



Council Agenda

Thursday 02 October 2025, 8:30 am

The meeting will be held at Hato Hone St Johns,
35 Bowen Street, Feilding, and a video recording
made available on www.mdc.govt.nz.

www.mdc.govt.nz

MEMBERSHIP

Chairperson

Her Worship the Mayor, Helen Worboys

Deputy Chairperson

Councillor Michael Ford

Members

Councillor Bridget Bell
Councillor Steve Bielski
Councillor Lara Blackmore
Councillor Stuart Campbell
Councillor Grant Hadfield
Councillor Colin McFadzean
Councillor Andrew Quarrie
Councillor Kerry Quigley
Councillor Alison Short
Councillor Fiona Underwood

A handwritten signature in dark ink, appearing to read 'Shayne Harris'.

Shayne Harris
Chief Executive

ORDER OF BUSINESS

PAGE

1. MEETING OPENING

Jeff Hall from New Life Feilding will open the meeting.

2. APOLOGIES

3. CONFIRMATION OF MINUTES

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Recommendation

That the minutes of the Council meeting held 18 September 2025 be adopted as a true and correct record.

4. DECLARATIONS OF INTEREST

Notification from elected members of:

- 4.1 Any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting; and
- 4.2 Any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 1968

5. PUBLIC FORUM

There are no public forum speakers scheduled for this meeting.

6. PRESENTATIONS

6.1 REPRESENTATIVE FUND- THE WORLD HIP HOP CHAMPIONSHIP, ARIZONA GRAND RESORT AND SPA (8.30 AM)

Lenny Hansen-Wall will be speaking to Council.

6.2 REPRESENTATIVE FUND- HIP HOP INTERNATIONAL - DANCE CHAMPIONSHIPS (8.40 AM)

Dharnel Tamati-Fotualii will be speaking to Council.

6.3 MID-YEAR YOUTH COUNCIL REPORT TO COUNCIL (8.50 AM)

Kahupounamu Potama, chair of the Manawatū District Youth Council will be speaking to Council.

7. NOTIFICATION OF LATE ITEMS

Where an item is not on the agenda for a meeting, that item may be dealt with at that meeting if:

- 7.1 The Council by resolution so decides; and
- 7.2 The Chairperson explains at the meeting at a time when it is open to the public the reason why the item is not on the agenda, and the reason why

the discussion of the item cannot be delayed until a subsequent meeting.

8. RECOMMENDATIONS FROM AUDIT AND RISK COMMITTEE

8.1 AUDIT AND RISK COMMITTEE RE THE ANNUAL REPORT

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Meeting held 25 September 2025

9. NON-COUNCIL MEETINGS – FOR INFORMATION

9.1 COMMITTEE AND GROUP MEETINGS – FOR INFORMATION

Minutes of the following Council Committees, Community Committees and Youth Council meetings are uploaded to the Council’s website, as they become available.

Liaison councillors will have the opportunity to provide a verbal update.

The below meetings took place from 18 September to 1 October 2025:

COMMITTEE MEETINGS	
Audit & Risk Committee	• 25 October 2025
https://www.mdc.govt.nz/about-council/meetings-agendas-and-minutes/agendas-and-minutes	

COMMUNITY COMMITTEE MEETINGS	
Colyton Community Committee	• 25 September 2025
Himatangi Beach Community Committee	• 25 September 2025
https://www.mdc.govt.nz/about-council/committees-and-organisations/community-committees-and-plans	

9.2 MARAE LIAISON COUNCILLORS

Councillors have the opportunity to update council about their marae committee.

10. OFFICER REPORTS

10.1 DELIBERATIONS FOR THE PUBLIC PLACES BYLAW

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Report of the General Manager – People and Corporate .

10.2 ADOPTION OF THE APPOINTMENT OF DIRECTORS TO COUNCIL ORGANISATIONS AND COUNCIL-CONTROLLED ORGANISATIONS POLICY

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Report of the General Manager – Community.

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10.3 FEILDING CIVIC CENTRE TRUST ANNUAL REPORT 2024 – 2025 (9.40 AM)	115
Report of the General Manager – Community.	
Allan Williams – Recognition of his requirement from the Feilding Civic Centre Trust. 11.5 Years, four terms (9.55 AM)	
10.4 REPURPOSING FUNDS FOR MAC AND GREY STREET	147
Report of the General Manager – Community	
11. VALEDICTORY ADDRESSES (11.30 AM)	
Hearing from Elected Members who have chosen not to stand for a further 3 year term in the current local body elections.	
• Cr Steve Bielski • Cr Lara Blackmore • Cr Stuart Campbell • Cr Kerry Quigley • Cr Fiona Underwood • Mayor Helen Worboys	
12. CONSIDERATION OF LATE ITEMS	
13. PUBLIC EXCLUDED BUSINESS	
COUNCIL TO RESOLVE:	
That the public be excluded from the following parts of the proceedings of this meeting, namely:	
1. * Funding Request for Stadium Development at Manfeild Park 2. Tender Award Recommendation - Turners Road Culvert 3. Purchase of land for Walkway, Culvert and Trade Waste Pipeline - 103 & 137 Turners Road 4. CEDA Appointment of Directors 5. Release of Public Excluded Resolutions	
That the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:	

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution
14.1 * Funding request for Stadium Development at Manfeild Park (9.00 AM)	s7(2)(i) – commercial negotiations <i>This report discusses commercially sensitive details around grant funds and their potential use</i>	s48(1)(a)
14.2 Tender Award Recommendation - Turners Road Culvert	s7(2)(i) – commercial negotiations <i>This report discusses commercially sensitive contract terms and pricing</i>	s48(1)(a)
14.3 Purchase of land for walkway, culvert and trade waste pipeline - 137 Turners Road	s7(2)(i) – commercial negotiations <i>This report discusses commercially sensitive purchase figures</i>	s48(1)(a)
14.4 CEDA Appointment of Directors	s7(2)(a) – privacy <i>This report discusses private individuals</i>	s48(1)(a)
14.5 Release of Public Excluded Resolutions into Open Session	s7(2)(a) – privacy s7(2)(h) – commercial activities <i>This report includes notes on public excluded resolutions that may not be approved for release into the public forum</i>	s48(1)(a)

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by Section 6 or Section 7 of the Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public as specified above.

*Also, that Paul Cocks, Chief Executive Officer, Manfeild Park Trust be permitted to attend this meeting, after the public has been excluded, because of his knowledge of the Manfeild Stadium and the Trust. This knowledge will be of assistance in relation to the matter being discussed.

16. MEETING CLOSURE

MEETING MINUTES	
COUNCIL	TIME
THURSDAY 18 SEPTEMBER 2025	8:30 AM

Minutes of a meeting of the Council held on Thursday 18 September 2025, which commenced at 8.30 am at Hato Hone St Johns, 35 Bowen Street, Feilding.

PRESENT: Mayor Helen Worboys Chairperson
 Cr Bridget Bell
 Cr Steve Bielski
 Cr Lara Blackmore
 Cr Stuart Campbell Via Zoom
 Cr Michael Ford
 Cr Colin McFadzean
 Cr Andrew Quarrie
 Cr Kerry Quigley
 Cr Alison Short
 Cr Fiona Underwood

APOLOGIES: Cr Grant Hadfield

IN ATTENDANCE: Shayne Harris Chief Executive
 Frances Smorti General Manager – People and Corporate
 Hamish Waugh General Manager – Infrastructure
 Lyn Daly General Manager – Community
 Amanda Calman Chief Financial Officer
 Ash Garstang Governance and Assurance Manager
 Matthew Mackay Principal Policy Planner
 Richard Hills Senior Policy Planner
 Axel Malecki Policy Adviser

MDC 22-25/1296

MEETING OPENING

Cr Bridget Bell opened the meeting.

MDC 22-25/1297

APOLOGIES

RESOLVED

That the apology from Councillor Grant Hadfield be approved.

Moved by: Mayor Helen Worboys

Seconded by: Cr Michael Ford

CARRIED (10-0)

MDC 22-25/1298

CONFIRMATION OF MINUTES

RESOLVED

MEETING MINUTES	
COUNCIL	TIME
THURSDAY 18 SEPTEMBER 2025	8:30 AM

That the minutes of the Council meeting held 4 September 2025 be adopted as a true and correct record.

Moved by: Cr Michael Ford

Seconded by: Cr Alison Short

CARRIED (10-0)

MDC 22-25/1299

DECLARATIONS OF INTEREST

There were no declarations of interest.

MDC 22-25/1300

PUBLIC FORUM

There were no requests for public forum.

MDC 22-25/1301

PRESENTATION – REPRESENTATIVE FUND – 2025 TRI SERIES IN BALLARAT, AUSTRALIA

Jonty Howland spoke to Council about his experience in attending the 2025 Tri Series in Ballarat, Australia. Highlights:

- Jonty attended the tri series swimming competition in Ballarat, Australia. New Zealand, Victoria and Western Australia were the three competing countries/states. The New Zealand swimmers considered of two teams; NZ Black and NZ White (Jonty was a member of NZ White)
- His journey started with travel to Auckland to meet his team members. They had to qualify for the opportunity via swim competitions

Cr Stuart Campbell joined the meeting at 8.37 am.

- He enjoyed the challenge and made new friends at the event. His next swimming goal is to attend another international swimming event and represent New Zealand in swimming

MDC 22-25/1302

NOTIFICATION OF LATE ITEMS

There were no late items of business notified for consideration.

MEETING MINUTES	
COUNCIL	TIME
THURSDAY 18 SEPTEMBER 2025	8:30 AM

MDC 22-25/1303

RECOMMENDATIONS FROM COMMITTEES

There were no recommendations from committees.

MDC 22-25/1304

COMMITTEE AND GROUP MEETINGS – FOR INFORMATION

The following Council Committees, Community Committees and Youth Council meetings were notified for information.

COMMUNITY COMMITTEES	
Hiwinui Community Committee	• 16 September 2025
Sanson Community Committee	• 11 September 2025
Tangimoana Community Committee	• 15 September 2025

YOUTH COUNCIL	
Meeting	• 15 September 2025

Liaison Councillors provided brief updates on their respective Committees.

- Hiwinui Community Committee – Cr Fiona Underwood. They received some funding from the contestable funding which they intend to put towards their pathway. Enviro Schools came and presented to the Committee.
- Sanson Community Committee – Cr Alison Short. They have taken delivery of their history boards that they are going to be putting up. A member of the community proposed a native planting gallery at the back of the centre, which would be a two-year (or so) process.
- Tangimoana Community Committee – Cr Alison Short. She wasn't able to attend due to YAA, but has heard they are going fine.
- Young Achievers Awards – Cr Lara Blackmore. This took place in lieu of the Youth Council meeting.

MDC 22-25/1305

MARAE LIAISON COUNCILLORS

Councillors provided a verbal update on their attendance at marae meetings.

- Aorangi Marae
- Kauwhata Marae
- Parewahawaha Marae
- Poupatatē Marae
- Taumata-o-te-rā Marae
- Te Hiiri Marae

MEETING MINUTES	
COUNCIL	TIME
THURSDAY 18 SEPTEMBER 2025	8:30 AM

- Te Rangimārie Marae
- Te Tikanga Marae
- Ngāti Te Au

MDC 22-25/1306

HEARING OF SUBMISSIONS – PUBLIC PLACES BYLAW

Report of the General Manager – People and Corporate providing elected members with a copy of the submissions received in relation to the draft Public Places Bylaw (the “draft Bylaw”).

The purpose of the Hearing is to provide an opportunity for submitters to present their view and to verbally interact with Council, as required by Section 83(1)(d) of the Local Government Act.

RESOLVED

That Council receive the report on the Hearing of Submissions – Public Places Bylaw, and hear from submitters who have indicated that they wish to be heard.

Moved by: Cr Michael Ford

Seconded by: Cr Lara Blackmore

CARRIED (11-0)

15 Health New Zealand, Te Whatu Ora – Sally Darragh

Highlights:

- Sally is a Health Promotion Advisor, and her professional focus is on creating healthy environments.
- They recommend including a clause around outdoor dining conditions, such as a prohibition on smoking and vaping within outdoor dining areas.
- They recommend including a statement around Council’s commitment to maintaining smoke free public places (e.g., sports grounds).
- Smoking and vaping rates in the District are higher than the national average.

In response to questions, Sally Darragh advised:

- In reply to a request, Sally will forward through information around the ongoing cost to the health care system from smoking and vaping. She noted that the level of addiction with vaping can be a lot higher as users are less constrained with their usage than smokers are.
- There is a lot of research on proactive public health strategies to reduce public smoking rates. Health NZ also advocates in the compliance space – for example, they run control-purchase operations where young people attempt to purchase products to see how the vendor responds.

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- Council can assist in this space by promoting a smokefree culture. For example, by encouraging smokefree events, advocating to government, and reporting any suspected vendors that might be selling smoke or vaping products to young people.

01 Cancer Society, Jose Gutry

Highlights:

- The Cancer Society in the Manawātū believes strongly in having smokefree environments, to encourage rangatahi to lead healthy lifestyles.
- Jose expressed disappointment in the Smokefree and Vapefree Policy being adopted without public consultation. She believes that the Public Places Bylaw is not a sufficient way of discouraging smoking. There are substantial questions that herself and other health providers would have raised if consultation was conducted for the Smokefree and Vapefree Policy.
- Notwithstanding her thoughts on the Smokefree and Vapefree Policy, Jose supported the intent of the Public Places Bylaw.

In response to questions, Jose Gutry advised:

- That there was a lot of new research being produced on the negative physical and mental health effects of vaping, particularly on rangatahi. She will share some of this research and data with members.
- Jose will look further into what statistics are available on smoking and vaping within the Manawātū District, although she acknowledged that it is easier to source this information at a national level.

13 Timona Park Orchard Trust, Barbara Robson

Highlights:

- The Trust looks after the native bush and worrying state of the stormwater pond at the northern area of the Park.
- The riding of motorcycles and other vehicles in Timona Park should be a matter of concern, given the risk of injury and death to the public. Barbara does not feel that the Bylaw goes far enough to discourage this activity. She believes that wording should be included into clause 4.2 to this effect.

In response to a question, Barbara Robson advised:

- There are frequent instances of dirt bikes going into the bush, and motorbike users during sports games.
- The Trust would support the banning of vehicles from the park, except for the purpose of entry and exit, or specific events. The issue is primarily around motorbikes.

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MDC 22-25/1307

APPROVAL TO APPLY TO A RESOURCE MANAGEMENT ACT SECTION 80V EXEMPTION TO PLAN STOP

Report of the General Manager – Community.

The Resource Management (Consenting and Other System Changes) Amendment Act 2025 impacts Council's District Plan Review Programme. The purpose of this report is to:

1. Provide further advice on Manawātū District Council plan change projects which are subject to 'Plan Stop' under Sections 80U and 80V of the Resource Management Act 1991 (RMA), and
2. Seek approval for officers to be given delegated authority to lodge 'Plan Stop' exemption applications on behalf of Manawātū District Council.

RESOLVED

1. That the Council note the Resource Management (Consenting and Other System Changes) Amendment Act 2025 effectively stops the District Plan Review Programme in its current form, except for identified plan change work granted an exemption by the Minister for the Environment.
2. That the Council lodge 'Plan Stop' exemption applications with the Minister for the Environment for Proposed Plan Change E: Feilding Town Centre and for a draft plan change relating to designations.
3. That the Council delegate authority to the Chief Executive to prepare Plan Stop applications on behalf of the Manawātū District Council.
4. That the Council withdraw Plan Change B: Residential Zone in accordance with Section 80Q of the Resource Management Act, and give public notice as required by Section 80R.
5. That the Council give public notice of the status of all proposed planning instruments (including draft Plan Change A) as required by Section 80Y.

Moved by: Cr Michael Ford

Seconded by: Cr Lara Blackmore

CARRIED (11-0)

MDC 22-25/1308

APPLICATION OF THE COMMON SEAL 24 FEBRUARY 2025 TO 1 SEPTEMBER 2025

Report of the General Manager – People and Corporate informing Council of documents that have been sealed under the Common Seal under delegation since the last schedule was prepared and presented to Council.

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RESOLVED

That Council receive and accept the schedule of sealed documents, listed in Section 10 of this report, from 24 February 2025 to 1 September 2025.

Moved by: Cr Lara Blackmore

Seconded by: Cr Steve Bielski

CARRIED (11-0)

The meeting was adjourned at 9.47 am and reconvened at 10.22 am.

MDC 22-25/1309

MANAWATU COMMUNITY TRUST FUTURE PLANS – BUSINESS CASE

Report of the General Manager – Community.

Manawatū Community Trust is seeking a \$5.3million 20-year loan to construct twelve new accessible rental units at Corrick Court.

This is an objective detailed in the Trust's 2025 to 2026 Statement of Intent, working to increase the number of community housing units in the region from the current stock of 205 to 250 units by 2030.

The Trust is seeking loan funding from the Local Government Funding Authority (LGFA) through Manawatū District Council's access to this facility. Funding through LGFA would provide a more favourable interest rate for Manawatu Community Trust than through a bank.

Teresa Hague spoke to the Council about the item.

RESOLVED

That Council:

- 1. Approve loan funding of five million and three hundred thousand dollars (\$5.3million) for a period of twenty (20) years to Manawatu Community Trust, with repayments of interest and principal to be repaid monthly. This funding is for the construction of twelve (12) new accessible rental units at Corrick Court, Feilding.**
- 2. Note that Council will source this funding from the Local Government Funding Authority (LGFA) as a fixed-term loan of up to 20 years which will be on-lent to Manawatu Community Trust.**
- 3. Note there is no ongoing rates impact from this decision.**

Moved by: Cr Michael Ford

Seconded by: Cr Steve Bielski

CARRIED (11-0)

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MDC 22-25/1310

CONSIDERATION OF LATE ITEMS

There were no late items notified for consideration.

MDC 22-25/1311

PUBLIC EXCLUDED BUSINESS

RESOLVED

That the public be excluded from the following parts of the proceedings of this meeting, namely:

1. **Confirmation of Minutes 4 September 2025**
2. **Contract Award Recommendation – Rongotea Wastewater Pumpstation Construction**
3. **Feilding Civic Centre Appointment of Trustees**
4. **Town Centre Refresh project progress report**
5. **Sale of Council Land – Bailey Road and Gravel Reserve**
6. **Recommendation from the CE Employment Committee – Consideration of Chief Executive Reappointment**

That the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution
13. Confirmation of Minutes; 04 September 2025	<i>To consider the accuracy of the minutes of the public excluded Council meeting on 04 September 2025.</i> <i>Any changes to previous minutes may require members to discuss the content of the public excluded session.</i>	s48(1)(a)
14.1 Contract Award Recommendation – Rongotea Wastewater Pumpstation Construction	s7(2)(i) – commercial negotiations <i>The report addresses confidential contract costs</i>	s48(1)(a)

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	<i>and other key contractual matters</i>	
14.2 Feilding Civic Centre Appointment of Trustees	s7(2)(a) – privacy <i>The report may discuss the private details of individuals who may or may not be appointed to the Trust</i>	s48(1)(a)
14.3 Town Centre Refresh project progress report	s7(2)(i) – commercial negotiations <i>The report addresses confidential contract costs and other key contractual matters</i>	s48(1)(a)
14.4 Sale of Council land – Bailey Road and Gravel Reserve	s7(2)(i) – commercial negotiations <i>The report addresses confidential contract costs and other key contractual matters</i>	s48(1)(a)
14.5 Recommendation from the CE Employment Committee – Consideration of Chief Executive Reappointment	s7(2)(a) – privacy <i>The item includes discussion around the Chief Executive’s employment</i>	s48(1)(a)

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by Section 6 or Section 7 of the Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public as specified above.

Moved by: Mayor Helen Worboys

Seconded by: Cr Michael Ford

CARRIED (11-0)

The meeting went into public excluded session at 10.36 am. For items MDC 22-25/1312 to MDC 22-25/1318 refer to public excluded proceedings. The meeting returned to open session at x.

MDC 22-25/1319

MEETING CLOSURE

The meeting was declared closed at 3.00 pm.

MEETING MINUTES	
COUNCIL	TIME
THURSDAY 18 SEPTEMBER 2025	8:30 AM

Meeting Video

<https://www.mdc.govt.nz/about-council/meetings-agendas-and-minutes/videos-of-council-and-committee-meetings/manawatu-district-council-meeting-videos>

Council

Meeting of 02 October 2025

Business Unit: People and Corporate
Date Created: 26 September 2025

Draft Annual Report for Year Ending June 2025

Purpose Te Aronga o te Pūrongo

At its meeting 25 September 2025, the Audit and Risk Committee recommended that the Council receives the Draft Annual Report for the Year Ending June 2025 (ARC 22-25/237).

The purpose of the report is to present the draft Annual Report for the year ending 30 June 2025 and detail the process required to adopt the Annual Report

Recommendations Ngā Tūtohunga

That the Council:

1. Notes the recommendation from the Audit and Risk Committee at its meeting 25 September 2025 (ARC 22-25/237), regarding the receipt of this report; and
2. Receives the draft Annual Report for the year ended 30 June 2025 and note its release to Audit NZ.

Report prepared by:
Ash Garstang
Governance and Assurance Manager

Approved for submission by:
Amanda Calman
Chief Financial Officer

1 Background Ngā Kōrero o Muri

- 1.1 The Annual Report is prepared under section 98 of the Local Government Act 2002, and includes the provisions of schedule 10, part 3. It compares Manawātū District Council's actual performance against what was planned in year one of the Long Term plan.
- 1.2 The Annual Report outlines how Council has spent money collected from ratepayers, residents, financial institutions and government agencies and includes both financial and non-financial information.
- 1.3 As well as reporting against the Council's key activities, performance indicators in the 2024-34 Long Term Plan. This also reports against the Revenue and Financing, Liability Management and Investment Policies.
- 1.4 The Annual Report (including audit opinion) must be completed and adopted by 31 October 2025 (within four months after the end of the financial year).
- 1.5 A revaluation of land and buildings was undertaken at 30 June 2025 by Quotable Value. This was undertaken as part of Council's routine three yearly valuation of land and buildings, with a fair value assessment being conducted during intermediate years.
- 1.6 The Infrastructure revaluations for 30 June 2025 were externally reviewed so the revaluation as at 30 June 2025 does not require external review and is included in the draft report. The external revaluation review process is undertaken on a three yearly basis.
- 1.7 The next step in the Annual report preparation is the final Audit from Audit New Zealand.

2 Strategic Fit Te Tautika ki te Rautaki

- 2.1 Not applicable as this is a legislative / operational item.

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

- 3.1 The Annual Report is externally audited by Audit New Zealand, on behalf of the Auditor General as required by the Local Government Act 2002. The Annual Report is a key accountability document for the community.
- 3.2 Audit New Zealand commenced the final audit of the Annual Report on 15 September 2025. An audit report will be prepared for inclusion in the Annual Report and is planned to be presented to Council for adoption prior to 31 October 2025.
- 3.3 The draft Annual Report was presented to the Audit and Risk Committee, who recommended that the Council receive it.
- 3.4 As part of this audit process a summary of the information contained in the Annual Report will also be prepared under section 98 of the Local Government Act 2002 and made publicly available.

- 3.5 The following items are raised in the report:
- 3.5.1 The financial result for 30 June 2025 is a surplus in the Statement of Comprehensive Revenue and Expenditure of \$12.7M against a budget deficit of \$2.6M. The main variances are detailed in note 35 of the report.
 - 3.5.2 Capital expenditure was 103% of the work budgeted in the Annual Plan, (2024 was 90%). This result reflects additional budget variations and carry forwards from the 2023-24 financial year. Performance against the revised budget is reflected in the quarterly report.
 - 3.5.3 External debt totalled \$104.3M against the annual plan budget of \$108.8M. The debt movements consist of \$1.4M drawn on behalf of Manawatu Community Trust, \$7M to fund the years Capex programme, and \$3M of debt repaid. A further draw down of \$2M was undertaken in August, based on the balance of the capital spend.
 - 3.5.4 Council achieved 90 of the 102 performance indicators (88.2%). In previous year's the results were: 77.9% (2023/24) and 78.2% (2022/23).
- 4 Risk Assessment Te Arotake Tūraru
- 4.1 Not applicable.
- 5 Engagement Te Whakapānga
- Significance of Decision
- 5.1 The Council's Significance and Engagement Policy is not triggered by matters discussed in this report. No stakeholder engagement is required.
- Māori and Cultural Engagement
- 5.2 There are no known cultural considerations associated with the matters addressed in this report. No specific engagement with Māori or other ethnicity groups is necessary.
- Community Engagement
- 5.3 There is no community engagement required with this report.
- 6 Operational Implications Ngā Pānga Whakahaere
- 6.1 There are no operational implications with this report.
- 7 Financial Implications Ngā Pānga Ahumoni
- 7.1 There are no financial implications with this report.
- 8 Statutory Requirements Ngā Here ā-Ture
- 8.1 There are no statutory requirements for this report. Section 98 of the Local Government Act 2002 sets out the requirements for preparing and adopting the Annual Report.

- 8.2 The Annual Report (including the Audit opinion) must be completed and adopted, by resolution of Council, within four months after the end of the financial year to which it relates.

9 Next Steps Te Kokenga

- 9.1 The draft Annual Report for the year ended 30 June 2025 is presented to the Audit and Risk Committee for review. Following the audit process, the final report is expected to be presented to Council for adoption prior to 31 October 2025.

10 Attachments Ngā Āpiti hanga

- Draft Annual Report for the year ending 30 June 2025 – *attached separately from the agenda due to size*

Council

Meeting of 02 October 2025

Business Unit: People and Corporate

Date Created: 08 September 2025

Deliberations for the Public Places Bylaw

Purpose Te Aronga o te Pūrongo

To deliberate on all oral and written submissions received on the draft Public Places Bylaw.

To make decisions on options presented by officers to guide the preparation of the proposed Public Places Bylaw that will be presented to Council for final decisions at either 12 or 19 November Council meeting.

Recommendations Ngā Tūtohunga

1. That the Council receive this report and the submissions received on the draft Public Places Bylaw; and
2. That the Council considers and makes decisions on the matters raised in submissions and by officers on the draft Public Places Bylaw, as follows:
 - a. That Council does not amend the Bylaw to include the messaging of the Smokefree and Vapefree Policy.
 - b. That Council does not include an additional statement to reinforce Council's commitment to providing smokefree and vapefree public spaces.
 - c. That Council does not amend Clause 8 of the Bylaw or the permit requirements.
 - d. That Council retain the current wording of Clause 10 and not add any additional requirements for smokefree and vapefree signage to be displayed.
 - e. That Council retain the status quo without adding a clause mandating smokefree/vapefree signage for outdoor dining.
 - f. That Council keep the status quo and maintain the current wording of the permit for outdoor dining.
 - g. That Council retain the current restrictions and consider applications for TMTA exercises on a case-by-case basis where necessary.
 - h. That Council retain the current restrictions and consider applications from NZDF on a case-by-case basis.
 - i. That Council retain the current wording and restrictions of Clause 5.2(g), as there is already a process in place for applying for consent to discharge restricted substances.

- j. That Council make a minor administrative change to include the term 'Vehicle' under Clause 4.2, with an explanation linking the term to the Explanatory Bylaw and to the definitions in the Land Transport Act 1998.
- k. That Council retain the current provisions of the Bylaw and not introduce new time-specific restrictions on the use of the skate park.
- l. That Council continue to limit Street User activities to the two sites currently designated.
- m. That Council retain the current Bylaw provisions limiting street vendors at Aorangi Street to two.
- n. That Council retain the current provisions in the bylaw and not provide for food trucks to operate on the railway land when trains are running.
- o. That Council retain the current CBD boundary as defined in Schedule 2 of the Bylaw.

Report prepared by:
Axel Malecki
Policy Adviser

Approved for submission by:
Frances Smorti
General Manager - People and Corporate

1 Background Ngā Kōrero o Muri

- 1.1 The Local Government Act 2002 (LGA 2002) empowers Council to make bylaws for the purpose of protecting the public from nuisance, protecting public health and safety and regulating shared public places. The process for reviewing bylaws made under the Local Government Act is set out in section 160 of the LGA, henceforth the Act.
- 1.2 The Public Places Bylaw 2020 was adopted on 2 July 2020. The statutory review deadline for the bylaw was 2 July 2025. This obligation was met when Council endorsed the section 155 assessment at its meeting on 19 June 2025. The information provided in the review documents presented at that meeting was sufficient to satisfy Council that the bylaw aligns with the purposes set out in section 145 of the Act and that:
- The bylaw is necessary for one or more of the purposes set out in section 145 of the Act;
 - The bylaw is the most appropriate and proportionate way of addressing the perceived problems;
 - The bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.
- 1.3 At its meeting on 24 July 2025, Council adopted the Statement of Proposal, including the following attachments:
- Draft Public Places Bylaw
 - Submission Form
- 1.4 The draft Public Places Bylaw was publicly notified on 31 July 2025. The submissions period closed at 5pm on Friday 29 August 2029. A total of 15 submissions were received. Four submitters requested to speak at the Hearings meeting on 18 September, but only three did so. The fourth was unable to present and asked that her written submission be considered.

