

# PACIFIC ADVISORY GROUP

## DRAFT TERMS OF REFERENCE

7 June 2007

### 1. Purpose and role

The purpose of the Pacific Advisory Group (PAG) is to:

- strengthen engagement between Wellington City Council and Pacific nation groups
- build the Pacific nation groups' knowledge of Council processes to enable them to participate in Council's decision-making processes
- build the Council's knowledge of the needs of Pacific nation groups and how these can best be met.

The role of the group is to:

- **represent** Pacific nation groups' issues to Council
- **communicate** information to Council from Pacific nation groups on their needs and views in relation to Council policies, services and issues raised by Council
- **communicate** information from Council to Pacific nation groups on Council policies, services and issues raised by Pacific nation groups; and
- **operate** in conjunction with the other engagement processes, including:
  - the role of the Advisor Pacific Communities
  - Pacific Forum.

The group is an advisory group that can make recommendations to the Council. The group will not be given an independent budget to commission work or undertake activities outside of this advisory role.

### 2. Responsibilities of the group

The group will:

1. work collaboratively to ensure that Pacific nation groups' issues are well-represented to Council and that effective communication happens between Pacific nation groups and Council
2. develop an annual plan, including timelines, for the group
3. develop agreed ways of operating as a group to enable the plan to be achieved, the role of the group to be effectively undertaken and the purpose of the group achieved
4. report back to Pacific nation groups and the Council

The Council has other advisory groups – and is seeking increased cooperation between those groups. PAG members may occasionally be asked to attend meetings of the other groups to share information.

### 3. Responsibilities of individual group members

Individual group members will:

1. work collaboratively with other members of the group to fulfil the PAG's role and responsibilities
2. communicate with the Pacific nation group they represent, and implement processes for bringing their issues to the PAG and for regularly reporting back to the community on how issues have been addressed.

Members will also be asked to complete Conflict of Interest declarations.

### 4. Roles and responsibilities of the Chair and Deputy Chair

#### Role and responsibilities of the Chair

1. To chair the meetings of the group fairly and in a manner that supports the group in fulfilling its role
2. To oversee the development, completion and implementation of the group's annual plan
3. To represent the views and recommendations of the group as required, including in presentations to the Council and to Pacific forums.

#### Role and responsibilities of the Deputy Chair

1. To support the Chair in their role.
2. To act in place of the Chair should the Chair be unavailable or have a conflict of interest.

### 5. Membership of group

#### Composition

The membership of the group should reflect:

- The different Pacific nations in Wellington City – being Samoa, Cook Islands, Tonga, Fiji, Niue, Tokelau and Tuvalu
- The age groups within the Pacific community where Pacific people are predominantly represented
- A balance of the genders
- Both Pacific born and New Zealand born Pacific people
- A range of the required skills (as will be contained in the role description for members)

The group consists of 16 members – three members representing Samoa, two members representing each of the six other Pacific nations noted above, and one elected member.

#### Term of membership

The term of membership for each member shall be three years. Where a position becomes vacant part way through a term, and there is more than six months remaining

in the term, a replacement shall be sought for the remainder of the term through the standard selection process.

### **Term of membership of Chair and Deputy Chair**

The term of membership for the Chair and Deputy Chair shall be three years. Where a position becomes vacant, a replacement shall be sought for the remainder of the term through the standard selection process.

## **6. Selection of members of group**

Selection of members is undertaken by the Pacific nation groups with the Council's support for the process.

In supporting the selection process, the Council will:

- prepare a clear description of the role and the core competencies required to fulfil the roles of member, Chair and Deputy Chair
- support Pacific nation groups in identifying appropriate candidates for membership
- apply a wide range of processes to ensure that all people of Pacific descent in Wellington have the opportunity to be considered for membership
- facilitate the selection process with Pacific nation groups including calls for nominations, information sessions and voting processes.

The Chair and Deputy Chair are appointed by the group from within the group.

## **7. Ceasing membership**

Membership of the group shall cease if a member:

1. Resigns by notifying the Council in writing; or
2. Fails to attend at least 3 consecutive meetings during a year.

## **8. Induction of members**

All members joining the group shall undergo an induction process provided by the Council. This will comprise:

1. An overview of the PAG
2. An overview of the Council's structure, services and policy-making processes
3. An introduction to key people in the Council.

## **9. Operation of the group**

### **Annual Plan**

The group will develop an annual plan covering:

- Annual goals for the year
- The key areas of activity for the group's work for the year, including timeframes

- A schedule of meetings for the year.

