10 REPORTS FOR DECISION

10.1 INTERNAL REVIEW UNDER SECTION 270 OF LOCAL GOVERNMENT ACT 1999 - REPORT FOR DETERMINATION

File Number: **IC26/54**

Author: **Melanie Amezdroz, Team Leader Governance**

Responsible Executive: **Farlie Taylor, Acting Director City Corporate**

EXECUTIVE SUMMARY

Purpose Statement

The purpose of this report is to provide Council with a report following an Internal Review of a Council Decision.

Report Summary

On 16 January 2026, Council received a Request to Review a Council Decision, from Mr William Curtis.

The decision in question was *"the decision of council to progress with the revocation of community land as part of the PLP to the Minister for Local Government".*

In accordance with Council's Internal Review of Council Decisions Policy, as this was a decision of the Chamber, an external Reviewer was engaged to undertake the Review, to ensure impartiality.

Mr Andrew Aiken was engaged to conduct the Review and his report and recommendations are now provided to Council for consideration.

RECOMMENDATION

That Council:

1. **Having considered Item 10.1 Internal Review under Section 270 of Local Government Act 1999 - Report for Determination receives and notes the report.**
2. **Endorse the recommendation made within the Internal Review Report and AFFIRM Resolution 2025/181 made on 16/12/2025.**

BACKGROUND

Section 270 of the *Local Government Act 1999* provides a mechanism for the review of decisions made by Council, whether that be the Chamber, employees of Council or other persons acting on behalf of Council. The details around this process are contained with Council's Internal Review of Council Decisions Policy. Any person with sufficient interest in a decision can request that a review of a decision be undertaken.

At the Ordinary Council meeting held on 16 December 2025, Council made the following decision:

10.1 PROSPECT LIFESTYLE PRECINCT - DESIGN PRINCIPLES, COMMUNITY LAND REVOCATION, CODE AMENDMENT

RESOLUTION 2025/181

Moved: Deputy Mayor Jason Nelson
Seconded: Cr Kristina Barnett

That Council:

1. ***Having considered Item 10.1 Prospect Lifestyle Precinct - Design Principles, Community Land Revocation, Code Amendment receives and notes the report.***
2. ***Notes the contents and outcomes of Phase 3 PLP Community Consultation as contained within the Community Engagement Summary Report (included as Attachment 1) regarding the Proposal to Revoke the Classification of Community Land (Attachment 2).***
3. ***Endorses the Prospect Lifestyle Precinct Proposal to Revoke the Classification of Community Land (Attachment 2).***
4. ***Authorises the Chief Executive Officer (or delegate) to submit the Proposal to Revoke the Classification of Community Land, together with the consultation report and all submissions received, to the Minister for Local Government for consideration;***
5. ***Authorises the Chief Executive Officer to attend to the preparation of all documents and correspondence and all other matters required to give effect to the above resolution; and***
6. ***Notes that, in accordance with Section 194(3)(a) and (b) of the Local Government Act 1999:***
    a. ***Any revocation of community land classification requires prior approval from the Minister for Local Government.***
    b. ***Should such approval be granted, Council must subsequently pass a formal resolution to confirm the revocation.***
    c. ***Accordingly, the determination regarding the revocation of community land located at the Prospect Lifestyle Precinct will be brought back to Council for deliberation and decision at a future Ordinary Council Meeting if Ministerial approval is obtained.***
7. ***Endorse the Draft Prospect Lifestyle Precinct Code Amendment (included as Attachment 5), which contains recommendations for policy changes to the existing Planning and Design Code zoning and policy in response to the intent of the Prospect Lifestyle Precinct endorsed Master Plan, for the purposes of undertaking consultation.***
8. ***Authorises the Chief Executive Officer to attend to the preparation of all documents and correspondence and all other matters required to give effect to the above resolution; and***
9. ***Notes that the Minister for Planning, under section 73(2)(b)(iv) of the Planning, Development and Infrastructure Act 2016 (the Act), has considered the advice of the State Planning Commission (the Commission) and approved the Proposal to Initiate the Prospect Lifestyle Precinct Code Amendment on 21 November 2025, subject to conditions contained within Attachment 9.***
10. ***Resolves to commence community consultation on the Prospect Lifestyle Precinct Code Amendment in alignment with the details outlined in the Engagement Plan (Attachment 6).***
11. ***Receives and notes the Draft Design Principles as presented in Attachment 7, acknowledging their purpose in providing Council with confidence that mechanisms***

beyond the Code Amendment exist to influence and control development outcomes within the Prospect Lifestyle Precinct.

12. ***Notes that further consideration of a potential future Development Agreement, including the wording and impact of the Design Principles, will be workshopped and deliberated with Council prior to any final decisions being made.***
13. ***Notes that development approval was granted on 1 December 2025 for the reconfiguration of existing allotments at 142–148 Main North Road and Lot 1 Flora Terrace, Prospect, within the Prospect Lifestyle Precinct, and acknowledges that this approval constitutes a critical step in advancing the community land revocation, Code Amendment, and any subsequent Expression of Interest process to be undertaken by Council for the subject land.***
14. ***Notes and affirms that while the overarching objectives and intent of the Phase 2 Roadmap remain unchanged, the implementation has reached a stage where the timing and completion of several key actions are now contingent upon external parties and influencing factors and that Council acknowledges the necessity for the remaining elements of the Roadmap to retain flexibility and adaptability, ensuring responsiveness to evolving circumstances and required adjustments.***

Cr Alison De Backer called for a Division, the original vote was set aside.