2 Strategic Fit Te Tautika ki te Rautaki

- 2.1 This review aligns with Council's obligation to ensure that public places are safe, accessible, and vibrant for residents, businesses and visitors. As such, the review contributes to the following four strategic priorities.
- 2.2 The review of the Public Places Bylaw aligns with Council's strategic priority, **A place to belong and grow**, as it enables Council to gather insights from the community to ensure that public places support community wellbeing and are safe and enjoyable for all.
- 2.3 The review of the Public Places Bylaw supports Council's strategic priority, **A future planned together** by enabling collaborative engagement with the community to identify how public spaces are used, managed, and protected—ensuring they meet current needs and future expectations for the benefit of all.
- 2.4 The strategic priority **An environment to be proud of** is supported through the review of the Public Places Bylaw, which enables Council to manage activities that may pose environmental risks, such as vehicle repairs in public spaces that can lead to contaminant discharge. Working

in conjunction with the Trade Waste Bylaw, the Public Places Bylaw helps to protect water quality and urban amenity by placing appropriate controls on behaviours that could result in pollution or environmental degradation.

- 2.5 The review of the Public Places Bylaw contributes to supporting **A prosperous, resilient economy** by helping ensure that public spaces are safe, accessible, and welcoming. The bylaw is also conducive to maintaining clean, safe, and well-managed public areas, and therefore supports positive visitor experience, encouraging return tourism, readiness for events and activities that bring economic benefit to local businesses and the community as a whole.

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

- 3.1 Copies of all submissions received on the draft bylaw are attached as Annex A to this report. Changes to the bylaw requested by submitters are analysed in Annex B to this report. Council will need to make decisions on which of the submitter-requested changes they support. These decisions will guide the preparation of the proposed Public Places Bylaw that will be presented to Council for final decision at the Council meeting at either 12 or 19 November.
- 3.2 Annex C to this report summarises additional matters raised in submissions that did not request a change to the bylaw, but still require a response. Feedback is invited on the draft officer responses contained in the table. Once finalised, this feedback will be incorporated into the letters that are sent to these submitters at the conclusion of the bylaw review.

Submitter requested changes

- 3.3 Submissions received on the draft bylaw have been reviewed and changes to the bylaw requested by submitters have been grouped in a table in Annex B. Officers have analysed each requested change in terms of:
- How it could be given effect to by changes to the bylaw;
 - Reasons or considerations (pros) in support of the requested change;
 - Limitations or reasons (cons) not to support the change;
 - An overall management recommendation on the requested change.
- 3.4 The information in Annex B has been used in the development of options for Council to consider in determining which submitter-requested changes to the bylaw to support (Table 1).
- 3.5 The decisions made by Council today will inform the drafting of the proposed Public Places bylaw that will be presented to Council for final decisions at either the 12 or 19 November Council meeting.
- 3.6 Other matters: At the Council meeting on 24 July 2025, a request was made to reduce the timeframe for removing abandoned vehicles from seven days to 24 hours. The draft Public Places Bylaw does not address abandoned vehicles, as these are managed under section 356(1) of the Local Government Act 1974. Council follows a documented process under this legislation, including a seven-day notice period. Addressing the request through the Bylaw would duplicate existing legislation and is not recommended. Furthermore, reducing the timeframe to 24 hours presents financial, legal, and reputational risks, and would also put Council out of step with the practices of neighbouring councils, as outlined in Annex C.

Table 1

Submitter-requested change to the bylaw	Submitters	Option 1	Option 2		Management Recommendation
That Council amend Clause 7 of the Bylaw to align with Council's Smokefree and Vapefree Policy by including messaging through signage and educational material.	01	Status quo – retain current wording of Clause 7.	That Council amend Clause 7 of the Bylaw to include messaging of the Smokefree and Vapefree Policy.		Support Option 1 – That Council does not amend the Bylaw to include the messaging of the Smokefree and Vapefree Policy, as signage is already managed through the Smokefree and Vapefree Policy 2025. <i>Report Recommendation: 2a</i>
That Council add a statement to the Bylaw to reinforce their commitment statement in the Smokefree and Vapefree Policy on smokefree/vapefree spaces.	15	Status quo – retain current wording of the Bylaw.	That Council amend the Bylaw to include a statement reinforcing Council's commitment to promoting smoke and vape free public spaces.		Support Option 1 – That Council does not include an additional statement in the Bylaw at it is primarily an enforcement tool rather than a policy statement. <i>Report Recommendation: 2b</i>
That Council add to Clause 8 of the Bylaw new conditions to aid in council decision making and upholding the purpose of the Bylaw.	01	Status quo – retain current wording of Clause 8.	Option 2a	Option 2b	Support Option 1 – That Council does not amend Clause 8 of the Bylaw or the permit requirements. <i>Report Recommendation: 2c</i>
			That Council amend Clause 8 of the Bylaw to include new permit conditions for an Organised Game, Activity or Event.	That Council add new conditions to the permit requirements for an Organised Game, Activity or Event.	
That Council amend Clause 10 of the Bylaw to require smokefree and vapefree signage to be displayed by any Street Use activity	01,15	Status quo – retain current wording of Clause 10	Option 2a	Option 2b	Support Option 1 – That Council retain the current wording of Clause 10 and not add any additional requirements for smokefree and vapefree signage to be displayed.
			That Council amend Clause 10 of the Bylaw.	That Council amend permit requirement only.	

include this requirement as a permit condition.					<i>Report Recommendation: 2d</i>
That Council add a Clause to the Bylaw to mandate smokefree/vapefree signage for outdoor dining.	01	Status quo – maintain the current Bylaw without adding a clause mandating smokefree/vapefree signage for outdoor dining.	That Council amend the Bylaw to mandate smokefree and vapefree signage for outdoor dining areas.	Support Option 1 – That Council retain the status quo without adding a clause mandating smokefree/vapefree signage for outdoor dining. <i>Report Recommendation: 2e</i>	
That Council include a smokefree/vapefree condition to permits for outdoor dining: • Ban smoking/vaping in outdoor dining areas. • Require smokefree/vapefree signage on furniture. • Prohibit provision of ashtrays.	01, 15	Status quo – maintain the current wording of the permit for outdoor dining without changes.	That Council add the following conditions to the permits for outdoor dining: • No smoking or vaping in outdoor dining areas. • Require smoke and vapefree signage on furniture. • Prohibit the provision of ashtrays in outdoor dining.	Support Option 1 – That Council keep the status quo and maintain the current wording of the permit for outdoor dining. <i>Report Recommendation: 2f</i>	
That Council provide an exemption or a process to apply for an exemption for NZDF to allow TMTA when required.	06	Status quo – retain the current restrictions of the Bylaw.	That Council amend the Bylaw to provide an exemption to the NZDF to allow for TMTA removing the need for application.	Support Option 1 – That Council retain the current restrictions and consider applications for TMTA exercises on a case-by-case basis where necessary, rather than by introducing a new blanket exemption clause in the Bylaw. <i>Report Recommendation: 2g</i>	
That Council provide NZDF a specific exemption for NZDF vehicles to drive on beaches and sand dunes for TMTA.	06	Status quo – retain the current restrictions of the Bylaw.	That Council amend the Bylaw to provide for the NZDF to drive on beaches and sand dunes during TMTA exercises.	Support Option 1 – That Council retain the current restrictions and consider applications from NZDF on a case-by-case basis. <i>Report Recommendation: 2h</i>	

That Council provide NZDF an exemption or process to apply for an exemption to Clause 5.2(g).	06	Status quo – retain the current restrictions of Clause 5.2(g).	That Council provide an exemption or process for an exemption to Clause 5.2(g).		Support Option 1 – That Council retain the current wording and restrictions of Clause 5.2(g), as there is already a process in place for applying for consent to discharge restricted substances. <i>Report Recommendation: 2i</i>
That Council strengthen the Bylaw by way of adding definitions for Motorcycle, All Terrain Vehicle, Motor Vehicle and Vehicle.	13	Status quo – retain the current definitions.	Option 2a	Option 2b	Support Option 2b – That Council make a minor administrative change to include the term ‘Vehicle’ under Clause 4.2, with an explanation linking the term to the Explanatory Bylaw and to the definitions in the Land Transport Act 1998. <i>Report Recommendation: 2j</i>
			That Council introduce specific definitions for Motorcycles, ATV, Motor Vehicle, and Vehicle. under Clause 4.2	That Council make a minor administrative change to include the term ‘Vehicle’ under Clause 4.2 including an explanation that links the term to the Explanatory Bylaw and in turn the definition under the Land Transport Act 1998.	
That Council introduce new provisions that prevent the use of the skate park and surrounding areas at night.	14	Status quo – retain the current provision.	That Council amend the bylaw to introduce a curfew restricting the use of the skate park.		Support Option 1 – That Council retain the current provisions of the Bylaw and not introduce new time-specific restrictions on the use of the skate park. <i>Report Recommendation: 2k</i>
That Council introduce new designated sites for Street User activities.	02, 04, 12	Status quo – Continue to limit Street User activities to the two sites currently designated.	That Council amend the Bylaw to add Fergusson Street Carpark on the corner of Fergusson Street and Warrick Street to Schedule 2 of the Bylaw as an additional site for Street User activities.		Support Option 1 – That Council continue to limit Street User activities to the two sites currently designated. <i>Report Recommendation: 2l</i>

That Council open up railway area (Aorangi Street) to allow more food trucks to operate.	12	Status quo - That Council retain the current Bylaw provisions limiting street vendors at Aorangi Street to two.	That Council amend the Bylaw to designate additional railway land as a site for food trucks, allowing more vendors to operate in this location.	Support Option 1 – That Council retain the current Bylaw provisions limiting street vendors at Aorangi Street to two. <i>Report Recommendation: 2m</i>
That Council allow food trucks to gain permits to operate on the railway land when trains are running, in order to serve train users.	12	Status quo - That Council retain the current provisions in the bylaw and not provide for food trucks to operate on the railway land when trains are running.	That Council amend the Bylaw to allow food trucks to gain permits to operate on the railway land when trains are running, in order to serve train users.	Support Option 1 - That Council retain the current provisions in the bylaw and not provide for food trucks to operate on the railway land when trains are running. <i>Report Recommendation: 2n</i>
That Council reduce the CBD boundary.	12	Status quo – retain the current CBD boundary as per Schedule 2 of the Bylaw.	That Council amend Schedule 2 of the Public Places Bylaw to reduce the CBD boundary so that it covers only the core shopping and retail area.	Support Option 1 – That Council retain the current CBD boundary as defined in Schedule 2 of the Bylaw. <i>Report Recommendation: 2o</i>

4 Risk Assessment Te Arotake Tūraru

- 4.1 As noted in the Council report accompanying the section 155 assessment for the Public Places Bylaw review, presented at the Council meeting on 19 June, bylaws generally come with a range of risks that are intrinsic to the nature of legal and regulatory tools. Council currently maintains an averse-to-minimalist approach to legal compliance risk, reflecting a clear preference to avoid such risk wherever possible. As a result, legal risk is only accepted when it is essential to advancing Council's core objectives and priorities.
- 4.2 Section 160A of the Act provides that if a bylaw review is not completed within two years of its statutory review date, the bylaw is automatically revoked. While Council has already passed several resolutions under section 155, such as an assessment against the New Zealand Bill of Rights, some of these were initial steps in the review process. As such, there remains a risk that failing to complete the review within the required timeframe could result in revocation of the bylaw. Should this occur, Council would lose the ability to enforce the provisions currently regulated under the Public Places Bylaw 2020.
- 4.3 Each submission received on the draft bylaw has been read, with each change to the bylaw requested by a submitter recorded in Annex B. For each submitter-requested change, officers have carefully identified all reasonably practicable options and made a recommendation to support Council's decision-making. This recommendation is based on the evaluation of supporting considerations and limitations in Annex B.

5 Engagement Te Whakapānga

Significance of Decision

- 5.1 The decision discussed in this report is considered to be significant on the basis of the following criteria from section 5 of the Significance and Engagement Policy 2025:
- Importance to the District
- 5.2 As expressed in s156 of the Act, when making, amending, or revoking a bylaw, Council must either use the special consultative procedure if the bylaw is of significant public interest or impact, or otherwise consult in a way that meets the requirements of section 82 of the Act.
- 5.3 Given the importance of this bylaw to the District, Council consulted in accordance with the Special Consultative Procedure set out in section 83 of the Act. Council is now required by section 83(1)(d) to provide an opportunity for persons to present their views to the local authority "in a manner that enables spoken (or New Zealand sign language) interaction between the person and the local authority..."

Māori and Cultural Engagement

- 5.4 There are no known cultural considerations associated with the matters addressed in this report. No specific engagement with Māori or other ethnicity groups is necessary.

Community Engagement

- 5.5 Council consulted on the draft Public Places Bylaw using the special consultative procedure, as set out in section 83 of the Act. This included following key steps:
- A public notice was published on Council’s website and in the Feilding-Rangitīkei Herald on 31 July Thursday. The submission period ran from 8am on 28 July to 5pm on 29 August 2025.
 - Council’s “Make your Mark on the Manawatū” engagement site was made live for the duration of the public consultation period. This site included a link to the Statement of Proposal (including the tracked changes version of the draft bylaw and the submission form) and a link to the online submission form.
 - Copies of the summary of information were made available at the Council front-of-house and the Manawatū Community Hub Libraries in Feilding.
- 5.6 An email was sent to key stakeholders (Police, Feilding District Promotion, Manawatū Business Chamber etc.), including specific service providers such as Utility Network Operators as defined under s166 of the RMA (Chorus, PowerCo, KiwiRail, NZTA) and community groups (e.g. Senior Hub, Mana Waikaha, Age Concern, Supported Lifestyle Services etc.) and other interested parties (e.g. Feilding Moa Harriers, Feilding Fire Service, Keep Feilding Beautiful etc.).
- 5.7 Information on the bylaw review was made available at the Manawatū District Council’s stall at the Feilding Farmer’s Market on the 15th of August. Officers also made themselves available during Council events such as the launch of the Kimbolton Library Open Plus in Kimbolton on the 3rd of August 2025.
- 6 Operational Implications Ngā Pānga Whakahaere**
- 6.1 There are no operational implications with this report.
- 7 Financial Implications Ngā Pānga Ahumoni**
- 7.1 There are no financial implications with this report.
- 8 Statutory Requirements Ngā Here ā-Ture**
- 8.1 The statutory obligations are as stated within the relevant sections of this report.
- 9 Next Steps Te Kokenga**
- 9.1 The decisions that Council makes today on oral and written submissions to the draft Public Places Bylaw will inform the drafting of the final version that is to be presented to Council at either the 12 November or 19 November Council meeting for final decision.
- 9.2 Once Council has made final decisions on the bylaw, letters will be sent to all submitters informing them of the final outcome and responding to any specific questions or requests relating to their submission.
- 9.3 Officers will give effect to any changes arising from the adopted Bylaw.

10 Attachments Ngā Āpitihanga

- A. Submissions received on the Draft Public Places Bylaw
- B. Changes to the bylaw requested by submitters
- C. Additional matters raised in submissions
- D. Map of Fergusson Street carpark

From: [Jose Gutry](#)
To: [MDC Submissions](#)
Subject: 01 Public Places Bylaw 2025 - Cancer Society Manawatu Submission
Date: Wednesday, 6 August 2025 12:22:33 pm
Attachments: [Outlook-blmiu534.png](#)
[MDC - Public Places 2025 Cancer Society Manawatu submission.pdf](#)

CAUTION: This email originated from outside of MDC's network. Do not click links or open attachments unless you know the content is safe. If in doubt contact the MDC IT Team!

Kia ora,

Please find attached the Cancer Society Manawātū submission to the Manawātū District Council's Public Places Bylaw consultation.

Ngā mihi
 Jose Gutry
Toitu Te Whenua I Health Promoter/Educator
 Email: jose.gutry@cancercd.org.nz
 Phone: 06 356 5355
 Cell: 027 335 1076

Cancer Society of New Zealand (Manawatu Centre)
 135 Ruahine Street Palmerston North
 PO Box 5170 Palmerston North 4441

*Improving community well-being by reducing the incidence and impact of cancer.
 Cancer Helpline 0800 226 237 - for any question about cancer*



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Cancer Society of New Zealand Manawatū Centre Submission to Manawatū District Council Public Places Bylaw Consultation

Organisation: Cancer Society of New Zealand Manawatu Centre Inc.

Representative Name: Miss Josephine Gutry, Health Promoter

Postal Address: Addis House, PO Box 5170, Palmerston North

Work phone: 06 356 5355

Email: jose.gutry@cancercd.org.nz

Do you want to speak to the Council in support of your submission? YES

CSNZ Manawatū is a charitable organization covering the Midcentral District Health Board region of Horowhenua, Manawatū, Tararua and Palmerston North.

Our core services are in Health Promotion, Supportive Care, Information and Research. We work with our communities to reduce the incidence and impact of cancer through prevention, raising awareness of the need for early detection and providing support.

Rationale

Cancer is a leading cause of illness, disability and death in New Zealand. The number of new cases of cancer diagnosed nationally each year is expected to rise to around 45,100 by 2040-an increase of nearly 76% from 2019 (1).

Tobacco smoking, excess weight, drinking alcohol, unhealthy eating, workplace risks, physical inactivity, chronic infection and harmful ultra-violet radiation (UVR) exposure are the leading preventable and modifiable risk factors for cancers (2).

Evidence

The Cancer Society of New Zealand Manawatū Centre aims to reduce the rate of smoking-related cancers in the Manawatū region. This goal can only be achieved with a community

commitment to reducing the risk of smoking-related cancer through Smokefree policies in schools and workplaces, reducing the supply of tobacco, supporting Smokefree outdoor environments and that Smokefree behavior is the norm where we live, work and play.

We know that the benefits of being a Smokefree and vapefree community include positive role modelling behaviour for our children and young people, a healthy whānau-friendly environment, protecting non-smokers from the dangers of second-hand smoke, and less harm to our environment.

Platter & Pokorny (2018) and Wynne et al. (2018) (3,4) both found that proper promotion of policy, adequately displayed smokefree signage, and compliance audits provided the best results in reducing smoking behaviour in public spaces. A combination of these enforcement strategies would provide the best results for our communities in achieving the smokefree/vapefree environments goal. It would also support businesses in their endeavor to uphold the bylaw.

Surrounding councils are showing great potential in providing safe and healthier environments for the public with their smokefree and vapefree policies and bylaws. They are going beyond the standard requirements of protection for the public with inclusions of enforcement aspects into their bylaws around smokefree and vapefree environments. Palmerston North city council (PNCC) has had smokefree and vapefree conditions in the outdoor dining permit applications since 2016 (5); requiring businesses with outdoor dining areas on council-owned land to display smokefree signage and not provide ashtrays. As well as requirements in their event booking application that events held on Council land follow their smokefree and vapefree policy. Horowhenua District Council (HDC) passed their revised Public Places bylaw in 2024 (6), with additions including smokefree and vapefree conditions to event booking applications and outdoor dining permits, as well as increased enforcement description of the bylaw. We are seeing movement towards more robust application of local smokefree and vapefree policy and procedure, which helps the health sector in providing healthier and safer communities. Let's ensure consistency across the region and take Manawatū on the same path as the surrounding councils.

Recommendations

- Addition to Part 7; incorporating the messaging of the Council's Smokefree Policy 2022 part 3.3. To help aid the reduction of people smoking and vaping in public places such as parks, sportsgrounds, reserves etc. stated in the policy.

- Addition to Part 8; incorporating the following wording to aid in council decision making and upholding the purpose of the bylaw.
A permit will be granted at the discretion of the Council and subject to any terms, conditions or restrictions it considers appropriate, including but not limited to matters relating to:
 - a. duration of the permit;*
 - b. the time and place in which the activity may take place, including its proximity to other commercial activities;*
 - c. the classes or types of goods or services that may be sold;*
 - d. the person(s) entitled to sell the goods or undertake the specified activities;*
 - e. use of stalls, vehicles and structures, including parking arrangements and the need to avoid obstructions to footpaths and public places;*
 - f. signage for the activity, including any displays;*
 - g. restrictions or other requirements on the use of amplified sound and music; h. any health and safety requirements that may be required;*
 - i. the control of litter or cleanliness and hygiene during and after the activity; j. any requirements in respect of rental for the site;*
 - k. whether an applicant is a member of a registered organisation, association or charity;*
 - l. where food is for sale, requirements regarding compliance with licensing and food safety legislation;*
 - m. proximity to other premises selling similar goods; and*
 - n. the control of smoking and vaping in the exclusive use of the public place;*

Subpart n. would uphold the council's Smokefree Policy 2022.

- Addition to Part 10; incorporating the requirement of smokefree and vapefree signage to be visible on street activity vendors. Including this in the permit requirements. To create safer and healthier public spaces for families and children to enjoy. Upholding the Council's Smokefree Policy 2022.
- An additional clause added to align with HDC and PNCC outdoor dining bylaw and policy to include smokefree and vapefree signage being displayed on outdoor dining furniture. For example, from the HDC Public places Bylaw 2024;
In addition to any of the conditions imposed on a permit for outdoor dining under clause 8.6 of this Bylaw, the Council can impose conditions relating to:
 - a. the location and number of tables and chairs on the footpath;*

- b. the delineation of the outdoor dining area;*
- c. the cleanliness and repair of the dining furniture;*
- d. placement of the dining furniture so as not to obstruct the visibility or passage of pedestrians and access to the premises and any other public place; and*
- e. the prohibition of smoking and vaping in the permit for use of the public place.*

- In Addition to the above clause being added, requirements around smokefree and vapefree signage are added into MDC's Street User Permit application. Requiring outdoor dining to be smokefree and vapefree , displaying appropriate signage, and the removal of ashtrays.

The Cancer Society Manawatu is working diligently in raising awareness about the harm caused by smoking and vaping in our communities. We are only one player in the complex environment of smokefree/vapefree advocacy, we always seek to align with other agencies to achieve successful outcomes for the wellbeing of our communities. If we see movements in these developments to our smokefree/vapefree policies, bylaws and enforcement strategies we could see real change in our smoking/vaping statistics, and in turn reduction in our whanau being diagnosed with cancer.

We are always here to provide support to the Council and businesses in the implementation of smokefree/vapefree enforcement strategies.

1. Teng, A., Stanley, J., Jackson, C., Koea, J., Lao, C., Lawrenson, R., Meredith, I., Sika-Paotonu, D., & Gurney, J. (2024). The growing cancer burden: Age-period-cohort projections in Aotearoa New Zealand 2020-2044. *Cancer epidemiology*, 89, 102535. <https://doi.org/10.1016/j.canep.2024.102535>
2. Ministry of Health (2019). *New Zealand Cancer Action Plan 2019–2029 – Te Mahere mō te Mate Pukupuku o Aotearoa 2019–2029*. Revised January 2020 Wellington: Ministry of Health. Retrieved from <https://www.health.govt.nz/system/files/documents/publications/new-zealand-cancer-action-plan-revised-january-2020.pdf>
3. Platter, H. N., & Pokorny, S. B. (2018). Smoke-free signage in public parks: impacts on smoking behaviour. *Tobacco control*, 27(4), 470-473.
4. Wynne, O., Guillaumier, A., Twyman, L., McCrabb, S., Denham, A. M., Paul, C., ... & Bonevski, B. (2018). Signs, fines and compliance officers: a systematic review of strategies for enforcing smoke-free policy. *International Journal of Environmental Research and Public Health*, 15(7), 1386.

5. <https://www.pncc.govt.nz/Council/Document-library/Uncategorised/Smokefree-Outdoor-Dining>
6. <https://letskorero.horowhenua.govt.nz/publicplacesbylaw2024>

From: [Make your mark Manawatū](#)
To: [MDC Submissions](#)
Subject: 02 Public Places Bylaw Consultation Form
Date: Thursday, 14 August 2025 7:04:33 pm

02

Public Places Bylaw Consultation Form Form Submission

There has been a submission of the form Public Places Bylaw Consultation Form through your Make your mark Manawatū website.

First and Last Name:

Chapman

Phone: (day)

0225056049

Mobile:

0225056049

Email:

chapmanbrett86@gmail.com

Postal Address:

285 halcombe rd

Postcode:

4775

Age Group

40-59

Do you think the Public Places Bylaw is addressing the issues it seeks to address?

No

If not, what changes are needed to the bylaw to make it more effective?

More spaces opened up that are more business friendly parks and maybe even a little street vendor hub

To view all of this form's submissions, visit

https://makeyourmark.manawatudc.govt.nz/index.php/dashboard/reports/forms_new/data/46

From: [Make your mark Manawatu](#)
To: [MDC Submissions](#)
Subject: 03 Public Places Bylaw Consultation Form
Date: Friday, 15 August 2025 1:10:33 pm

03

Public Places Bylaw Consultation Form Form Submission

There has been a submission of the form Public Places Bylaw Consultation Form through your Make your mark Manawatu website.

First and Last Name:

Melissa Thorne

Phone: (day)

[REDACTED]

Mobile:

[REDACTED]

Email:

[REDACTED]

Postal Address:

[REDACTED]

Postcode:

4702

Age Group

[REDACTED]

Would you like to come to a hearing and speak to Elected Members about your submission?

No

Do you think the Public Places Bylaw is addressing the issues it seeks to address?

No

Do you have any general comments or concerns about the proposed Public Places Bylaw?

I don't think there should be extra spaces made for food trucks as the two in Feilding that

are already available are still available. One of them is never used
If the spaces were full and used all the time then sure, but this is not the case!
So why introduce new areas.

**I wish to request that my contact details be withheld from general publication by
ticking this box.**

Yes

To view all of this form's submissions, visit

https://makeyourmark.manawatudc.govt.nz/index.php/dashboard/reports/forms_new/data/46

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Make
your mark Manawatū.

From: [Brett Chapman](#)
To: [MDC Submissions](#)
Subject: 04 - SUBMISSION Draft Public Places Bylaw
Date: Monday, 18 August 2025 8:58:30 am

CAUTION: This email originated from outside of MDC's network. Do not click links or open attachments unless you know the content is safe. If in doubt contact the MDC IT Team!

We support having clear rules around mobile shops to ensure public spaces are safe, accessible, and well-managed. However, we would like to see the bylaw provide more flexibility for small local businesses, such as coffee carts, to operate in parks and community spaces where there is demand.

As a small family business, ***Double O Bro's Limited***, we are passionate about serving the community and creating a welcoming local gathering place. We believe that allowing mobile shops to trade in certain parks (such as Timona Park, Kowhai Park) on weekends or during community activities would add value for families and visitors without causing nuisance.

We recommend that the bylaw:

1. Considers designating additional areas in Feilding (including Timona Park, Kowhai Park) as approved sites for mobile shops.
2. Provides a simple, affordable permit process for small operators to participate.
3. Supports local businesses by ensuring the rules are fair and encourage growth.

Thank you for the opportunity to provide feedback.

Kind regards,
Brett & Edmilyn Chapman
Double O Bro's Limited

From: [Make your mark Manawatū](#)
To: [MDC Submissions](#)
Subject: 05 Public Places Bylaw Consultation Form
Date: Tuesday, 19 August 2025 10:53:30 pm

05

Public Places Bylaw Consultation Form Form Submission

There has been a submission of the form Public Places Bylaw Consultation Form through your Make your mark Manawatū website.

First and Last Name:

Brad YU

Phone: (day)

[REDACTED]

Email:

[REDACTED]

Postal Address:

[REDACTED]

Postcode:

4702

Age Group

30-39

Would you like to come to a hearing and speak to Elected Members about your submission?

No

Do you think the Public Places Bylaw is addressing the issues it seeks to address?

Yes

Do you have any general comments or concerns about the proposed Public Places Bylaw?

I have read the draft Public Places Bylaw carefully and did not see any changes regarding food trucks. The bylaw still only allows them at the two designated sites (Aorangi Street, and the intersection of Denbigh Street and Kimbolton Road), or as part of organised events.

However, the newsletter from Feilding Promotion mentioned the idea of Council “offering more locations for food trucks.” If this is truly being considered as part of the review, I must strongly oppose it.

