Saturday, 20 March 2027	
Friday, 5 March 2027 AND Friday, 19 March 2027	4.00pm to 12.00am	• Butts Road, entire length • Union Street, between Harbour Terrace and Anzac Avenue • Anzac Avenue, between Ravensbourne Road and the roundabout • Albany Street, between Forth Street and Anzac Avenue • Dundas Street, between Harbour Terrace and Butts Road • Logan Park Drive, entire length • Minerva Street, between Anzac Avenue and Parry Street West • Parry Street West, from Minerva Street to end • Riego Street, between Albany Street and Forth Street

viii) South Dunedin Street Festival

Saturday, 13 March 2027	6.30am to 5.00pm	• King Edward Street, between Hillside Road and Macandrew Road • Lorne Street and McBride Street, between Rankeilor Street and King Edward Street • Sullivan Avenue and Carey Avenue, between Glasgow Street and King Edward Street

BACKGROUND

3 Council's Dunedin Festival and Events Plan supports the goal of a successful city with a diverse, innovative, and productive economy and a hub for skill and talent.

4 The areas proposed to be used for these events are legal roads and can therefore be temporarily closed to normal traffic if statutory temporary road closure procedures are followed. The procedures are set out in Section 319 of the LGA 1974 and give Council the power to stop or close any road (or part of a road) within the parameters of Section 342 and Schedule 10 of the LGA 1974 (Schedule 10 is included as Attachment A).

5 These procedures include:

- Consultation with the New Zealand Transport Authority Waka Kotahi and the Police.
- Public notice being given of the proposal to close any road (or part of a road), and public notice of a decision to close the road.
- Council being satisfied that traffic is not likely to be unreasonably impeded.

6 A resolution of Council is required where a proposal to temporarily close a road relates to public functions.

7 Council is required to give public notice of its decision. This notice will be published after this meeting and prior to the event, if approved.

DISCUSSION

Consultation and Notification

8 The Police and the New Zealand Transport Authority Waka Kotahi have no objections to the proposed road closures.

9 On Saturday, 17 October 2026 and Saturday, 7 November 2026 the proposed temporary road closures were advertised in the Otago Daily Times (Attachments B) with a deadline for feedback.

10 Schedule 10 clause 11(e) states a road cannot be closed more than 31 days in the aggregate in any one year. This limit will not be exceeded by the approval of the proposed temporary road closures.

Traffic Impacts

11 The event locations of these events have had identical road closures for the same, or similar event(s) in prior years without causing unreasonable delays to the travelling public.

12 Emergency services and public transport services will be managed through the temporary traffic management process.

13 The Temporary Traffic Management Plan process ensures that other issues such as temporary relocation of certain parking (e.g. taxi, mobility and Authorised Vehicles Only) are managed.

OPTIONS

14 Note any amendment to this report's recommendations cannot be implemented without further consultation with the affected parties, New Zealand Transport Agency Waka Kotahi, the Police, and verifying that traffic impacts are acceptable.

Option One – Recommended Option

15 That the Council closes the sections of road as recommended in this report.

Advantages

- Roads can be closed, and the event will be able to proceed.
- The closures will assist in realising the economic, social, and cultural benefits associated with the events.

Disadvantages

- There will be temporary loss of vehicular access through the closed areas. However, there are detours available, and safety can be assured using temporary traffic management.

Option Two – Status Quo

16 That the Council decides not to close the roads in question.

Advantages

- There would be no detour required for the travelling public, and the roads would be able to be used as normal.

Disadvantages

- The events would not be able to go ahead, and the benefits of the events would be lost.

NEXT STEPS

17 Should the resolution be made to temporarily close the roads, Council staff will accept the temporary traffic management plans that have been received for the events and notify the public of the closures.

Signatories

Authoriser:	Simon Smith - Acting Group Manager Transport Scott MacLean - General Manager, City Services

Attachments

	Title	Page
⇩A	Local Government Act 1974, Schedule 10	149
⇩B	ODT Advert - 17 October 2026	154
⇩C	ODT Advert - 7 November 2026	155

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision promotes the social well-being of communities in the present and for the future.

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	✓	☐	☐
Economic Development Strategy	✓	☐	☐
Environment Strategy	☐	☐	✓
Arts and Culture Strategy	✓	☐	☐
3 Waters Strategy	☐	☐	✓
Future Development Strategy	☐	☐	✓
Integrated Transport Strategy	☐	☐	✓
Parks and Recreation Strategy	☐	☐	✓
Other strategic projects/policies/plans	✓	☐	☐

Events contribute to the Strategic Framework. Events contribute to the Economic Development Strategy, the Social Wellbeing Strategy. There is a Festival and Events Plan 2018-2023.

Māori Impact Statement

Mana whenua have not been directly engaged with in relation to these road closures.

Sustainability

There are no implications for sustainability.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

There are no implications, as the decision is a regulatory one and there are no direct costs to Council.

Financial considerations

There are no financial implications. The cost of the proposed road closure is not a cost to Council.

Significance

This decision is considered low in terms of the Council's Significance and Engagement Policy.

Engagement – external

There has been external engagement (as required by the LGA 1974), with the Police and New Zealand Transport Agency Waka Kotahi. Affected parties were notified and provided a time period for feedback.

Engagement - internal

There has been engagement with DCC Events and Transport. There is support for the events to proceed.

Risks: Legal / Health and Safety etc.

There are no identified risks should the recommended resolution be made.

Conflict of Interest

There are no known conflicts of interest.

Community Boards

There are no implications for Community Boards.