In Favour: *Crs Jason Nelson, Kristina Barnett, Lillian Hollitt, Mark Standen and Trinh Nguyen*

Against: *Crs Alison De Backer and Mark Groote*

CARRIED 5/2

DISCUSSION

On 16 January 2026 Council received a Request to Review a Decision from Mr William Curtis, specifically: *"the decision of council to progress with the revocation of community land as part of the PLP to the Minister for Local Government".*

Council's Internal Review of Council Decisions Policy specifies that when the decision subject to review was made by the Elected Council, the CEO will appoint an external person or body to undertake the review.

Following consideration of potential Conflicts of Interest and requesting quotations for the review to be completed, on 29 January 2026, the CEO appointed Mr Andrew Aiken to conduct the review.

Mr Aitken provided a Provisional Report to CEO and Mr Curtis on 18 February 2026.

Having considered feedback on the Provisional Report, Mr Aitken provided his Final Report on 5 March 2026.

The Final Report, which contains the Reviewer's recommendation, is now provided to Council to consider and determine whether to affirm, vary or revoke the decision.

Financial Considerations

The cost to engage an impartial, independent consultant to undertake the Review was $4750. This was funded from existing budget lines.

Approximately 20 hours of staff time was absorbed to facilitate engagement with the applicant, engagement / briefing of reviewer, review of report, and reporting to Council.

Risk / Opportunities for Consideration

Engaging an external consultant to undertake this review not only complies with the requirements of Council's Policy, but also ensures an additional level of impartiality and transparency.

STRATEGIC COMMUNITY PLAN 2023-2027

Alignment to Strategic Community Plan	
FUNDING OUR FUTURE Future focused for the next generation	Efficient and effective administration
OUR PRINCIPLES Driving the delivery of the Community Plan	Governing with Integrity Evidence Based Decisions
TOP FOUR PRIORITIES Representing the foundation of our strategic efforts	Prospect Oval Precinct

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ATTACHMENTS

1. **Final Report - Sec270 Internal Review - 05/03/2026**

Final Report
5 March 2026

City of Prospect

Internal Review

as per

Section 270 of the *Local Government Act 1999*

relating to the

Prospect Lifestyle Precinct Community Land Revocation

Decision by Council at its Ordinary Meeting on 16 December 2025

reviewed by

Andrew Aitken (the **Reviewer**)

INTRODUCTION

On Friday 16 January, 2026, William Curtis (the **Applicant**) made an application (**Request**) to the City of Prospect (the **Council**) via a Council *Request to Review a Decision Form* (**Attachment 1**).

The Applicant lodged their Request for a decision review with Council via email on Friday 16 January 2026. This request was initially acknowledged by Council's Internal Review Contact Officer (**IRCO**) that same day. A further acknowledgement email was sent to the Applicant from the IRCO on Monday 19 January 2026 confirming that receipt of payment by the Applicant for the review Request had been received by Council and that the review process by Council would commence.

On Tuesday 3 February 2026, the IRCO advised the Applicant via email of the Reviewer's name as well as the Reviewer's contact details (email address) should they wish to provide further additional information to support their Request.

In that same email, the IRCO also advised the Applicant of the subsequent steps that would occur as part of this review as well as the review's anticipated timeframe. The Applicant acknowledged the IRCO's email, via return email, on Thursday 5 February 2026.

The decision the Applicant has sought to be reviewed was that made by Council at its Ordinary Meeting on 16 December 2025. In particular, this relates to Item 10.1 of the meeting agenda. Namely:

- *Prospect Lifestyle Precinct - Design Principles, Community Land Revocation, Code Amendment*.

The minutes from the meeting identify the decision relating to Community Land Revocation from this item as residing within Resolution 2025/181 (the **Decision**).

In particular, the Applicant (as can be seen in Attachment 1) has sought a review of that part of the resolution where Council:

- Endorsed the Prospect Lifestyle Precinct Proposal to Revoke the Classification of Community Land, and
- Authorised the Chief Executive Officer (or delegate) to submit the Proposal to Revoke the Classification of Community Land, together with the consultation report and all submissions received, to the Minister for Local Government for their consideration.

The full resolution within which this Decision is contained is as follows:

RESOLUTION 2025/181

Moved: Deputy Mayor Jason Nelson
Seconded: Cr Kristina Barnett

That Council:

1. **Having considered Item 10.1 Prospect Lifestyle Precinct - Design Principles, Community Land Revocation, Code Amendment receives and notes the report.**
2. **Notes the contents and outcomes of Phase 3 PLP Community Consultation as contained within the Community Engagement Summary Report (included as Attachment 1) regarding the Proposal to Revoke the Classification of Community Land (Attachment 2).**
3. **Endorses the Prospect Lifestyle Precinct Proposal to Revoke the Classification of Community Land (Attachment 2).**
4. **Authorises the Chief Executive Officer (or delegate) to submit the Proposal to Revoke the Classification of Community Land, together with the consultation report and all submissions received, to the Minister for Local Government for consideration;**
5. **Authorises the Chief Executive Officer to attend to the preparation of all documents and correspondence and all other matters required to give effect to the above resolution; and**
6. **Notes that, in accordance with Section 194(3)(a) and (b) of the Local Government Act 1999:**
    a. **Any revocation of community land classification requires prior approval from the Minister for Local Government.**
    b. **Should such approval be granted, Council must subsequently pass a formal resolution to confirm the revocation.**
    c. **Accordingly, the determination regarding the revocation of community land located at the Prospect Lifestyle Precinct will be brought back to Council for deliberation and decision at a future Ordinary Council Meeting if Ministerial approval is obtained.**
7. **Endorse the Draft Prospect Lifestyle Precinct Code Amendment (included as Attachment 5), which contains recommendations for policy changes to the existing Planning and Design Code zoning and policy in response to the intent of the Prospect**

Lifestyle Precinct endorsed Master Plan, for the purposes of undertaking consultation.