### **Agreed ways of operating**

The group will agree how it will operate, including:

- how individual members will communicate the work of the group to the Pacific nations they represent
- how they will consult with those nations to identify any issues they wish the group to consider
- how the group will communicate the work of the group to Council, and the group's expectations of Council procedures for communicating with the group
- conduct of meetings.

### **Meetings**

#### *Frequency*

The full PAG shall meet once every two months.

#### *Minutes*

Discussion and decisions from group meetings shall be recorded in written minutes, by a minute taker provided by the Council.

#### *Chair*

Meetings shall be chaired by the Chair or the Deputy Chair if the Chair is not available.

#### *Quorum*

Half of the members of the group (not including vacancies) and representatives from at least four of the Pacific nations groups must be present for the group to have a quorum.

### **Remuneration**

Members will be paid for each meeting of the full Pacific Advisory Group that they attend, to a maximum of six meetings per year. The Chair or Deputy Chair will be paid a higher rate of remuneration for each meeting they chair, in recognition of the additional responsibilities placed on them.

Remuneration will be \$110 per meeting for members and \$150 for the Chair (or Deputy Chair when acting as Chair).

### **Support to PAG**

The Council will support the group's operations and ensure linkage between the work of the group and the Council.

The Advisor Pacific Communities is the key link between the group and Council operations and is responsible for:

- working with the Chair to set the agenda, which includes Council matters requiring PAG input
- working to engage the PAG with various Council business units and teams
- assisting members to meet their responsibilities for reporting back to their communities (this may mean facilitating access to venues, catering and other support that may be identified)

- ensuring minutes are taken
- ensuring venues and catering are provided.

### **10. Accountability**

#### **PAG (as a group)**

PAG, through the Chair, shall present a report annually to the appropriate Council committee on its achievements against its annual plan.

PAG, through the Chair, shall present a report to each Pacific Forum.

#### **Individual members of PAG**

The representatives of each Pacific nation group shall report to that group on the achievements of PAG against its annual plan in a manner to be agreed by the PAG.

The representatives of each Pacific nation group shall establish appropriate procedures for gathering issues raised by their group about Council policies and services, and for eliciting regular feedback from their group on Council and PAG performance.

#### **The Council**

The Council shall provide regular feedback to PAG on action taken in response to issues raised by PAG.

### **11. Review**

The Terms of Reference will be reviewed as required, but at least once every three years. All changes to the Terms of Reference will be subject to the approval of the appropriate Wellington City Council committee and Council.

# YOUTH COUNCIL

## DRAFT TERMS OF REFERENCE

7 June 2007

### 1. Purpose and role

The purpose of the Youth Council is to:

- strengthen engagement between Wellington City Council and young people
- build young people's knowledge of Council processes to enable them to participate in Council's decision-making processes
- build the Council's knowledge of the needs of young people and how these can best be met.

Specifically it will:

- ensure a youth perspective is provided to the Council on the range of issues covered by the Council, as well as issues relating directly to youth
- promote and encourage youth involvement in the planning and development of Council services
- ensure that the views of youth are canvassed and conveyed to Council, including providing advice on or assistance with formal consultations being undertaken
- provide advice to Council on matters of planning and infrastructure (especially if they have a direct impact on young people); and
- provide input on matters relating to policy and strategic development.

The group is an advisory group that can make recommendations to the Council. The group will not be given an independent budget to commission work or undertake activities outside of this advisory role.

The Youth Council is also only one means the Council will use to obtain input from young people. The group does not remove or reduce the Council's responsibilities to obtain input from other young people through other means.

### 2. Responsibilities

Members are required to:

- attend formal meetings
- attend training and project meetings
- work on project teams between meetings
- be available to attend any other training/meetings that may occur
- feedback Youth Council information to their networks
- bring youth issues to the Youth Council

- assist Wellington City Council to canvass youth views.

In return for their commitment, the Wellington City Council will provide members with:

- training to fulfil their role as a Youth Council member, including leadership training
- opportunities to attend conferences/seminars
- opportunities to be a youth representative on various working parties/project teams
- assistance with transport to and from meetings
- training on and exposure to the local government political system.

### **Portfolio responsibilities**

Youth Council members will be expected to identify portfolio areas they are interested in finding out more about. The possible areas include:

- transport
- environment
- culture and arts
- social and recreation
- economic development
- governance
- urban development.