Reasons for Opposition

1. Severe Business Impact

Events such as Eat Street have already caused revenue losses of over 50% during peak trading periods. More food truck sites would make this problem permanent and unsustainable for local businesses.

2. Unfair Competition

Local shops operate year-round with high fixed costs (rent, electricity, rates, staffing) and serve Feilding’s residents consistently. Food trucks, by contrast, face very few overheads, can open and close at will, and do not provide the same level of stability or commitment to the town.

3. Feilding Does Not Need More Food Trucks

Food trucks are useful in locations without permanent food outlets or infrastructure (e.g. large events, concerts, beaches). Feilding already has a wide variety of permanent food businesses offering diverse options.

4. Risk to Local Economy

Expanding food truck access would discourage investment in permanent businesses, undermine the sustainability of local shops, and damage the long-term health of the town centre.

If Council is not proposing new sites, then my main comment is simply to clarify this point, because the bylaw itself does not state it. But if there is indeed an intention to expand sites for food trucks, I strongly oppose this change for the reasons outlined above.

I wish to request that my contact details be withheld from general publication by ticking this box.

Yes

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From: [Absil-Couzins, Catherine](#)
To: [MDC Submissions](#)
Subject: 06 NZDF submission on Manawatu District Draft Public Places Bylaw [UNCLASSIFIED]
Date: Friday, 22 August 2025 3:33:49 pm
Attachments: [image001.png](#)

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06 UNCLASSIFIED

Good afternoon,

The New Zealand Defence Force (NZDF) wishes to make a submission on the Manawatu District Draft Public Places Bylaw detailed below:

The draft Bylaw does not provide any exemptions, as is often the case in similar Council Bylaws, for emergency services and defence activities.

NZDF requests appropriate recognition of and provision for NZDF activities in the draft Bylaw, including relevant exemptions. Under Section 5 of the Defence Act 1990, NZDF has statutory purposes including the defence of New Zealand, the protection of the interests of New Zealand, the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency, and the provision of any public service. NZDF must undertake training to fulfil its statutory purposes under the Defence Act. Temporary Military Training Activities (TMTA) can include a wide variety of activities with no or minimal adverse effects. NZDF seeks to train in environments that have similar characteristics to that of which it may operate in, which can include public places.

With reference to activities on beaches and sand dunes, the draft Bylaw currently does not provide an exemption for driving on the beach or sand dunes, as is often the case in similar Council Bylaws, for emergency services and Defence vehicles. While 13.4 provides Council the ability to amend and revoke areas for driving a vehicle on the beach, as detailed in Schedule 4 of the draft bylaw (noting that this schedule references Council's *Traffic Safety and Road Use Bylaw*, there is no ability to apply for an approval or exemption through either of these processes. NZDF requests a specific exemption for NZDF vehicles driving on beaches and sand dunes and for TMTA. Training often needs to occur across different terrains and may include beaches and coastal areas (subject to Regional Plan provisions under the Resource Management Act 1991).

With reference to Clause 5.2 *A person must not, without prior consent from the Council, or as expressly allowed by this Bylaw: deposit, discharge or leave any offensive, inflammable, hazardous or dangerous substance (including fireworks) in or about a Public Place*, NZDF seeks an exemption or process to apply for an exemption to this clause to enable TMTA when required (subject to provisions in Regional and District Plans under the Resource Management Act 1991).

Kind Regards,

Catherine Absil-Couzins

Senior Statutory Planner, Defence Estate and Infrastructure

Te Ope Kātua o Aotearoa | New Zealand Defence Force

Mobile: 021934270

www.nzdf.mil.nz



UNCLASSIFIED

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From: [Make your mark Manawatū](#)
To: [MDC Submissions](#)
Subject: 07 Public Places Bylaw Consultation Form
Date: Wednesday, 27 August 2025 3:36:25 pm

07

Public Places Bylaw Consultation Form Form Submission

There has been a submission of the form Public Places Bylaw Consultation Form through your Make your mark Manawatū website.

First and Last Name:

Amy Beazer

Phone: (day)

[REDACTED]

Email:

[REDACTED]

Postal Address:

[REDACTED]

Postcode:

[REDACTED]

Age Group

[REDACTED]

Would you like to come to a hearing and speak to Elected Members about your submission?

No

Do you think the Public Places Bylaw is addressing the issues it seeks to address?

Yes

I wish to request that my contact details be withheld from general publication by ticking this box.

Yes

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From: [Make your mark Manawatū](#)
To: [MDC Submissions](#)
Subject: 08 Public Places Bylaw Consultation Form
Date: Wednesday, 27 August 2025 4:09:31 pm

08

Public Places Bylaw Consultation Form Form Submission

There has been a submission of the form Public Places Bylaw Consultation Form through your Make your mark Manawatū website.

First and Last Name:

Charlotte Hannett

Phone: (day)

0274758380

Mobile:

[REDACTED]

Email:

[REDACTED]

Postal Address:

[REDACTED]

Postcode:

[REDACTED]

Age Group

[REDACTED]

Would you like to come to a hearing and speak to Elected Members about your submission?

No

Do you think the Public Places Bylaw is addressing the issues it seeks to address?

Yes

Do you have any general comments or concerns about the proposed Public Places Bylaw?

Clarification is always a good thing

I wish to request that my contact details be withheld from general publication by ticking this box.

Yes

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From: [Make your mark Manawatū](#)
To: [MDC Submissions](#)
Subject: 09 Public Places Bylaw Consultation Form
Date: Wednesday, 27 August 2025 4:14:30 pm

09

Public Places Bylaw Consultation Form Form Submission

There has been a submission of the form Public Places Bylaw Consultation Form through your Make your mark Manawatū website.

First and Last Name:

A lambert

Phone: (day)

[REDACTED]

Email:

[REDACTED]

Postal Address:

[REDACTED]

Postcode:

[REDACTED]

Age Group

[REDACTED]

Would you like to come to a hearing and speak to Elected Members about your submission?

No

Do you think the Public Places Bylaw is addressing the issues it seeks to address?

Yes

What parts of the draft Public Places Bylaw do you agree with and why?

It doesnt sound like much is changing

What parts of the draft Public Places Bylaw do you disagree with and why?

Na

Do you have any general comments or concerns about the proposed Public Places Bylaw?

No

I wish to request that my contact details be withheld from general publication by ticking this box.

Yes

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From: [Make your mark Manawatū](#)
To: [MDC Submissions](#)
Subject: 10 Public Places Bylaw Consultation Form
Date: Thursday, 28 August 2025 6:30:31 pm

10

Public Places Bylaw Consultation Form Form Submission

There has been a submission of the form Public Places Bylaw Consultation Form through your Make your mark Manawatū website.

First and Last Name:

Jiancheng Luo

Phone: (day)

0 [REDACTED]

Mobile:

[REDACTED]

Email:

[REDACTED]

Postal Address:

[REDACTED]

Postcode:

[REDACTED]

Age Group

[REDACTED]

Would you like to come to a hearing and speak to Elected Members about your submission?

No

Do you have any general comments or concerns about the proposed Public Places Bylaw?

I have some comments in regards to food trucks in public places; as Feilding promotions mentioned the idea of offering more locations for food trucks. I strongly oppose that idea.

As a small business we have notice a significant decrease in revenue since the presence of

food trucks in the already designated locations. It has caused great impact on many food businesses in Feilding.

I wish to request that my contact details be withheld from general publication by ticking this box.

Yes

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From: [Make your mark Manawatū](#)
To: [MDC Submissions](#)
Subject: 11 Public Places Bylaw Consultation Form
Date: Friday, 29 August 2025 12:42:29 pm

11

Public Places Bylaw Consultation Form Form Submission

There has been a submission of the form Public Places Bylaw Consultation Form through your Make your mark Manawatū website.

First and Last Name:

Tahlia Rivers

Phone: (day)

[REDACTED]

Email:

[REDACTED]

Postal Address:

[REDACTED]

Age Group

[REDACTED]

Would you like to come to a hearing and speak to Elected Members about your submission?

No

Do you think the Public Places Bylaw is addressing the issues it seeks to address?

Yes

What parts of the draft Public Places Bylaw do you agree with and why?

all parts seem to strike a good balance

What parts of the draft Public Places Bylaw do you disagree with and why?

none really, they all seem sensible

Do you have any general comments or concerns about the proposed Public Places Bylaw?

nothing really

I wish to request that my contact details be withheld from general publication by ticking this box.

Yes

To view all of this form's submissions, visit

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From: [Make your mark Manawatu](#)
To: [MDC Submissions](#)
Subject: 12 Public Places Bylaw Consultation Form
Date: Friday, 29 August 2025 3:25:27 pm

12

Public Places Bylaw Consultation Form Form Submission

There has been a submission of the form Public Places Bylaw Consultation Form through your Make your mark Manawatu website.

First and Last Name:

Melissa Fryer

Phone: (day)

0 [REDACTED]

Mobile:

[REDACTED]

Email:

[REDACTED]

Postal Address:

[REDACTED]

Postcode:

[REDACTED]

Age Group

[REDACTED]

Would you like to come to a hearing and speak to Elected Members about your submission?

Yes

Do you think the Public Places Bylaw is addressing the issues it seeks to address?

Yes

If not, what changes are needed to the bylaw to make it more effective?

I believe that the CBD area that is currently described, is far too big - it includes the Industrial and Commercial areas as well. I think it the CBD area needs to be reduced to the

actual Shopping / Retail area, not right over to East Street.

What parts of the draft Public Places Bylaw do you agree with and why?

I wasn't provided the information when I was given the Submission Form, but I believe it's just tidying up existing wording and if so, then I suppose so.

What parts of the draft Public Places Bylaw do you disagree with and why?

I have made suggestions below.

Do you have any general comments or concerns about the proposed Public Places Bylaw?

I think that Food Trucks should be allowed to attend more areas, like parks and sports grounds, with Council Permits of course.

The current 2 areas that Council allows Food Trucks to be at, need to allow more than 2 to attend at any one time. The Railway Area opposite Toyota, could be opened up to allow upto 5 at any one time, provided they were lined up along the railway side of the sealed carpark area, perhaps certain days or nights of the week, so as to not encroach on CBD businesses too often.

There's a Carpark on Fergusson Street that could also be used for a designated Food Truck Night. Other Cities and Towns are having 1 night a week for Food Truck Nights, it would be great to see Feilding keeping up with the times by offering something similar on a frequent basis.

Also on days where the train(s) are running, it would be nice to have a variety of food trucks there, for the train users to have access to, without having to risk them miss their train because they had to go too far away to get food.

I wish to request that my contact details be withheld from general publication by ticking this box.

Yes

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Please provide your feedback by
5pm, Friday 29 August 2025

Submission Form

Have your say on the Public Places Bylaw



A digital version of this form
is available online. To access
scan the QR code or visit:

www.mdc.govt.nz/publicplacesbylaw

1. **Submitter Details** Please fill in all fields with * TIMONA PARK ORCHARD TRUST c/-

*First and Last Name: BARBARA ROBSON, [REDACTED]

*Phone (day): [REDACTED] Mobile: [REDACTED]

*Email: [REDACTED]

*Postal Address: [REDACTED]

Postcode: [REDACTED]

2. Age Group:

☐ Under 18 ☐ 18 - 29 ☐ 30 - 39 ☐ 40 - 59 ☐ 60 - 79 ☐ 80 plus

3. Do you think that the Public Places Bylaw is addressing the issues it seeks to address?

☐ Yes ☒ No

If not, what changes are needed to the bylaw to make it more effective?

Refer to attached submission. (2 pages)

4. What parts of the draft Public Places Bylaw do you agree with and why?



Submission Form

Have your say on the Public Places Bylaw

5. Would you like to come to a hearing and speak to Elected Members about your submission?

☒ Yes ☐ No

If you ticked yes, an MDC Officer will be in touch to confirm the date and time.

6. What parts of the draft Public Places Bylaw do you disagree with and why?

7. Do you have any general comments or concerns about the proposed Public Places Bylaw?

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Please return your Submission form to:

Post:
Manawātū District Council,
Submissions
135 Manchester Street
Private Bag 10 001
Feilding 4743

Drop off:
MDC Customer Service team
135 Manchester Street
Feilding 4743

Email your submission to:
submissions@mdc.govt.nz

Please provide your feedback by
5pm, Friday 29 August 2025



A digital version of this form is available online. To access scan the QR code or visit:

mdc.govt.nz/publicplacesbylaw

Manawatu District Council (MDC)
Public Places Bylaw 2025 consultation

Submission from Timona Park Orchard Trust (TPOT)

1.Introduction

With respect to this consultation Timona Park Orchard Trust (TPOT) confines discussion to the issue of motorcycle riding (and the operation of other vehicles) in Timona Park. We assume this issue arises in other MDC parks and reserves where motorcycle riding is supposedly not permitted.

We note:

- purposes of this Bylaw include 2.1 (a) To protect, maintain and promote public health and safety, maintain amenity standards and to protect the general public from Nuisances and 2.1 (b) to ensure that Public Places are used in a manner that will not cause any obstruction, Nuisance or damage, or endanger public health and safety.
- we assume MDC determined at some stage, under the relevant bylaw that the riding of motorcycles should not be permitted in the park. Hence the Sign on information boards at each entrance to Timona Park, as per 5.2(b) of the Public Places Bylaw that indicates motorcycle riding in the park is prohibited.
- however, 7.1 (a) allows some activities in Public Places, including operating a vehicle if an area has been set aside especially for that purpose. This isn't the case for motorcycle riding in Timona Park.

2.Gaps in the draft bylaw

We believe there are gaps in the Interpretations and Definitions at 4.2.

None of the definitions in the bylaw appear to include a Motorcycle, All Terrain Vehicle, Motor Vehicle, Vehicle.

- 'Cycle' appears to exclude 'motorcycle'.
- Neither 'Micromobility Device' (as per the draft bylaw) nor 'Mobility Device' (as per Land Transport Act 1998) would appear to apply.
- There is no definition of Vehicle.

3.Recommendation:

That MDC strengthens the draft bylaw by inserting definitions for Motorcycle, All Terrain Vehicle, Motor Vehicle and Vehicle (or references to their meaning in the Land Transport Act 1998, if appropriate) in Clause 4.2 for clarity and avoidance of any potential legal challenge. TPOT's expectation is that this recommendation be given serious consideration by Council. We accept it is not straightforward.

4.Background

TPOT has raised concerns to MDC about motorcycles being ridden in Timona Park and the associated risk of harm to people using the park. We have made reports to the Police but that process has significant limitations i.e. difficult to provide accurate descriptions of riders and their motorcycles as they speed by; by the time the report has been lodged with Police the riders may have left the park; there is also an element of risk to those who report such offending, if spotted by the offenders.

The motorcycles/vehicles observed may be standard motorcycles but more often are off-road and dirt bikes, adult and child sized quad bikes/all-terrain vehicles (ATV) and the occasional

beach buggy. Children may be pillion riders. Adults have been seen riding at speed on child sized motorcycles and quad bikes. The children then have a turn and ride at a speed reflecting their perceived level of competence.

TPOT contends these motorcycles and/or vehicles should not be ridden or operated in the park **at all** due to the public health and safety risk, unless 7 1(a) applies which it doesn't. There should be no debate around whether (or not) a threshold for 'reckless behaviour' is met before contacting the enforcement agency, in this case the NZ Police.

5. Discussion

We note the Council's position, that 'reckless behaviour', however that may be defined, can be managed under the provisions of the current bylaw and the Land Transport Act 1998, with enforcement primarily being the responsibility of the NZ Police. The reality is that enforcement is problematic, likely impacted by the availability and prioritisation of police resources. The lack of response can be disheartening. This would be made even worse if enforcement action was compromised by the failure of the bylaw to adequately cover the definition of motorcycles and vehicles that are prohibited from being ridden or operated in the park. Vehicles undertaking Council activities would necessarily be exempt.

6. Other minor edits to the draft bylaw are noted below:

3 Commencement

Explanatory note: The amendments referred to in 3.2 include changes to.....

Change 3.2 to 3.3

5 Obstruction of or Damage to Public Places

The deletion of 5.2 (f) and 5.2(g) removes any reference to issues about animals and/or dogs.

The content of the two related Explanatory Notes is accepted; their place within 5.2 could seem random, especially the first one sandwiched between operating a vehicle or cycle and discharge of effluent.

6 Control of Micromobility Devices

6.1 A person must not use or ride a Micromobility Devices in any Public Place

Change ~~Devices~~ to Device

Ends

Barbara Robson

Chairperson

Timona Park Orchard Trust



RECEIVED

2025
29 Aug
Manawatu District Council

Please provide your feedback by
5pm, Friday 29 August 2025

Submission Form

Have your say on the Public Places Bylaw



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is available online. To access
scan the QR code or visit:

www.mdc.govt.nz/publicplacesbylaw

1. Submitter Details Please fill in all fields with *

*First and Last Name: Caleb Gardner

*Phone (day):

Mobile:

*Email:

*Postal Address:

Postcode

2. Age Group:

3. Do you think that the Public Places Bylaw is addressing the issues it seeks to address?

☐ Yes ☒ No

If not, what changes are needed to the bylaw to make it more effective?

Refer to attached document. - Question 3

4. What parts of the draft Public Places Bylaw do you agree with and why?

Refer to attached document. - Question 4

Please feel free to attach additional numbered pages.

Submission form - Page 1

Submission Form

Have your say on the Public Places Bylaw

5. Would you like to come to a hearing and speak to Elected Members about your submission?

☒ Yes ☐ No

If you ticked yes, an MDC Officer will be in touch to confirm the date and time.

6. What parts of the draft Public Places Bylaw do you disagree with and why?

Nil

7. Do you have any general comments or concerns about the proposed Public Places Bylaw?

No.

Privacy Statement

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Manawātū District Council,
Submissions
135 Manchester Street
Private Bag 10 001
Feilding 4743

Drop off:
MDC Customer Service team
135 Manchester Street
Feilding 4743

Email your submission to:
submissions@mdc.govt.nz

Please provide your feedback by
5pm, Friday 29 August 2025



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mdc.govt.nz/publicplacesbylaw

Please feel free to attach additional numbered pages.

Submission form - Page 2

3. Do you think that the Public Places Bylaw is addressing the issues it seeks to address? If not, what changes are needed to the bylaw to make it more effective?

Skate Park

I believe the current bylaw is not fully addressing the issues of antisocial behavior, crime, and public safety, particularly at and around the Feilding Skate Park. The bylaw's purpose is to protect public places from nuisance, damage, and offensive behavior, but these issues have become persistent problems in my neighborhood. I am a firsthand witness to an increase in tagging, the attempted theft of my own vehicle parked on the street outside, and repeated late-night disorders including mud being thrown at my house and my fence being damaged. To make the bylaw more effective, I suggest introducing new provisions that prevent the use of the skate park and surrounding areas at night. This should be enforced with fines and grant police the authority to issue trespass notices or make arrests for breaches outside of daylight hours.

Vehicles

I have noticed an increase in heavy motor vehicles parking around Feilding. It's common to see at least one truck parked outside Victoria Park on any night of the week, blocking numerous car parks. This seems to be becoming common practice. When you have three or more large trucks parked there over a weekend, it adds to the congestion created by Saturday morning sports and other uses of Victoria Park. These also present safety risks to traffic as they seldom have red lights illuminating as required. I have also noticed an increase in heavy trucks parking on smaller residential streets. As a 'courtesy' to other road users, they often park with half their wheels on the footpath to minimize the impact on traffic flow. However, footpaths and curbs are not designed for this weight and will suffer damage over time, which will require ratepayers to foot the bill. The Rangitikei District Council has for many years had a Traffic Bylaw in place that prevents the parking of any heavy motor vehicle within the town, and a similar provision would be beneficial for the Manawatū District. At the least, appropriate parking areas could be identified, such as the the Stock Yards on South Street.

4/6. What parts of the draft Public Places Bylaw do you disagree with and why?

I disagree with the bylaw's current provisions which do not specifically address the use of public spaces at night. While the bylaw's intent is to control activities that cause nuisance and endanger public health and safety, the persistent late-night problems at the Feilding Skate Park demonstrate a gap in enforcement and regulation. The bylaw also states that provisions exist for reckless behavior, but these are clearly not sufficient to address the problems my neighbors and I face.

29 August 2025

15

Manawatū District Council
Private Bag 10001
Feilding 4743

Tēnā koe,

Manawatū District Council Public Places Bylaw review

This technical advice has been written by Health New Zealand | Te Whatu Ora National Public Health Service (Health NZ) in MidCentral. The National Public Health Service is a directorate within Health NZ. Incorporating public health perspectives into council planning and decision-making helps to support the health and wellbeing of our communities.

Health NZ has statutory obligations under the Pae Ora (Healthy Futures) Act 2022 and the Health Act 1956 to improve, promote and protect the health of people and communities. Of particular focus for Health NZ is embedding Te Tiriti o Waitangi as its foundation toward improving health outcomes for Māori.

This advice aligns to Health NZ's commitment towards healthier and more resilient communities by reducing inequities and promoting good health, particularly for Māori, Pacific peoples, and disabled people.

Health NZ wishes to be heard regarding this advice.

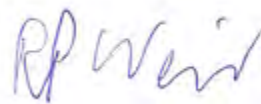
For any clarification regarding this advice, please contact Sally Darragh, Health Promotion Advisor sally.darragh@tewhatuora.govt.nz

Nā māua iti nei,



Paula Snowden

Ngāpuhi ki Whāingaroa
Regional Director, Te Ikaroa-Central
National Public Health Service



Dr Robert Weir

Medical Officer of Health
Midcentral
National Public Health Service

[TeWhatuOra.govt.nz](https://www.tewhatuora.govt.nz)

Private Bag 11036, Manawatū Mail Centre
Palmerston North 4442
Waea pūkoro: +64 6 350 9110

Te Kāwanatanga o Aotearoa
New Zealand Government

Response to the consultation

Recommendations

Health New Zealand recommends Council amends the draft Manawātū Public Places Bylaw to better reflect the Council's Smokefree and Vapefree Policy adopted in July 2025.

Health NZ proposes Council include the following additions to the Bylaw:

1. Inclusion of a clause within the Street User Permit framework that includes outdoor dining conditions:
 - a) A prohibition of smoking and vaping within outdoor dining areas.
 - b) The mandatory display of smokefree and vapefree signage on outdoor dining furniture.
 - c) That ashtrays or receptacles used for collecting cigarette ash are not to be provided.
2. A statement that reflects Council's commitment to the Smokefree and Vapefree Policy, reinforcing the aim to reduce smoking and vaping in shared spaces such as parks, reserves and sports grounds.

To further improve the alignment of the Bylaw with the Smokefree and Vapefree Policy, Council should also consider:

3. Requirements that all street activity vendors display visible smokefree and vapefree signage as part of their permit conditions.

Including clear provisions in the Bylaw to reduce smoking and vaping in public spaces would help to achieve the purpose of the Council's Smokefree and Vapefree Policy. This is to promote healthier environments, protect public health, encourage smokefree and vapefree behaviour, and advance the goal of Smokefree Aotearoa 2025.

Key supporting evidence on smoking and vaping

Smoking and vaping continue to pose a significant public health issue in New Zealand. Smoking is a major risk factor for many chronic diseases such as cancer, heart disease and respiratory illness.¹ Smoking-related diseases are a leading cause of premature death in New Zealand with estimates indicating approximately 4,500 to 5,000 deaths per year due to tobacco use and second-hand smoke.² Overall daily smoking rates have declined over the past decade from 15.1% in 2013 to 7.7% in 2023.³ However, significant inequities persist. Daily smoking is nearly three times higher among Māori than non-Māori, twice as high among Pacific people than non-Pacific, and six times higher in the most deprived areas versus the least deprived.⁴

Health NZ recognises vaping as a useful tool for smoking cessation, given its lower level of harm when compared to combusted tobacco.⁵ However, its use among young people and those who have never smoked goes against its intended harm-reduction purpose.⁶ According to International Tobacco Control's (ITC) Youth and Young Adult Survey, 19% of young people aged 16–19 years in New Zealand, who vaped in the past 30 days, had never smoked. A further 63% had indicated they smoked experimentally. This highlights that nearly 80% of vapers surveyed were not regular smokers.⁷

Recent data indicates daily vaping has declined among young people aged 15–17 years, from 15.4% in 2022/23 to 10.5% in 2023/24.⁴ However, this decline has not been consistent across all groups, with significant inequities remaining. Disparities are evident in youth vaping data, where almost one in five Māori Year 10 students aged 14–15 years vape daily, compared with lower rates in other groups.⁸

Also of note is the high prevalence of daily vaping among young people aged 18–24 years, which has increased from 25.2% in 2022/23 to 26.5% in 2023/24.⁴ Young people who use nicotine vape products may become addicted. This can result in strong cravings and withdrawal symptoms such as irritability, restlessness, disrupted sleep and difficulty concentrating at school and paid employment. Cravings and withdrawal symptoms can make it difficult for young people to quit using nicotine vape products, especially in contexts where smoking and vaping are embedded in social life and daily rituals.⁹

Normalising smokefree and vapefree environments

According to 2023 Census data, 8.9% of people in the Manawātū district regularly smoke,¹⁰ which is higher than the national figure of 7.7%.³ By integrating smokefree and vapefree requirements within the Bylaw, Council would help to establish smokefree and vapefree environments as the community standard.

This approach aligns with denormalisation strategies which aim to shift public attitudes about nicotine-use behaviours from acceptable and desirable, to unacceptable and undesirable.¹¹ Extending smokefree and vapefree regulations to shared outdoor areas, such as dining spaces, supports a cultural shift where smoking and vaping become less socially accepted. Evidence highlights that decreasing the social acceptability of smoking and vaping has shown to be an effective approach in reducing nicotine consumption.¹¹ Limiting opportunities to vape in public spaces would also help to position vaping as a smoking cessation tool.^{6, 12}

Protecting others from second-hand smoke and vapour

Second-hand smoke can irritate eyes and cause headaches, coughs, sore throats, dizziness and in some cases, nausea.¹³ Outdoor environments that do not restrict smoking, such as some outdoor dining areas, can have smoke particulate levels three to nearly five times higher than recommended exposure levels.¹⁴ As vaping is relatively new, research into second-hand emissions from vape products is still emerging. Early evidence suggests that bystanders may be exposed to constituents of vapour, such as nicotine, fine particles and other chemicals. The long-term effects of this second-hand exposure are still being studied.¹⁵ Therefore, measures to restrict smoking and vaping in outdoor areas, for example, outdoor dining spaces, support maintaining air quality and protect human health for both diners and staff.¹⁶

Smokefree and vapefree bylaws in other jurisdictions

Councils across New Zealand, including Auckland Council, Wellington City Council, Palmerston North City Council, and most recently Horowhenua District Council, have successfully implemented smokefree and vapefree conditions as a permit requirement for outdoor dining.¹⁷

In 2016, Palmerston North City Council introduced a smokefree requirement for outdoor dining. Businesses were required to display smokefree signage and remove ashtrays as a condition of their permits. An independent evaluation 12 months later found that 80% of compliant businesses reported the impact as neutral or positive. The main benefit identified was that indoor air remained clear, with cigarette smoke no longer drifting inside.¹⁸ These requirements have since been extended to include vape-free provisions.

Incorporating clear smokefree and vape-free conditions into Manawātū District Council's Public Places Bylaw would reinforce Council's Smokefree and Vape-free Policy. It would help to ensure healthy environments for all residents and visitors in the Manawātū district and directly support the goals of Smokefree Aotearoa 2025.

Additional comments

Health NZ can help guide Council on implementing smokefree and vape-free permit conditions in the Public Places Bylaw and other related policies. This would include guidance related to data and evidence, resources, cessation, and information on smokefree and vape-free initiatives occurring within the Manawātū and across New Zealand.