Schedule 10
Conditions as to stopping of roads and the temporary prohibition of traffic on roads

ss 319(h), 342

Schedule 10: inserted, on 1 April 1979, by section 3(1) of the Local Government Amendment Act 1978 (1978 No 43).

Stopping of roads

1 The council shall prepare a plan of the road proposed to be stopped, together with an explanation as to why the road is to be stopped and the purpose or purposes to which the stopped road will be put, and a survey made and a plan prepared of any new road proposed to be made in lieu thereof, showing the lands through which it is proposed to pass, and the owners and occupiers of those lands so far as known, and shall lodge the plan in the office of the Chief Surveyor of the land district in which the road is situated. The plan shall separately show any area of esplanade reserve which will become vested in the council under section 345(3).

Schedule 10 clause 1: amended, on 1 October 1991, by section 362 of the Resource Management Act 1991 (1991 No 69).

2 On receipt of the Chief Surveyor's notice of approval and plan number the council shall open the plan for public inspection at the office of the council, and the council shall at least twice, at intervals of not less than 7 days, give public notice of the proposals and of the place where the plan may be inspected, and shall in the notice call upon persons objecting to the proposals to lodge their objections in writing at the office of the council on or before a date to be specified in the notice, being not earlier than 40 days after the date of the first publication thereof. The council shall also forthwith after that first publication serve a notice in the same form on the occupiers of all land adjoining the road proposed to be stopped or any new road proposed to be made in lieu thereof, and, in the case of any such land of which the occupier is not also the owner, on the owner of the land also, so far as they can be ascertained.

3 A notice of the proposed stoppage shall, during the period between the first publication of the notice and the expiration of the last day for lodging objections as aforesaid, be kept fixed in a conspicuous place at each end of the road proposed to be stopped:

provided that the council shall not be deemed to have failed to comply with the provisions of this clause in any case where any such notice is removed without the authority of the council, but in any such case the council shall, as soon as conveniently may be after being informed of the unauthorised removal of the notice, cause a new notice complying with the provisions of this clause to be affixed in place of the notice so removed and to be kept so affixed for the period aforesaid.

4 If no objections are received within the time limited as aforesaid, the council may by public notice declare that the road is stopped; and the road shall, subject to the council's compliance with clause 9, thereafter cease to be a road.

5 If objections are received as aforesaid, the council shall, after the expiration of the period within which an objection must be lodged, unless it decides to allow the objections, send the objections together with the plans aforesaid, and a full description of the proposed alterations to the Environment Court.

Schedule 10 clause 5: amended, on 2 September 1996, pursuant to section 6(2)(a) of the Resource Management Amendment Act 1996 (1996 No 160).

6 The Environment Court shall consider the district plan, the plan of the road proposed to be stopped, the council's explanation under clause 1, and any objection made thereto by any person, and confirm, modify, or reverse the decision of the council which shall be final and conclusive on all questions.

Schedule 10 clause 6: replaced, on 1 October 1991, by section 362 of the Resource Management Act 1991 (1991 No 69).

Schedule 10 clause 6: amended, on 2 September 1996, pursuant to section 6(2)(a) of the Resource Management Amendment Act 1996 (1996 No 160).

7 If the Environment Court reverses the decision of the council, no proceedings shall be entertained by the Environment Court for stopping the road for 2 years thereafter.

Schedule 10 clause 7: amended, on 2 September 1996, pursuant to section 6(2)(a) of the Resource Management Amendment Act 1996 (1996 No 160).

8 If the Environment Court confirms the decision of the council, the council may declare by public notice that the road is stopped; and the road shall, subject to the council's compliance with clause 9, thereafter cease to be a road.

Schedule 10 clause 8: amended, on 2 September 1996, pursuant to section 6(2)(a) of the Resource Management Amendment Act 1996 (1996 No 160).

9 Two copies of that notice and of the plans hereinbefore referred to shall be transmitted by the council for record in the office of the Chief Surveyor of the land district in which the road is situated, and no notice of the stoppage of the road shall take effect until that record is made.

10 The Chief Surveyor shall allocate a new description of the land comprising the stopped road, and shall forward to the Registrar-General of Land or the Registrar of Deeds, as the case may require, a copy of that description and a copy of the notice and the plans transmitted to him by the council, and the Registrar shall amend his records accordingly.

Schedule 10 clause 10: amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Temporary prohibition of traffic

11 The council may, subject to such conditions as it thinks fit (including the imposition of a reasonable bond), and after consultation with the Police and the New Zealand Transport Agency, close any road or part of a road to all traffic or any specified type of traffic (including pedestrian traffic)—

(a) while the road, or any drain, water race, pipe, or apparatus under, upon, or over the road is being constructed or repaired; or

(b) where, in order to resolve problems associated with traffic operations on a road network, experimental diversions of traffic are required; or

(c) during a period when public disorder exists or is anticipated; or

(d) when for any reason it is considered desirable that traffic should be temporarily diverted to other roads; or

(e) for a period or periods not exceeding in the aggregate 31 days in any year for any exhibition, fair, show, market, concert, film-making, race or other sporting event, or public function:

provided that no road may be closed for any purpose specified in paragraph (e) if that closure would, in the opinion of the council, be likely to impede traffic unreasonably.

Schedule 10 clause 11: replaced, on 14 August 1986, by section 14(1) of the Local Government Amendment Act (No 3) 1986 (1986 No 50).

Schedule 10 clause 11: amended, on 26 March 2015, by section 5 of the Local Government Act 1974 Amendment Act 2015 (2015 No 20).