### **Liaison with other advisory groups**

The Council has other advisory groups – and is seeking increased cooperation between those groups. Youth Council members may occasionally be asked to attend meetings of the other groups to share information.

## **3. Membership**

The Youth Council will comprise of a maximum of 20 members.

Members need to:

- be between 12-24 years of age
- live within the boundaries of Wellington City Council
- have the ability to work with other people and work in a team
- be proactive
- be committed to attending meetings regularly.

It is expected that the membership will provide broad representation, with consideration given to:

- gender
- disability
- geographical location
- education level (secondary school, university – including diversity of the school/university)
- employment (employed and unemployed)
- diverse cultural backgrounds

### **Positions**

A Chair and Deputy Chair will be appointed every six months.

The role of the Chair is to:

- work with Council officers to compile the agenda
- run the meeting according to the set agenda
- be the spokesperson for the Youth Council as is required (i.e. at Council committee meetings, to the media).

In the absence of the Chair, the Deputy Chair will run the meeting.

### **Removal**

If a Youth Council member misses more than two meetings in a row without providing an apology, their membership on the Youth Council will cease.

In the event of gross misconduct by a Youth Council member, dismissal from the Youth Council may be required by the Youth Team of the City Communities business unit.

## **4. Selection Process**

Wellington City Council will call for expressions of interest from 12-24 year olds from within the city's boundaries via a number of different media (newspapers, approaches to schools, the Council website, etc).

Youth interested in participating will be asked to complete an application and will be encouraged to attend a meeting of the Youth Council.

Applicants will be interviewed by key staff members and one or two members of the Youth Council.

## **5. Term of Appointment**

Any person appointed to the Youth Council shall be appointed for one year (usually for a term beginning after the Youth Forum held in April in each year). Current members can ask for their membership to be rolled over and new members will be advertised for at this time.

If a Youth Council member resigns during the year, the Youth Council is able to co-opt new members for the remainder of the year. Council officers will encourage local secondary colleges and youth service providers to submit the name of one or more persons who it may be appropriate to co-opt. Those identified will be encouraged to attend a meeting of the Youth Council prior to their appointment being considered.



### **6. Reporting**

An annual report will be presented to the appropriate Council committee. The report will review the operation and achievements of the Youth Council against its Terms of Reference.

### **7. Quorum**

Half of the current number of members, not including vacancies, must be present for the group to have a quorum.

### **8. Administration**

Council officers will oversee the administration of the Youth Council. Officers will write minutes, compile the agenda in collaboration with the Chair and provide general administrative and advisory support.

### **9. Review**

The Terms of Reference will be reviewed as required, but at least once every three years. All changes to the Terms of Reference will be subject to the approval of the appropriate Wellington City Council committee and Council.

### **10. Conduct**

Members of the Youth Council cannot in any way purport to represent the Wellington City Council or the views of the Wellington City Council.

# DISABILITY REFERENCE GROUP AMENDED TERMS OF REFERENCE

7 June 2007

## 1. Purpose

The Disability Reference Group (DRG) will advise the Council on issues that concern people with disabilities in Wellington. The group will respond to issues raised by the Council as well as raise concerns expressed by people with disabilities.

The Disability Reference Group will be the first line of contact between Council and people with disabilities, although the group is not intended to remove or reduce Council's responsibilities to obtain further input on disability issues. Council would expect the DRG to advise on and assist with consultation with people with disabilities. The DRG may, when necessary, activate its own response from people with disabilities to ensure broad consultation.

The purpose of the group is also to build:

- people with disabilities' knowledge of Council processes to enable them to participate in Council's decision-making processes
- the Council's knowledge of the needs of people with disabilities, and how these can best be resolved.

## 2. Role

Generally, the role of the DRG is to provide:

- feedback and advice on the Council's service delivery, policy development, draft policies, design and planning
- an information conduit to and from Council
- new initiatives to be considered for inclusion in Council's Long Term Council Community Plan and Annual Plan
- submissions on Council's plans and policies
- representation of the broad spectrum of issues for people with disabilities in relation to Council's activities.

The group is able to recommend that pieces of work be undertaken and request Council officers to determine if some issues can be achieved within current budgets. The group has the ability to select and call on outside expertise whenever it is needed and is able to set up sub-groups to progress particular issues of interest (members of these sub-groups will not receive payment for meetings held by the sub-group).