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Private Bag 11036, Manawātū Mail Centre
Palmerston North 4442
Waea pūkoro: +64 6 350 9110

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Report Recommendation	Submitter	Requested Change	Rationale for Requested Change	Pros	Limitations (Cons)	Management Recommendation
2a	01	Amend Clause 7 of the Bylaw to align with Council's Smokefree Policy and include the following information: Through signage and the provision of educational material where appropriate, Council will encourage the public to refrain from smoking and vaping in the following Council controlled public areas: • Playgrounds • Sportsgrounds • Leisure and recreation facilities • Bus shelters (Owned by Horizons Regional Council) • Council facilities and areas within a 4 metre radius, including halls, libraries and the Makino Aquatic Centre • Other council-owned public places including parks and reserves. • Public areas where Council hosts events	Community commitment is required to reduce the risk of smoking-related cancers through smokefree/vapefree policies. Best practice to achieve smokefree/vapefree environments is through: • Promotion of policy • Adequately displayed signage • Compliance audits	• Research provided by cancer society identified that proper promotion of policy, adequately displayed smokefree signage, and compliance audits provided the best results in reducing smokefree behaviour in public spaces. • Embeds the Smokefree and Vapefree Policy commitments (parks, sportsgrounds, reserves etc.) and therefore reinforces Council's commitment to smokefree/vapefree public spaces. • Provides visibility in a regulatory document, increasing public awareness.	• Council is already proactive in this space and is advocating for smokefree/vapefree signage through the Smokefree and Vapefree Policy 2025. • Adding the policy's messaging duplicates the Smokefree and Vapefree Policy adding little practical effect if worded around "encouragement" as suggested in the submission. • May create confusion if policy wording changes and the Bylaw becomes inconsistent. Bylaw won't be reviewed again before 2035.	Officers do not recommend amending the Bylaw to include the messaging of Council's Smokefree and Vapefree Policy, as this is already managed through the Smokefree and Vapefree Policy 2025. Council remains committed to encouraging the public to refrain from smoking and vaping in public places and has identified the Policy as the most appropriate tool for achieving this at present. Council officers have also been offered smokefree/vapefree signs from the Ministry of Health to replace the existing smokefree signs at playgrounds, parks and sport facilities, and installation is planned in the coming months.
2b	15	Add a statement to the Bylaw to reinforce Council's commitment statement on smokefree/vapefree spaces (parks, reserves, sportsgrounds).	To help denormalise smoking and vaping in shared community spaces, particularly in areas where families and young people gather.	• Symbolic strength – Shows leadership and strengthens Council's public health stance beyond policy. • Consistency – Aligns the Bylaw with Council's Smokefree and Vapefree Policy, reinforcing existing objectives. • Public awareness – A clear statement in the Bylaw could increase community understanding of Council's expectations.	• Duplication – The Smokefree and Vapefree Policy 2025 already sets out Council's position; repeating it in the Bylaw may be redundant. • No added enforceability – Unless backed by enforceable clauses, a statement in the Bylaw would remain largely symbolic. • Risk of confusion – Members of the public may assume the statement creates enforceable rules, leading to unrealistic expectations about monitoring and enforcement. • Bylaw clutter – Adding aspirational statements may reduce the Bylaw's focus on regulatory provisions and make it less concise. • Legal rigidity – If Council's policy direction evolves, a statement in the Bylaw would require a formal amendment process to update.	Officers do not recommend amending the Bylaw. While adding a smokefree/vapefree statement to the Bylaw could reinforce Council's public health commitment, it risks duplication and confusion, as the Bylaw is primarily an enforcement tool rather than a policy statement. The more proportionate approach may be to maintain such commitments in policy documents and signage, while keeping the Bylaw focused on enforceable rules.
2c	01	Addition to Clause 8 of the Bylaw; incorporating the following wording to aid in council decision making and upholding the purpose of the bylaw. <i>A permit will be granted at the discretion of the Council and subject to any terms, conditions or restrictions it considers</i>	To help denormalise smoking and vaping in shared community spaces, particularly in areas where families and young people gather such as <u>Organised Games, Activities or Events</u> in a Public Place.	• Transparency and certainty – Applicants can see upfront the range of factors Council may consider when granting permits, which may help manage expectations. • Consistency in decision-making – A codified list could support consistency of permit approval between officers and over time.	• Reduced flexibility – An extensive list may limit Council's ability to tailor conditions to new or unforeseen circumstances, especially as trading patterns or public space use evolve. • Duplication of existing powers – A number of the proposed additions are already part of the permit application process including the duration of the permit; the time and place in which the activity may take place, the person(s) entitled to sell the goods/undertake the activity.	Officers do not recommend amending the Bylaw to include a detailed list of potential permit conditions. The current Bylaw already gives Council discretion to impose terms and conditions as appropriate. Including a comprehensive list risks reducing flexibility and duplicating requirements under other legislation and Council policies (e.g. Health and Safety, Food Act, Smokefree Policy). Moreover, Officers consider that existing permit processes already address matters such as duration, location, authorised persons, use of structures, compliance with directions, litter and

		<i>appropriate, including but not limited to matters relating to:</i> <i>a. duration of the permit;</i> <i>b. the time and place in which the activity may take place, including its proximity to other commercial activities;</i> <i>c. the classes or types of goods or services that may be sold;</i> <i>d. the person(s) entitled to sell the goods or undertake the specified activities;</i> <i>e. use of stalls, vehicles and structures, including parking arrangements and the need to avoid obstructions to footpaths and public places;</i> <i>f. signage for the activity, including any displays;</i> <i>g. restrictions or other requirements on the use of amplified sound and music;</i> <i>h. any health and safety requirements that may be required;</i> <i>i. the control of litter or cleanliness and hygiene during and after the activity;</i> <i>j. any requirements in respect of rental for the site;</i> <i>k. whether an applicant is a member of a registered organisation, association or charity;</i> <i>l. where food is for sale, requirements regarding compliance with licensing and food safety legislation;</i> <i>m. proximity to other premises selling similar goods; and</i> <i>n. the control of smoking and vaping in the exclusive use of the public place;</i>		• Clarity for enforcement – Having explicit conditions in the Bylaw may make it easier to justify decisions if challenged. • Alignment with Bylaw purpose – Explicit conditions link directly to public safety, public health (i.e. subclause n), amenity, and nuisance management.	The use of stalls, vehicles, structures, including avoiding obstruction, that the applicant must comply with directions from Police or Council Officers, the control of litter and cleanliness. The additional proposed conditions (e.g. food safety, health and safety, smokefree/vapefree) are already covered by other legislation or Council policies. Repetition may create overlap and confusion about which rule applies. • Risk of omissions – By setting out a detailed list, there is a risk that something important is inadvertently left out. Applicants may then argue that Council cannot impose conditions not listed. • Complexity – A long clause may make the Bylaw less user-friendly and harder for the public to navigate. • Enforcement challenges – Including conditions that Council does not actively monitor (e.g. smokefree/vapefree compliance) may create unrealistic expectations around enforcement. • Subpart <i>n</i> duplicates the Smokefree Policy by introducing smokefree/vapefree into permits. • Overly prescriptive; risks limiting flexibility and adaptability to new circumstances.	cleanliness, food safety, alcohol licensing, noise, and health and safety. Other suggestions, such as regulating proximity to similar businesses, are not supported, as Council has not experienced significant issues in this area. Officers will continue to apply conditions on a case-by-case basis, ensuring alignment with legislative requirements and best practice.
2d	01, 15	Addition to Clause 10 of the Bylaw; incorporate the requirement of smokefree and vapefree signage to be visible on street activity vendors as part of permit requirements.	As above. <u>Target group:</u> Street activity/user/vendors.	• Visibility and awareness – Requiring signage through the Bylaw makes the Smokefree and Vapefree Policy more visible in public spaces, reinforcing Council’s commitment. • Consistency – Aligns vendor permits with Council’s broader smokefree/vapefree objectives and existing signage in Council facilities. • Positive health messaging – Vendors become additional channels for public health promotion, potentially normalising smokefree environments.	• Duplication – Signage requirements are already addressed through the Smokefree and Vapefree Policy 2025. Including them in the Bylaw risks overlap and inconsistency. • Enforcement gap – Council does not actively monitor or enforce the Smokefree and Vapefree Policy in areas like the CBD. A bylaw requirement may create expectations of enforcement that cannot realistically be delivered.	Officers do not recommend amending the Bylaw to make smokefree and vapefree signage mandatory for street vendors. Vendors have raised concerns about the financial impact on small-scale operators, and it is unclear who would be responsible for monitoring and enforcing compliance. Council does not have the resources to oversee small-scale vendors, particularly outside of business hours, which would in practice shift the burden of enforcement onto vendors themselves. Council remains committed to promoting smokefree and vapefree environments through the Smokefree and Vapefree Policy, which is considered the most appropriate mechanism for managing this issue at present. The Policy approach allows flexibility,

				Clarity for vendors – A clear bylaw requirement sets explicit expectations, reducing ambiguity about Council’s stance.	- Compliance burden on vendors – Small vendors may see signage requirements as an added administrative or cost burden. - Limited impact – Signage alone may not significantly influence smoking or vaping behaviour without broader education or enforcement. - Potential overreach – Using a regulatory tool (Bylaw) for what is essentially a policy/education measure may be seen as disproportionate.	is education-based, and avoids placing additional compliance costs on small businesses.
2e	01	Add Clause to the Bylaw to align with HDC and PNCC (smokefree/vapefree signage on <u>outdoor dining</u> furniture)	As above. <u>Target group:</u> outdoor dining providers.	- Consistency with neighbouring councils (HDC, PNCC) could strengthen regional alignment. - Reinforces smokefree/vapefree message in outdoor hospitality spaces. - Integrates health messaging directly into dining environments. - Low-cost intervention – Signage is relatively inexpensive and provides an ongoing reminder to the public. - Positive perception – Demonstrates Council’s commitment to healthier, family-friendly public spaces. - Research indicates signage, when used in conjunction with other measures, can contribute to changes in smoking behaviour.	- Duplication – Signage requirements are already encouraged through the Smokefree and Vapefree Policy; embedding them in the Bylaw risks overlap. - Enforcement challenges – Council does not actively monitor or enforce smokefree/vapefree compliance; requiring signage may create unrealistic expectations. Generally difficult to monitor. - Compliance burden – Hospitality operators may see signage obligations as an additional cost or regulatory imposition. - Limited behavioural impact – Signage alone may not significantly reduce smoking/vaping without broader education and cultural change. - Rigidity – Once added to the Bylaw, any future changes in approach would require a formal review and amendment process.	Officers do not recommend amending the Public Places Bylaw to require smokefree and vapefree signage on outdoor dining furniture. While Council supports the objectives of the Smokefree and Vapefree Policy 2025, embedding signage obligations in the Bylaw would duplicate existing measures, create enforcement expectations that Council cannot resource, and reduce flexibility. Officers recommend that Council continue to promote smokefree and vapefree signage through its Smokefree and Vapefree Policy rather than through additional bylaw regulation.
2f	01, 15	Add requirements around smokefree and vapefree signage to the <u>Street User Permit application</u> to require outdoor dining to be smokefree and vapefree, displaying appropriate signage, and the removal of ashtrays.	As above. <u>Target group:</u> outdoor dining providers.	- Same as above 01 (d) but adds prohibiting ashtrays, reducing litter and reinforcing smokefree messaging. - Clear, enforceable permit conditions for outdoor dining operators. - Directly supports healthier and family-friendly public spaces.	- Compliance burden – Hospitality operators may view mandatory signage and the removal of ashtrays as additional costs and regulatory red tape, particularly for smaller businesses. - Customer resistance – Smokers may react negatively to the absence of ashtrays and visible smokefree/vapefree signage, perceiving it as unwelcoming, which could reduce patronage. - Displacement of behaviour – Patrons may simply smoke or vape just outside the designated dining area, shifting rather than eliminating the behaviour. - Enforcement challenges – Council would need to monitor signage installation and ensure ashtrays are not provided, which may be impractical with limited resources. - Limited effectiveness in isolation – Without broader education and cultural change measures, signage and ashtray removal may have only modest impact on behaviour. - Perception of overreach – Businesses may feel Council is intervening too heavily in how they	Officers do not recommend adding requirements to Street User Permits that would make outdoor dining areas smokefree and vapefree, mandate signage, and prohibit ashtrays. While the intent of the request aligns with Council’s Smokefree and Vapefree Policy 2025 and would reinforce public health messaging, it would duplicate commitments already provided for in that Policy. Enforcement challenges remain significant, particularly around monitoring compliance, and there is a risk of creating friction with businesses that may view these requirements as onerous or anti-customer. Officers recommend continuing to implement smokefree and vapefree initiatives through existing policy and voluntary compliance measures, rather than through additional permit conditions.

					manage their outdoor spaces, leading to pushback. Inconsistency across venues – If conditions are only applied when permits are renewed or newly issued, some businesses may be subject to stricter rules than others, creating perceptions of unfairness.	
2g	06	NZDF requests an exemption or a process to apply for exemption to allow TMTA when required (subject to RMA provisions).	NZDF has statutory purposes under section 5 of the Defence Act 1990, including national defence, protection of New Zealand's interests, civil emergency support, and provision of public services. To meet these obligations, NZDF must conduct training activities (TMTA) in environments similar to those they may need to operate in, which can include public places. Other councils' bylaws often include exemptions for emergency services and defence, and NZDF seeks similar recognition in the Manawātū bylaw to ensure their statutory activities are not unintentionally restricted.	- Operational certainty for NZDF – Provides clarity and assurance that NZDF can undertake TMTA when required, without unnecessary administrative barriers. - Consistency with national interest – Recognises the role of NZDF in maintaining defence readiness, which is in the public interest. - Streamlined process – Having an explicit exemption or process avoids delays in urgent or sensitive training activities. - Alignment with existing frameworks – TMTA is already provided for under the Resource Management Act (RMA), so an exemption could reduce duplication at the local level. - Relationship management – Granting an exemption acknowledges NZDF's unique role and could foster a stronger working relationship between NZDF and Council.	- Scope creep – An exemption may unintentionally create precedent for other groups to request similar carve-outs, weakening the Bylaw's consistency. - Reduced Council oversight – Exemptions may limit Council's ability to manage impacts on public safety, nuisance, or use of public spaces. - Duplication risk – TMTA is already addressed under the RMA. Adding exemptions to the Bylaw may duplicate or conflict with national legislation. - Community perception – Residents may be concerned about noise, access restrictions, or safety risks if exemptions appear to limit Council's ability to regulate activities in public places. - Overlapping responsibilities – providing a blanket exemption carries the risk of making decisions over areas that are managed by DoC or Horizons.	Officers do not recommend amending the Bylaw to include an exemption for NZDF activities. While such an exemption could provide certainty for NZDF operations and acknowledge their national importance, it would create duplication with existing legislation, potential inequity, and community concern. Temporary Military Training Activities (TMTA) are already provided for nationally under the Resource Management Act 1991 (RMA) through the National Environmental Standards for Defence Activities (NES-DA), which establishes where and how such activities may occur. District councils do not generally create separate TMTA processes under bylaws. Where NZDF seeks to use Council-administered land, approval is already required under the Reserves Act 1977 and the relevant Reserve Management Plan. This includes coastal reserves such as Himatangi and Tangimoana, where dune management is also subject to Horizons Regional Council's rules under the RMA. On balance, officers consider that managing NZDF requests through these existing legislative and permitting frameworks, on a case-by-case basis, is a more proportionate and effective approach than introducing a new exemption clause into the Public Places Bylaw.
2h	06	NZDF requests a specific exemption for NZDF vehicles to drive on beaches and sand dunes for TMTA (subject to RMA provisions)	To enable realistic training environments.	- Clarity and certainty – An explicit exemption would make it clear that NZDF vehicles are permitted, avoiding delays or disputes. - Streamlined process – Avoids the need for NZDF to apply for permits each time, ensuring efficiency. - Consistency with RMA – Reinforces that activities remain subject to environmental considerations under the Resource Management Act.	- Precedent risk – Granting a blanket exemption could encourage other groups (e.g. emergency services, utility providers, recreational groups) to request similar treatment, undermining consistency of the Bylaw. - Environmental impacts – Driving on beaches and dunes can cause erosion, habitat disturbance, and damage to sensitive ecosystems, even if limited to military use. - Reduced Council oversight – A bylaw exemption may constrain Council's ability to impose conditions or manage risks at the local level. - Duplication/conflict – Vehicle use on beaches and dunes may already be regulated under the RMA, regional council plans, or reserve management plans. Including an exemption in the Bylaw could create overlap or inconsistency. - Community perception – Public concern may arise if NZDF activities restrict access, cause noise, or damage natural areas, especially if Council is seen as relinquishing control.	Officers do not recommend amending the Bylaw to provide a specific exemption for NZDF vehicles to drive on beaches and sand dunes for Temporary Military Training Activities (TMTA). While such an exemption would provide NZDF with clarity and efficiency for training operations, it risks duplication with existing legislation, environmental impacts, and perceptions of preferential treatment. Vehicle use on beaches and dunes is already regulated under the Resource Management Act 1991 and Horizons Regional Council's planning framework, particularly in relation to dune erosion and coastal management. In addition, some areas may fall under the management of the Department of Conservation. Providing a blanket exemption in the Bylaw could therefore lead to conflicts with these regulatory frameworks and diminish Council's ability to manage local impacts. A case-by-case process, recognising NZDF's statutory role while retaining Council and regional oversight, is considered a more balanced and appropriate approach.

					• Rare usage – If TMTA occurs infrequently, a standing exemption may be unnecessary; a case-by-case approval process could provide sufficient flexibility. • Overlapping responsibilities – providing a blanket exemption carries the risk of making decisions over areas that are managed by DoC or Horizons.	Note: Horizons Regional Council does have responsibilities for coastal management, erosion, and dune stability under the RMA and its One Plan.
2i	06	Clause 5.2(g) prohibits depositing, discharging, or leaving offensive, inflammable, hazardous, or dangerous substances (including fireworks) in public places. NZDF requests an exemption or an application process to allow use of such materials during TMTA, where required, again subject to RMA provisions.	To ensure TMTA can include controlled use of materials otherwise restricted under the Bylaw.	• Supports specialised training – Allows for controlled use of hazardous materials (e.g. flares, training explosives, or mock hazardous scenarios) necessary for military preparedness. • Clarity – Perhaps, establishes a transparent pathway (exemption or application process) rather than leaving the matter ambiguous.	• Public safety risks – Even controlled use of hazardous substances carries inherent risks, especially in public places. • Community perception – Residents may be concerned about explosives, flares, or hazardous materials being used in public areas. • Duplication/conflict – Hazardous substance use is already governed by national legislation (e.g. Hazardous Substances and New Organisms Act, RMA), so a bylaw exemption may be unnecessary or confusing. • Monitoring challenges – Council lacks the capacity to effectively oversee compliance with safe use of hazardous materials.	Officers do not recommend amending Clause 5.2(g) of the Bylaw to provide a specific exemption for NZDF use of hazardous substances in public places. The safe use of hazardous and dangerous substances is already comprehensively regulated under national legislation, including the Hazardous Substances and New Organisms Act and the Resource Management Act. Adding a separate exemption would duplicate these requirements and create unrealistic enforcement expectations. Clause 5.2 is intended to protect public safety by restricting the deposit, discharge, or use of hazardous, dangerous, or offensive substances in public places, and an outright exemption for TMTA would undermine this purpose by introducing potential risks to community safety, amenity, and the environment. NZDF already has the ability to apply for consent under Clause 5.2 on a case-by-case basis, and any such approval would also require prior authorisation from Horizons Regional Council.
2j	13	Requests to strengthen the bylaw by way of adding definitions for Motorcycle, All Terrain Vehicle, Motor Vehicle and Vehicle.	Current draft lacks definitions for Motorcycle, ATV, Motor Vehicle, and Vehicle. “Cycle” appears to exclude motorcycles; micromobility/mobility device definitions don’t apply.	• Clarity – May reduce ambiguity for the public about which types of vehicles the Bylaw applies to. • Transparency for users – Vendors, residents, and businesses can easily see which vehicles are covered, rather than needing to cross-reference other legislation.	• Duplication – These terms are already defined in national legislation (e.g. Land Transport Act 1998). Repeating them in the Bylaw could be redundant. • Risk of inconsistency – If legislation changes, definitions in the Bylaw may become outdated or inconsistent unless the Bylaw is reviewed. • Reduced flexibility – Fixing definitions in the Bylaw could limit Council’s ability to interpret terms more broadly or adapt to new forms of vehicles. • Unnecessary length – Adding multiple definitions may make the Bylaw longer and more complex without adding substantive new powers.	The Land Transport Acts’ definition of Vehicle is inclusive of motor vehicle, motorcycle and other forms of transport (i.e. ATV). Therefore, officers do not recommend amending the bylaw. While adding definitions could make the Bylaw clearer, it risks duplicating national legislation and creating inconsistencies over time if legislative definitions are amended in the future. Cross-referencing national definitions is standard practice as it provides clarity without duplication or risk of inconsistency. A possible compromise would be to include a more explicit reference to the definitions in the Land Transport Act. This would, in all likelihood, not change the effect of the Bylaw but may make it easier to navigate Council documents.
2k	14	Requests new provisions that prevent the use of the skate park and surrounding areas at night.	Submitter feels that the bylaw does not address issues of antisocial behaviour, crime and public safety at and around the Feilding Skate Park. Submitter believes that attempted theft of their vehicle, increased tagging and repeated late-night disorders (throwing mud at their house and damage to their fence) is linked to skatepark users.	• Noise reduction – Addresses complaints (noting there is no record of complaints so far) about noise disturbance to nearby residents during night hours. • Amenity protection – Limits potential antisocial behaviour, vandalism, or graffiti that may occur at night. • Clear expectations – Provides a formal rule that both the community and enforcement officers can rely on.	• Enforcement challenges – Monitoring and enforcing night-time restrictions would require significant staff or police resources, and may not be practical. • Youth displacement – Young people using the skate park at night may move to other locations, potentially shifting the problem rather than resolving it. • Reduced accessibility – Restricts legitimate users who may wish to skate at night, especially	Officers do not recommend amending the Bylaw to introduce new provisions preventing use of the skate park and surrounding areas at night. While such a restriction could potentially reduce noise or antisocial behaviour, Council has no record of complaints relating to night-time skate park use, and the issue has not been raised in discussions with the police during the policy review process. Introducing a curfew would present enforcement challenges, risk displacing behaviour elsewhere, and limit access for legitimate users. Issues such as vandalism, disorderly behaviour, and noise are already able to be addressed through existing bylaws, national legislation, and police

					in summer when evenings are cooler and daylight is longer. • Potential Duplication – Nuisance behaviour and vandalism are already covered under existing bylaws, national legislation (e.g. Summary Offences Act), and police powers. • Community perception – A blanket ban may be seen as overly restrictive or as unfairly targeting young people. • Legal rigidity – Adding a night-use prohibition into the Bylaw reduces Council’s flexibility and would require a formal review process if circumstances change. • Proportionality – Any restriction must be justifiable and evidence-based (e.g. complaints of noise, antisocial behaviour, safety risks). • Issue has not come up in conversations with the police, nor were any complaints lodged with Council.	powers. Adding a new restriction would therefore duplicate existing tools without providing additional benefit. On balance, officers consider that introducing a blanket night-time restriction would not be a proportionate response given the lack of evidence of a problem.
2l	12	Request: - opening up more spaces to provide for commercial activities, - more flexibility for small local businesses. The Fergusson Street carpark should be used for a designated <u>food truck night</u> once a week.	Enabling more commercial activities.	• Supports local business – Provides a regular platform for food trucks, helping small and start-up operators. • May help activating the town centre – A weekly event could increase vibrancy, attract visitors, and encourage people to spend more time in the CBD. • Community engagement – Creates a social, family-friendly activity that can strengthen community connections. • Predictability – A set night each week gives traders and the public certainty, making it easier to plan and promote. • Economic spillover – Increased foot traffic may also benefit surrounding retail and hospitality businesses. • Community support - Manawātū District Council recently asked on its Facebook page whether there should be more locations for food trucks to operate. The post generated 18 comments: 14 in favour of opening more sites, one opposed, two off-topic, and one deleted.	• Parking loss – Using the carpark for food trucks reduces parking availability, which may frustrate nearby businesses and customers. • Amenity impacts – Noise, waste, and congestion from a concentrated event could impact nearby residents and businesses. • Competition concerns – Local cafés and restaurants may feel disadvantaged by mobile traders operating nearby. • Management burden – Council would need to coordinate, permit, and monitor the event, requiring staff resources. • Equity issues – Other groups may expect similar access to prime public carparks or spaces, creating pressure for expansion. • Uncertain demand – The success of a weekly food truck night depends on consistent public interest; without it, the initiative could fail. • Submitters 03, 05, and 10 expressed concerns about expanding the capacity of existing sites or adding new sites for street vendors. Submitter 10 asserts that food trucks operating in the two currently designated areas have caused a decrease in their revenue.	Officers do not recommend amending the Bylaw to permanently designate the Fergusson Street Carpark as a site for street vendors. While the site is currently under-utilised and has potential to support local businesses and activate the town centre, there is limited evidence of demand and concerns remain regarding parking pressures, amenity impacts, and competition with nearby businesses. Officers note that the Bylaw already provides a pathway for the Fergusson Street Carpark to be used for food trucks on a one-off basis through the Organised Events provisions. Should submitters wish to pursue a single food truck night, this could be managed under the existing event framework without requiring a permanent change to the Bylaw. On balance, officers consider that retaining the existing designated sites remains the most proportionate and effective approach, with future demand to be monitored and reviewed as appropriate.
2m	12	The railway area (Aorangi Street) should be opened up to allow more food trucks (possibly five at one time). This be on certain days or nights to avoid encroaching on CBD businesses.	Enabling more food trucks to operate.	• Support for small business – Creates more opportunities for local food truck operators. • Activation of space – Brings life and vibrancy to the railway area, especially during evenings. • Community engagement – Could provide a night market feel, attracting residents and visitors.	• Parking loss – Multiple food trucks and their customers may reduce available car parking. • Competition concerns – Even with time restrictions, local hospitality businesses may feel undermined. • Amenity impacts – Noise, rubbish, and crowding may impact nearby businesses and residents.	Officers do not recommend amending the Bylaw to designate the railway area for up to five food trucks. While activating the space and supporting local enterprise could provide benefits, these are outweighed by risks relating to parking loss, amenity impacts, and competition with existing businesses. Current evidence indicates limited demand for additional trading sites. For example, permits are issued on two-week periods to allow for a rotation

				• Economic benefits – Increased foot traffic may have flow-on benefits for the wider town economy. • Flexibility – Limiting trading to certain days or nights could help reduce direct competition with CBD hospitality businesses. • Efficient use of land – Makes productive use of the railway area if it is currently under-utilised.	• Management burden – Coordinating timing, numbers, and compliance would add monitoring and enforcement demands for Council. • Equity issues – Allowing five food trucks in one location may lead to requests for similar concessions elsewhere. • Unclear demand – It is not clear whether the market could sustain five trucks at once, risking oversupply.	system if more than two traders wish to use the same site, but this has never been required. Likewise, the most recent trading at Denbigh Square occurred in February 2025, and no subsequent permit requests have been received, suggesting low demand. The Aorangi Street Carpark is already frequently used by local business staff, and allocating additional space for food trucks would reduce parking availability. A separate submission requesting space during train-related events would raise similar issues. Officers therefore recommend that Council continue to monitor demand and consider future activation of the railway area through event management processes, rather than through amendments to the Public Places Bylaw.
2n	12	Can food trucks gain permits to utilise the railway land when trains are running, to serve train users?	Enabling more food trucks to operate.	• Support for small business – Creates new trading opportunities for local food vendors. • Activation of space – Makes the railway area more lively and welcoming, especially during train arrivals/departures; particularly when tied to occasional scenic train rides (Feilding and District Steam Train Society) • Targeted timing – Linking permits to scenic train ride schedules limits overlap with CBD businesses and reduces constant impacts.	• Amenity impacts – Potential for congestion, noise, and litter in a space not designed for increased food truck activity. • Competition concerns – May still be viewed by CBD hospitality operators as unfair competition. • Operational challenges – Coordinating trading hours with train schedules could complicate permitting and monitoring. • Equity issues – Other groups may expect similar concessions at key public sites.	Officers do not recommend designating additional railway land for food truck use at this stage, as there has been no recorded demand. Council will continue to monitor demand for trading associated with train services and may consider expanding capacity through the Street User Permit process if sufficient interest arises. At present, up to two food trucks can already apply for permits in a designated area at this site under Schedule 2 of the Bylaw. Operators may also work directly with KiwiRail or event organisers, such as the Feilding and District Steam Rail Society, to explore opportunities (i.e. organised event etc.) when scenic trains are operating. While Council recognises the potential benefits of food truck activity in this location, the majority of land near the train station is managed by KiwiRail, and Council cannot issue permits directly for that land.
2o	12	Requests that Council reduce the CBD boundary, as the area currently described is too large and includes industrial and commercial zones. The boundary should be limited to the actual shopping and retail core and not extend as far as East Street.	CBD should be retail shopping area only	• Targeted regulation – Restricting the boundary to the retail/shopping core ensures that bylaw provisions (e.g. street trading controls, alcohol control areas) apply only where they are most relevant. • Avoids over-regulation – Prevents industrial or fringe commercial areas from being unnecessarily subject to CBD-specific restrictions that don't reflect their actual use. • Clarity for enforcement – A smaller, retail-focused boundary provides enforcement officers and vendors with a clearer, more logical area of application. • Regulatory efficiency – Reduces the scope of Council's monitoring obligations by narrowing the geographic area covered by stricter CBD provisions.	• Reduced coverage of controls – Certain behaviours (e.g. alcohol-related disorder, nuisance trading) in fringe areas would fall outside CBD restrictions, potentially leaving gaps in regulation. • Loss of flexibility – Council would be less able to respond to shifts in land use or commercial activity that occur outside the narrowed CBD area. • Risk of inconsistency – The CBD definition in the Bylaw could diverge from the CBD definition in the District Plan or other Council strategies, causing confusion. • Administrative burden – Amending maps and updating the boundary requires consultation and communication to ensure businesses, residents, and enforcement staff are clear on the changes. • Precedent risk – Redrawing boundaries could prompt future requests to adjust or further refine other designated areas, complicating the Bylaw's administration.	Officers do not recommend reducing the demarcation of the Feilding CBD in Schedule 2. The Schedule provides a defined geographic area within which specific bylaw provisions apply, ensuring consistent regulation of street user activities, signage, and alcohol control measures, and helping Council to balance commercial vibrancy with public safety and amenity. Any change (e.g. reduction) to the boundaries of the Feilding CBD in Schedule 2 would alter the area to which provisions of the Bylaw apply, including restrictions on street user activities and the designation of alcohol control areas, and may therefore reduce both the regulatory reach and the opportunities available within the CBD. Officers recommend retaining the current CBD boundary to maintain clarity, consistency, and comprehensive regulatory coverage, while continuing to monitor whether the existing designation remains appropriate.