11A The council shall give public notice of its intention to consider closing any road or part of a road under clause 11(e); and shall give public notice of any decision to close any road or part of a road under that provision.

Schedule 10 clause 11A: inserted, on 14 August 1986, by section 14(1) of the Local Government Amendment Act (No 3) 1986 (1986 No 50).

11B Where any road or part of a road is closed under clause 11(e), the council or, with the consent of the council, the promoter of any activity for the purpose of which the road has been closed may impose charges for the entry of persons and vehicles to the area of closed road, any structure erected on the road, or any structure or area under the control of the council or the promoter on adjoining land.

Schedule 10 clause 11B: inserted, on 14 August 1986, by section 14(1) of the Local Government Amendment Act (No 3) 1986 (1986 No 50).

11C Where any road or part of a road is closed under clause 11(e), the road or part of a road shall be deemed for the purposes of—

(a) *[Repealed]*

(b) the Traffic Regulations 1976:

(c) the Transport (Drivers Licensing) Regulations 1985:

(d) *[Repealed]*

(e) the Transport (Vehicle Registration and Licensing) Notice 1986:

(ea) the Land Transport Act 1998:

(f) any enactment made in substitution for any enactment referred to in paragraphs (a) to (ea)—

not to be a road; but nothing in this clause shall affect the status of the road or part of a road as a public place for the purposes of this or any other enactment.

Schedule 10 clause 11C: inserted, on 14 August 1986, by section 14(1) of the Local Government Amendment Act (No 3) 1986 (1986 No 50).

Schedule 10 clause 11C(a): repealed, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Schedule 10 clause 11C(d): repealed, on 1 May 2011, by section 35(4) of the Land Transport Amendment Act 2009 (2009 No 17).

Schedule 10 clause 11C(ea): inserted, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Schedule 10 clause 11C(f): amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

12 The powers conferred on the council by clause 11 (except paragraph (e)) may be exercised by the chairman on behalf of the council or by any officer of the council authorised by the council in that behalf.

13 Where it appears to the council that owing to climatic conditions the continued use of any road in a rural area, other than a State highway or government road, not being a road generally used by motor vehicles for business or commercial purposes or for the purpose of any public work, may cause damage to the road, the council may by resolution prohibit, either conditionally or absolutely, the use of that road by motor vehicles or by any specified class of motor vehicle for such period as the council considers necessary.

14 Where a road is closed under clause 13, an appropriate notice shall be posted at every entry to the road affected, and shall also be published in a newspaper circulating in the district.

15 A copy of every resolution made under clause 13 shall, within 1 week after the making thereof, be sent to the Minister of Transport, who may at any time, by notice to the council, disallow the resolution, in whole or in part, and thereupon the resolution, to the extent that it has been disallowed, shall be deemed to have been revoked.

16 No person shall—

(a) use a vehicle, or permit a vehicle to be used, on any road which is for the time being closed for such vehicles pursuant to clause 11; or

(aa) without the consent of the council or the promoter of any activity permitted by the council, enter or attempt to enter, or be present, on any road or part of a road that is for the time being closed to pedestrian traffic pursuant to clause 11; or

(b) use a motor vehicle, or permit a motor vehicle to be used, on any road where its use has for the time being been prohibited by a resolution under clause 13.

Schedule 10 clause 16(aa): inserted, on 14 August 1986, by section 14(2) of the Local Government Amendment Act (No 3) 1986 (1986 No 50).

Schedule 11
Width of roads, access ways, and service lanes

[Expired]

s 325(1)

Schedule 11: expired, on 1 January 1993, by section 325(3).

ODT Advert – 17 October 2026

TEMPORARY ROAD CLOSURE

(Pursuant to the Local Government Act 1974)

The DCC is considering closing the below street and road areas for the following events:

Royal NZ pipe band competition – Octagon and surrounds
The entire Octagon, George Street, between Moray Place and Octagon, Stuart Street, between Octagon and Moray Place, Princes Street, between Octagon and Moray Place, on Saturday, 13 February 2027, from 9.30am to 4.30pm, and Moray Place, between View and Princes Streets, on Saturday, 13 February 2027, from 9.30am to 11am.

Chinese New Year celebrations – various
Queens Gardens cul-de-sac, between Cumberland Street and carpark, from 5.30pm to 11.30pm, and Thomas Burns Street, between Fryatt and Mason Streets, from 9.30pm to 10.30pm, on Saturday, 13 February 2027.

George Street market day – various
George Street, between the Octagon and Frederick Street, Hanover Street, between Filleul and Great King Streets, St Andrew Street, between Filleul and Great King Streets, Moray Place, between Filleul and Great King Streets on Sunday, 7 February 2027 from 3am to 10pm; Bath Street, between George and lower Stuart Streets, from 3am Sunday, 7 February to 12am Monday, 8 February 2027; and lower Octagon, between Octagon central carriageway and lower Stuart Street, and lower Stuart Street, between Octagon and Moray Place, from 7am Sunday, 7 February to 11am Monday, 8 February 2027. Parking restrictions will be in place.

The streets listed above will be subject to a full road closure for the duration of the event. All vehicles parked in the closed area from 3am on Sunday, 7 February 2027 will be towed.

South Dunedin Street festival – various
King Edward Street, between Hillside and Macandrew Roads, Lorne and McBride Streets, between Rankeilor and King Edward Streets, and Sullivan and Carey Avenues, between Glasgow and King Edward Streets, on Saturday 13 March 2027, 6.30am to 5pm.

