

## 7.9 BANNOCKBURN RECREATION PRECINCT (DARDEL DRIVE) - UPDATE

**File Number:****Author:** Eric Braslis, CEO**Authoriser:** Eric Braslis, CEO**Attachments:** 1. Dardel Drive Fact Sheet - February 2024

### RECOMMENDATION

That Council:

1. Note the actions undertaken since receiving the petition at the February 2024 Council meeting.
2. Note the intention to host an information session prior to May 2024.
3. Receive a further report following the additional community consultation.

### EXECUTIVE SUMMARY

A petition was received and tabled at the Council meeting in February 2024 in relation to 3.5 hectares of Council owned land in the northern part of the Bannockburn Recreation Precinct that Council declared surplus to its needs, and which has since been rezoned to Neighbourhood Residential and a Planning Permit issued for a 51-lot residential subdivision.

### BACKGROUND

In March 2021, Council decided that some of the land in the Bannockburn Recreation Precinct would not be needed for public open space, as originally planned. Since that decision was made, Council prepared the necessary documents and plans and lodged an application to rezone the land to 'Neighbourhood Residential'. The application also included permission to subdivide the land into 51 lots.

In March 2023, the Minister for Planning commenced the public exhibition of the proposal to rezone the land. As part of the Planning Scheme Amendment process, the community was invited to make submissions. Residents were then provided with the opportunity to present their submissions to a Ministerial Panel in September 2023. In December 2023, the Minister rezoned the land and a planning permit for a 51-lot residential subdivision was issued.

### DISCUSSION

Since receiving the petition in January 2024 from the community, concerned with the proposed development, several actions have been taken.

- An updated Fact Sheet (attached) has been uploaded to the dedicated page on the Council website.
- The updated Fact Sheet has been emailed / posted to all those who signed the Petition.
- The updated Fact Sheet has been posted to all property owners who directly abut, front or adjoin the recreation reserve.
- A Have Your Say page has been created to allow for community to post comments.

Officers will now arrange for an open information session during April to allow for community members to come in and speak to officers.

Following all the above, officers will bring back a report to Council with a recommendation as to the way forward.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

| <b>Implications</b>  | <b>Applicable to this Report</b> |
|--|----------------------------------|
| <b>Governance Principles</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020)                     | Yes                              |
| <b>Policy/Relevant Law</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020)                       | Yes                              |
| <b>Environmental/Sustainability Implications</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020) | No                               |
| <b>Community Engagement</b><br>(Consideration of Community Engagement Principles under s.56 LGA 2020)                  | Yes                              |
| <b>Public Transparency</b><br>(Consideration of Public Transparency Principles under s.58 of LGA 2020)                 | Yes                              |
| <b>Strategies and Plans</b><br>(Consideration of Strategic Planning Principles under s.89 of LGA 2020)                 | No                               |
| <b>Financial Management</b><br>(Consideration of Financial Management Principles under s.101 of LGA 2020)              | No                               |
| <b>Service Performance</b><br>(Consideration of Service Performance Principles under s.106 of LGA 2020)                | No                               |
| <b>Risk Assessment</b>   | No                               |
| <b>Communication</b>   | Yes                              |
| <b>Human Rights Charter</b>  | No                               |
| <b>Gender Equality</b><br>(Gender Impact Assessment required by s.9 of Gender Equality Act 2020)                       | No                               |

### GOVERNANCE PRINCIPLES

The submission and presentation of petitions to Council supports the overarching governance principles, specifically that the transparency of Council decisions, actions and information is to be ensured.

### POLICY/RELEVANT LAW

Local Government Act 2020 and Councils Governance Rules

### COMMUNITY ENGAGEMENT

Petitions are a form of community engagement and allow community members to demonstrate community support for a request or views on a matter and for that request or view to be presented directly to Council.

### PUBLIC TRANSPARENCY

Petitions allow community members to demonstrate community support for a request or views on a matter and for that request or view to be presented directly to Council. The processes in the Governance Rules provide transparency in the way that petitions are presented to Council and how Council decisions relating to petitions are made.

**RISK ASSESSMENT**

There are no identified risk implications associated with this report.

**COMMUNICATION**

The Chief Executive Officer will provide a response to the lead petitioner, as the obvious intended contact for the petition. If Council resolves the officer's recommendation, the Chief Executive Officer will bring a report to a future Council meeting in response to the petition.

**HUMAN RIGHTS CHARTER**

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

**OPTIONS**

Option 1 – Receive the update on actions relating to a petition received.

This option is recommended by officers as it is just an interim update report.

Option 2 – Do not receive the update or request that additional actions be undertaken.

This option is not recommended by officers as a future report is still to be provided to Council.

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest with regard to this matter.

**CONCLUSION**

That ongoing community consultation and information sharing will continue, before officers table a further report to Council to consider other matters within in the petition.