					Police requested alcohol control areas to be extended in 2022.	
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Annex C: Additional Matters

1. Officer Response to submitters

Table 1 Response to submitters

#	Submitter	Requested Change	Response
1	02, 04 12	Submitters request that there are more business-friendly and more flexibility for small local business to operate in parks, for example, Kowhai and Timona.	Kowhai Park and Timona Park currently sit outside the Public Places Bylaw's designated areas for street users. These parks are primarily managed under Park Management Plans in accordance with the Reserve Management Act 1977. Vendors and street users may therefore apply to Council for permission to operate, subject to the provisions of the relevant management plans. In addition, the Reserves Act does already provide for street user access to parks and reserves when tied to an identified and approved activity or event.
2	04	Support for the idea of the Bylaw to ensure there are clear rules around mobile shops to ensure public spaces are safe, accessible, and well-managed.	Council appreciates your recognition of the importance of having clear rules around mobile shops to ensure that our public spaces remain safe, accessible, and well-managed. The Bylaw sets out to permit under Clause 10 (Street User Activities), which is designed to achieve a balance while providing opportunities for a range of vendors to operate.
3	04	Council should support local businesses by ensuring the rules are fair and encourage growth.	The aim of the Public Places Bylaw is to ensure that the rules are fair, supporting healthy competition while also managing any impacts on other businesses and the wider community. Council's approach is to balance opportunities for vendors to

			grow with the need to maintain safe, accessible, and welcoming public spaces.
4	13	Issue of motorcycle riding (and other vehicle use which breaches the Bylaw) in Timona Park.	Council acknowledges the concern raised about motorcycle and other vehicle use in Timona Park and notes that similar issues occur across other Council parks and reserves. Council receives complaints relating to motorcycles causing damage to parks and reserves, with Timona Park being the most reported site. Council officers confirm that motorcycle and dirt bike riding is an ongoing issue, and that Timona Park is particularly affected due to its high number of users, which increased the risk of accidents and injury.
5	02	Creating a designated street vendor hub	Thank you for your suggestion to create a designated street vendor hub. While we recognise that a hub could provide opportunities for small businesses, create a vibrant destination, and simplify management for Council, at this stage there is not enough evidence of demand to justify establishing such a site. Concentrating vendors in one area may also create parking and traffic pressures and reduce flexibility for operators. For these reasons, Council is not proposing to amend the Public Places Bylaw to create a vendor hub at this time. However, we will continue to monitor demand and may consider options for a hub through future planning or economic development initiatives.
6	14	With reference to Rangitikei District Council's Traffic Bylaw, the submitter suggests a provision that prevents heavy motor vehicles to park within the town area (i.e. Victoria Park).	Council does not propose to amend the Public Places Bylaw to prohibit heavy vehicle parking across the town, as these matters are more appropriately managed under traffic and road use legislation. Additionally, parking matters of this kind are managed under the Traffic Safety and Road Use Bylaw

		Alternatively, appropriate parking for heavy motor vehicles should be considered such as parking areas around the Stock Yards on South Street.	rather than the Public Places Bylaw. We encourage you to raise this matter through the next Annual Plan process or alternatively when Council undertakes the next review of the Traffic Safety and Road Use Bylaw.
8	13	Minor edits • 3 Commencement: Change 3.2 to 3.3 • Shift Explanatory Notes in 5.2 • 6 Control of Micromobility Devices; use of plural in 'Devices'	Thank you for your submission. Council agrees with the suggested minor administrative changes and edits, and these will be incorporated into the final version of the Bylaw.

2. Response to a request to reduce the timeframe for removing abandoned vehicles from seven days to 24 hours:

There is no clause in the draft Public Places Bylaw that specifically addresses abandoned vehicles. This is because Authorised Officers already have the legislative authority to manage these under section 356(1) of the LGA 1974. Council has a documented process that it follows in managing abandoned vehicles in accordance with this legislation, including a 7-day notice period. Giving effect to a request to reducing the number of days from 7 to 1 (i.e. 24 hours) could not be addressed through changes to the Bylaw unless we were to add in an additional clause to the bylaw that specifically addresses abandoned vehicles. This is not recommended as this would duplicate legislation. Additionally, there are a number of risks around reducing the timeframe from 7 days to 24 hours.

Financial Risk: From a financial perspective, enforcing a 24-hour removal policy/bylaw could place a burden on Council resources (as experienced by neighbouring Councils; as expressed in Table 1 below). Each removal would require the engagement of contractors or staff to tow the vehicle, transportation logistics, and secure storage facilities capable of holding vehicles for extended periods. The cumulative cost of towing and storing vehicles can be substantial, especially if vehicles are not claimed or if recovery costs are not reimbursed by the owner. In many cases, the Council is unable to recover these costs, particularly when the owner cannot be located or lacks the means to pay. Over time, this could lead to a material impact on operational budgets adding pressure on ratepayers.

Legal Risk: Legally, a strict 24-hour removal policy could expose Council to challenges, particularly if the timeframe is viewed as unreasonable. Councils are generally expected to exercise judgement when issuing notices to vehicle owners, providing them with adequate time to respond (unless s128E LTA applies, as explained earlier). In many cases, 24 hours may not meet the threshold of 'reasonable effort', as required under section 356 of the Local Government Act 1974.

Reputational Risk: A perceived 'no-discretion' approach, where vehicles are removed after 24 hours regardless of individual circumstances, may be seen as rigid or lacking responsiveness to genuine hardship or situational constraints. Some vehicle owners may be unable to respond quickly due to health issues (e.g. hospitalisation), financial hardship, or other personal situations. If Council is seen to be acting without consideration for these factors, it could face public criticism.

Additionally, a rigid 24-hour rule may be inconsistent with the principle of proportionality, which underpins good regulatory practice. Enforcement actions should be commensurate with the risk of harm posed. Applying the same timeframe to all abandoned vehicles, regardless of their condition, location, or level of obstruction, could be seen as disproportionate and lacking in flexibility. Bylaws should support enforcement approaches that are fair, balanced, and adaptable to context.

Table 2 Cross Council comparison

	Tararua	PNCC	Rangitikei	Horowhenua
Storage Capacity	Private (paid for)	MetalCo store for 28 days at no cost. If vehicle is not collected and of little value Metal Co keep the vehicle in exchange for storage.	It's tricky we have limited space, we use the car park to the rear of the main council building, far from ideal and only holds really one vehicle – but on law of averages we generally only have one at a time so kind of works. It gets tricky where we impound a vehicle that is driveable and the ratbag owner knows where the vehicle is – because we aren't secure they could just come and take it – haven't had that issue yet but that's a potential problem with our current arrangement – only works for vehicles genuinely abandoned. We had this recently and we would have likely sent it to Whanganui, but didn't get to that point.	No response received
Recovery Costs	Depends on proof of ownership	Generally only try and recover the tow cost when someone wants to reclaim their vehicle.	It's close to zero recovery. Most owners give false addresses to NZTA at registration, so impossible to track. Council ends up footing the bill.	No response received
No. of Vehicles set on fire	6 vehicles in the last 12 months	No specific data, but guessing on average maybe 1 per week.	I've only being doing the job for just under a year, I think we've had two in that time.	No response received
Timeframe for removal	Depends on when contractor is available	They work to a process. They send a yellow card and leave warning notices. If the vehicle hasn't been moved after 7 days, (if the vehicle is registered in PN, 14 days if registered outside of PN), then they issue tickets and the notice to move giving car owners 14 days to move.	Usually provide a week's notice then remove. Need to understand what one is defining as abandoned – is it truly abandoned as in owner has disappeared, or just vehicle that is unwarranted or unregistered which under the Act becomes technically abandoned even though owner may not have abandoned it, merely just not paid rego fees etc.	No response received



Council

Meeting of 02 October 2025

Business Unit: Community
Date Created: 15 September 2025

Adoption of the Appointment of Directors to Council Organisations and Council-Controlled Organisations Policy

Purpose Te Aronga o te Pūrongo

The purpose of this report is to present the draft Appointment of Directors to Council Organisations and Council-Controlled Organisations Policy.

Recommendations Ngā Tūtohunga

1. That the Council adopts the Appointment of Directors to Council Organisations and Council-Controlled Organisations Policy as set out in Appendix 1 of this report.

OR

2. That the Council adopts the draft Appointment of Directors to Council Organisations and Council-Controlled Organisations as set out in Appendix 1 of this report, subject to minor amendments detailed in the minutes of this meeting.

AND

3. That the Council gives delegation to the Chief Executive to approve any final edits to the Appointment of Directors to Council Organisations and Council-Controlled Organisations Policy, before publication.

Report prepared by:
Axel Malecki
Policy Adviser

Approved for submission by:
Lyn Daly
General Manager - Community

1 Background Ngā Kōrero o Muri

- 1.1 Under Part 1 of the Local Government Act 2002 (LGA), local authorities have governance responsibilities for three categories of organisations: Council Organisations (COs), Council-Controlled Organisations (CCOs), and Council-Controlled Trading Organisations (CCTOs). These responsibilities include the appointment and remuneration of directors and trustees.
- 1.2 Section 57 of the LGA requires councils to adopt a policy that sets out an objective and transparent process for identifying the skills, knowledge, and experience required of directors or trustees, and for making decisions on their appointment and remuneration.
- 1.3 In meeting these obligations, Council must also consider whether knowledge of tikanga Māori is relevant to the governance of a CCO, reflecting its statutory responsibilities under Te Tiriti o Waitangi.
- 1.4 Council first adopted a policy on the appointment of directors to COs and CCOs in 2002, with a review undertaken in 2009.
- 1.5 The current revision of the Appointment of Directors and Remuneration Policy ensures alignment with legislative requirements, the Institute of Directors' governance best practice principles, and Council's commitment to strengthening community wellbeing through effective governance of its organisations.

2 Strategic Fit Te Tautika ki te Rautaki

- 2.1 This policy aligns with Council's strategic priority of fostering **A place to belong and grow** by supporting the effective governance of community trusts and organisations, which deliver cultural, social and economic opportunities. By ensuring skilled and diverse appointments, Council strengthens the ability of these organisations to enhance social, economic and cultural wellbeing across the district.
- 2.2 This policy aligns with the strategic priority of **A future planned together** because the policy embeds transparent and objective recruitment processes, fostering trust and accountability in Council's partnerships. By including consideration of skills such as governance, strategy, and knowledge of tikanga Māori, the policy ensures that appointments reflect the shared values and future aspirations of the community.
- 2.3 The adoption of this policy supports the priority **Value for money and excellence in local government** because the policy requires an objective, transparent, and skills-based process for appointments, including regular remuneration reviews guided by independent advice. This strengthens accountability, ensures prudent use of public funds, and upholds Council's commitment to good governance and excellence.

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

- 3.1 The Local Government Act 2002 requires councils to adopt a policy on the appointment of directors to Council Organisations (COs) and Council-Controlled Organisations (CCOs), including Council-Controlled Trading Organisations (CCTOs). While Manawatū District Council has maintained such a policy since 2002, the existing version required review to ensure alignment with legislative updates, governance best practice, and Council's strategic priorities.

- 3.2 The current review ensures:
- 3.2.1 More transparent and objective processes for appointments and remuneration.
 - 3.2.2 Recognition of governance skills and appreciation of the wider public interest.
 - 3.2.3 Clear alignment with Council's strategic priorities and community outcomes.
- 3.3 Options available to Council are:
- 3.3.1 Retain the current policy without revision
This option risks the policy becoming misaligned with legislative requirements, community expectations and governance best practice.
 - 3.3.2 Adopt the revised policy (Appendix 1)
This option updates the policy to reflect more systematically the Local Government Act 2020 requirements, the Institute of Directors' principles, and Council's commitment to transparency, diversity and skills-based appointments.
 - 3.3.3 That the Council gives delegation to the Chief Executive to approve any final edits to the Appointment of Directors to Council Organisations and Council-Controlled Organisations Policy, before publication.
This option ensures the Chief Executive can make final editorial changes for clarity, accuracy, or formatting, avoiding unnecessary delays in implementation.

4 Risk Assessment Te Arotake Tūraru

- 4.1 Strategic Risk (cautious-open): If the policy was not updated, Council could be exposed to challenges around the transparency, consistency, and robustness of its appointment processes. This could undermine Council's reputation as a responsible and accountable steward of community organisations. The updated policy reduces this risk by explicitly embedding skills-based criteria and transparent processes.
- 4.2 Reputational Risk (cautious): Public confidence in Council's governance of COs and CCOs depends on the perception of fairness and merit in director appointments. A lack of clarity or outdated policy could generate concerns about bias, conflicts of interest, or insufficient diversity. The revised policy mitigates this reputational risk by establishing clear, transparent procedures, including the use of independent remuneration advice where appropriate.
- 4.3 Legal and Compliance Risk (averse-minimalist): Section 57 of the Local Government Act 2002 requires councils to have such a policy in place. An outdated or non-compliant policy could expose Council to legal challenge or audit criticism. Adoption of the revised policy ensures compliance with statutory obligations.

5 Engagement Te Whakapānga

Significance of Decision

- 5.1 The Council's Significance and Engagement Policy is not triggered by matters discussed in this report. No stakeholder engagement is required. While the policy guides important governance

processes, its direct impact is limited to Council Organisations and does not trigger a Special Consultative Procedure under section 83 of the Local Government Act 2002.

Māori and Cultural Engagement

- 5.2 There are no known cultural considerations associated with the matters addressed in this report. No specific engagement with Māori or other ethnicity groups is necessary. However, the policy requires Council to consider whether knowledge of tikanga Māori is relevant to governance appointments, thereby embedding cultural responsiveness within the process.

Community Engagement

- 5.3 As the policy is operational in nature and relates to Council's governance responsibilities, formal community-wide engagement is not required.

6 Operational Implications Ngā Pānga Whakahaere

- 6.1 There are no operational implications with this report as officers already manage appointment and remuneration processes. The main requirement is adherence to the updated framework, which can be readily incorporated into existing procedures.

7 Financial Implications Ngā Pānga Ahumoni

- 7.1 There are no financial implications with this report as costs for recruitment and remuneration advice are already budgeted.

8 Statutory Requirements Ngā Here ā-Ture

- 8.1 Section 57 of the Local Government Act 2002 requires all councils to adopt a policy on the appointment of directors to COs, CCOs, and CCTOs. The revised policy fulfils this statutory requirement.

9 Next Steps Te Kokenga

- 9.1 If Council adopts the revised Appointment of Directors to Council Organisations and Council-Controlled Organisations Policy, the following steps will occur:

1. **Publication:** The approved policy will be finalised by officers and published on Council's website.
2. **Communication:** The policy will be circulated to the boards of all relevant COs and CCOs, and made available to potential candidates for reference.
3. **Implementation:** Governance staff will apply the revised framework in future director and trustee appointment and remuneration processes.
4. **Training and Awareness:** Elected members and relevant staff will be briefed on the changes to ensure consistency in applying the policy.
5. **Review Cycle:** The policy will be subject to scheduled review within a 3–5 year cycle, or earlier if legislative or best practice changes warrant.

10 Attachments Ngā Āpitihanga

- Appendix 1 – track-changed draft policy
- Appendix 2 – clean policy with updated cover sheet

Adopted/Confirmation:	
Review Frequency:	??
Date last reviewed /	
Reconfirmed:	1 May 2009
Next review due:	
Policy type:	Governance
Reviewer	GM Community
Policy version	P272

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Reviewer	GM Community
Policy version	P272



~~Council Organisations & Council Controlled Organisations Appointment of Directors and Remuneration Policy~~ **Appointment of Directors to Council Organisations and Council-Controlled Organisations Policy**

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1. Introduction

1.1 Under Part 1 of the Local Government Act 2002 (LGA), local authorities have governance responsibilities for identifies two types of organisations for which a local authority has governance responsibilities. Briefly, these organisations are described as:

- Council Organisations (COs) – where one or more local authorities control one or more voting rights, or have the right to appoint one or more directors. ; and
- Council-Controlled organisations (CCOs) – where one or more local authorities control 50% or more of the voting rights, or have the right to appoint 50% or more of the directors.

1.2 For the purpose of this policy, the Note: This policy uses the terms “directors” or “trustees” to include refer collectively to any individual appointed to the governing body of a CO or CCO, including those referred to as directors, trustees, managersboard members, or office holders (however described) of the organisation, regardless of their specific titleterm used by the individual organisation.

—This policy sets out Manawātū District Council’s approach to the appointment, removal, and remuneration of directors and trustees to its COs and CCOs. It is designed to ensure appointments are made in accordance with legislative requirements, good governance practice, and the Council’s strategic objectives.

~~1.3 The Manawatu District Council has responsibilities for~~ A full list of the organisations covered by this policy and its application is provided ~~The following COs and CCOs of Manawātū District Council (MDC) are detailed in Sschedule 1 and 2one attached.~~

2. Policy Context

2.1 Section 57 of the LGA requires local authorities to adopt a policy that sets out an objective and transparent process for:

- Identifying and considering the skills, knowledge, and experience required of directors or trustees of a CO or CCO; and
- Appointment and remuneration of those directors and trustees.

2.2 Under section 57(2) of the LGA, a person may be appointed to a CO or CCO board only if the Council considers that they have the skills, knowledge, and experience necessary to guide the organisation, given its nature and scope, and to contribute to the achievement of its objectives.

2.3 Section 57(3) further requires the Council, when identifying the skills, knowledge, and experience required for a CCO appointment, to consider whether knowledge of tikanga Māori is relevant to the governance of that organisation.

2.4 The specific skills and attributes sought by the Council are set out in section 4 of this policy.

2.5 This policy also reflects ~~the~~ Council’s broader commitment to principles of good governance, drawing governance commitments based on the Institute of Directors’ Four Pillars of Governance Best Practice for New Zealand Directors. ~~and, including upholding the principles of Te Tiriti o Waitangi, promoting effective and inclusive governance and accountability, and ensuring that appointments support the long term wellbeing of the Manawātū community.~~

~~2.6 —The Boards’ own governance policies should also reflect and align with these principles.~~

3. ScopeApplication

3.1 This policy applies to the COs and CCOs as detailed in Sschedules 1 and 2.

3.2 This policy does not apply to tThe Central Economic Development Agency (CEDA) which is jointly owned with Palmerston North City Council. A—Appointments of directors to CEDA are set out in a jointly-owned policy: the—‘Appointment of Directors Policy of Central Economic Development Agency Ltd’.

- Other listed in Schedule 1 but not named above. Where the organisation's founding document specifies the appointment process, that process takes precedence. If no process is specified, this policy may be applied at the Council's discretion. those listed in schedule one which are not included above. The appointment of directors is set out in the organisation's founding document. Where this is not detailed, this policy may be applied as applicable.

1.1. Council Organisations

- ~~Camp Rangi Woods Trust~~ appoints two of the six trustees of this organisation
- ~~Feilding Promotion Inc~~ appoints two members to this organisation

1.2. Council Controlled Organisations

- ~~Heartland Contractors Ltd~~ a company wholly owned by the Manawatu District Council, established in 1995 as a local authority trading enterprise under the Local Government Act 1974. The business of the company was sold in March 2002 and no longer trades. The Council appoints all directors of the company.
- ~~Feilding Civic Centre Trust~~ Manawatu District Council has agreed to lease the Feilding Civic Centre property in Stafford Street, Feilding to the Feilding Civic Centre Trust for a three year term under certain terms and conditions. Terms of the Trust Deed provides for the appointment of all Trustees by the Council.

~~The Feilding Civic Centre Trust was exempted from being a Council Controlled Organisation by resolution of Council on 21 July 2005, in accordance with section 7(3) of the Local Government Act 2002.~~

- ~~Heartland Contractors Ltd~~ a company wholly owned by the Manawatu District Council, established in 1995 as a local authority trading enterprise under the Local Government Act 1974. The business of the company was sold in March 2002 and no longer trades. The Council appoints all directors of the company.
- ~~Manawatu Community Trust~~ Manawatu District Council has established a Manawatu Community Trust to better manage the Housing for the Elderly and Disabled portfolio, so that it may better meet the needs of the community. Council considers that the Community Trust could potentially afford better opportunities to tenants and the wider community, going beyond just the provision of physical housing, to a broader concept of community health and wellbeing. The Trust was operational on 1 July 2008. Terms of the Trust Deed provide for the appointment of all five Trustees by the Council.

~~Each of these organisations delivers services, provides advice, or in some way supports the achievement of the objectives in the Council's long-term council community plan.~~

~~The Council is required to adopt a policy setting out an objective and transparent process for identifying and considering the skills, knowledge, and experience required of directors of a CO or CCO, and their appointment and remuneration.~~

~~The Local Government Act 2002 (LGA) section 57(2) requires that the Council may appoint a person as a director of a CO or CCO only if the council considers the person has the skills, knowledge and experience to:~~

- ~~Guide the organisation, given the nature and scope of its activities; and~~
- ~~Contribute to the achievement of the objectives of the organisation.~~

~~Section 57 (3) of the LGA requires when identifying the skills, knowledge, and experience required of directors of a council controlled organisation, the local authority must consider whether knowledge of tikanga Māori may be relevant to the governance of that council controlled organisation.~~

~~The Council is required to adopt a policy setting out an objective and transparent process for identifying and considering the skills, knowledge, and experience required of directors of a CO or CCO, and their appointment and remuneration.~~

2.4. Skills

~~4.13. Manawatū District Council values and supports the benefits that diversity of thought, experience and skills bring to our CO and CCO Boards. We recognise that increasing diversity and fostering inclusive Board culture is an essential element in supporting high performing Boards, driving long-term success and delivering better outcomes for the communities of the Manawatū district.~~

~~4.21 The Council considers that any person that it appoints to be a director of a CO or CCO should, at a minimum, have the following attributes:~~

- ~~Intellectual capability appropriate to the role~~
- ~~An sound~~ understanding of governance ~~principles and responsibilities~~ ~~issues~~
- ~~Validated~~ ~~Either~~ business experience or other experience that is relevant to the activities of the organisation ~~(or both)~~
- Sound judgment ~~including risk assessment and contingency management~~
- ~~A high standard of personal integrity~~
- ~~An understanding and commitment to Council's obligation to Te Tiriti o Waitangi~~
- ~~The ability to work as a member of a governance team~~
- ~~Commitment to the wider public interest.~~

~~4.32 When considering appointments, Council will assess the existing skills matrix of the board to identify any gaps or areas requiring strengthening, ensuring that appointments complement current capabilities and align with Council and the organisation's future needs. A skills matrix would typically include:~~

- ~~Governance experience,~~
- ~~Strategy acuity,~~
- ~~Financial management,~~
- ~~Legal expertise,~~
- ~~Competence in Te Tiriti o Waitangi obligations and application,~~
- ~~Risk management,~~

- Health, safety and compliance,
- Digital capability,
- Communication and marketing,
- Specialist knowledge of the organisation to identify the need areas for any appointment consideration.
-

4.3. Manawātū District Council values and supports the benefits that diversity of thought, experience and skills bring to our CO and CCO Boards. We recognise that increasing diversity and fostering inclusive Board culture is an essential element in supporting high performing Boards, driving long term success and delivering better outcomes for the communities of the Manawātū district.

5. Eligibility for Appointment

5.1 The Council has a responsibility to for monitoring the performance of its the COs and CCOs. Accordingly:

- **Elected Members** of the Council should not be appointed to the boards of COs or CCOs unless there is a clearly justified reason, such as to need to meet a statutory requirements. Any such appointment must be supported by a Council resolution detailing the rationale, therefore Elected Members of the Council should not serve on the Boards of COs and CCOs unless there is a compelling reason to do so. The reason would be needed to inform a council resolution to appoint such Elected Members.
- **Council Officers** are not eligible for appointment unless the nature of the appointment specifically requires it. Any such appointment must be supported by a Council resolution detailing the rationale, f-For example, the Local Government Funding Agency requires board members to be officers of a local authority.
- **Board Independence** is expected. Appointed board members must not be employees of the organisation. If a board member is temporarily engaged to fill a staff vacancy, they must stand down from the board while doing so. Permanent employment by the organisation requires the employee to resign their position before starting their permanent role.

Council Officers are not normally eligible for appointment unless the nature of the appointment requires this. For example, the Local Government Funding Agency has Board positions which are required to be filled by Officers of a local authority.

Board members should be independent from management and are not to be employed by the entity. In the event that a Board decides that one of its members should fill a staff vacancy the Board member must stand down from their position on the Board while filling the vacancy on a non-permanent basis. If they are to be permanently appointed as an employee then they are to resign their position before starting their permanent role.

3.6. Determining Appointment Process

6.1 General Process

6.1.1 When ~~a vacancy~~^{ies} arises, ~~in any CO or CCO the~~ Council will advertise the vacancy unless it decides to reappoint an existing board member and that must be approved at the Council meeting as described below.

6.1.2 Council will determine how to fill the vacancy at a meeting held in public-excluded session (to protect the privacy of natural persons). At that meeting, Council will decide whether to:

- Reappoint an existing board member;
- Advertise the vacancy; ~~Make a direct appointment without advertisement; or~~
- ~~Leave the vacancy unfilled (where appropriate).~~

•

6.2 Re-appointments

In the case of a reappointment, Council will consider the individual's availability, the recommendation of the board chair, their contribution to the organisation's purpose, alignment with required skills, and any term limits set in the founding document.

Note: it is the expectation that the board chair would have first discussed the reappointment of an existing board member with the board, and referred to the skills matrix, before making a recommendation to Council.

6.3 New appointments

For new appointments, Council will take into account the recommendation from the recruitment committee or panel, the cost of advertising and recruitment, the availability of qualified candidates, and the urgency of filling the vacancy. In particular, Council notes that an organisation, CO or CCO without a quorum of directors is unable to make binding decisions.

~~— The recommendation from the current board through the chair;~~

4.7. Appointment by Advertisement Trustee Implementing Recruitment and Selection Process

7.1 Appointment by a Advertisement

When ~~if~~ a vacancy is ~~to be~~ advertised, Council will ensure the process aligns with the skills required and available budget. Advertising may include:

- Local media;
- Council and third-party websites;
- Social media;
- Professional networks (e.g. Institute of Directors, Feilding and District Promotion, Manawātū Chamber of Commerce, Appoint Better Boards, LinkedIn, Seek, Trade Me Jobs) ~~Applications will be reviewed by an Appointment Panel or Electoral College.~~

7.1.1 Applications will be reviewed by an Appointment Panel or an Electoral College.

Appointment panel

7.1.2 The Appointment Panel will be chaired by the Mayor (or a Councillor nominated by the Mayor) and include two to four representatives, which may include councillors, trustees, council officers, and other relevant stakeholders. ~~Where practicable, the current Chair or a Board member,~~ may be invited to form part of the Appointment Panel.

7.1.3 The panel is confirmed by the Mayor and the relevant Council officer responsible for the CO or CCO. After shortlisting, the panel will conduct interviews, carry out reference checks, and make a recommendation to Council. The final decision on appointments rests with Council and must be made by formal ~~resolution~~decision. This process applies to the Awahuri Forest Kitchener Park Trust, Feilding Civic Centre Trust, and Manawātū Community Trust.