New Years Eve celebrations – various
The lower Octagon, between George and Princes Streets, and lower Stuart Street, between the Octagon and Moray Place, from 7am Thursday, 31 December until 7am Friday, 1 January. Bath Street access available. The Octagon, George, Princes, upper Stuart Streets, between each end of Moray Place, from 2pm Thursday, 31 December until 4am Friday, 1 January.

These road closures will be considered at the DCC meeting on Thursday, 26 November. Please provide any feedback on the proposed road closures by emailing *tmp@dcc.govt.nz* before 5pm on Saturday, 24 October.

ODT Advert – 7 November 2026

TEMPORARY ROAD CLOSURE PROPOSALS

(Pursuant to the Local Government Act 1974)

The DCC is considering closing the below street and road areas for the following events:

Stadium concerts – various
Anzac Avenue, between Butts Road and Union Street, from 7am on Thursday, 4 March until 5pm Saturday, 6 March 2027, and from 7am on Thursday, 18 March to 5pm on Saturday, 20 March 2027; Butts Road, entire length, Union Street, between Harbour Terrace and Anzac Avenue, Anzac Avenue, between Ravensbourne Road and the roundabout, Albany Street, between Forth Street and Anzac Avenue, Dundas Street, between Harbour Terrace and Butts Road, Logan Park Drive, entire length, Minerva Street, between Anzac Avenue and Parry Street West, Parry Street West, from Minerva Street to end, and Riego Street, between Albany and Forth Streets from 4pm to 12am on Friday, 5 March and Friday, 19 March 2027. All vehicles parked in the signposted no parking areas from 2pm on these days will be towed.

Motorsport racing – Highcliff Road
Highcliff Road, between Sandymount and Seaton Roads, from 8am to 6pm on Sunday, 31 January 2027.

Motorsport racing – Norwood Street
Norwood Street, between 189 Norwood Street and North Road, including Clava and Nisbit Streets, from 2pm to 8pm on Wednesday, 17 February 2027.

Motorsport racing – Stedman Road and Odlins Place
Stedman Road, between 66 Stedman Road and Dukes Road North, and Odlins Place, from Stedman Road to end from 8am to 6pm on Sunday, 28 February 2027.

These proposed road closures will be considered at the Council meeting on Thursday, 17 December. Please provide any feedback on the proposed road closures by emailing *tmp@dcc.govt.nz* before 5pm on Saturday, 14 November.

SUBMISSION - PROPOSED BILLS RELATING TO REFERENCES TO TE TIRITI O WAITANGI/THE TREATY OF WAITANGI

Department: Executive Leadership Team and Community Services

EXECUTIVE SUMMARY

1 The purpose of this paper is to seek Council approval on the Dunedin City Council's (DCC) draft submission to the Justice Committee on three proposed Bills (the Bills) giving effect to the Government review of te Tiriti o Waitangi/ the Treaty of Waitangi clauses in legislation. The draft submission is Attachment A.

2 The submission covers the three Bills. The Justice Committee is allowing for each of the three Bills to be addressed in one submission.

3 **References to te Tiriti/Treaty of Waitangi (Standardisation) Amendment Bill:** This Bill is described as "implement(ing) a standardised drafting approach to descriptive Treaty provisions and references to te Tiriti o Waitangi/ the Treaty of Waitangi in legislation without substantively changing their legal effect."

4 **References to te Tiriti/Treaty of Waitangi (Strength of Legislative Obligation) Amendment Bill:** This Bill is described as "amend(ing) the weighting of te Tiriti o Waitangi/the Treaty of Waitangi provisions in legislation to a single standard of "take into account".

5 **References to te Tiriti/Treaty of Waitangi (Repeals) Amendment Bill:** This Bill is described as "repeal(ing) statutory references to the principles of te Tiriti o Waitangi/ the Treaty of Waitangi in a number of Acts."

6 The Justice Committee has encouraged the public to share its views on the Bills by 1 December 2026, so that submissions can be processed and ready for the next Parliament when one is formed.

RECOMMENDATIONS

That the Council:

a) **Approves** the draft Dunedin City Council submission to the Justice Committee on: the References to te Tiriti/Treaty of Waitangi (Standardisation) Amendment Bill; References to te Tiriti/Treaty of Waitangi (Strength of Legislative Obligation) Amendment Bill; and the References to te Tiriti/Treaty of Waitangi (Repeals) Amendment Bill.

b) **Authorises** the Chief Executive to make any minor editorial amendments to the submission.

c) **Authorises** the Mayor or delegate to speak at any hearings.

BACKGROUND

7 The **References to Te Tiriti/Treaty of Waitangi (Standardisation) Amendment Bill:** seeks to implement standardised drafting to descriptive te Tiriti o Waitangi/Treaty of Waitangi provisions and references to the Treaty without substantively changing their legal effect. It would do so by:

- standardising references to the Treaty to include a reference to both te Tiriti o Waitangi and the Treaty of Waitangi in all instances and retaining references to Treaty principles, and
- reducing variation between descriptive Treaty provisions by adopting a standard form descriptive Treaty clause, and
- standardising minor and technical drafting discrepancies to ensure consistency between provisions.

8 The **References to te Tiriti/Treaty of Waitangi (Strength of Legislative Obligation) Amendment Bill:** seeks to standardise Treaty provisions that impose or refer to obligations, so that they are consistent across the statute book. It would do so by changing these provisions to a single standard of "take into account". It proposes to amend the:

- Mental Health and Wellbeing Commission Act 2020
- Water Services Authority – Taumata Arowai Act 2020
- Criminal Cases Review Commission Act 2019
- Education and Training Act 2020.