8. **Authorises the Chief Executive Officer to attend to the preparation of all documents and correspondence and all other matters required to give effect to the above resolution; and**

9. **Notes that the Minister for Planning, under section 73(2)(b)(iv) of the Planning, Development and Infrastructure Act 2016 (the Act), has considered the advice of the State Planning Commission (the Commission) and approved the Proposal to Initiate the Prospect Lifestyle Precinct Code Amendment on 21 November 2025, subject to conditions contained within Attachment 9.**

10. **Resolves to commence community consultation on the Prospect Lifestyle Precinct Code Amendment in alignment with the details outlined in the Engagement Plan (Attachment 6).**

11. **Receives and notes the Draft Design Principles as presented in Attachment 7, acknowledging their purpose in providing Council with confidence that mechanisms beyond the Code Amendment exist to influence and control development outcomes within the Prospect Lifestyle Precinct.**

12. **Notes that further consideration of a potential future Development Agreement, including the wording and impact of the Design Principles, will be workshopped and deliberated with Council prior to any final decisions being made.**

13. **Notes that development approval was granted on 1 December 2025 for the reconfiguration of existing allotments at 142–148 Main North Road and Lot 1 Flora Terrace, Prospect, within the Prospect Lifestyle Precinct, and acknowledges that this approval constitutes a critical step in advancing the community land revocation, Code Amendment, and any subsequent Expression of Interest process to be undertaken by Council for the subject land.**

14. **Notes and affirms that while the overarching objectives and intent of the Phase 2 Roadmap remain unchanged, the implementation has reached a stage where the timing and completion of several key actions are now contingent upon external parties and influencing factors and that Council acknowledges the necessity for the remaining elements of the Roadmap to retain flexibility and adaptability, ensuring responsiveness to evolving circumstances and required adjustments.**

Cr Alison De Backer called for a Division, the original vote was set aside.

In Favour:	Crs Jason Nelson, Kristina Barnett, Lillian Hollitt, Mark Standen and Trinh Nguyen
Against:	Crs Alison De Backer and Mark Groote

CARRIED 5/2

By way of clarification, the main decisions at that meeting pertaining to the revocation of community land are contained in resolution parts 2 to 6 inclusive (above). The Applicant states:

Can you please review the decision of council to progress with sending the revocation of community land as part of the PLP to the Minister for Local Government.

The council decided to approve this despite the majority (2/3) of the community who participated (~1%) in consultation voting against the revocation of community land.

This decision making was flawed for a number of reasons and hence why I would like this decision to be reviewed:

1. At the time of the consultation the community was not made aware of the height and scale of the buildings that are proposed to be built on the land to be revocated. Had this information been known prior this would have had a material impact on the number of participants in the consultation and the result. The mayor stated previously that this height was a myth which has proven to not be true.
2. The consultation documentation was not clear as the postcard flyer that was distributed by the council highly promoted "unlocking prospects future", but did not clearly explain the revocation of community land, its potential impacts and what the land would instead be used for. In fact this information could only be obtained by the community going to the council website and doing a large amount of research for themselves.
3. The agenda provided to councillors for the December council meeting was very biased in favour of the land revocation as was noted by cr Mark Groote during the meeting.
4. The councillors put undue weight on other factors in this decision making process rather than the results of the consultation.

The Applicant also provided additional information in their original Request which will also be addressed in the Findings section of this report.

Recommendation

As indicated towards the end of this report, the Reviewer has recommended that Council, in considering this report, **reaffirms its Decision**.

METHODOLOGY AND PROCESS

This Section 270 review process has been guided by Council's *Internal Review of Council Decisions (s270) Policy and Procedure* (the **Policy**). Under clause 6.1.3 of that Policy, it states that:

> *Where the decision is a decision of the elected Council the CEO will appoint an external person or body who will report the outcome of the review to Council.*

The Reviewer in this case has been appointed to undertake an independent review.

Final Report
5 March 2026

Disclaimer

> *The Reviewer has no affiliation with the PLP project; has never previously undertaken work for the City of Prospect; and therefore retains the ability to review this Decision objectively and impartially.*

In undertaking the review, the Reviewer is to take into account, as much as practicable, relevant information that was made available to Council up to and including the time of the Decision. The review has taken into account:

- the reasonable extent, nature and context of the Request both in terms of the:
    - consequences of the decision (ie *merit* element), and where relevant the
    - decision-making process itself (ie *procedural* element).
- all relevant documents and information related to the complaint, including:
    - Council reports
    - Community engagement plans
    - Council minutes
    - Council policies
    - Council strategies.
- relevant documents to assess adherence to legislative / statutory or similar obligations.