~~7.2 Established~~ Electoral College

- ~~7.1.4 The shortlisted candidates will be interviewed by the relevant committee, and the committee will make a recommendation to Council.~~

~~5. Appointment without Advertisement~~

~~Where the Council decides not to advertise a particular vacancy it will refer the matter to the Council committee that is responsible for monitoring the CO or CCO.~~

~~The Council committee will consider the appointment at its next scheduled meeting. The committee will identify a shortlist of candidates whom it considers meet the above criteria and will forward those to council together with a report explaining why these candidates meet the criteria. The committee will make a recommendation.~~

~~Where an Electoral College is used to recruit trustees or directors, the College must follow this policy or, where relevant, the Appointment of Central Economic Development Agency Directors Policy.~~

~~Working with the Electoral College, Council officers will~~ is responsible for advertise vacancies.

7.1.5 The Electoral College is responsible for shortlisting candidates, conducting interviews, completing reference checks, and making a recommendation to Council through the officer responsible for the CO or CCO.

7.1.6 The final decision on appointments rests with Council and must be made by formal resolution.

~~7.2.1 For~~

~~Council Organisations~~

~~The Electoral College will consider applications and make a recommendation to the council. The Council will make a decision on the appointment of at least one of the trustees prior to the appointment being formalised.~~ ~~7.2.2 For Council Controlled Organisations~~

~~The Council will make a decision on the appointment of at least 50% of the directors prior to the appointment being formalised. For appointments to the CEDA Board of Directors, please The Electoral College will consider applications and make a recommendation to the council.~~
~~r.~~

Electoral College Appointments

7.3 Pre-Interview Requirement

~~Before being interviewed, all candidates must:~~

- ~~• Consent to a police check;~~
- ~~• Provide two referees; and~~
- ~~• Declare any relevant interests.~~

~~Where a potential conflict of interest is identified, Council must be satisfied that it can be appropriately managed before proceeding with the appointment. Prior to being interviewed for a position on a Board, candidates will be required to agree to a police check, provide two references and declare any relevant interests, so that the potential for a conflict of interest can be assessed. In considering any appointment or re-appointment, where a potential conflict of interest has been identified, the Council needs to be confident that any such conflict can be managed.~~

- ~~• RNZAF Ohakea Visitor Centre Trust Electoral College (Ms Lorraine Vincent, Mrs Clare Hadley representing Manawatu District, Rangitikei District and Palmerston North City Councils)~~

6.8. Pre-Appointment Checks

~~8.1 Before interviews, c~~Candidates must consent to a police check, provide two referees, and declare any relevant interests. Where a potential conflict of interest is identified, the Electoral College or Appointment Panel Council must be satisfied that it can be managed appropriately. ~~The Council will make a decision at a meeting with the public excluded for the reason of protecting the privacy of natural persons.~~

~~7.~~ **8.2 Final Appointment**

~~9.1~~ Appointments are confirmed by Council resolution in a public-excluded meeting, with a public announcement made as soon as practicable after the Council meeting if the Council approves the appointment.

~~Any elected member being considered for appointment must recuse themselves from discussion and voting on that appointment.~~

~~9.2 Public announcement of the appointment will be made as soon as practicable after the council has made its decision on that appointment.~~

8.9. Conflicts of InterestRemoval of Trustees

9.1 Council appointed Trustees hold office at the pleasure of the Council and may be removed at any time by Council resolution.

9.2 Grounds for removal include:

- ~~Is regularly absent~~ ce from Board meetings without justification.
- ~~Lack of confidence of~~ either the Board or the Council.
- ~~Breach of ethical standards. The council requires directors to follow the current provisions of the New Zealand Institute of Directors Code of Ethics (<http://www.iod.org.nz/>).~~
- ~~Acting against the best interests of the organisation.~~
- ~~Breaching the confidence of the Board (e.g. speaking publicly on board matters without authorisation).~~
- ~~Failing to uphold collective responsibility.~~
- ~~Disqualification under section 151(2) of the Companies Act 1993.~~

9.3 Concerns should be addressed by the board in the first instance. The board may then recommend removal to Council. No compensation will be paid to removed members.

9.4

10. Appointment of Chair

10.1 Where required, ~~by the founding document,~~ Council will appoint the Chair from among the existing board members.

~~10.2 Council may request a recommendation from the board, considering the board's recommendation.~~

10.3 Appointments are made by Council resolution, typically for a term of up to three years. ~~This applies to the Awahuri Forest Kitchener Park Trust and Feilding Civic Centre Trust.~~

~~10.2 The Chair of the Manfeild Park Trust is appointed by the Electoral College from existing board members. Chairs are expected to identify and mentor potential successors to supportensure effectivenessmooth leadership transitions.~~

10.5 Where the Chair is unable to fulfil their responsibilities effectively, Council retains the authority to review and, if necessary, address the Chair's position in accordance with the organisation's founding document, constitution, or charter.

10.4 Chairs of CO's and CCO's with significant assets are expected to identify and mentor potential successors to support effective leadership transitions.

~~The Manawatu District Council expects that directors of COs or CCOs will avoid situations where their actions could give rise to a conflict of interest. To minimise these situations the council requires directors to follow the current provisions of the New Zealand Institute of Directors Code of Ethics (<http://www.iod.org.nz/>)~~

~~All directors are appointed at the pleasure of the Council and may be dismissed for breaches of this code.~~

9.11. Remuneration

11.1 [Council will](#) determine whether directors or trustees are to be remunerated. As remuneration is a matter of public interest, it will be guided by the following factors:

- The need to attract and retain appropriately qualified individuals;
- The skills, expertise, and specialisation required;
- Remuneration levels and trends in comparable organisations (Council will obtain independent advice at least every three years for roles remunerated over \$3,000 p.a. to ensure remuneration is proportionate and financially responsible);
- The size and scale of the organisation (e.g. turnover, assets, staffing);
- The complexity of operations and decisions required;
- The level of accountability and reputational risk; and
- [Council's](#) affordability and whether the organisation operates on a charitable basis.



[11.2](#)

~~In cases where the Council cannot exercise direct control, such as in an organisation where it is one shareholder among many, it will conduct its own monitoring of salaries against the above factors and will publicly disclose the name of any CO or CCO which it considers is not complying with the above factors.~~

~~Remuneration is reviewed annually for the Manfeild Park Trust and every three years for CEDA, Manawatū Community Trust, and Feilding Civic Centre Trust.~~



Related Documents:

- [Appointment of CEDA Directors Policy](#)
- [The COs and CCOs founding documents](#)

Schedule 1 – MDC COs and CCOs under this policy

COUNCIL ORGANISATIONS (CO)

- **Manfeild Park Trust** – Manawatū District Council (MDC) is one of three settlors, alongside the Feilding Industrial Agricultural & Pastoral Association and the Manawatū Car Club (Incorporated). Two representatives from each settlor form the Electoral College. ~~E, for MDC the representatives are the Mayor and Chief Executive. The Electoral College~~ which appoints between two and five directors to the Trust Board. MDC must appoint at least one director. The settlors are committed to the protection and enhancement of Manfeild Park.

COUNCIL-CONTROLLED ORGANISATIONS (CCO's)

- **Awahuri Forest Kitchener Park Trust** – MDC established the Trust in July 2014. The Trust is responsible for ~~the ecological restoration, management and enhancement of the forest/park. The Trust Deed provides for the appointment of all trustees (minimum four, maximum six) and the Chair by Council.~~
- **Camp Rangi Woods Trust** – The Trust was ~~e~~Established in 1993 to manage Camp Rangi Woods. In 2014, the Trust Deed was varied to reduce the number of trustees from three to two, enabling MDC to appoint 50% of the board—thereby classifying it as a CCO. A Council resolution ~~has since been~~was passed ~~in 2021~~ to ~~negotiate the~~ exit ~~of MDC from~~ the Trust, and this is ~~currently~~ being progressed. The Trust is exempt from CCO status under section 7(5) of the Local Government Act.
- **Feilding Civic Centre Trust** - Established by MDC in July 2004, this Trust manages the Civic Centre and promotes participation in arts, culture, recreation, and sport. ~~The Trust Deed provides for all trustees (minimum six, maximum nine) and the Chair to be appointed by Council.~~
- **Heartland Contractors Ltd** – A company wholly owned by MDC, established in 1995 as a local authority trading enterprise under the Local Government Act 1974. Although the business ceased trading in March 2002, MDC still appoints all directors. ~~A trading CCO is known as a CCTO (Council Controlled Trading Organisation).~~ The company is currently exempt from CCO status under section 7(5) of the Local Government Act.
- **Local Government Funding Agency (LGFA)** – MDC is a shareholder in the LGFA, which provides efficient financing to local government. The governance structure comprises the New Zealand Government (20%) and 30 councils (80%), including MDC. The agency is governed by a Shareholders' Council and a Board of Directors.
- **Manawatū Community Trust** - Established in 2008 to ~~manage housing for elderly and disabled residents and to promote wellbeing services.~~~~promote and provide housing for the elderly and disabled residents of the Manawatū district and to promote wellbeing services that are relevant and meet long term community needs. The Trust Deed provides for the appointment of all five trustees by Council. The Chair is elected from among the trustees.~~
- **Manawatū District Youth Development and Wellbeing Trust** – Established in 2019 by the MDC Mayor in partnership with New Zealand Police in Feilding. The Trust ~~operates as a~~

~~Charitable Trust and a CCO, supporting youth wellbeing. It~~ is currently exempt from CCO status under section 7(5) of the Local Government Act.

- **Manawatū-Whanganui Local Authority Shared Services Ltd (MWLASS)** – Established in 2008 as a platform for collaborative projects among eight councils in the Horizons Region. It is exempt from CCO status under section 7(5) of the Local Government Act.
- **Manawatū-Wanganui Regional Disaster Relief Fund** – Formed in 2004 by all councils in the Horizons Region to provide emergency welfare funding following significant disasters. All trustees are appointed by the councils. The Fund is exempt from CCO status under section 7(5) of the Local Government Act.
- **RNZAF Ohakea Visitor Centre Trust** – Established in 2007 to explore the feasibility of a combined heritage visitor centre at Ohakea and promote aviation history. The initiative did not proceed, and the Trust is currently in the process of being wound up. It is exempt from CCO status under section 7(5) of the Local Government Act.

Schedule 2 – MDC COs and CCOs Trustee recruitment & Remuneration review frequency

	<u>Min & Max # trustees</u>	<u>Determination whether to advertise</u>	<u>Trustee Appoint by</u>	<u>Chair Appoint By</u>	<u>Trustee Rem Review</u>	<u>Status</u>
<u>Manfeild Park Trust</u>	<u>2 - 5</u>	<u>Electoral College</u>	<u>Electoral College (joint appt process)</u>	<u>Electoral College</u>	<u>Annual</u>	<u>CO</u>
<u>Awahuri Forest Kitchener Park Trust (AFKPT)</u>	<u>4 - 6</u>	<u>Council</u>	<u>Appointment Panel</u>	<u>Council</u>	<u>3-yearly</u>	<u>CCO</u>
<u>Camp Rangi Woods Trust</u>	<u>2</u>	<u>Trust by Management Reps</u>	<u>MDC as a trustee appoints 2 x management representatives</u>	<u>Trust</u>	<u>N/A</u>	<u>Exempt CCO</u>
<u>Feilding Civic Centre Trust</u>	<u>6 - 9</u>	<u>Council</u>	<u>Appointment Panel</u>	<u>Council</u>	<u>3-yearly</u>	<u>CCO</u>
<u>Heartland Contractors Ltd</u>	<u>3 - 5</u>	<u>Board</u>	<u>Refer constitution clause 9.3</u>	<u>Board</u>	<u>Refer constitution clauses 9.6 – 9.8</u>	<u>Exempt CCTO</u>
<u>Local Government Funding Authority (LGFA)</u>	<u>Nil MDC administrative involvement</u>					<u>CCO</u>
<u>Manawatū Community Trust</u>	<u>5</u>	<u>Council</u>	<u>Appointment Panel</u>	<u>Trust</u>	<u>3-yearly</u>	<u>CCO</u>
<u>Manawatū District Youth Development and Wellbeing Trust</u>	<u>2 - 4</u>	<u>Board</u>	<u>Board</u>	<u>Board</u>	<u>N/A</u>	<u>Exempt CCO</u>
<u>Manawatū-Whanganui Local Authority Shared Services Ltd (MWLASS)</u>	<u>8</u>	<u>Board</u>	<u>1 per local authority</u>	<u>Board</u>	<u>N/A</u>	<u>Exempt CCO</u>
<u>Manawatū-Whanganui Regional Disaster Relief fund</u>	<u>5 - 8</u>	<u>Board</u>	<u>1 per local authority</u>	<u>Board</u>	<u>N/A</u>	<u>Exempt CCO</u>
<u>RNZAF Ohakea Visitor Centre Trust</u>	<u>5</u>	<u>Board</u>	<u>Electoral College</u>	<u>Board</u>	<u>N/A</u>	<u>Exempt CCO</u>

DRAFT - Appointment of Directors to Council Organisations and Council-Controlled Organisations



Adopted/Confirmed:	
Review Frequency:	2 Yearly (TBC)
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Policy Version	P272

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1 Introduction

- 1.1 Under Part 1 of the Local Government Act 2002 (LGA), local authorities have governance responsibilities for two types of organisations:
 - (a) Council Organisations (COs) – where one or more local authorities control one or more voting rights, or have the right to appoint one or more directors.
 - (b) Council-Controlled organisations (CCOs) – where one or more local authorities control 50% or more of the voting rights, or have the right to appoint 50% or more of the directors.
- 1.2 For the purpose of this policy, the terms “director” or “trustee” refer collectively to any individual appointed to the governing body of a CO or CCO, including those referred to as board members, or office holders, regardless of their specific title.
- 1.3 This policy sets out Manawātū District Council’s approach to the appointment, removal, and remuneration of directors and trustees to its COs and CCOs. It is designed to ensure appointments are made in accordance with legislative requirements, good governance practice, and the Council’s strategic objectives. A full list of the organisations covered by this policy and its application is provided in Schedule 1 and 2.

2 Policy Content

- 2.1 Section 57 of the LGA requires local authorities to adopt a policy that sets out an objective and transparent process for:
 - Identifying and considering the skills, knowledge, and experience required of directors or trustees of a CO or CCO; and
 - Appointment and remuneration of those directors and trustees.
- 2.2 Under section 57(2) of the LGA, a person may be appointed to a CO or CCO board only if the Council considers that they have the skills, knowledge, and experience necessary to guide the organisation, given its nature and scope, and to contribute to the achievement of its objectives.
- 2.3 Section 57(3) further requires the Council, when identifying the skills, knowledge, and experience required for a CCO appointment, to consider whether knowledge of tikanga Māori is relevant to the governance of that organisation.
- 2.4 The specific skills and attributes sought by the Council are set out in section 4 of this policy.
- 2.5 This policy also reflects Council's broader commitment to principles of good governance, drawing on the Institute of Directors' Four Pillars of Governance Best Practice for New Zealand Directors.
- 2.6 The Boards' own governance policies should also reflect and align with these principles.

3 Scope

- 3.1 This policy applies to the COs and CCOs as detailed in Schedules 1 and 2.
- 3.2 This policy does not apply to the Central Economic Development Agency (CEDA) which is jointly owned with Palmerston North City Council. Appointments of directors to CEDA are set out in a jointly-owned policy: 'Appointment of Directors Policy of Central Economic Development Agency Ltd'.

4 Skills

- 4.1 Manawātū District Council values and supports the benefits that diversity of thought, experience and skills bring to our CO and CCO Boards. We recognise that increasing diversity and fostering inclusive Board culture is an essential element in supporting high performing Boards, driving long-term success and delivering better outcomes for the communities of the Manawātū district.
- 4.2 Council considers that any person it appoints to be a director of a CO or CCO should have the following attributes:
 - (a) A sound understanding of governance principles and responsibilities
 - (b) Validated business experience or other experience that is relevant to the activities of the organisation
 - (c) Sound judgment including risk assessment and contingency management

- (d) A high standard of personal integrity
- (e) An understanding and commitment to Council's obligation to Te Tiriti o Waitangi
- (f) The ability to work as a member of a governance team
- (g) Commitment to the wider public interest.

4.3 When considering appointments, Council will assess the existing skills matrix of the board to identify any gaps or areas requiring strengthening, ensuring that appointments complement current capabilities and align with Council and the organisation's future needs. A skills matrix typically includes:

- Governance experience,
- Strategy acuity,
- Financial management,
- Legal expertise,
- Competence in Te Tiriti o Waitangi obligations and application,
- Risk management,
- Health, safety and compliance,
- Digital capability,
- Communication and marketing,
- Specialist knowledge.

5 Eligibility for Appointment

5.1 The Council has a responsibility to monitor the performance of its COs and CCOs. Accordingly:

Elected Members of the Council should not be appointed to the boards of COs or CCOs unless there is need to meet a statutory requirement. Any such appointment must be supported by a Council resolution detailing the rationale.

Council Officers are not eligible for appointment unless the nature of the appointment specifically requires it. Any such appointment must be supported by a Council resolution detailing the rationale, for example, the Local Government Funding Agency requires board members to be officers of a local authority.

Board Independence is expected. Appointed board members must not be employees of the organisation. If a board member is temporarily engaged to fill a staff vacancy, they must stand down from the board while doing so. Permanent employment by the organisation requires the employee to resign their position before starting their permanent role.

6 Determining Appointment Process

6.1 General Process

- (a) When a vacancy arises, Council will advertise the vacancy unless it decides to reappoint an existing board member and that must be approved at the Council meeting as described below.

- (b) Council will determine how to fill the vacancy at a meeting held in public-excluded session (to protect the privacy of natural persons). At that meeting, Council will decide whether to:
- Reappoint an existing board member;
 - Advertise the vacancy;
 - Leave the vacancy unfilled (where appropriate)

6.2 Re-appointments

In the case of a reappointment, Council will consider the individual's availability, the recommendation of the board chair, their contribution to the organisation's purpose, alignment with required skills, and any term limits set in the founding document.

Note: it is the expectation that the board chair would have first discussed the reappointment of an existing board member with the board, and referred to the skills matrix, before making a recommendation to Council.

6.3 New appointments

For new appointments, Council will take into account the recommendation from the recruitment committee or panel, the cost of advertising and recruitment, the availability of qualified candidates, and the urgency of filling the vacancy. In particular, Council notes that an organisation, CO or CCO without a quorum of directors is unable to make binding decisions.

7 Implementing Recruitment and Selection

Appointment by advertisement

- 7.1 When a vacancy is advertised, Council will ensure the process aligns with the skills required and available budget. Advertising may include:
- (a) Local media;
 - (b) Council and third-party websites;
 - (c) Social media;
 - (d) Professional networks (e.g. Institute of Directors, Feilding and District Promotion, Manawātū Chamber of Commerce, Appoint Better Boards, LinkedIn, Seek, Trade Me Jobs)
- 7.2 Applications will be reviewed by an Appointment Panel or an Electoral College.

Appointment panel

- 7.3 The Appointment Panel will be chaired by the Mayor (or a Councillor nominated by the Mayor) and include two to four representatives, which may include councillors, trustees, council officers, and other relevant stakeholders. The current Chair or a Board member, may be invited to form part of the Appointment Panel.
- 7.4 The panel is confirmed by the Mayor and the relevant Council officer responsible for the CO or CCO. After shortlisting, the panel will conduct interviews, carry out reference checks, and make a recommendation to

Council. The final decision on appointments rests with Council and must be made by formal resolution.

Electoral College

- 7.5 Working with the Electoral College, Council officers will advertise vacancies.
- 7.6 The Electoral College is responsible for shortlisting candidates, conducting interviews, completing reference checks, and making a recommendation to Council through the officer responsible for the CO or CCO.
- 7.7 The final decision on appointments rests with Council and must be made by formal resolution.

8 Pre-Appointment Checks

- 8.1 Candidates must consent to a police check, provide two referees, and declare any relevant interests. Where a potential conflict of interest is identified, the Electoral College or Appointment Panel must be satisfied that it can be managed appropriately.
- 8.2 Appointments are confirmed by Council resolution in a public-excluded meeting, with a public announcement made as soon as practicable after the Council meeting if the Council approves the appointment.

9 Removal of Trustees

- 9.1 Council appointed Trustees hold office at the pleasure of the Council and may be removed at any time by Council resolution.
- 9.2 Grounds for removal include:
 - (a) List bullet Regular absence from Board meetings without justification.
 - (b) Lack of confidence of either the Board or the Council.
 - (c) Breach of ethical standards. The council requires directors to follow the current provisions of the New Zealand Institute of Directors Code of Ethics (<http://www.iod.org.nz/>).
 - (d) Acting against the best interests of the organisation.
 - (e) Breaching the confidence of the Board (e.g. speaking publicly on board matters without authorisation).
 - (f) Failing to uphold collective responsibility.
 - (g) Disqualification under section 151(2) of the Companies Act 1993.
- 9.3 Concerns should be addressed by the board in the first instance. The board may then recommend removal to Council. No compensation will be paid to removed members.

10 Appointment of Chair

- 10.1 Where required, Council will appoint the Chair from among the existing board members.
- 10.2 Council may request a recommendation from the board.

- 10.3 Appointments are made by Council resolution, typically for a term of up to three years.
- 10.4 Where the Chair is unable to fulfil their responsibilities effectively, Council retains the authority to review and, if necessary, address the Chair's position in accordance with the organisation's founding document, constitution, or charter.
- 10.5 Chairs of COs and CCOs with significant assets are expected to identify and mentor potential successors to support effective leadership transitions.

11 Remuneration

- 11.1 Council will determine whether directors or trustees are to be remunerated. As remuneration is a matter of public interest, it will be guided by the following factors:
- (a) The need to attract and retain appropriately qualified individuals;
 - (b) The skills, expertise, and specialisation required;
 - (c) Remuneration levels and trends in comparable organisations (Council will obtain independent advice at least every three years for roles remunerated over \$3,000 p.a. to ensure remuneration is proportionate and financially responsible);
 - (d) The size and scale of the organisation (e.g. turnover, assets, staffing);
 - (e) The complexity of operations and decisions required;
 - (f) The level of accountability and reputational risk; and
 - (g) Council's affordability and whether the organisation operates on a charitable basis.

Related documents

- Appointment of CEDA Directors Policy
- The COs and CCOs founding documents

Schedule A – MDC COs and CCOs under this policy

COUNCIL ORGANISATIONS (CO)

- **Manfeild Park Trust** – Manawātū District Council (MDC) is one of three settlors, alongside the Feilding Industrial Agricultural & Pastoral Association and the Manawātū Car Club (Incorporated). Two representatives from each settlor form the Electoral College. For MDC the representatives are the Mayor and Chief Executive. The Electoral College appoints between two and five directors to the Trust Board. MDC must appoint at least one director. The settlors are committed to the protection and enhancement of Manfeild Park.

COUNCIL-CONTROLLED ORGANISATIONS (CCOs)

- **Awahuri Forest Kitchener Park Trust** – MDC established the Trust in July 2014. The Trust is responsible for the ecological restoration, management and enhancement of the forest/park.
- **Camp Rangi Woods Trust** – The Trust was established in 1993 to manage Camp Rangi Woods. In 2014, the Trust Deed was varied to reduce the number of trustees from three to two, enabling MDC to appoint 50% of the board—thereby classifying it as a CCO. A Council resolution was passed in 2021 to negotiate the exit of MDC from the Trust, and this is being progressed. The Trust is exempt from CCO status under section 7(5) of the Local Government Act.
- **Feilding Civic Centre Trust** - Established by MDC in July 2004, this Trust manages the Civic Centre and promotes participation in arts, culture, recreation, and sport.
- **Heartland Contractors Ltd** – A company wholly owned by MDC, established in 1995 as a local authority trading enterprise under the Local Government Act 1974. Although the business ceased trading in March 2002, MDC still appoints all directors. A trading CCO is known as a CCTO (Council Controlled Trading Organisation). The company is currently exempt from CCO status under section 7(5) of the Local Government Act.
- **Local Government Funding Agency (LGFA)** – MDC is a shareholder in the LGFA, which provides efficient financing to local government. The governance structure comprises the New Zealand Government (20%) and 30 councils (80%), including MDC. The agency is governed by a Shareholders' Council and a Board of Directors.
- **Manawātū Community Trust** - Established in 2008 to promote and provide housing for the elderly and disabled residents of the Manawātū district and to promote wellbeing services that are relevant and meet long term community needs.
- **Manawātū District Youth Development and Wellbeing Trust** – Established in 2019 by the MDC Mayor in partnership with New Zealand Police in Feilding. The Trust is currently exempt from CCO status under section 7(5) of the Local Government Act.
- **Manawātū-Whanganui Local Authority Shared Services Ltd (MWLASS)** – Established in 2008 as a platform for collaborative projects among eight councils in the Horizons Region. It is exempt from CCO status under section 7(5) of the Local Government Act.
- **Manawātū-Wanganui Regional Disaster Relief Fund** – Formed in 2004 by all councils in the Horizons Region to provide emergency welfare funding following significant disasters. All trustees are appointed by the councils. The Fund is exempt from CCO status under section 7(5) of the Local Government Act.

- **RNZAF Ohakea Visitor Centre Trust** – Established in 2007 to explore the feasibility of a combined heritage visitor centre at Ohakea and promote aviation history. The initiative did not proceed, and the Trust is currently in the process of being wound up. It is exempt from CCO status under section 7(5) of the Local Government Act.

Schedule B – MDC Co's and CCO's Trustee recruitment and Remuneration review frequency

	Min & Max # trustees	Determinati on whether to advertise	Trustee Appoint by	Chair Appoint By	Trustee Rem Review	Status
Manfeild Park Trust	2 - 5	Electoral College	Electoral College (joint appt process)	Electoral College	Annual	CO
Awahuri Forest Kitchener Park Trust (AFKPT)	4 - 6	Council	Appointment Panel	Council	3-yearly	CCO
Camp Rangi Woods Trust	2	Trust by Management Reps	MDC as a trustee appoints 2 x management representatives	Trust	N/A	Exempt CCO
Feilding Civic Centre Trust	6 - 9	Council	Appointment Panel	Council	3-yearly	CCO
Heartland Contractors Ltd	3 - 5	Board	Refer constitution clause 9.3	Board	Refer constitution clauses 9.6 – 9.8	Exempt CCTO
Local Government Funding Authority (LGFA)	Nil MDC administrative involvement					CCO

Manawatū Community Trust	5	Council	Appointment Panel	Trust	3-yearly	CCO
Manawatū District Youth Development and Wellbeing Trust	2 - 4	Board	Board	Board	N/A	Exempt CCO
Manawatū-Whanganui Local Authority Shared Services Ltd (MWLASS)	8	Board	1 per local authority	Board	N/A	Exempt CCO
Manawatū-Whanganui Regional Disaster Relief fund	5 - 8	Board	1 per local authority	Board	N/A	Exempt CCO
RNZAF Ohakea Visitor Centre Trust	5	Board	Electoral College	Board	N/A	Exempt CCO

Council

Meeting of 02 October 2025

Business Unit: Community
Date Created: 22 July 2025

Feilding Civic Centre Trust Annual Report 2024 - 2025

Purpose Te Aronga o te Pūrongo

To present for consideration the Feilding Civic Centre Trust's 2024 – 2025 Annual Reports including the Chairs Report, Managers Report and audited Annual Performance Report, in accordance with Section 66 of the Local Government Act (2002).

Recommendations Ngā Tūtohunga

That the Council receives the Feilding Civic Centre Trust's 2024 – 2025 Annual Performance Report, Chairs Report and Managers Report.

Report prepared by:
Maree Pritchard
Community Operations Adviser

Approved for submission by:
Lyn Daly
General Manager - Community

1 Background Ngā Kōrero o Muri

- 1.1 The Feilding Civic Centre Trust (FCCT) is a Council Controlled Organisation (CCO). A CCO is any organisation in which one or more local authorities own or control 50% or more of the voting rights or have the right to appoint 50% or more of the directors of the organisation.
- 1.2 The CCO exempt status for FCCT was revoked on 1st February 2024. The introduction of a Statement of Expectation (SOE) and responding Statement of Intent (SOI) was delayed due to the need to firstly review and update the Trust Deed and Deed of Lease, which has since been completed. A [SOE](#) and [SOI](#) for the 2025 - 2026 year is in place and the next reporting due (six-monthly reporting to 31 December 2025) will be in response to the SOI 2025 - 2026.
- 1.3 Councillor Grant Hadfield is the appointed Liaison Councillor for the Feilding Civic Centre Trust until the end of this triennium.