9 The **References to te Tiriti o Waitangi/Treaty of Waitangi (Repeals) Amendment Bill** seeks to repeal statutory references to the principles of te Tiriti of Waitangi/the Treaty of Waitangi from the:

- Crown Pastoral Land Act 1998
- Education and Training Act 2020
- Energy Efficiency and Conservation Act 2000
- Organic Products and Production Act 2023
- Plant Variety Rights Act 2022
- Smokefree Environments and Regulated Products Act 1990.

DISCUSSION

Purpose of Submitting

10 The purpose across all three Bills, is to improve clarity about how the Treaty applies in legislation (where appropriate) to encapsulate the Treaty and Treaty relationships; to reduce

uncertainty/increase clarity when enacting these provisions; and to increase compliance of these provisions.

11 Several factors have been highlighted in the Regulatory Impact Statement (RIS), the Consistency Accountability Statements (CAS) and the Ministerial Statement of Reason (MSR) around the formation of these Bills:

a) Changes to legislation may reduce legal certainty and open the Crown to litigation costs.

b) The benefits do not outweigh the economic and social cost of the changes.

c) There is a risk to the Crown-Māori relationship.

d) No prior engagement with Māori on legislation that impacts them, with the exception of the Iwi Chairs Forum.

e) Limited time available to Ministry of Justice (MoJ) to complete an in-depth analysis on impacts of the proposed provision changes.

f) Retaining the status quo is seen as favourable throughout the RIS.

12 The DCC's draft submission focuses on the impact these changes will have on the DCC.

13 While the Bills cover a large number of legislative changes, the DCC is submitting specifically on the:

a) Smokefree Environments and Regulated Products Act 1990 (s 3AB),

b) Local Government Act 2002 (s 4),

c) Climate Change Response Act 2002 (s 3A),

d) Land Transport Management Act 2003 (s4),

e) Water Services Authority – Taumata Arowai Act 2020 (ss 5(g)(i) and 19(1)(b)(i)).

Summary of the draft DCC Submission

14 The draft submission is divided into four main aspects – the Explanatory Notes, the Repeals Amendment Bill, the Standardisation Amendment Bill, and the Strength of Legislation Obligation Amendment Bill.

15 The DCC's draft submission submits against the repeal of provisions under Smokefree Environments and Regulated Products Act 1990 (s 3AB) due to the exacerbated impact on the health of Māori impacted by tobacco products and the signalling to local governments about what is important to place in their Smokefree policies.

16 The DCC's draft submission submits in support of standardising "the Treaty of Waitangi (Te Tiriti o Waitangi)" to "Te Tiriti o Waitangi/the Treaty of Waitangi" as it recognises each as their own separate document.

17 The DCC's draft submission submits against the standardisation of Treaty provisions across five Acts.

18 This is primarily due to the uncertainty created of who ultimately remains responsible for the giving effect to, or recognising and respecting, the principles of the Treaty of Waitangi if it is not the Crown.

19 The DCC's draft submission further submits against the changing terms such as 'honour', 'upheld' or 'give effect' to 'take into account'.

20 The DCC's draft submission, informed by the analysis set out in the RIS, recommends that the changes proposed in the Bills not proceed and that the current legislative settings be retained.

Taituarā Submission

21 Taituarā is also preparing a submission. While the content of that submission is not yet known, Taituarā has historically supported legislative provisions that recognise Treaty obligations.

22 An alternative option for Council to consider is supporting Taituarā submission rather than lodging a separate submission of its own.

OPTIONS

Option One – Approves the Dunedin City Council draft submission on the References to te Tiriti/Treaty of Waitangi (Standardisation) Amendment Bill; References to te Tiriti/Treaty of Waitangi (Strength of Legislative Obligation) Amendment Bill; and the References to te Tiriti/Treaty of Waitangi (Repeals) Amendment Bill.

Advantages

- Opportunity to participate in discussions at a national level which impact on Ōtepoti Dunedin and its residents.
- Opportunity to demonstrate the DCC's commitment to the principles of Te Tiriti o Waitangi/ Treaty of Waitangi and their implementation.
- Opportunity to demonstrate the DCC's commitment to working in partnership with mana whenua.

Disadvantages

- Staff time dedicated to completing the submission and potentially speaking to the submission if delegated by the Mayor.

Option Two – Does not approve the Dunedin City Council draft submission on the References to te Tiriti/Treaty of Waitangi (Standardisation) Amendment Bill; References to te Tiriti/Treaty of Waitangi (Strength of Legislative Obligation) Amendment Bill; and the References to te Tiriti/Treaty of Waitangi (Repeals) Amendment Bill.

Advantages

- Staff will instead focus their time on other Council matters.

Disadvantages

- Missed opportunity to participate in discussions at a national level which impact on Ōtepoti Dunedin and its residents.

- Missed opportunity to demonstrate the DCC's commitment to the principles of Te Tiriti o Waitangi/ Treaty of Waitangi and their implementation.

- Missed opportunity to demonstrate the DCC's commitment to working in partnership with mana whenua.

Option Three – Approves the Dunedin City Council to support Taituarā submission on the References to te Tiriti/Treaty of Waitangi (Standardisation) Amendment Bill; References to te Tiriti/Treaty of Waitangi (Strength of Legislative Obligation) Amendment Bill; and the References to te Tiriti/Treaty of Waitangi (Repeals) Amendment Bill.

