

## Fact sheet 3 Community Land Revocation



This fact sheet is designed to be read alongside the full [Proposal to revoke classification of Community Land – Report for Public Consultation](#).

We recommend you read both documents before providing feedback.

### What is community land?

Community land is a legal classification for land owned by a local council that is set aside for the public to use and enjoy. This classification, outlined in the [Local Government Act 1999](#), is designed to ensure the land is looked after for the benefit of the whole community and to protect sites of cultural or historic significance.

### Why is Council proposing to change the land classification?

The proposed change is a critical step to progress the Prospect Lifestyle Precinct masterplan, endorsed by Council in June 2025. The endorsed masterplan presents a significant opportunity to improve the city's financial sustainability and deliver new community benefits by activating land that is currently underutilised or inaccessible.

The proposed change to the land classification will allow the reclassified land to be sold, leased or co-owned, with the proceeds being used to fund upgrades and improvements to the precinct's community spaces.

## What land is Council proposing to revoke as community land?

The land proposed for revocation includes seven allotments at 142-148 Main North Road, a small triangular allotment in the northeast corner of the precinct, and a portion of the allotment known as Prospect Oval.

Basically, Council is seeking to revoke the community land classification of:

- Eastern wing of Prospect Oval – comprising of tiered mounds surrounding Prospect Oval for viewing purposes

- South-east quadrant of Prospect Oval – currently contains cricket nets used by the Prospect Districts Cricket Club
- Council owned land at 142 – 148 Main North Road

The image below shows these allotments, numbered 1 (portion), 2, 6, 7, 8, 9, 10 and 11 (highlighted in blue) on the below map.



For more information and images of the and proposed for revocation, [click here to read the full Proposal to revoke classification of Community Land – Report for Public Consultation](#).

## **Will any green and/or open space be lost?**

The proposal does involve revoking the community land classification of a portion of Prospect Oval that currently includes some green and open space; however, this land is underutilised, contains aging infrastructure, and has limited accessibility. The endorsed masterplan is designed to create a net increase in high-quality, usable public spaces.

The revocation enables the relocation and upgrade of facilities, ultimately improving usability and safety for all.

## **Why can't Council just lease the land for commercial development?**

The [Local Government Act 1999](#) places important legal restrictions on how community land can be used. It prevents Council from entering into contracts for sale or long-term commercial leases of community land unless the classification has first been legally revoked with the consent of the Minister for Local Government. Revoking the classification removes these legal constraints, providing Council with the necessary flexibility to properly engage the market and explore development options.

## **What will the land be classified as after the change?**

If the land's classification is revoked, it will be freed from the previous legal dedication or trust and will be classified simply as 'Council-owned land'. This change gives Council the ability to sell or lease it for future development that benefits the community and enables the upgrade of the precinct.

## **Does Council plan to sell the reclassified land?**

The revocation is an enabling first step. While sale is possible, Council will first undertake an Expression of Interest (EOI) process to attract design-led proposals. Council will directly control the design process to ensure the vision and objectives of Prospect Lifestyle Precinct are met. The final delivery may occur through land sale, joint ventures, or a combination of different ownership models, depending on which option provides the best outcome for the community.

## **Could this land become 'community land' again in the future?**

The revocation of the community land classification is a permanent step for the purposes of this project.

However, technically, any Council-owned land can be re-classified as community land in the future. The Local Government Act 1999 allows Council to officially resolve to reverse a previous exclusion and re-designate the land as community land, provided there are no other legal restrictions (such as a trust or specific legislation) in place.

For the Prospect Lifestyle Precinct, there are no current plans to re-classify this land once it is revoked. The revocation is specifically intended to enable the necessary development and funding for the masterplan.

## **What is the timeline for these changes and any future development?**

This community consultation is the first step in the formal revocation process. After it closes, Council will consider all feedback before deciding whether to submit the proposal to the Minister for Local Government for final approval. If Council do decide to submit the proposal, and it is approved by the Minister, Council will then be required to make a formal resolution to revoke the classification. If endorsed, this will allow the Council to start the EOI process to formally engage the market and begin implementation of the masterplan.

## **How will Council ensure that any new developments align with the endorsed masterplan?**

Council will ensure that future development aligns with the endorsed masterplan through a design-led and planning-controlled process. This includes approving optimal precinct design, formalising key controls such as building height limits, setback controls, and establishing design principles to maintain the precinct's character and protect the amenity of surrounding properties.



## **Who makes the final decision on the land classification?**

The Minister for Local Government has the final authority to approve or refuse the revocation. Before deciding, the Minister must consider the proposal from Council as well as all public submissions made during the consultation. Following the Minister's approval, Council must also pass a final resolution to give effect to the revocation.

## **What happens if the Minister does not approve the community land revocation?**

If the Minister does not approve the revocation, Council would be unable to proceed with the sale or long-term lease of the land. This would have significant, adverse impacts on the project's funding model and the ability to deliver the Prospect Lifestyle Precinct Masterplan.

## **Will the rest of the precinct be reclassified in the future?**

No. This consultation is only for the specific parcels outlined in the proposal. There are no current plans to reclassify any other part of the Prospect Lifestyle Precinct's community land.