2 Strategic Fit Te Tautika ki te Rautaki

- 2.1 The Feilding Civic Centre Trust promotes and encourages participation in arts, culture, recreation and sport in the Manawatū, managing the Civic Centre. This contributes to a place to belong and grow.

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

- 3.1 Manawatū District Council established the Trust for the following purposes:
- For the promotion of any purpose within the Manawatū region for the advancement of education particularly in the arts, culture, recreation and sport and the fostering of a sense of community;
 - Engendering a feeling of regional pride through strategies reflecting the positive image within the Manawatū Region;
 - Creating an awareness of the arts, culture, recreation and sport of the Manawatū Region;
 - Encouraging participation of the community of all ages and persuasions including youth and amateur in the arts, culture, recreation and sport;
 - To manage, promote, market, enhance and maintain the Civic Centre for the use and enjoyment of the Manawatū Community and the wider New Zealand community;
 - And to accept gifts and seek grants of whatever description. Provided that any private benefit conferred on any individual is incidental to the above purposes.

The 2024 – 2025 Annual Reports including are attached as Appendix 1 and some of the highlights include:

- Foot traffic numbers continue to increase year-on-year with the Stadium remaining the most popular area, accounting for 61.6% (307) of bookings. This result is pleasing given the restriction on hanging equipment from the Stadium trusses due to load capability constraints.

- The Concert Chamber was closed to bookings to enable urgent safety-related remedial work to be carried out in the Concert Chamber between January and April of this year.
- A fire audit was completed and passed following the replacement of a gate with a panic door push-to-exit handle in the back hallway.
- Five out of six external funding grants were successful
 - COGS - \$5,000 – contribution towards salaries (12-month period 2024/2025)
 - Central Energy Trust \$200,000 – purchase of sound equipment (partly spent in 2024/2025)
 - Central Energy Trust \$65,345 – purchase of lighting equipment (to be spent 2025/2026)
 - NZCT \$1,750 – contribution towards the Concert Chamber floor resurface
 - MDC Event Fund - \$3200 – contribution towards “An Evening with Jazz” a gold coin entry Trust youth focus event.
- The Trust upgraded its website
- Focus on developing relationships with stakeholders, in particular with other community venues.

The following areas for continued monitoring have been identified in the report:

- The facilities required remedial and seismic
- The risk that 98.4% of bookings are at the discounted community rate.

- 3.2 The Chair shares his thoughts in his report on the past and future challenges for the Trust. A member of the Trust will speak to the annual report.

4 Risk Assessment *Te Arotake Tūraru*

- 4.1 There is no risk associated with this report. The audited Annual Performance Report was received by 30th September as per LGA requirements.

5 Engagement *Te Whakapānga*

Significance of Decision

- 5.1 The Council’s Significance and Engagement Policy is not triggered by matters discussed in this report. No stakeholder engagement is required.

Māori and Cultural Engagement

- 5.2 There are no known cultural considerations associated with the matters addressed in this report. No specific engagement with Māori or other ethnicity groups is necessary.

Community Engagement

- 5.3 There is no community engagement associated with this report.

6 Operational Implications *Ngā Pānga Whakahaere*

- 6.1 There are no operational implications with this report.

7 Financial Implications Ngā Pānga Ahumoni

7.1 Feilding Civic Centre Trust receives an operational grant from MDC. There is also an annual maintenance and repairs budget held by MDC for minor works, and additionally an honorarium of \$1000 per trustee (pro-rata) is paid per annum.

7.2 The following table details the funding for the financial year this report applies to (2024 – 2025), along with the current financial year 2025 – 2026.

Year	Funding	Amount exc. Gst	Total
2024 – 2025	Operational grant paid	\$116,680	\$123,184
	Honorarium paid (gst n/a)	\$6,504	
2025 - 2026	Operational grant paid	\$196,630	\$205,630
	Honorarium budget (gst n/a)	\$9,000	

7.3 In addition the Trust has access to the Council's maintenance and repairs 2025/26 budget of \$52,891 and agrees a maintenance programme with Council officers are the beginning of each year.

7.4 The increase from the 2024 – 2025 to the 2025 -2026 operational grant paid relates to the approved annual plan request for an additional \$64,500 for staffing and transfer of \$13,500 for outgoings to be paid by the Trust. The same request will be made in the coming annual plan.

8 Statutory Requirements Ngā Here ā-Ture

8.1 The 2024 – 2025 Annual Reports do not respond to a Statement of Intent as the introduction of a Statement of Intent was paused for the 2024 – 2025 financial year. Future reporting will respond to the annual Statement of Intent.

9 Next Steps Te Kokenga

9.1 The Council can receive the Feilding Civic Centre Trust's 2024 – 2025 Annual Performance, Manager, and Chairs Reports. Future reporting will respond to the annual statement of intent and must be published on the Council website.

10 Attachments Ngā Āpitihanga

- Feilding Civic Centre Trust audited Annual Performance Report 2024 – 2025
- Feilding Civic Centre Trust Chairperson Report 2024 – 2025
- Feilding Civic Centre Manager Annual Report 2024 - 2025

Performance Report

Feilding Civic Centre Trust
For the year ended 30 June 2025

Contents

- 3 Entity Information
- 5 Statement of Service Performance
- 7 Statement of Financial Performance
- 8 Statement of Financial Position
- 9 Statement of Cash Flows
- 10 Statement of Accounting Policies
- 12 Notes to the Performance Report

Entity Information

Feilding Civic Centre Trust For the year ended 30 June 2025

Legal Name of Entity

Feilding Civic Centre Trust

Entity Identifier & Type of Entity

Charitable Trust registered on 5 August 2004.

Registration Number CC11199

Entity's Purpose or Mission

The Trust seeks to provide a sports and entertainment facility which engenders a feeling of civic pride and which is recognised as the venue of choice for community activities.

Entity Structure

Trustees	Term Expires
Tony Chapman (Chairperson)	1/10/2026
Lindsay Taylor	1/10/2026
Theo Baker	14/05/2028
Alan Williams	30/09/2025
Evan Tull	14/05/2028
Brodie Noon	14/06/2026
Mark Marsden	14/06/2026

Robyn Ballard and Kelly Hayes retired as Trustees. Theo Baker and Evan Tull were appointed by Manawatu District Council in May 2025.

Secretary / Treasurer	Terry Urquhart
Manager	Carla Bennett
Auditors	BDO Manawatu Ltd, Palmerston North
Bankers	ANZ Bank, Feilding
Solicitors	John W Key, Feilding
Accountants	Atkins & Associates, Feilding

Entity's Governance Arrangements

The trust is a not-for-profit charitable trust. Governance is by up to nine (9) Trustees appointed by the Manawatu District Council. The Trustees are all volunteers. In 2024, Manawatu District Council introduced an annual honorarium payment for all trustees.

The Trust is also a Council Controlled Entity under the Local Government Act 2022.

Main Sources of Entity's Cash and Resources

The Trust receives an annual operating grant from the Manawatu District Council.
The Trust receives revenue from charging hireage fees for the use of the Civic Centre Complex.
Interest is received on the bank term deposits.

Main Methods Used by Entity to Raise Funds

Periodically the Trust organises a special event with the dual purpose of promoting the Civic Centre and acting as a fundraiser.
Grants and donations are sought and received from philanthropic trusts, particularly for capital improvements.

Entity's Reliance on Volunteers and Donated Goods or Services

The Trustees are all volunteers. Grants and donations from other philanthropic trusts & organisations are an important source of funding.

Physical Address

84 Aorangi Street, Feilding, New Zealand, 4702

Postal Address

PO Box 442, Feilding, 4740

Statement of Service Performance

Feilding Civic Centre Trust

For the year ended 30 June 2025

Description of medium to long term objectives

- (a) The Trust seeks to provide a cost-effective sports and entertainment centre to community groups.
- (b) The Trust strives to practice continuous improvement in the management of the civic centre complex.
- (c) The Trustees are keen to carry on the tradition of the Civic Centre being the focal point for community events and to make improvements which will ensure the needs of the community continue to be met.
- (d) The Trust is constantly looking for new opportunities which will increase the usage of the Civic Centre

	2025	2024
Description of the Entity's Key Activities		
Estimated numbers using the Civic Centre per annum	37,904	45,616
Average number of hirings per month	42	44

Additional Information

OUR PROUD HISTORY OF IMPROVEMENT AND GROWTH

- (a) In the mid 1950s, the community organised a Queen Carnival to raise funds to help finance a new sports and entertainment centre to replace the old Drill Hall. The complex was officially opened in 1955.
- (b) Originally the Civic Centre was managed by MDC but in July 2004, a Charitable Trust was established with eight volunteer trustees appointed to run the complex for the benefit of the community.
- (c) In 2004, MDC provided the trust with an initial payment of \$177,000 being a \$200,000 grant less the cost of replacing part of the roof \$23,000.
- (d) In 2013, \$100,000 grant was received from MDC to meet the cost of further planned improvements.
- (e) In 2014, MDC met the substantial costs of earthquake strengthening to bring the Civic Centre up to 68% of the current standard. As part of this project, asbestos was removed from the steel rafters in the ceiling area.
- (f) Following a two year study, major improvements were completed in October 2020 to make part of the building watertight and also to upgrade the drainage pipes both under and around the building. The cost of over \$500,000, which included the upgrade of the second changing room, was met by MDC.
- (g) In this financial year, the trust received generous grants from the following benefactors which has had a positive impact on the trust's operations.
 1. Central Energy Trust, approved a sound grant for the stadium in November 2024. This grant was approved up to \$200,000. In May 2025 a lighting grant of \$65,345 was also approved.
 2. COGS made a grant of \$5,000 to be applied to operating costs.
 3. Creative Communities made a grant of \$3,200.
 4. New Zealand Community Trust grant of \$1,750 part cost of floor resurface.
 5. Manawatu District Council event fund \$3,300 for a community event.
 6. Manawatu District Council provided operational grants of \$116,680.

(h) In the 20 years the Trust has been operating, it has spent a total of \$1,439,598 in capital improvements including building improvements, fixtures and fittings and plant and equipment. The majority of the cost has been met from numerous grants and donations. A portion of the cost has come from the two MDC cash grants mentioned above plus the Trust has endeavoured to generate approximately \$20,000 per year from trading activities which has been applied to improvements. Also, as mentioned above, MDC has invested approximately \$1 million over this period, on earthquake strengthening, asbestos removal, drainage upgrade and making the building watertight.

Statement of Financial Performance

Feilding Civic Centre Trust

For the year ended 30 June 2025

	NOTES	2025	2024
Revenue			
General Funding received from Central or Local Government	1	126,150	113,281
Capital grants	1	209,421	49,350
Grants from Non-Government Organisations	1	9,950	35,564
Revenue from Service Delivery	1	93,286	100,727
Interest, dividends and other investment revenue	1	5,546	7,091
Other revenue	1	-	735
Total Revenue		444,354	306,749
Expenses			
Employee Remuneration and other Related Expenses	2	135,724	116,660
Expenses related to Service Delivery	2	157,323	119,431
Other expenses	2	80,008	67,924
Total Expenses		373,055	304,015
Surplus/(Deficit) for the Year		71,298	2,734



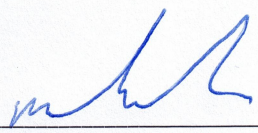
The financial information should be read with the accompanying statement of accounting policies, notes to the performance report and the audit report.

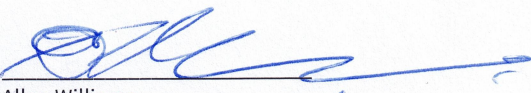
Statement of Financial Position

Feilding Civic Centre Trust
As at 30 June 2025

	NOTES	30 JUN 2025	30 JUN 2024
Assets			
Current Assets			
Bank and short-term deposits	3	40,858	120,090
Debtors	3	88,349	14,178
Investments	6	50,000	50,000
Total Current Assets		179,206	184,268
Non-Current Assets			
Property, Plant and Equipment	5	555,628	471,837
Total Non-Current Assets		555,628	471,837
Total Assets		734,834	656,105
Liabilities			
Current Liabilities			
Creditors and accrued expenses	4	36,655	25,376
Employee costs payable	4	7,324	7,973
Deferred revenue	4	-	3,200
Total Current Liabilities		43,979	36,549
Total Liabilities		43,979	36,549
Total Assets less Total Liabilities (Net Assets)		690,855	619,557
Accumulated Funds			
Trust Funds		10	10
Accumulated surpluses (or deficits)	7	690,845	619,547
Total Accumulated Funds		690,855	619,557

This Performance Report as been approved by the Trustees for and on behalf of the Feilding Civic Centre Trust.


Mark Marsden
Trustee
Date: 18-9-25


Allan Williams
Deputy Chairperson
Date: 19/9/25



The financial information should be read with the accompanying statement of accounting policies, notes to the performance report and the audit report.

Statement of Cash Flows

Feilding Civic Centre Trust

For the year ended 30 June 2025

	2025	2024
Cash Flows from Operating Activities		
Operating receipts (money deposited into the bank account)		
General Funding received from Central or Local Government	117,786	113,281
Capital grants	148,301	91,505
Grants from Non-Government Organisations	6,750	20,664
Revenue from Service Delivery	92,939	82,845
Interest or dividends received	5,546	7,303
GST received	-	15,132
Total Operating receipts (money deposited into the bank account)	371,322	330,730
Operating payments (money withdrawn from the bank account)		
Employee Remuneration and other Related Expenses	(135,051)	(104,048)
Other payments related to service delivery	(158,246)	(126,555)
GST paid	(6,680)	-
Total Operating payments (money withdrawn from the bank account)	(299,977)	(230,603)
Total Cash Flows from Operating Activities	71,345	100,127
Cash Flows from Other Activities		
Cash was applied to:		
Payments to acquire property, plant and equipment	(150,578)	(55,632)
Total Cash Flows from Other Activities	(150,578)	(55,632)
Net Increase/(Decrease) in Cash	(79,233)	44,495
Bank Accounts and Cash		
Opening cash	120,090	75,595
Net change in cash for period	(79,233)	44,495
Closing cash	40,858	120,090

The financial information should be read with the accompanying statement of accounting policies, notes to the performance report and the audit report.



Statement of Accounting Policies

Feilding Civic Centre Trust

For the year ended 30 June 2025

Reporting Entity

Feilding Civic Centre Trust is a Council Controlled Organisation (CCO) as defined by section 6 of the Local Government Act 2002. The Feilding Civic Centre Trust is a Charitable Trust registered under the Charitable Trust Act 1957 and is domiciled in New Zealand.

Basis of Preparation

The entity has applied the Tier 3 (PS) Standard on the basis that it does not have public accountability and has total annual expenses equal to or less than \$5,000,000. All transactions in the Performance Report are reported using the accrual basis of accounting. The Performance Report is prepared under the assumption that the entity will continue to operate in the foreseeable future.

Revenue

Funding received from Central or Local Government is recognised as Revenue once conditions pertaining to eligible expenditure has been fulfilled.

Capital grants and Grants from Non-Government Organisations. If particular conditions are attached to a grant that would require it to be repaid if these conditions are not met, then the grant is recorded as a liability until the conditions are satisfied.

Revenue from Service Delivery is recognised once the hireage is complete.

Interest Received is recognised as interest accrues.

Bank Accounts and Cash

Bank accounts and cash in the Statement of Cash Flows comprise cash balances and bank balances (including short term deposits) with original maturities of 90 days or less.

Changes in Accounting Policies

There have been no changes in accounting policies. Policies have been applied on a consistent basis with those of the previous reporting period.

Property Plant & Equipment

Property, Plant and Equipment is disclosed at cost less accumulated depreciation and impairment. Depreciation is charged over the assets useful life.

Depreciation

Depreciation is provided on a diminishing value basis on all property, plant & equipment at rates that will write off the cost (or valuation) of the assets to their estimated residual values over their useful lives. The useful lives of major classes of assets have been estimated as follows:

Leasehold Improvements	2.6%-25% DV
Plant and Equipment	4%-60% DV



Employee Costs Payable

Includes accrued salaries and wages up to the balance date and annual leave earned to, but not yet taken at the balance date.

Goods and Services Tax (GST)

The entity is registered for GST. All amounts are stated exclusive of goods and services tax (GST) except for accounts payable and accounts receivable which are stated inclusive of GST.

Income Tax

Feilding Civic Centre Trust is wholly exempt from New Zealand income tax as a charity registered with Charities Services per section CW41-43 of the Income Tax Act 2007.

Investments

Investments are recorded at cost.



Notes to the Performance Report

Feilding Civic Centre Trust

For the year ended 30 June 2025

	2025	2024
1. Analysis of Revenue		
General Funding received from Central or Local Government		
Manawatu District Council		
Operating Grant	116,680	113,281
MDC Event Funding	3,300	-
Honorarium Funding	6,170	-
Total General Funding received from Central or Local Government	126,150	113,281
Capital Grants		
Manawatu District Council – Leasehold Improvements Grant	63,799	13,844
Central Energy Trust	145,622	35,506
Total Capital Grants	209,421	49,350
Grants from Non-Government Organisations		
COGS	5,000	2,500
Creative Communities	3,200	3,914
Eastern & Central Community Trust	-	10,000
NZ Community Trust	1,750	4,050
T G McCarthy Trust	-	15,100
Total Grants from Non-Government Organisations	9,950	35,564
Revenue from Service Delivery		
Venue Hire	86,954	99,049
Event Income		
Star Search Manawatu Income	5,040	631
Events Income	1,292	1,047
Total Event Income	6,332	1,678
Total Revenue from Service Delivery	93,286	100,727
Interest, dividends and other investment revenue		
Interest Received	5,546	7,091
Total Interest, dividends and other investment revenue	5,546	7,091
Other revenue		
Depreciation recovered on sale of plant	-	735
Total Other revenue	-	735
Total Revenue	444,354	306,749



2025

2024

2. Analysis of Expenses

Employee Remuneration and other Related Expenses

Accident Compensation Levies	664	380
Maintenance and Marketing Salary Buffer	-	10,000
Marketing Salaries	-	8,100
Salaries	134,402	97,906
Training	657	275
Total Employee Remuneration and other Related Expenses	135,724	116,660

Expenses related to Service Delivery

Staging Maintenance	7,597	-
Website Upgrade	4,180	-
Accountancy Fees	4,900	-
Audit Fees	8,064	3,265
Cleaning	22,885	22,194
Computer Expenses	3,521	2,480
Electricity & Gas	9,034	6,975
Events	13,004	13,995
Fire Alarm Monitoring	869	1,023
General	3,186	3,564
Green Leaf Plant Hire	1,098	1,110
Health and Safety	1,188	1,421
Insurance	4,346	3,985
Lighting and Sound Support	2,641	548
Marketing	530	2,385
Outside Mural	-	6,978
Pat Snoxell Memorial	-	1,336
Printing and Stationery	1,718	2,013
Rates	6,557	5,920
Repairs & Maintenance	53,846	38,211
Telephone & Wifi	1,989	2,029
Trustee Honorarium Payment	6,170	-
Total Expenses related to Service Delivery	157,323	119,431

Other expenses

Depreciation	80,008	67,924
Total Other expenses	80,008	67,924

Total Expenses	373,055	304,015
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	2025	2024
3. Analysis of Assets		
Bank and short-term deposits		
ANZ Trading Account 00	8,702	12,046
ANZ Events Account 01	6,247	5,373
ANZ Trading Account 02	299	593
ANZ Events Saver Account 26	16,223	15,435
ANZ Online Call Account 30	9,386	86,644
Total Bank and short-term deposits	40,858	120,090
Debtors		
Debtors	88,349	14,178
Total Debtors	88,349	14,178
Total Current Assets	129,206	134,268
	2025	2024
4. Analysis of Liabilities		
Creditors and accrued expenses		
Sundry Creditors	3,200	3,400
Trade Creditors	36,885	18,705
GST	(3,430)	3,271
Total Creditors and accrued expenses	36,655	25,376
Employee costs payable		
Accrued Wages	2,779	2,282
Annual Leave	4,545	5,691
Total Employee costs payable	7,324	7,973
Deferred revenue		
Unexpended Grants	-	3,200
Total Deferred revenue	-	3,200
Total Current Liabilities	43,979	36,549



5. Property, Plant & Equipment

2025					
Asset Type	Opening Value	Purchases	Disposals	Depreciation	Closing Value
Plant and Equipment	281,233	162,056	0	63,890	379,399
Leasehold Improvements	190,604	1,743	0	16,118	176,229
Total	471,837	163,799	0	80,008	555,628
2024					
Asset Type	Opening Value	Purchases	Disposals	Depreciation	Closing Value
Plant and Equipment	274,195	56,572	0	49,534	281,233
Leasehold Improvements	202,934	6,060	0	18,390	190,604
Total	477,129	62,632	0	67,924	471,837

2025 2024

6. Investments

ANZ Term Deposit	50,000	50,000
Total Investments	50,000	50,000
	2025	2024

7. Accumulated Funds

Trust Funds	10	10
Accumulated surpluses or (deficits)		
Opening Balance	619,547	616,813
Current year earnings	71,298	2,734
Total Accumulated surpluses or (deficits)	690,845	619,547
Total Accumulated Funds	690,855	619,557

8. Commitments

The Trust leases the Civic Centre complex from the Manawatu District Council. The current lease expires on 7 July 2029. The annual peppercorn rental fee is \$10 per annum.

9. Contingent Liabilities and Guarantees

There are no contingent liabilities or guarantees as at 30 June 2025 (Last year - nil).

	2025	2024
10. Related Party Transactions		
Revenue		
MDC Operating Grant	116,680	113,281
MDC Leasehold Improvements Grant	63,799	13,844
MDC Trustee Honorarium Grant	6,170	-
MDC Event Grants	3,300	-
Total Revenue	189,949	127,125
Expenditure		
MDC Rates	6,557	5,920
Total Expenditure	6,557	5,920
Accounts Receivable		
MDC	32,872	-
Total Accounts Receivable	32,872	-

The Manawatu District Council (MDC) is the ultimate parent of the Feilding Civic Centre Trust.

11. Events After the Balance Date

There were no events that have occurred after the balance date that would have a material impact on the Performance Report (Last year - nil).

12. Budget Information

Under Clause 10, Part 4 of Schedule 8 of the Local Government Act 2002 a Council Controlled Entity is required to include in its Statement of Intent forecast financial information. The Council have not approved a Statement of Intent for the 2024/2025 financial year and as a result no budget has been disclosed.

13. Prior Year Comparitives

The Prior Year Comparitives have been restated due to the transition to the new reporting framework Tier 3 (PS) Standard.

14. Seismic Report

The Trust received a Detailed Seismic Assessment Report in May 2025 and are currently reviewing the impact of the report, and determining if any additional strengthening work is required.



INDEPENDENT AUDITOR'S REPORT

TO THE READERS OF FEILDING CIVIC CENTRE TRUST'S FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2025

The Auditor-General is the auditor of Feilding Civic Centre Trust (the Trust). The Auditor-General has appointed me, Vivien Cotton, using the staff and resources of BDO Manawatu Audit Limited, to carry out the audit of the financial statements of the Trust on his behalf.

We have audited the financial statements of the Trust on pages 7 to 16, that comprise the statement of financial position as at 30 June 2025, the statement of financial performance, statement of cash flows for the year ended on that date and, the notes to the financial statements that include accounting policies and other explanatory information; and

Opinion

In our opinion, the financial statements of the Trust:

- present fairly, in all material respects:
 - its financial position as at 30 June 2025; and
 - its financial performance and cash flows for the year then ended; and
- comply with generally accepted accounting practice in New Zealand in accordance with Tier 3 (PS) Standard; and

Our audit was completed on 21 September 2025. This is the date at which our opinion is expressed.

Basis for our opinion

We carried out our audit in accordance with the Auditor-General's Auditing Standards, which incorporate the Professional and Ethical Standards and the International Standards on Auditing (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board. Our responsibilities under those standards are further described in the Responsibilities of the auditor for the audit of the financial statements section of our report.

We have fulfilled our responsibilities in accordance with the Auditor-General's Auditing Standards.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of the Trustees for the financial statements

The Trustees are responsible on behalf of the Trust for preparing financial statements that are fairly presented and that comply with generally accepted accounting practice in New Zealand.

The Trustees are responsible for such internal control as it determines is necessary to enable it to prepare financial statements that are free from misstatement, whether due to fraud or error.

In preparing the financial statements, the Trustees are responsible on behalf of the Trust for assessing the Trust's ability to continue as a going concern. The Trustees are also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless the Trustees either intend to liquidate the Trust or to cease operations, or has no realistic alternative but to do so.

The Trustees' responsibilities arise from the Local Government Act 2002 and Charities Act 2005.

Responsibilities of the auditor for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements, as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit carried out in accordance with the Auditor-General's Auditing Standards will always detect a material misstatement when it exists. Misstatements are differences or omissions of amounts or disclosures, and can arise from fraud or error. Misstatements are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of readers, taken on the basis of these financial statements.

We did not evaluate the security and controls over the electronic publication of the financial statements.

As part of an audit in accordance with the Auditor-General's Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. Also:

- We identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- We obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Trust's internal control.
- We evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Trustees.
- We conclude on the appropriateness of the use of the going concern basis of accounting by the Trustees and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Trust's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Trust to cease to continue as a going concern.

- We evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Trustees regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Our responsibilities arise from the Public Audit Act 2001.

Other Information

The Trustees are responsible for the other information. The other information comprises all of the information included in the annual report other than the financial statements, and our auditor's report thereon.

Our opinion on the financial statements does not cover the statement of service performance and any other information and we do not express any form of audit opinion or assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information. In doing so, we consider whether the other information is materially inconsistent with the financial statements, or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on our work, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Independence

We are independent of the Trust in accordance with the Auditor-General's Auditing Standards, which incorporate the independence requirements of Professional and Ethical Standard 1: International Code of Ethics for Assurance Practitioners (including International Independence Standards) (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board.

Other than the audit, we have no relationship with, or interests in, the Trust.



Vivien Cotton
BDO Manawatu Audit Limited
On behalf of the Auditor-General
Palmerston North
New Zealand

16th September 2025

Manawatu District Council
135 Manchester Street
Feilding

Trust Chair Report

This is my second Annual Report to Council, and whilst the issues we face continue to suppress our ability to proactively move forward, I must say that the work done by both ourselves and the Council to create a new CCO to encompass our role was well worth the effort.

I have often said in the past that our two Organizations operate on different models, albeit probably both suited to their function. Whilst the Council seems focused on process, we are more attuned to outcomes. This clearly has led to issues prior to our being a CCO, but in this new role, we act independent of Council, and it appears in these early days to have paved the way for better relationships.

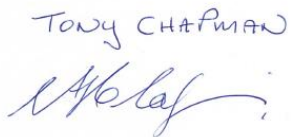
Be that as it may, the FCCT sees itself positioned once again in a sort of no man's land. At the beginning of the period, we sat poised to see if the Council intended to shut down our Facility to find that the opposite was true and that our future, and that of our facilities, had been made secure. Such positivity helped us to navigate the rather fraught process of becoming a CCO, all with bright horizons.

Whilst I believe the CCO transformation will be a success, it is with concern that we find ourselves once again, with a sword over our heads as report after report from earthquake reviews to Consultant's assessments casts shadows on our very existence.

We have essentially returned to 2024.

Such insecurity poses many issues, motivation being one, and our strongly different views from many reports from Consultants being two. These two factors alone undermine our plans and aspirations for the Facility and our Clients, the Community.

It is clear that 2025-2026 will need to be a period where both parties are listening to what the other is saying. We are up for that challenge.



Tony Chapman
Chairman
FCCT



MANAGERS ANNUAL REPORT

JULY 2024 - JUNE 2025

**The venue for our
community today and in
the future.**



PREPARED BY:

CARLA BENNETT

MANAGER

For the Manawatu District
Council

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Cedar Room

The Cedar Room is upstairs in the facility and has a capacity of 50 people. It has a small kitchen attached to the end of the room which consists of facilities for making tea/coffee and light lunches. (fridge, microwave, cups plates, etc.) It houses an 86" smart TV with AV set up making online meetings and training more flexible. This room hosts a range of activities which include meetings, seminars, and workshops, training courses, birthdays and small dinner events. It then also becomes a green room for events being held in the other areas of the facility.