Advantages

- Staff will only submit on matters noted in Taituarā submission.

Disadvantages

- Missed opportunity to participate in discussions at a national level which directly impact on Ōtepoti Dunedin and its residents.

NEXT STEPS

23 If Council approves the draft submission, staff will submit it to the Justice Committee by 1 December 2026.

Signatories

Author:	Richard Briggs - Chief Executive Gina Hu'akau - Community Partnerships Manager
Authoriser:	Caron Solomon - Kaiwhakahaere o Mana Ruruku Richard Briggs - Chief Executive Gina Hu'akau - Community Partnerships Manager

Attachments

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities. This decision promotes the social, cultural, economic, and environmental well-being of communities in the present and for the future.

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	✓	☐	☐
Economic Development Strategy	✓	☐	☐
Environment Strategy	✓	☐	☐
Arts and Culture Strategy	✓	☐	☐
3 Waters Strategy	✓	☐	☐
Future Development Strategy	✓	☐	☐
Integrated Transport Strategy	✓	☐	☐
Parks and Recreation Strategy	✓	☐	☐
Other strategic projects/policies/plans	✓	☐	☐

While the submission itself aligns with Te Taki Haruru, the impacts of the proposed legislation change will make work challenging across the DCC's plans and strategies. This is most obvious with proposed changes in provisions relating to health and water.

Māori Impact Statement

The report and submission highlight the possible impacts on mana whenua, Māori, and Council if the proposed amendments are successful. This would be seen in how DCC mahi (work) is delivered.

Mana whenua and mātāwaka representatives were advised of this draft submission through a brief summary presented in a report at Te Pae Māori. This submission aligns with Te Taki Haruru, the DCC's Māori Strategic Framework, under the pou Autūroa and Autakata.

Sustainability

There are no implications for sustainability in making this submission.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

There are no implications in making this submission.

Financial considerations

There are no financial implications.

Significance

This decision is considered low in terms of the Council's Significance and Engagement Policy.

Engagement – external

There has been no external engagement.

Engagement - internal

This submission has been prepared by the DCC's Mana Ruruku, Corporate Policy and Legal teams.

SUMMARY OF CONSIDERATIONS
Risks: Legal / Health and Safety etc. There is a potential reputational risk to the relationship between Council, mana whenua, and Māori if Council decide to not process with the submission. It would signal that the responsibilities of the Treaty principles remaining with the Crown are not important, as well as the impact of how DCC mahi is carried out with mana whenua and Māori in mind.
Conflict of Interest There is no conflict of interest.
Community Boards There are potential implications for Community Board areas if amendments in the Bill are enacted.

DUNEDIN CITY COUNCIL | kaunihera a-rohe o Ōtepoti

DATE

Committee Secretariat
Justice Committee
Parliament Buildings
Wellington

Via email: ju@parliament.govt.nz

Tēnā koutou

REFERENCES TO TIRITI O WAITANGI/TREATY OF WAITANGI (REPEALS) AMENDMENT BILL, REFERENCES TO TIRITI O WAITANGI/TREATY OF WAITANGI (STANDARDISATION) AMENDMENT BILL AND REFERENCES TO TIRITI O WAITANGI/TREATY OF WAITANGI (STRENGTH OF LEGISLATIVE OBLIGATIONS) AMENDMENT BILL

Introduction

1 The Dunedin City Council (DCC) welcomes the opportunity to submit on the References to Tiriti o Waitangi/Treaty of Waitangi (Repeals, Standardisation, and Strength of Legislative Obligations) Amendment Bills (the Bills).

2 The DCC acknowledges the purpose of the Bills are to improve clarity about how Te Tiriti o Waitangi/the Treaty of Waitangi applies in legislation (where appropriate to encapsulate the Treaty or Treaty relationships); reduce uncertainty in applying Te Tiriti/Treaty provisions, and; therefore, increase compliance with these provisions.

3 The DCC has concerns that it wishes to raise with respect to implications of the Bills within a local government context.

4 Each Bill will be referred to within this submission as:

- References to Tiriti o Waitangi/Treaty of Waitangi (Repeals) Amendment Bill – the Repeals Bill,
- References to Tiriti o Waitangi/Treaty of Waitangi (Standardisation) Amendment Bill – the Standardisation Bill, and
- References to Tiriti o Waitangi/Treaty of Waitangi (Strength of Legislative Obligations) Amendment Bill – the Strength of Legislative Obligations Bill.

The Ōtepoti Dunedin Context

5 The Local Government Act 2002 (LGA) currently recognises and respects the Crown's obligations under the Treaty of Waitangi by placing some specific obligations on local authorities. These obligations are intended to facilitate participation by Māori in local

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authorities' decision-making processes. The LGA provides opportunities for Māori to contribute to local government decision making processes (ss 14(1)(d) and 81) and in certain cases, take into account the relationship of Māori and their culture and traditions (s 77).

6 Within the last five years, the DCC has made significant developments in meeting its Treaty obligations, making commitments to Te Tiriti o Waitangi/the Treaty of Waitangi, and upholding these provisions of the LGA through its Māori Strategic Framework – Te Taki Haruru (adopted in 2023).

7 The key purpose of Te Taki Haruru is to provide a framework to operationalise Te Tiriti o Waitangi partnership between mana whenua and Council. It has established te ao Māori principles and values from mana whenua and mātāwaka that will guide the DCC contribution in achieving its core service requirements in a way that benefits Māori, and the whole Ōtepoti Dunedin community.