The group is an advisory group that can make recommendations to the Council. It will not be given an independent budget to commission work or undertake activities outside of this advisory role.

The Council has other advisory groups – and is seeking increased cooperation between those groups. DRG members may occasionally be asked to attend meetings of the other groups to share information.

### **3. Membership**

#### **Number and make-up of members**

The group will have up to nine members and one Councillor representative. As all disability groups cannot be represented on the group, it is envisaged that members will have a broad knowledge of disability issues. In particular, it would be preferable for one or more representatives on the group to be able to give advice on mental health, Deaf/hearing impairment and intellectual disability issues and to have someone who can provide a Maori point of view of disability issues.

It would also be preferable for the group to have a positive gender balance.

#### **Chair**

The group's Chair will be elected annually by the group each year in October. A member cannot be elected Chair if they are due to complete their three year term prior to the next October.

#### **Criteria for membership**

- Experience of living with a disability
- An awareness of the needs and issues affecting people with disabilities
- Able to represent broad interests (i.e. not limited to the views of a specific organisation)
- Good relationships and networking within own community
- Able to be assertive and proactive
- Committed to regularly reporting back to own community
- Resides within the Council's boundaries.

A background in community/advisory work would also be an advantage.

Members will also be asked to complete a Conflict of Interest declaration.

### **4. Term of Appointment**

A member's term of appointment cannot exceed three years without reapplying for their position through a further selection process. The term of appointment can be less than three years if a member:

- resigns, or
- misses three consecutive meetings without tendering an apology.

A member can be appointed for consecutive periods of three years.

### **5. Selection and Removal of Members**

A recruitment process will be held every year as the DRG will have a rolling membership (to ensure that the DRG is not made up of all new members at any one time). Three new members will be recruited each year.

The recruitment will be initiated by a sub-group of three DRG members who will determine if there are any gaps in the DRG's membership that need to be filled. The Council will call for nominations for the number of positions available from disability consumer groups and at the annual Disability Forum in December each year.

The DRG sub-group will short-list the applications made, and a selection panel made up of the appropriate Council officer, two members of the DRG, and another person, as considered appropriate (for example, if a person with a specific disability is being sought, it would be appropriate for someone with that disability to be on the selection panel) will interview the short-listed applicants.

The Council will provide a role description to facilitate the selection process.

If a representative resigns from the group, the Council will fill that vacancy in the following December.

### **6. Accountability**

The group will be accountable to people with disabilities by:

- fulfilling the group's communications strategy
- presenting to the annual disability/accessibility forum – where the group will outline its achievements, state the recommendations it has made to Council, and receive feedback on further issues for its consideration
- placing information on the Council's website. Members will be listed on a web-page, with the disability areas each member is responsible for identified beside their name. Minutes of the group's meetings will also be available from the website.

### **7. Reporting**

The group will report to the appropriate Council committee every six months, outlining its achievements and the issues it wishes Council to consider further.

The DRG will also report back to Council through the Director, Community Services.

### **8. Frequency of Meetings**

The group will meet once a month. Special meetings may be called if there is urgent business.

### **9. Operation**

The maintenance and servicing of the group will primarily be the responsibility of the City Communities Business Unit. The group will be supported by an officer who will

## APPENDIX 6

be responsible for compiling agendas, writing minutes and providing other administrative and advisory support to the group.

It is also expected that members of Council's Policy Team will liaise closely with the group as well as officers from other business units, as and when required.

### **Induction**

New members joining the group will be inducted into Council processes by Council officers. The responsible Council officer and the Chair of the DRG will also induct the member into the group's function and processes.

### **10. Quorum**

Half of the positions currently filled, not including vacant positions, must be present for the group to have a quorum.

### **11. Payment**

Members will be paid \$110 for every meeting they attend of the full DRG. The Chair will be paid \$150 for every meeting of the full DRG attended. If the group decides to have more than one member in the role of Chair, the additional \$40 available to the Chair will be split between the co-Chairs.

Members will be reimbursed for their taxi fares to and from the meeting. Should a support person be required for a member to fully participate in the group's discussions, the Council will pay this person \$40 per hour.

The Council will also make assisted devices (such as computers, hearing loops, accessible toilets) available where possible.

### **12. Conflict Resolution**

Should conflict occur, the Chair and the group will be responsible for working together to resolve the conflict in the first instance. If the conflict persists, the Council will only intervene at the request of the majority of the group's members.

