



**Item 7.4 Petition - Request to allow building of a BMX track on Julier Reserve, Port Melbourne**

A change.org Petition containing 330 signatures, was received from local residents.

**The Petition states the following: -**

*We the young residents of the City of Port Phillip have been trying to find something to do during the current lockdown period that is safe and practical and allows social distancing that is still within the 5km bubble. We decided to make some bmx jumps and all the kids loved it but the council wouldn't allow it even though it was safe and all ages could ride from my little brother who's 4 to me and my friends at 15. There is large support for this and we want to make a submission to the council and need evidence of community support. This is a great way to get people out of the house during these unprecedented times and make sure they stay fit and healthy. This is a simple and cheap use of a small area of land that will benefit many and still leaves plenty of open space for other park users.*

*We would love your support*

**OFFICER COMMENT**

R.F Julier Reserve is a 2.1-hectare reserve located in Port Melbourne, providing playground, public toilet, netball facilities and passive recreation. It is surrounded by local roads and residential properties.

During Stage 3 and 4 COVID restrictions under the direction of the Victorian Chief Health Officer it required land managers to close skate and BMX facilities. With restrictions being eased in October land managers have been able to reopen these types of facilities to the community.

City of Port Phillip's Local Law 49 (1) restricts the ability of individuals or groups to alter or damage land without approval.

- (1) A person must not interfere with or use Council assets in such a way that:
- (a) damage or detriment could be caused to Council assets; or
  - (b) any other person could be injured or suffer loss as a result of that interference or use.

Penalty: 20 penalty units

In this instance the creation of the track was not done with approval and included vandalism of a Council tree as well as the mounding of earth to create the pop-up track.

Whilst supporting the positive health and social benefits a BMX track would deliver, if council wishes to support such a facility, officers recommend that appropriate siting of this facility with community engagement and capital funding to properly construct is recommended. Council has the ability as part of the next budget to consider this request formally and prioritise ahead of other initiatives. If supported as a project, there would be other sites within the area that would be considered more appropriate for this type of facility.

# MEETING OF THE PORT PHILLIP CITY COUNCIL 18 NOVEMBER 2020



If Council wishes for the track to be retained as is, Council could consider a change to Local Law 49 to provide for this, when the review of the Local Law occurs.

## **OFFICER RECOMMENDATION**

That Council:

Receives and notes the Petition.

1. Thanks the community for their petition and acknowledge the community benefits and social connectiveness a BMX track would provide.
2. Notes that the current BMX track constructed on public land at R.F Julier Reserve is not in accordance with Local Law 49 and cannot be supported.
3. Notes vandalism of a Council tree is not acceptable in any situation.
4. Notes the petition will be submitted as a community request for consideration in the upcoming 2021/2022 budget process.

**TRIM FILE NO:** F20/1

**ATTACHMENTS** Nil