8 In addition to the adoption and implementation of Te Taki Haruru, additional developments include:

- 2021: the establishment of kā rūnaka representative positions on two Council committees.
- 2022: the signing of the Manatū Whakaaetaka Relationship Agreement, a refreshed Memorandum of Understanding between the DCC and mana whenua. The intended outcome of this Agreement is to facilitate a relationship of mutual benefit between kā rūnaka and the DCC, in order to produce meaningful outcomes for current and future generations of mana whenua, mātāwaka and all citizens of Ōtepoti Dunedin.
- 2022: the establishment of Te Pae Māori, a mana-to-mana forum. The intended outcome of Te Pae Māori is to bring all of Council, mana whenua and mātāwaka together to advance shared goals and respect, to acknowledge one another's roles and responsibilities and uphold each other's obligations under the Treaty of Waitangi.
- 2024: Te Taki Haruru Implementation Plan was approved by a Council committee, allowing staff to progress the three main pou of Te Taki Haruru work programmes.
- 2025: Te Pae Māori was approved as a Council committee, bringing the strategic vision of mana whenua and Māori into the public.

9 The DCC's partnership with mana whenua has been expressed in a number of ways across several platforms. These include: a 2003 relationship protocol agreed between Kāi Tahu ki Otago and the DCC; a 2006 Memorandum of Understanding agreed between kā rūnaka and the DCC; the 2006 establishment of the Māori Participation Working Party. Currently, the DCC's partnership is expressed through Te Pae Māori Committee, the 2022 Manatū Whakaaetaka Relationship Agreement and Te Taki Haruru.

10 Te Taki Haruru provides an effective framework for DCC's relationships with mana whenua and Māori and supports the Council to meet its Treaty commitments. This submission notes that the Bills may undermine the mechanisms that currently enable these outcomes to be achieved.

11 The work of local government does not exist in isolation within the LGA. There are several clauses within the Bills that could have an impact on the service local government deliver for Māori in Ōtepoti Dunedin; these will be discussed in this submission. These impacts, either

explicit or implicit to local government, in conjunction with other changes attempted or made by the current government, have the potential to negatively impact the work that the DCC has undertaken with mana whenua and Māori, and the benefit Māori see in the services that the DCC delivers on.

Submission

Explanatory Notes

12 The DCC submits that the Bills, as a collective, do not fulfil their own purposes.

13 The DCC notes that the purpose of these Bills are, in short, to improve clarity of applying the Treaty within legislation, reduce uncertainty in doing so, and increase compliance through improved clarity and reduced uncertainty.

14 The DCC is concerned with the lack of evidence to support there being a compliance issues, as discussed in the Regulatory Impact Statement (RIS) provided by the Ministry of Justice (MoJ). It further notes that proposed repeals may increase legal uncertainty, rather than decrease it. The DCC submits this may result in decreased compliance.

15 The DCC further submits that the purpose won't be achieved through the proposed changes for clarity around the principles as these came from common law as a means of combining the two versions of the Treaty, rather than "depending on which version of the Treaty is being considered." This is further supported within the RIS and the Consistency Accountability Statement (CAS) by MoJ.

References to Tiriti o Waitangi/Treaty of Waitangi (Repeals) Amendment Bill

16 The DCC submits against repealing the descriptive/overall provisions within the: Smokefree Environments and Regulated Products Act 1990 (s 3AB).

17 The removal of s 3AB of the Smokefree Environments and Regulated Products Act 1990 removes the final subsection within this provision relating to te Tiriti o Waitangi/the Treaty of Waitangi.

18 The DCC submits the repeal of this provision removes the legislative requirement for the Minister to protect a community who are disproportionately impacted by smoking (users and non-users).

19 The DCC submits this is concerning with the repeal of the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Act 2022 by removing what was known as the 'Smokefree Generation', which would protect those born in and after 2009 who would not be able to buy tobacco products.

20 The DCC further submits this could have a flow on effect by signalling to local authorities what central government deems important regarding a Smokefree New Zealand, and therefore, how local authorities may implement their own Smokefree policies.

References to Tiriti o Waitangi/Treaty of Waitangi (Standardisation) Amendment Bill

21 The DCC submits in support to changing "the Treaty of Waitangi (Te Tiriti o Waitangi)" to "Te Tiriti o Waitangi/the Treaty of Waitangi".

22 This change recognises the two version of the Treaty as separate documents being read together, rather than Te Tiriti o Waitangi being a simple translation for the Treaty of Waitangi.

23 The DCC does not support the proposed standardisation of these provisions as currently drafted. The proposed amendments would remove the express reference to the Crown's responsibility in relation to the principles of Te Tiriti o Waitangi/the Treaty of Waitangi and, in some provisions, the existing description of the nature of that responsibility. The DCC is concerned that this change may create uncertainty as to whether the amendments are intended to alter the substantive effect of the existing provisions and the respective responsibilities of the Crown and the public bodies to which those provisions apply.

24 This is of particular concern in relation to section 4 of the Local Government Act 2002, which currently makes clear that the statutory provisions relating to Māori participation in local authority decision-making are imposed on local authorities in recognition and respect of the Crown's responsibility. Removing that express connection may create unnecessary uncertainty as to the basis and nature of the obligations imposed on local authorities.

25 For the DCC, this change has particular relevance to the following acts:

- Local Government Act 2002 (s 4)
- Climate Change Response Act 2002 (s 3A)
- Land Transport Management Act 2003 (s 4)

The DCC submits that the proposed standard text removes the explicit reference to responsibility for giving effect to the principles of the Treaty of Waitangi. As a result, uncertainty arises regarding where responsibility for recognising, respecting, or giving effect to those principles would ultimately lie.