In addressing and considering the above, the Reviewer has an obligation to 'stand in the shoes' of the original decision maker (Council) and turn one's mind to the appropriateness and reasonableness of the Decision, given the circumstances. This obligation also extends to whether the Reviewer is of the opinion that the Decision has been made in the best interests of the community and the public.

The Reviewer is also charged with the responsibility to consider whether a different / more appropriate decision could have been made, given the evidence. Ultimately, the Reviewer is to provide the Council with a recommendation for it to consider (including whether the original decision should be *affirmed, varied or revoked*). It is also incumbent upon the Reviewer to ensure that the review be undertaken consistent with the principles of 'procedural fairness'.

The following documents have been provided to the Reviewer by the IRCO, noting that these are, or have been, publicly available.

28 May 2024 Council Meeting

- PLP Engagement Strategy
- Principles
- Objectives

Agenda – from page 4
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0018/1601307/Ordinary-Council-Meeting-Agenda-28-May-2024-Public.PDF
Minutes – from page 4

https://www.prospect.sa.gov.au/__data/assets/pdf_file/0027/1611675/Ordinary-Council-Meeting-Minutes-28-May-2024-Public.pdf

28 January 2025 Council Meeting

- Phase 1 consultation results
- Endorsement of Phase 2 consultation

Agenda – from page 26
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0039/1745994/Ordinary-Council-Meeting-Agenda-28-January-2025-PUBLIC.pdf
Minutes – from page 4
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0032/1749182/Ordinary-Council-Meeting-Minutes-28-January-2025-PUBLIC.PDF

27 May 2025 Council Meeting

- Phase 2 consultation results

Agenda – from page 173
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0025/1812634/Ordinary-Council-Meeting-Agenda-27-May-2025_Redacted2.pdf
Minutes – from page 3
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0030/1815429/Ordinary-Council-Meeting-Minutes-27-May-2025.pdf

24 June 2025 Council Meeting

- Endorsement of Masterplan

Agenda – from page 5
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0038/1827659/Ordinary-Council-Meeting-Agenda-24-June-2025-PUBLIC.PDF
Minutes – from page 3
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0026/1830581/Ordinary-Council-Meeting-Minutes-24-June-2025-Public.PDF

22 July 2025 Council Meeting

- Roadmap Update
- Endorsement of initiation of code amendment, community land revocation, CLMP and land division processes

Agenda – from page 5
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0035/1841678/Ordinary-Council-Meeting-Agenda-22-July-2025-PUBLIC.PDF
Minutes – from page 4
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0025/1843711/Ordinary-Council-Meeting-Minutes-22-July-2025.PDF

23 September 2025 Council Meeting

- Endorsement to release of CLMP and community land revocation proposal for consultation

Agenda – from page 17
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0034/1873159/Ordinary-Council-Meeting-Agenda-23-September-2025-PUBLIC.pdf
Minutes – from page 5
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0030/1875432/Ordinary-Council-Meeting-MINUTES-23-September-2025-PUBLIC.pdf

16 December 2025 Council Meeting

- Phase 3 consultation results
- Authorisation to submit proposal to revoke community land classification to Minister
- Endorse Code Amendment for consultation

Agenda – from page 4
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0020/1912430/Ordinary-Council-Meeting-Agenda-16-December-2025-PUBLIC.PDF
Minutes – from page 3
https://www.prospect.sa.gov.au/__data/assets/pdf_file/0023/1915142/Ordinary-Council-Meeting-Minutes-16-December-2025-PUBLIC.pdf

The above, and other relevant information, has been accessed and considered by the Reviewer in the course of undertaking this review.

The above approach has culminated in this report to Council for its consideration and final determination in relation to this Request.

BACKGROUND

The Council has identified the Prospect Oval Precinct as one of four (4) priorities in its 2023-2027 Strategic Community Plan (the Plan). In the Plan, it outlines a number of intended initiatives to assist in future planning and development of the precinct, including through community engagement.

The Prospect Lifestyle Precinct (PLP) has featured in a number of previous Council Meetings (including those identified in the Methodology and Process section above) and Council Workshops. The Reviewer has been advised that approximately 23 workshops, some of which included items discussed in confidence, that contained a PLP (or similarly) related item occurred between 12 February 2024 and 2 December 2025, inclusive.

The Reviewer considers these workshops as important opportunities for the elected representatives of the community (Council Members) to be informed of, and discuss, relevant information that will ultimately lead to a decision. Of particular note is the following comment on p7 of the 16 December 2025 Ordinary Council Meeting Agenda:

> *Since endorsement of the Master Plan and Phase 2 Roadmap, Council has undertaken extensive work across multiple streams to position the PLP for progression to statutory milestones.*
>
> *Council's recent focus has been guiding the development and refinement of design concepts for the Prospect Lifestyle Precinct. Through a series of detailed workshops, informed by industry specialists, Elected Members have reviewed multiple design options for the mixed-use development at varying heights, scales, and configurations to assess project feasibility and ensure the optimal value return to support the PLP's community-focused initiatives.*
>
> *These sessions have enabled Council to rigorously interrogate key design assumptions, evaluate alternative development scenarios, and provide clear direction on those elements that best align with the endorsed Master Plan, strategic objectives, and community expectations.*

As outlined in the 28 May 2024 Council Meeting Agenda (p5), in the report item titled Prospect Lifestyle Precinct Community Engagement Strategy:

> *Stakeholder engagement, including workshops and informational sessions undertaken between 2020 to 2023 with site user groups, sporting bodies and interested entities have underscored a desired vision for the site's future enhancement.*
>
> *An adjacent land purchase in 2023 marked a strategic move by Council to integrate Prospect Oval, Memorial Gardens and Croquet Club with Main North Road, envisioning it as a vibrant lifestyle destination. This investment aligns with the City's commitment to fostering community well-being, economic growth, and top-tier sporting amenities.*
>
> *Council has embarked on a transformative initiative to invest in the future of the site, undertaking a precinct wide Master Planning process recognizing the site's pivotal role in enhancing community well-being, fostering city-wide economic prosperity, promoting top-tier sporting facilities, and providing high-quality recreational spaces.*

At this same 28 May 2024 Ordinary Meeting, the following groups were established as part of the endorsed PLP Governance Model:

PLP Steering Group
PLP Project Control Group
PLP Community Reference Group
PLP Facility Users Group.

Further to its consideration of the above report, Council has endorsed key community engagement / consultation phases relating to the PLP. Most notably:

Phase 1 – 8/07/2024 – 30/08/2024
- Community aspirations for the PLP

Phase 2 – 17/02/2025 – 28/03/2025
- Masterplan Options (4 proposed)

Phase 3 – 7/10/2025 – 4/11/2025
- Proposal to revoke community land classification
- New Community Land Management Plan for PLP site

It is also pertinent to note Phase 4 consultation that was endorsed by Council at its 16 December 2025 Ordinary Meeting.

Phase 4 – 2/02/2026 – 15/03/2026 (currently underway)
- Draft Code Amendment

Of particular relevance to this Request is the Phase 3 consultation. The Council considered the outcomes of this consultation at its Ordinary Meeting on 16 December 2025. (The resolution from the relevant report in the meeting's agenda, Item 10.1, is contained in the Introduction section of this report.)

A number of other previous relevant decisions and approvals have occurred over recent months in support of progressing the PLP:

- Master Plan endorsed by Council in June 2025
- Phase 2 Roadmap recognsied by Council in July 2025
- Commence an open market, non-binding Expression of Interest (EOI) process, inviting responses from the market regarding development opportunities (July 2025)
- Proposal to Initiate the Draft Code Amendment approval from the Minister for Planning on 21 November 2025
- Development Approval for the reconfiguration of Lots 142-148 Main North Road and Lot 1 Flora Terrace on 1 December 2025.

In the context of this Request and Decision, the Reviewer notes that on p15 of the 16 December 2025 Ordinary Council Meeting Agenda it states:

> *It is important to note that, even if the revocation proceeds to Ministerial consideration, Council retains a formal decision point to either endorse or reject the revocation, by which time consultation on the Code Amendment will be underway and its findings can further inform Council's deliberations.*

FINDINGS

Merit

The Reviewer has addressed (below) each element of the Request by the Applicant to more specifically articulate their findings.

Can you please review the decision of council to progress with sending the revocation of community land as part of the PLP to the Minister for Local Government.

Overall, on balance and on its merits, the Reviewer is of the opinion that the Decision by Council to progress the community land revocation was a reasonable one. The Reviewer considers that sufficient relevant and appropriate information had been provided to Council leading up to, and including at, its Ordinary Meeting on 16 December 2025 in order for it to have arrived at this Decision.

The council decided to approve this despite the majority (2/3) of the community who participated (~1%) in consultation voting against the revocation of community land.

While acknowledging the Phase 3 community engagement revealed that support for progressing the revocation was in the minority, the Reviewer is of the opinion that the breakdown and reasons for this outcome were articulated in the16 December 2025 Ordinary Council Meeting Agenda report. Notably, that a higher proportion of the respondents opposed to the revocation reside closer to the PLP. Further, it was identified in the 16 December 2025 Ordinary Council Meeting Agenda report that support for the revocation was higher from respondents who reside further from the PLP.

It is the opinion of the Reviewer that, when initiating such engagement exercises, it is more directly embarking on community consultation, not conducting a plebiscite. The Reviewer considers that qualitative responses from community consultations should be considered in addition to any quantitative results. When considering this consultation feedback, it is also worth noting that community land revocation in and of itself does not confirm development outcomes or immediately alter land uses. In addition to this, the Reviewer considers that the main concerns raised via community feedback to the Phase 3 consultation were dealt with appropriately in responses and comments provided by the Council Administration in the 16 December 2025 Ordinary Meeting of Council Agenda report.

When considering the above, the Reviewer turned their mind to the need for decisions to be made with both broader community benefit and public interest in mind in addition to those who may be more directly affected. Section 59 (Roles of members of councils) of the *Local Government Act 1999* identifies the responsibility of council members to serve the overall public interest and to represent the interests of residents and ratepayers of the council.

Notwithstanding any assessment of the community engagement feedback, and the importance in accessing community sentiment in its decision making processes, it is incumbent on Council to make decisions that take into account a range of factors, not

only community feedback. The Reviewer considers the Council did take into account a range of factors, not only the community feedback, when making this Decision.

By 'standing in the shoes' of the Decision makers, the Reviewer considered a number of factors, risks and opportunities including (yet not limited to):

- Community feedback from Phase 3 consultation (and previous PLP related consultations)
- Feedback from other groups and stakeholders
- The Council endorsed preferred Master Plan
- The Council endorsed Roadmap
- Previous related land purchase, boundary realignment, land division and development approvals
- Plans for a design-led approach to developing the site, including mixed use development and possible financial return from investment
- The Draft Code Amendment (that Council endorsed for consultation at this same 16 December 2025 Ordinary Council Meeting).

