

Edinburgh Gardens Working Group – Terms of Reference

Type	Working Group	Comments
<p>Council Resolution - extract</p>	<p>Council on 15 December 2020 resolved:</p> <p><i>“3.That Council:</i></p> <ul style="list-style-type: none"> <i>(a) establish an Edinburgh Gardens Working Group of regular park users, local residents and a representative of Fitzroy North Primary School, to inform future management of the gardens in peak periods over summer and public holidays;</i> <i>(b) request officers to provide a Terms of Reference for this working group be provided to the first council meeting in 2021 with EOIs to be held during February and the working group meet as soon as possible after;</i> <i>(c) that officers ensure the working group represent the diverse users of the Gardens, residents and key stake holders; and</i> <i>(d) that the working group meet as soon as possible after the conclusion of the selection process. ..”</i> <p>Note: Full resolution – (Referenced as Attachment 2)</p>	
<p>Purpose of Working Party...</p>	<p><i>“to advise and inform Council on future management of the Gardens in peak periods over summer and public holidays;”</i></p> <p>Suggest that such advice includes comments on:</p> <ul style="list-style-type: none"> (a) any types of activities suggested as not considered appropriate to be held at the Gardens and reasons for same; (b) any special conditions considered applicable to particular uses/activities at the Gardens; (c) the review of the Consumption of Liquor in a Public Place Local Law, later in 2021; (d) any considerations which would come under the Council’s current General Local Law; and (e) the Council Order under the Domestic Animal’s Act. 	

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<p><i>Background Points...</i></p>	<ol style="list-style-type: none"> 1. Edinburgh Gardens is a very large Crown Land community recreation space in Fitzroy North. 2. The space is designed with facilities and infrastructure to serve a range of both formal and informal purposes including: <ol style="list-style-type: none"> (a) formal sporting grounds and facilities, children’s playgrounds, transit cycling paths; and (b) informal uses including but not limited to - dog walking, picnicking, group gatherings, exercising or merely relaxing in the delightful surrounds. 3. The Edinburgh Gardens thus attracts a very diverse range of community members for a wide variety of uses/activities. 4. On some occasions (<i>e.g. public holidays or special event days or extremely warm evenings</i>) very large numbers of community members have gathered to enjoy the open space and its surrounds: <ol style="list-style-type: none"> (a) activities by some attendees have gotten “out of control” in terms of e.g. excessive noise, excessive consumption of alcohol, consumption of drugs; and (b) inappropriate behaviours have resulted arising from reduced inhibitions caused through intoxication, etc. e.g. some attendees: <ol style="list-style-type: none"> (i) using nearby public laneways and the public gardens areas for toileting purposes; (ii) harassing nearby residents by entering their front yards to access water taps; (iii) arranging for delivery services (including alcohol) to be assigned to adjacent property addresses without consent of the owners; (iv) excessive noise; (v) inappropriate disposal of waste; (vi) non respect to human rights and gender equity; (vii) creating risks and security problems for emergency services personnel. 5. On occasions, Victoria Police and Council Officers have been required to attend the Gardens to respectively address the inappropriate activities. 6. A number of residents adjacent to the Gardens have expressed very strong concerns about the adverse impact on themselves, their families and friends of inappropriate behaviour by some attendees (<i>examples noted in iv. above</i>) at the Gardens and suggested that Council consider extending bans on alcohol consumption at specified times as a step toward addressing inappropriate behaviour. 7. Some residents have expressed an equally strong desire to maintain free access to the Gardens by all and that no further bans to alcohol consumption be introduced. 	
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Objectives	<p>To seek to achieve an arrangement which will:</p> <ul style="list-style-type: none"> (a) maintain an environment for all community to have respectful and safe access to visit the Gardens for recreation and / or leisure purposes: <ul style="list-style-type: none"> (i) without the need for Council to introduce additional alcohol bans; (ii) in a manner which will see all users respect the rights and desires of other users to enjoy the Gardens peacefully; (iii) in a manner which will respect the Gardens and local environment including adjacent residents, their properties and the surrounding public laneways and to properly use the Gardens and provided facilities; and (b) be structured to ensure respect for each of human rights and gender equity and overall maximise safety for all users of the Gardens. 	
Membership	<p><i>“.. ensure the working group represent the diverse users of the Gardens, residents and key stake holders...”</i></p> <p>To thus provide representation on the Working Party by the following categories:</p> <ul style="list-style-type: none"> (a) 4 x Local resident representatives; (b) 2 x Fitzroy North Primary School representatives; (c) 1 x representative of each regular user group as noted: <ul style="list-style-type: none"> (i) Dog walkers (ii) skateboarders (iii) Cyclists (iv) Tennis (v) Basketball (vi) Football (d) 3 x Councillors (suggest Nicholls Ward Councillors). 	

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Selection Criteria	<p>Council to invite expressions of interest / nominations for each of the above categories of membership.</p> <ul style="list-style-type: none"> • Such nominations to be lodged with Council no later than(to be determined) • Officers to determine the membership to <i>"ensure the working group represent the diverse users of the Gardens, residents and key stake holders"</i> (Referenced above) 	
Chair	Either: The Mayor or a Councillor representative	
Suggested Meeting arrangement	<p>To meet periodically (say <i>fortnightly or weekly</i>) through June to August to consider the operation of Edinburgh Gardens and offer advice to Council thereon and in particular:</p> <ul style="list-style-type: none"> • Prior to Council giving consideration to the review of its Consumption of Liquor in a Public Place Local Law and its applicability to the management of the Gardens, later in 2021. • Any relevant considerations under the: <ul style="list-style-type: none"> – Council's current General Local Law; – Council Order under the Domestic Animal's Act • The overall future management of the Gardens. 	