Local Government Act 2002 (s 4) and Land Transport Management Act 2003 (s 4)

26 The DCC submits that this wording change for the Local Government Act 2002, s 4, would shift the responsibility of recognising and respecting the Treaty principles to local government.

27 The DCC submits a similar position pertaining to the Land Transport Management Act (s 4). As the provision provides for Māori to contribute to decision-making regarding land transport matters, which often falls to local government, will local government be expected to take on this responsibility for recognising and respecting the Treaty principles?

28 The DCC would request clarification from Parliament if this is the intended result of the wording standardisation.

Climate Change Response Act 2002 (ss 3A)

29 The DCC submits that adopting the standard Treaty principles wording would remove the requirement for the Crown to recognise and respect the Treaty principles as a whole.

30 The DCC further seeks clarification on where responsibility wouldsit with under this Act. In particular, it is unclear whether this responsibility would rest with the Ministry for the Environment, the Minister, the Commission, or another party.

31 The DCC queries if s 3A(h)(i) could be aligned with wording used in s 3A(c) to encapsulate the broad te ao Māori considerations such as extending to cover economic considerations.

References to Tiriti o Waitangi/Treaty of Waitangi (Strength of Legislative Obligations) Amendment Bill

32 The Strength of Legislative Obligations Bil notes that "The Government considers that 'take into account' is a more appropriate standard," compared to wording such as 'honour' or 'uphold'. This change is applied to the Water Services Authority—Taumata Arowai Act 2020 in ss 5(g)(i)) (Māori interests) and 19(1)(b)(i) (additional collective duties of the board)– which are related to each other.

33 The DCC submits that the requirement to "take into account" the Treaty principles differs from obligations to "honour" or "uphold" those principles and may result in a different level of consideration being given to them in decision-making. This position is supported in *Bleakley v Environmental Risk Management Authority* [2001] 3 NZLR 213 (HC), and the RIS.

34 The DCC submits that the proposed wording is unlikely to have a significant immediate impact on the day-to-day operations of the Council. However, the change may influence the manner in which Taumata Arowai considers and engages with Treaty-related matters, which could in turn have implications for organisations operating within the regulatory framework, including the DCC. The extent of any impact is difficult to assess at this stage, creating uncertainty regarding the practical effects of the proposed amendment.

Recommendations

The DCC recommends to:

35 Support the standardisation of references to "Te Tiriti o Waitangi/the Treaty of Waitangi" where that change is limited to terminology and does not alter the substantive legal effect of the relevant provision.

36 Retain the existing wording of provisions where standardisation would remove an express reference to the Crown's responsibility in relation to Te Tiriti o Waitangi/the Treaty of Waitangi, unless it is clear that the amendment will not alter the substantive effect of the provision or the respective responsibilities of the Crown and the relevant statutory body.

37 In particular, retain the existing framing of section 4 of the Local Government Act 2002, or amend the proposed wording so that it remains clear that the statutory obligations imposed on local authorities are in recognition and respect of the Crown's responsibilities in relation to the principles of Te Tiriti o Waitangi/the Treaty of Waitangi.

38 Ensure that any amendment to section 4 of the Local Government Act 2002 does not expand, diminish or otherwise alter the existing statutory obligations of local authorities in relation to Māori participation in local authority decision-making.

39 Apply the same approach to section 4 of the Land Transport Management Act 2003, so that standardisation does not inadvertently alter the respective responsibilities of the Crown, local authorities and other statutory decision-makers.

40 Where an existing Treaty provision is considered unclear or duplicative, prefer clarification or appropriately tailored amendment over repeal where the provision continues to serve an important substantive or interpretive purpose.

41 Reconsider amendments that replace obligations to "honour", "uphold", or act consistently with Treaty principles with a uniform requirement to "take into account" those principles, where doing so would materially reduce the strength or effect of the existing statutory obligation.

42 Retain the existing Treaty-related obligations applying to Taumata Arowai unless there is a clear and evidence-based justification for reducing the existing statutory standard, having regard to the potential consequences for the regulatory framework within which local authorities perform water-services functions.

43 Assess amendments within the context and purpose of each individual statutory regime, rather than applying standardised wording where this may result in changes to the meaning, weighting or effect of an existing Treaty provision.

Concluding Remarks

44 The DCC supports greater consistency and clarity in legislative references to Te Tiriti o Waitangi/the Treaty of Waitangi. However, standardisation should not itself be treated as an objective where it would alter the substantive effect of an existing provision. The DCC therefore, recommends that the Committee distinguish between amendments that standardise terminology and those that change the nature, strength or allocation of existing statutory obligations.

45 The DCC thanks you for the opportunity to submit on the References to Tiriti o Waitangi/Treaty of Waitangi (Repeals, Standardisation, and Strength of Legislative Obligations) Amendment Bills.

46 The DCC wishes to speak to this submission at any hearings.

Nāku noa, nā

Signature to be inserted

Sophie Barker
MAYOR OF DUNEDIN

RESOLUTION TO EXCLUDE THE PUBLIC

That the Council excludes the public from the following part of the proceedings of this meeting (pursuant to the provisions of the Local Government Official Information and Meetings Act 1987) namely:

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution	Reason for Confidentiality
C1 Appointment of Director to Dunedin City Holdings Limited	S7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	S48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, and the particular interest or interests protected by Section 6 or Section 7 of that Act, or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above after each item.