This decision making was flawed for a number of reasons and hence why I would like this decision to be reviewed:

1. ***At the time of the consultation the community was not made aware of the height and scale of the buildings that are proposed to be built on the land to be revocated. Had this information been known prior this would have had a material impact on the number of participants in the consultation and the result. The mayor stated previously that this height was a myth which has proven to not be true.***

While the extent of height and scale of the buildings was not a prominent feature of this Phase 3 consultation, given the focus on community land revocation, there was reference to the Master Plan (see p32 of the 23 September 2025 Ordinary Council Meeting Agenda, as contained in the *PLP Proposal to revoke classification of Community Land Report for Public Consultation* item), which outlined the following information:

> *Mixed-Use Development South-East Corner: A multi-storey, mixed use development offering potential for a variety of complementary commercial, community, and residential uses, with strong prospects for generating commercial returns and creating new rateable properties.*

Suffice to say, a number of respondents did express their objection to multi-storey development on the site, indicating that they were aware of this possibility in the future. The Reviewer concurs with the statement made on page 4 of the 16 December 2025 Ordinary Council Meeting Agenda:

> *Revocation does not predetermine development outcomes or immediately alter existing uses.*

Further, on that same page, it subsequently states:

> *The Draft Code Amendment provides the statutory planning framework to guide future built form, zoning, heights, and interface treatments, ensuring alignment with the Preferred Master Plan.*

Notably, on p22 of the 16 December 2025 Ordinary Council Meeting Agenda, when referring to the proposed Phase 4 community consultation, it refers to proposed maximum building heights expressed in both metres and levels, and on p23 it refers to proposed building envelopes.

To this end, the Reviewer is not aware of any previous or current specified "proposed" building scale and heights for the PLP site. The Reviewer is of the opinion that feedback on more specific proposals / options related to the extent of height and scale of buildings, is more appropriately gained through Phase 4 Draft Code Amendment consultation, currently underway. In this regard, the Reviewer notes that, for example, the front page of the Plan SA portal regarding this Draft Code Amendment consultation refers to the PLP proposal *allowing for increased building heights with a maximum of 12 storeys concentrated along the Main North Road corridor, gradually stepping down towards the lower-density residential areas*.

The Plan SA portal can be accessed via the City of Prospect Engagement Hub (PLP Phase 4 consultation):

City of Prospect | Prospect Lifestyle Precinct

or directly through to the Plan SA portal:

View code amendment | PlanSA

The Reviewer is not convinced that any additional information regarding height and scale of buildings would have had a noticeable or "material" impact on neither the number of those participating in the consultation, nor on the proportion of those participating being for or against the community land revocation.

Given that a key focus for the Phase 3 consultation was on the merits of community land revocation, the Reviewer considers community feedback on more detailed elements such as building scale and heights are, as outlined above, more appropriately addressed as part of the Phase 4 Draft Code Amendment consultation.

While the assertion by the Applicant regarding community participation numbers in the Phase 3 consultation is worth contemplating, it is ultimately considered speculative by the Reviewer and therefore not having a material impact on the Decision. Ultimately, the Reviewer is of the opinion that sufficient community feedback was gained from the

Phase 3 consultation to enable decision makers to draw adequate conclusions as to why the revocation may have been supported by the community and why it may have been opposed.

In reference to the "myth" asserted by the Applicant, the Reviewer can only make the following comments:

- The Reviewer reiterates that they are unaware of specific building scale and heights being proposed or determined for the site, while recognising options have been, and are currently, considered in this regard, including as part of the Phase 4 consultation, and
- The Reviewer is aware of 'myth busting' that had been communicated by the Mayor to the community at a time/s when it was considered prudent to do so. The Reviewer understands that this included communication / clarification that reiterated that no decision had yet been made on building scale and heights within the PLP.

2. ***The consultation documentation was not clear as the postcard flyer that was distributed by the council highly promoted "unlocking prospects future", but did not clearly explain the revocation of community land, its potential impacts and what the land would instead be used for. In fact this information could only be obtained by the community going to the council website and doing a large amount of research for themselves.***

Having reviewed the postcard (p169 of the 16 December 2025 Ordinary Council Meeting Agenda and as **Attachment 2** to this report) and information that was largely able to be accessed on the Council website, the Reviewer has drawn the conclusion that there was a satisfactory and open level of material and explanation of the community land revocation process and how it related to the PLP. For example, *Fact sheet 3 Community Land Revocation* (pp159-163 of the 16 December 2025 Ordinary Council Meeting Agenda) includes:

- Why Council is proposing the change to the land classification
- The specific land parcels proposed for revocation
- The impact on green and/or open space
- What the land would be classified as post-revocation
- The possibility of sale, lease, joint venture or other ownership models in future
- The timeline for any change and future development
- How Council would ensure any future development aligns with the PLP Master Plan
- The approval process.

The Reviewer is also aware of other avenues used by Council to direct stakeholders and community members to the Council website, including via letter and public notice.

3. ***The agenda provided to councillors for the December council meeting was very biased in favour of the land revocation as was noted by Cr Mark Groote during the meeting*.**

The Reviewer does not share the above assertion made by the Applicant. It is the opinion of the Reviewer that, for the most part, a Council Administration has a responsibility, if not an obligation, to provide 'frank and fearless' advice and considered recommendations to Council.