Stadium

The Stadium has a high-quality Tawa Floor with markings for Basketball, Volleyball, Badminton, and Netball. The surface of this floor is maintained every three (3) years which consists of a light sand and re-varnish. It has bleacher-style seating on either side which can accommodate up to three hundred spectators. This seating can also be covered by a mezzanine floor to give the stadium extra dinner seating or a stage set up in sections for performance and presentations, making it a very versatile space for different types of events. The maximum capacity of people in the stadium is 716. Our Stadium hosts local, regional, and national sporting tournaments, expos, fundraising events, markets, balls, dinners, conferences, cultural festival and more.



Concert Chamber

The Concert Chamber consists of 189-tiered fixed theatre-styled seating. In front of the seating is a large flat wooden floor that can accommodate an extra 242 portable seats making the total seating availability of this room 431. This can also accommodate up to 13 tables for Dinner shows or VIP seating. This area opens into the large main kitchen with a serving window. The stage consists of a fully upgraded sound system and stage lighting. Adjacent to the stage are two (2) upgraded dressing rooms. This is a very versatile area to host a range of different events. Dance performance practices, prizegiving awards, fundraisers, school productions, dinner shows/concerts, workshops, presentations and more.

A large crowd of people is seen from behind, facing a stage where a band is performing. The stage is lit with bright spotlights and has a backdrop with several panels. The band members are visible on stage, some with their arms raised. The crowd is dense and many people have their hands up in the air.

FCCT Vision

Feilding Civic Centre is the place for the Manawatu community to connect, to participate and to be entertained.



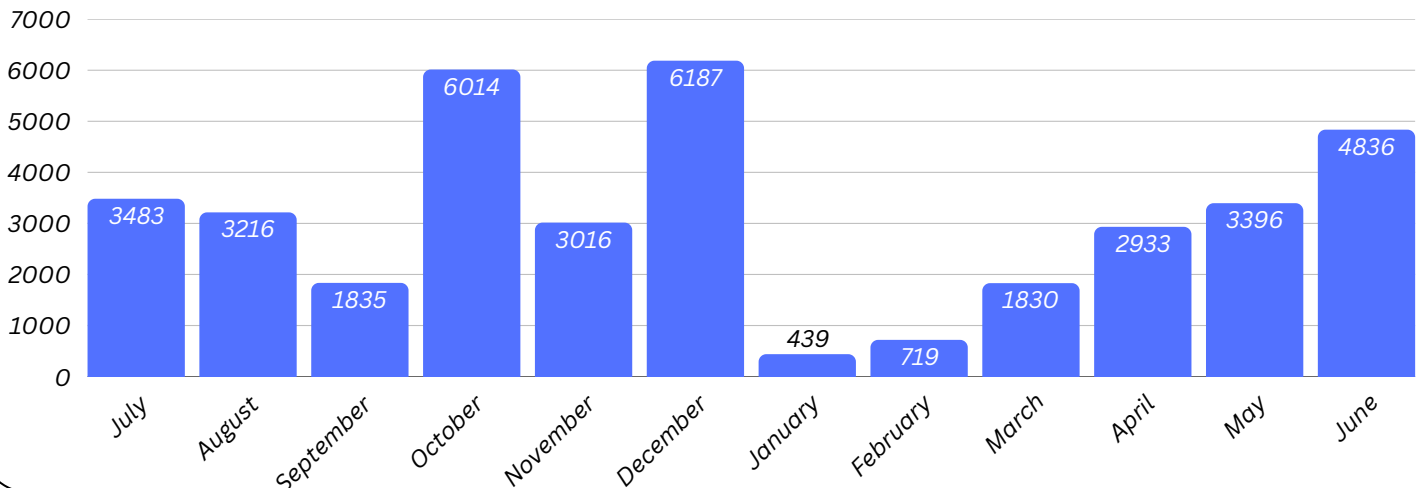
Booking Figures

July 2024- June 2025



05

Approx. monthly foot traffic 2024/2025

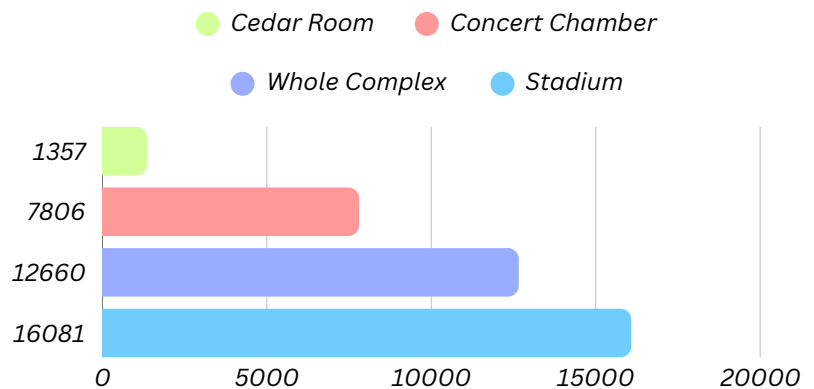


Over the last 12 months, approximately 37,904 people have been through the venue with 498 daily bookings. This is below last year's 45,616 people and 527 daily bookings.

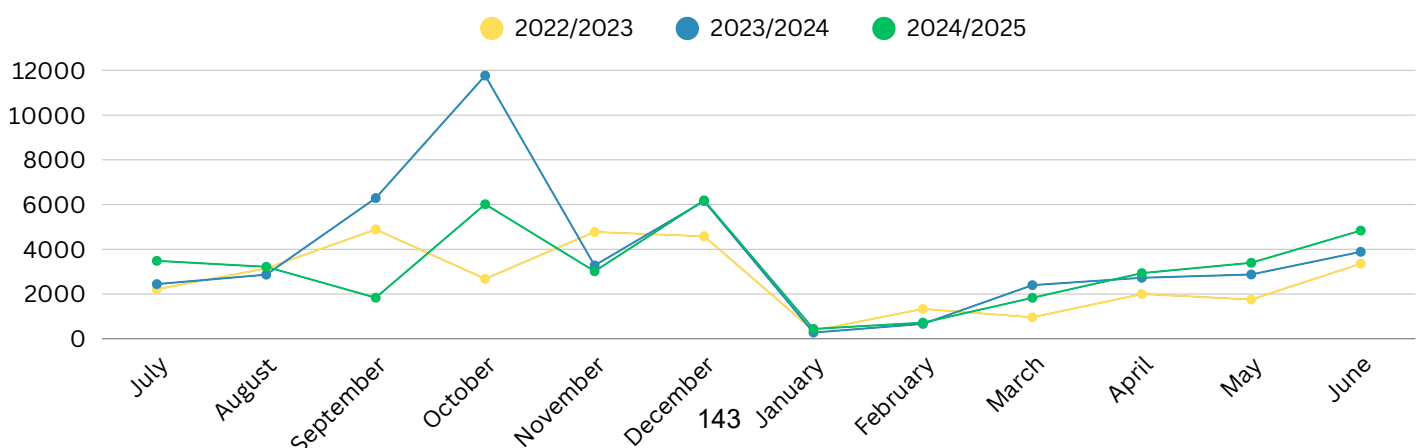
This decrease reflects the general election, which was held in September/October 2023, when 10,000 people came through the venue over the two weeks for voting. 2022/2023 had 32,036 and 439 bookings. So if you remove the 10,000 from the elections in 2023, we are still climbing in numbers each year since the COVID-19 pandemic.

As you can see from the data, the stadium sees the most foot traffic, followed by events hiring the whole complex.

Annual foot traffic per room



Approx. foot traffic over the last 3 years



Booking Splits

06

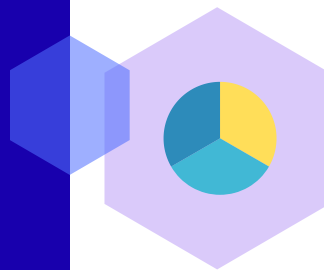


Diagram one shows the breakdown of the bookings split between all the different spaces of the venue over the last 12 months. As in previous years, the Stadium remains the most popular area in the venue, accounting for 61.6% (307) of our total bookings.

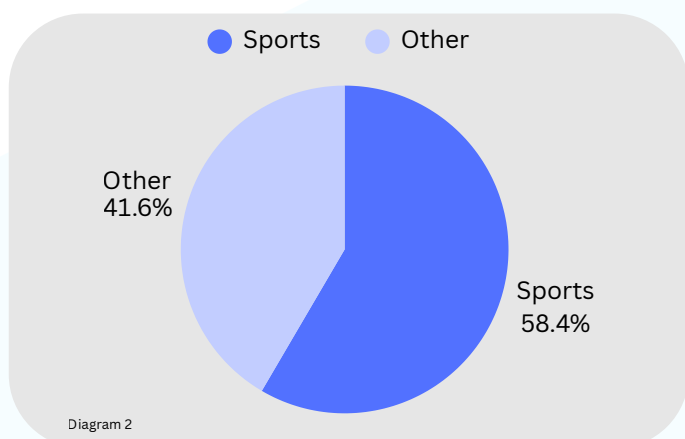
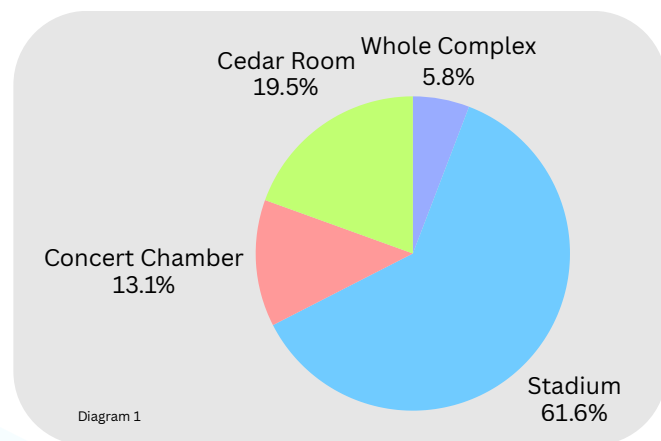
Compared to the 2023/2024 year, where we saw the following figures. Stadium 55%, Concert Chamber 20.3%, Cedar room 19.5%, and the Whole Complex 5%

Out of the 498 daily bookings over the last 12 months, 58.4% (291) of these were sports bookings and 41.6% (207) were other bookings. (diagram 2.)

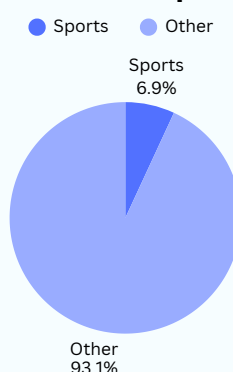
We are seeing more individual stadium bookings from the community that just want to get a group of friends or family together for an afternoon of sporting fun.

The "other" bookings relate to shows, meetings, productions, fundraising events, community events, work workshops, etc. (anything not sports-related).

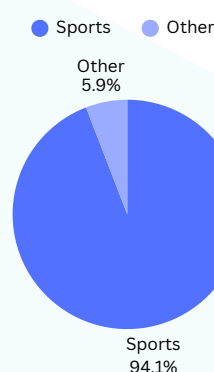
At this stage, predicted numbers for the next 12 months are unknown. Results from the Details Seismic Assessment (DSA) may or may not affect bookings. At this stage, it is business as usual until we see otherwise.



Whole Complex



Stadium



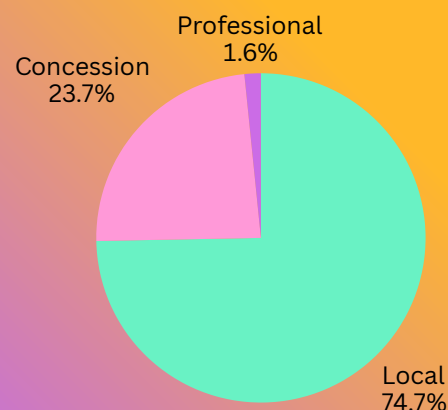
The Concert Chamber and Cedar Room have not been used for any sports bookings.

When we look at the Stadium and Whole Complex splits, we see the Stadium sits at 94.1% sports and the Whole Complex at 6.9%. This is mainly due to when people hire the Whole Complex, they do so due to holding a large event where they use all the spaces or do not want other events happening in the venue at the same time. (diagram 3)

Booking categories

98.4% (490) of our bookings have been on local or concession rates, where an average discount of 40% was applied to their venue hire. This leaves only 1.6% (8) charged out at the professional rate. Over the next few years, I want to increase these splits to move towards 70% community, 30% professional, as other regional venues do. To do this, we need the infrastructure in place to do so. I also want to look at adding another step, which will sit between the local and professional rate. This is for sporting clubs/not-for-profits that are outside the Manawatu district. This means the local rate will be for ratepayers of the Manawatu district only. Currently, the local rate applies to all community not-for-profit organisations and clubs.

The Concession rate, which we only have two groups left on this rate, is no longer going to be offered in 2026.



Maintenance Overview



Small, everyday general repairs and maintenance are completed through the venue's annual repairs and maintenance budget. Larger items and compliance items are covered through the Manawatu District Council's (MDC) annual repairs and maintenance budget.

Maintenance work continues to be included in my manager's report to the trust each month. Paul, the venue's maintenance officer, continues to tackle the repairs and maintenance on a part-time basis, fixing the general wear and tear on the venue, as well as fixing broken equipment, and upgrading our venue so that everyone who walks through the door enters into an inviting venue that is nice to the eye and safe for all to use.

We continue to work through the building conditioning report from Afallon Building & Design Consultants Ltd, completing minor work that we can address ourselves. Most work is completed by Paul, and larger work is contracted out. Painting continues to be a big part of Paul's role, and we are lucky that he is good with a paintbrush. The old varnished timber walls in the Concert Chamber have been painted black, which gives the room a fresh look, and touch-ups in the stadium have been completed.

Some of the larger works we have completed over the last 12 months are:

- Modification of the volleyball poles with the help of Manawatu Volleyball and new fixings applied to the wooden floor to make them stronger. While this setup is ok for the younger teams, for adults, it's not 100% ideal due to the roof height and with the badminton lights and event lights attached to the ceiling.
- The window boxes in the Concert Chamber either side of the room, were built out to clear the window opening system.
- The window winders were also replaced and the system modified, lowering the controllers so the windows can open and close freely.
- New curtains were then installed with an electric opening and closing remote, which are just fantastic.
- Extra stair lights have been installed by the seating in the Concert Chamber, so every step now has a small floor light for when the lights are off during an event.
- Replacement of the chair cupboard doors in the Concert Chamber, due to Bora damage. More doors will be replaced in 2025/2026.

Health & Safety checks are monitored daily/weekly/monthly, and any identified issues are fixed ASAP. These items are also noted in my monthly manager's report to the trust, and, where required, to the council staff as well.

December saw work in the Concert Chamber commence with the removal of the winches on the stage curtain bars and the removal of the suspended speakers, which were rehanging on a free-standing structure for the December events.

We then saw the closure of the Concert Chamber from January - April for some of the work identified in Shand Shelton's report. Bracing in the roof structure for the rehanging of the speakers, along with a walkway built in the ceiling space above the Concert Chamber ceiling. Additional longer bars were attached to the top of the current lighting bars on the stage, and a new Cyclorama (cyc, white projection backdrop) was installed on the back of the stage. Any existing timber bars were also replaced with steel.

As you are aware, these changes have seen many challenges for stage use, which we continue to work through.

Council (MDC) completed a fire audit on the building, where, other than the removal of a gate, which was replaced with a panic door push-to-exit handle down the back hallway, and a couple of small other recommendations, the building audit was completed/passed. The installation of the panic door also gives extra security to the venue with being able to lock off the Concert Chamber from the other areas of the building when not in use.

Winter has again seen continued issues with the current heating system.

Extensive work has been completed to try and fix the issues. These are ongoing.

All in all, Paul and I will continue to keep the venue looking good and safe for everyone who walks through the doors to the best of our ability with the resources we have.

Operations Overview



Booking groups/events

As per my monthly manager's reports, the venue continues to see annual returning customers and block bookings, along with new groups. Pickleball has started up and is growing from week to week. There are a couple of private basketball groups who hire the stadium for a group of friends weekly, and the Filipino community was back again and held a basketball competition each Friday night over eight weeks. As documented earlier in this report, 98.4% of our bookings were charged as part of our local rate and only 1.6% professional. We need to try and increase this percentage over the next 12 months. To do this, we do need to look at our infrastructure and our marketing plan to reach New Zealand-wide.

We held two of our own events over the last 12 months: The bi-annual "Star Search" for youth, and "Across the Great Divide", an afternoon tea and folk music concert. We also secured some event funding from MDC for another youth event.

External Funding

I applied for six grants over the last 12 months, five of which were successful.

- COGS - \$5,000 - salaries (12-month period 2024/2025)
- Central Energy Trust \$200,000 - Sound. (partly spent in 2024/2025)
- Central Energy Trust \$65,345 Lighting. (to be spent 2025/2026)
- NZCT \$1,750 - Concert Chamber floor resurface
- MDC Event Fund - \$3200 - FCC run "An evening with Jazz youth event."

I have also secured another COGS grant starting July 2025 - June 2027 (3 years), which is \$5,000 per year for salaries.

Once again, my recommendations are the same as last year; the trust needs to appoint a trustee to take on the portfolio of grants/funding.

Staffing

The marketing fixed-term contract was extended a further six months to align with the end of the financial year, 30th June 2025. This position, as of the 1st July 2025, has moved to a contracting role, with the existing staff member continuing this role.

An in-depth Sound and Light Tech proposal was adopted, and we went out for recruitment. This position was only filled for a short period. We currently have a contractor whom we call on now for our sound and lighting needs.

I give special thanks again to Paul, our maintenance officer, who goes above and beyond and has pride in his work to make the building both inviting and safe for everyone to walk into. He not only tackles repairs and maintenance in his daily duties but is also involved with the set and and pack down for individual events. Coming in on weekends, early mornings, and nights to help me meet the needs of our community.

Staff hours 2024/2025 - Full-time equivalent (FTE)

	Contacted	Worked
Manager	0.63 (FTE)	0.8 (FTE)
Maintenance	0.3 (FTE)	0.35 (FTE)
Marketing	0.35 (FTE)	0.35 (FTE)

This equates to 1.28/1.5 full-time staff equivalent to run the venue, which has seen a total of 498 bookings and an estimated 37,904 people come through our community venue. (additional hours have been paid).

General

I continued to work closely with the council on the annual MDC repairs & maintenance budget and other needs of the venue throughout the year.

We completed a website upgrade and now have more flexibility to add/remove and change things up when we need to. We continue to research other venues' websites to build on our own and make it easier to navigate.

I have a strong relationship and work closely with Feilding & District Promotions and have regular networking meetings with other venues in our community, and Palmerston North. We have some large challenges ahead of us over the next few years with the building, and I look forward to working with the trust and the council to navigate these challenges ahead of us.

I will also continue to work collaboratively with the council on achieving their strategic priorities, mainly "A place to belong and grow. He kāinga e ora pai ai te katoa".

At the end of the day, ultimately, my role as The Feilding Civic Centre manager is to be here for our community and work towards achieving the best outcome for both the venue and the people who walk through the doors.

Council

Meeting of 02 October 2025

Business Unit: Community
Date Created: 12 September 2025

Repurposing Funds for MAC and Grey Street

Purpose Te Aronga o te Pūrongo

To seek Council approval to repurpose \$484,000 of existing Makino Aquatic Centre (MAC) budget and bring forward \$109,414 from Year 3 of the 2024-34 Long Term Plan property budget to demolish the 31 Grey Street property, improve parking and fencing, and progress a concept idea for increasing year-round pool space at the MAC.

Recommendations Ngā Tūtohunga

That the Council:

1. Approve the repurposing of the confirmed carried forward funds of \$484,000 from the outdoor pool filtration project to support works and plans at Makino Aquatic Centre, including carparking along Grey Street.
2. Approve bringing forward \$109,414 from Year 3 of the property budget for the demolition of 31 Grey Street.
3. Approve allocation of the combined \$593,414 budget across:
 - Demolition of the Grey Street property (including utilities disconnection and making good of the land).
 - Carpark design, assessments, and construction to provide right-angled parking along Grey Street on the Makino Aquatic Centre side.
 - Upgrading the perimeter pool fencing to align with the new boundary.
 - Concept design and feasibility study for increasing year-round pool space at MAC, including options for a hydrotherapy pool.
4. Note that the demolition and land reinstatement will extend usable greenspace for MAC programmes and enable future planning for expanded aquatic services.

Report prepared by:
Adie Johansen
Community Services Manager

1 Background Ngā Kōrero o Muri

- 1.1 The 2024-34 Long Term Plan included \$500k to split the outdoor pool filtration system at the MAC. As part of this project, a technical assessment was carried out by BECA which indicated the true cost would be closer to \$2.4M, making the project uneconomic. The remaining \$484k remains unspent.
- 1.2 Separately, Council approved \$109,414 in Year 3 of the property budget for the demolition of 31 Grey Street, a residential property adjacent to MAC.
- 1.3 By bringing this budget forward and combining with the unspent filtration project funds, the property can be removed now, providing immediate benefit to MAC through extended land use and improved carparking.
- 1.4 The combined \$593k investment allows Council to respond to pressing issues:
 - 1.4.1 **Parking constraints** – Grey Street residents have raised concerns about congestion. This project would move the boundary fence inwards to introduce right-angled parking along the MAC side of Grey Street.
 - 1.4.2 **Fencing upgrade** – The perimeter fencing is deteriorating and will be upgraded as part of the boundary change.
 - 1.4.3 **Capacity pressures** – MAC is at record usage (142k in 2024/25), with peak times leaving little space for public swimmers with the need to cater to MAC aqua fitness classes, programmes and swimming lessons, swim club use, canoe polo use, school swimming programmes, etc. The budget will also go towards a concept design and feasibility study to increase year round pool space, including a hydrotherapy pool.

2 Strategic Fit Te Tautika ki te Rautaki

- 2.1 This initiative aligns with Council's strategic priorities:
- 2.2 A place to belong and grow – Enhances access to aquatic facilities for all ages and abilities.
- 2.3 A future planned together – Positions MAC for long-term growth and supports community wellbeing.
- 2.4 Infrastructure fit for the future – Upgrades existing facilities and prepares for hydrotherapy capacity, meeting health and rehabilitation needs.
- 2.5 Value for money – Redirects existing budgeted funds into higher-value outcomes.

- 3 Discussion and Options Considered Ngā Matapakinga me ngā Kōwhiringa i Wānangahia
 - 3.1 The proposal to combine the unspent \$484k MAC filtration project budget with \$109k from the Year 3 property budget provides a practical and future-focused solution that delivers immediate community benefit while also preparing for long-term investment in aquatic services.
 - 3.2 Immediate Benefits:
 - 3.2.1 Demolition and Land Reinstatement: Removal of 31 Grey Street dwelling will allow MAC to expand its operational footprint, improve safety, and create flexibility for future development.
 - 3.2.2 Carparking Relief: Right-angled carparking along the MAC side of Grey Street will help address long-standing congestion issues raised by residents while enabling greater access to parking for MAC customers at peak times.
 - 3.2.3 Fencing Upgrade: Replacement of the ageing perimeter fence is required regardless of this project. Aligning this work with the boundary change ensures cost efficiency and a consistent standard.
 - 3.3 Future Planning and Strategic Value:
 - 3.4 The funding also enables a concept design and feasibility study to explore options for expanding year-round pool space at MAC, including the introduction of a hydrotherapy pool. This is a critical next step for several reasons:
 - 3.4.1 Record Demand: MAC is operating at its highest-ever participation levels, with peak times regularly at full capacity. From 3:30–8:00pm the pool is consistently over-subscribed, limiting access for the public
 - 3.4.2 Community Voice: Surveys show strong demand for more accessible pool space, including feedback that the indoor pool feels overcrowded and that there is unmet demand for evening and winter swimming
 - 3.4.3 Health and Wellbeing Need: Hydrotherapy pools are widely endorsed by clinicians for rehabilitation, pain management, and mobility. Currently, the only hydrotherapy pool in the region is hospital-based, fully booked, and inaccessible to the wider public
 - 3.4.4 Demographic Trends: An ageing population in the district is driving increased demand for warm-water therapy, while children and young people remain the largest user group for swim lessons and recreation
 - 3.5 Operational Efficiencies
 - 3.5.1 Alongside this project, officers are progressing an operational efficiency programme for MAC, that includes investigating the replacement of gas boilers with modern heat pump technology to reduce ongoing energy costs. These opportunities will be reported separately to Council. Any future development planning will be closely linked with these efficiency initiatives to ensure sustainable, cost-effective outcomes.
 - 3.6 Funding Leverage:

- 3.7 Completing a feasibility study positions Council to be eligible to apply for external funding from third-party funders (e.g., Lottery Commission, NZCT, CET, ECCT, Sport NZ, Te Whatu Ora, etc).

4 Risk Assessment Te Arotake Tūraru

- 4.1 The risks associated with this proposal are considered low to moderate and are within Council's risk appetite.
- 4.2 Financial Risk: Low. The project is funded entirely from existing budgets, with no requirement for new funding. Repurposing and bringing forward budgets minimises exposure to additional costs.
- 4.3 Service Delivery Risk: Positive impact. Demolition, fencing upgrades, and parking improvements will enhance facility safety and usability. The feasibility study reduces risk in future planning by providing robust costings and design options.
- 4.4 Reputational Risk: Positive impact. Addressing community concerns about parking and overcrowding demonstrates responsiveness and good stewardship of funds.
- 4.5 Health and Safety Risk: Moderate. Demolition and construction works carry standard risks, but these will be managed through established contractor health and safety processes.
- 4.6 Future Development Risk: Low to moderate. The concept plan and feasibility study will mitigate uncertainty in planning for expanded pool space and ensure future proposals align with operational efficiency opportunities (e.g., energy savings through heat pumps).
- 4.7 Overall, the benefits of progressing the project outweigh the manageable risks, and the work will contribute to both immediate improvements and long-term resilience at MAC.

5 Engagement Te Whakapānga

Significance of Decision

- 5.1 The Council's Significance and Engagement Policy is not triggered by matters discussed in this report. No stakeholder engagement is required.

Māori and Cultural Engagement

- 5.2 There are no known cultural considerations associated with the matters addressed in this report. No specific engagement with Māori or other ethnicity groups is necessary.

Community Engagement

- 5.3 The decision to repurpose existing budgets and bring forward property demolition funds does not trigger Council's Significance and Engagement Policy. No community engagement is required for this stage.
- 5.4 However, any future concept design will form part of long-term planning processes. At that stage, Council will be required to consult with the community on proposed options for expanding year-round pool space at MAC, including the potential for a hydrotherapy pool. This will ensure residents and key stakeholders have the opportunity to contribute to the future direction of the facility.

6 Operational Implications Ngā Pānga Whakahaere

- 6.1 The immediate works (demolition, carpark design, and fencing upgrades) will be managed through existing staff and standard contracting processes. These activities are not expected to place significant additional demand on Council staff or resources.
- 6.2 The concept design and feasibility study will require external consultants, but this will be funded from within the approved project budget. The study will provide valuable information to support future planning without committing Council to further capital investment at this stage.
- 6.3 Any future development proposals identified through the feasibility study will be brought back to Council for consideration, alongside operational efficiency initiatives already underway (e.g., energy savings through transitioning from gas to heat pump technology).

7 Financial Implications Ngā Pānga Ahumoni

- 7.1 The proposal involves increasing Council budget in the current financial year by \$109,414 by bringing forward budget from Year 3 of the Long Term Plan for the demolition of 31 Grey Street.
- 7.2 The \$484,000 carry-forward from the MAC outdoor pool filtration project, which is no longer viable, will be repurposed for this project.
- 7.3 This provides a combined \$593,414 to fund demolition and reinstatement works, carpark design and construction, fencing upgrades, and a concept design/feasibility study for future MAC pool expansion.
- 7.4 By aligning these budgets, Council delivers immediate value while progressing future planning. Any subsequent capital development identified through the feasibility study will be subject to Council decision-making and future Long Term Plan processes.

8 Statutory Requirements Ngā Here ā-Ture

- 8.1 There are no statutory requirements for this report.

9 Next Steps Te Kokenga

- 9.1 If Council approves the proposal, officers will:
- 9.2 Engage contractors to demolish 31 Grey Street, disconnect services, and reinstate the land for MAC use.
- 9.3 Progress design and construction of right-angled parking along the MAC boundary on Grey Street.
- 9.4 Upgrade the perimeter pool fencing to align with the new boundary.
- 9.5 Commission external consultants to complete a concept design and feasibility study on expanding year-round pool space at MAC, including a hydrotherapy pool.

- 9.6 Report back to Council on the outcomes of the feasibility study, alongside operational efficiency initiatives (e.g., transitioning from gas to heat pumps), to inform the next Long Term Plan.