### **13. Review**

The Terms of Reference will be reviewed as required, but at least once every three years. All changes to the Terms of Reference will be subject to the approval of the appropriate Wellington City Council committee and Council.

### Wellington consolidated bylaw 1991

#### Part 23 – Liquor Control

This part of the bylaw prohibits the consumption and possession of liquor in public places from 5pm each Thursday, Friday and Saturday until 8am the following day. In addition, the prohibition applies every year on Christmas Eve, the 24<sup>th</sup> of December and New Years Eve, the 31<sup>st</sup> of December from 5pm to 8am the following day and occasionally during special events. It applies to the Wellington Central Area, Oriental Bay and Mt Victoria as shown on the attached map. The bylaw includes a process to obtain prior written permission from the Council to authorise events that would otherwise breach the bylaw. The Council will erect signage to communicate the terms of the bylaw to the public.

The purpose of this bylaw is to address concerns relating to potential criminal offending and safety concerns that are linked to the possession or consumption of liquor in public places. By imposing this ban, the consumption of liquor within the central area and Oriental Bay should primarily be restricted to private residences or licensed premises on Thursday, Friday and Saturday nights.

The bylaw is introduced pursuant to s147 of the Local Government Act 2002 – this section should be read together with this part of the bylaw as it contains relevant definitions and the situations when this bylaw control will not apply (particularly relating to the transportation of unopened liquor). Pursuant to s169 and s170 of the Local Government Act 2002, the Police can enforce this part of the bylaw. Further details on the statutory provisions are provided as a note at the end of this part of the bylaw.

#### Definitions

Wellington Central Area means the area inside the boundaries depicted in the attached map but excluding:

- a) Any area that is subject to a road encroachment issued by the Council;
- b) Any licensed premises that occupies a paved area on legal road or Council land where permission to occupy has been granted by the Council.

#### 23.2 Liquor prohibition

23.2.1 The consumption or possession of liquor in a public place (including while in a vehicle), is prohibited within the Wellington Central Area, Oriental Parade and Mt Victoria as shown on the attached map. This prohibition is effective from 5pm Thursday to 8am Friday, 5pm Friday to 8am Saturday, 5pm Saturday to 8am Sunday. The prohibition also applies every year on Christmas Eve, the 24<sup>th</sup> of December and New Years Eve, the 31<sup>st</sup> of December from 5pm to 8am the following day

23.2.2 In addition to the prohibition in Clause 23.2.1 above, the Council by resolution may order a prohibition on the consumption or possession of liquor (including while in a vehicle) in a public place for certain specified times and/or within certain specified public places for specified special events. The prohibition must be notified in the appropriate Wellington metropolitan newspaper at least 14 days in advance of the special event.

### **23.3 Council permission**

23.3.1 Any person may apply to the Council for prior written permission for any activity that would be in breach of any prohibition under this part of the bylaw.

23.3.2 The process for obtaining the Council's permission is outlined in Part 1 (Introduction) of this bylaw.

### **23.4 Signage**

23.4.1 The Council will erect signage within public places covered by this bylaw to provide information to the public on the terms of the bylaw. The size, location and terms of this signage shall be at Council's discretion. To avoid any doubt, the absence of signage in any public place does not authorise breach of this part of the bylaw.

### **23.5 Offences**

23.5.1 Everyone commits an offence who:

- a) Consumes or possesses any liquor in a public place in breach of a prohibition under this part of the bylaw; and
- b) Breaches, or permits a breach of, the terms of any Council permission granted pursuant to clause 23.3 of this bylaw.

*Note: This bylaw is introduced pursuant to the specific empowering provisions of the Local Government Act 2002 that provide for bylaws for liquor control purposes. This bylaw does not repeat or paraphrase those statutory provisions, and accordingly those provisions should be read in conjunction with this bylaw. In particular, the following provisions are noted:*

*Section 147 empowers the Council to make this bylaw. It also defines 'liquor' and 'public place'. In addition, s147(3) sets out a number of specific exemptions when the bylaw will not apply with respect to the transportation of unopened bottles or containers.*

*Section 169 provides the Police with powers of search and seizure, without warrant, to enforce the bylaw. The Police are responsible for enforcing the bylaw.*

## **APPENDIX 7**

*Section 170 sets out certain conditions imposed on the Police powers of search under s169.*

*This bylaw has no effect on any other Police powers of search, seizure and arrest or any other statutory offences.*



Wellington Liquor Control Area,