In this instance, the Council Administration has also been charged with the responsibility to progress a range of decisions made by Council in relation to the PLP. Most notable in this instance are the two decisions of Council to:

- Commence Community Land Revocation (July 2025), and
- Proceed with public consultation regarding Community Land Revocation (September 2025).

The above aside, in this case, it would appear the Council Administration has formed an opinion and recommendation regarding the outcome of the Phase 3 community consultation as it relates to the proposed community land revocation. In supporting its recommendation, on p12 of the 16 December 2025 Ordinary Council Meeting Agenda, it states that:

> *Nearly one-third of respondents supported the proposed revocation, citing benefits such as more efficient use of underutilised land, enhanced safety and amenity, and financial returns from mixed use development opportunities to fund precinct upgrades. This support aligns directly with the objectives and principles that have guided the Prospect Lifestyle Precinct from the outset, creating a sustainable, connected, and financially resilient destination that delivers quality public amenities, promotes community use, and leverages commercial opportunities to reduce reliance on residential rates.*

On that same page of the report, the Administration also acknowledges that:

> *Of the 62% of respondents who opposed the proposed revocation of community land, themes centred around the perceived loss of green space, traffic and parking concerns, distrust of Council, and resistance to high-density development. However, a detailed review of the qualitative feedback reveals that most objections are directed at the broader intent and scale of the Prospect Lifestyle Precinct Master Plan, and not the technical content or scope of the revocation proposal itself.*

As a corollary to the above, on p14 of the 16 December 2025 Ordinary Council Meeting Agenda, the following observation was made:

> *Many respondents conflated revocation with immediate commercial development, high-rise apartments, or loss of heritage assets, despite the fact that these matters have not yet been endorsed by Council and would be addressed through separate planning and design processes, including the Code Amendment and future development applications.*

The Reviewer tends to concur with the analysis and conclusions drawn by the Council Administration in relation to the Phase 3 consultation outcomes as they relate to the proposed revocation of community land. To that end, the Reviewer is of the opinion that the report and its recommendations are reasonable, sound and balanced.

4. *The councillors put undue weight on other factors in this decision making process rather than the results of the consultation.*

As previously referred to in this report, there are a number of factors, including community consultation, that are relevant to this Decision. Notwithstanding the importance of community feedback, having considered much of the information and factors that the decision makers were privy to, the Reviewer (in 'standing in the shoes' of the decision makers) does not agree with this assertion by the Applicant.

In drawing this conclusion, the Reviewer refers to what are considered by the Reviewer to be worthy observations made on p15 of the 16 December 2025 Ordinary Council Meeting Agenda:

- *Opposition to the community land revocation largely reflected concerns about redevelopment and perceived overdevelopment rather than objections to the specific land parcels proposed for revocation. Many issues raised relate to concept designs, the content of the Code Amendment, and future land uses associated with the site, rather than the statutory revocation process itself.*
- *The revocation does not predetermine development outcomes, it simply removes statutory constraints to allow Council to explore options aligned with the Master Plan, such as conducting a formal Expression of Interest process.*
- *Retaining the current proposal ensures alignment with Council's PLP objectives and the Draft Code Amendment, for which the Minister has approved the Proposal to Initiate.*
- *Submitting the Proposal to Revoke the Classification of Community Land does not limit Council's ability to address community concerns through design controls, development agreements, and ongoing engagement phases.*

To this end, the Reviewer is of the opinion that the community land revocation process, while important for progressing the PLP in its current master planned form, is not the

only stakeholder and community engagement and decision making step for the progression of the PLP. Further, the Reviewer has formed the opinion that the relevant factors related to the Decision have been considered in a balanced and measured manner.

Additional Information from the Applicant

I am seeking the following resolution as part of this review:

- *No further decisions to be made on the PLP until this review has been completed*.
- *That the council does a comprehensive consultation (similar to the recent Campbelltown Community Heart consultation) where all costs, impacts and intended uses of the Masterplan are transparently documented and proposed to the community in its entirety. Until that point is reached delay any decisions committing to further progress on the PLP (Land Revocation and Code Amendment)*.

The Reviewer has considered the above additional information from the Applicant. In doing so, the Reviewer is not of the opinion that decisions or activities associated with the PLP need to cease at this time. For example, the Phase 4 Draft Code Amendment consultation currently underway will provide further feedback to inform future decisions regarding the PLP. However, ultimately this is a decision for Council.

Council will consider this report and its recommendation in due course. It will also, quite possibly simultaneously, be considering other PLP related decisions, including the outcomes from the Phase 4 Draft Code Amendment consultation and the possible revocation of community land should the Minister support Council's proposal for revocation.

Procedural

While the Reviewer acknowledges that the Request by the Applicant is questioning the merits of the Decision, the Reviewer has turned their mind to procedural elements related to the Decision as a matter of course.

Revocation of Community Land

The Reviewer has concluded that Council has, to date, undertaken the revocation of community land process consistent with the requirements set out in s194 of the *Local Government Act 1999*. Currently, this section states:

194—Revocation of classification of land as community land

(1) A council may (subject to the following exceptions and qualifications) revoke the classification of land as community land in accordance with the following procedure.

Exceptions and qualifications—

(a) The classification of the Adelaide Park Lands as community land cannot be revoked unless the revocation is by force of a provision of another Act.

(b) The classification of land as community land cannot be revoked if the land is required to be held for the benefit of the community under Schedule 8, under a special Act of Parliament relating to the land, or under an instrument of trust.

(c) The classification of land as community land cannot be revoked if the power to revoke the classification of that land is excluded by regulation.

(d) The classification of other land as community land cannot be revoked unless—

(i) the Minister approves revocation of the classification; and

(ii) if the land is under the care, control and management of the council but is not owned by the council—the owner of the land approves revocation of the classification.

(2) Before a council revokes the classification of land as community land—

(a) the council must prepare and make publicly available a report on the proposal containing—

(i) a summary of the reasons for the proposal; and

(ii) a statement of any dedication, reservation or trust to which the land is subject; and

(iii) a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land and a statement of how the council proposes to use the proceeds; and

(iv) an assessment of how implementation of the proposal would affect the area and the local community; and

(v) if the council is not the owner of the land—a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification; and

(b) the council must undertake public consultation on the proposal.

(3) After complying with the requirements of subsection (2), the council—

(a) must submit the proposal with a report on all submissions made on it as part of the public consultation process to the Minister; and

(b) if the Minister approves the proposal—may make a resolution revoking the classification of the land as community land.

(4) The Minister must consult with the relevant council before a regulation is made under subsection (1) in relation to a specific piece of land.

(5) For the purposes of subsection (1)(a) (but subject to the exclusion of roads under section 193(1)), the Adelaide Park Lands will be taken to be any local government land within the Adelaide Park Lands, as defined (from time to time) under the *Adelaide Park Lands Act 2005*.

Public Consultation

An important component of these requirements is public consultation.

Prior to 14 December 2025, the Reviewer understands that s194(2)(b) stated:

> *the council must follow the relevant steps set out in its public consultation policy.*

The Reviewer notes that Phase 3 public consultation was undertaken prior to 14 December 2025 and has concluded that it was undertaken by Council consistent with the above requirement.

The Reviewer understands that a decision was made by Council at its Ordinary Meeting on 22 July 2025 to undertake a 4 week consultation period for its Phase 3 PLP consultation, instead of a 6-8 week period for community land revocation processes as ordinarily contemplated in its *Community Engagement and Consultation Policy*.

The Council outlined its reasons for doing so in its resolution. These reasons are contained in the minutes for this agenda item for resolution 2025/98 (in part) below:

10.1 PROSPECT LIFESTYLE PRECINCT PHASE 2 ROADMAP - CODE AMENDMENT, COMMUNITY LAND REVOCATION AND COMMUNITY LAND MANAGEMENT PLAN

RESOLUTION 2025/98

Moved: Cr Jason Nelson
Seconded: Cr Thuy Nguyen

That Council:

4. Notes that while the Policy ordinarily contemplates a 4–6 week consultation period for amendments to a Community Land Management Plan, and a 6–8 week consultation period for revocation of community land, having regard to the specific circumstances of the Prospect Lifestyle Precinct project, the Council resolves to undertake a four week consultation period for both processes to be undertaken concurrently, for the following reasons in particular:

(a) the proposed amendment to the Community Land Management Plan is relatively minor and does not significantly alter the existing use, purpose or function of the land;

(b) the land proposed for revocation is currently underutilised or constrained (e.g. due to contamination and other legacy issues), and the revocation is expected to improve rather than reduce access to community facilities;

(c) the public is already aware of the Council's proposed objectives for the site through previous reports, media, and workshops, and the project more broadly is currently promoted on the Council's 'Projects in Progress' webpage;

(d) there has already been a level of engagement with community stakeholders about the broader project, including most recently during the Phase 2 consultation in February/March 2025 at the time of endorsing the Master Plan;

(e) the Community Land Management Plan and Community Land Revocation consultations are one of several future engagement stages relating to this project, including the forthcoming Code Amendment consultation process;

(f) by undertaking both consultation processes in parallel with consistent timeframes provides efficiencies for the project and for the public;

(g) extending the consultation timeframes in this instance may adversely affect project delivery milestones without delivering any material uplift in public access to or participation in the consultation process;

(h) the Policy provides for a degree of flexibility and enables the Council to determine the appropriate level of consultation having regard to the circumstances of a project, and the proposed approach remains consistent with the stated principles of the Policy; and

(i) the minimum legislative requirement under the *Local Government Act 1999* is 21 days, meaning that notwithstanding the Council has chosen to adopt a shorter timeframe than what is contemplated in the Policy, the Council continues to meet and exceed the minimum timeframes set out in the Act.

Cr Mark Groote called a Division, the original vote was set aside.

In Favour: Crs Kristina Barnett, Thuy Nguyen, Mark Standen, Jason Nelson and Lillian Hollitt

Against: Crs Alison De Backer and Mark Groote

CARRIED 5/2

In acknowledging the minimum consultation of 21 days, as related to s50 of the *Local Government Act 1999*, the Reviewer is satisfied with the reasons for embarking on a 4 week consultation period for Phase 3 as outlined by Council in the above resolution.

RECOMMENDATION

Having considered the Request from the Applicant and having reviewed the Decision of Council, the Reviewer is of the opinion that the Decision (within Resolution 2025/181) to:

- Endorse the Prospect Lifestyle Precinct Proposal to Revoke the Classification of Community Land, and
- Authorise the Chief Executive Officer (or delegate) to submit the Proposal to Revoke the Classification of Community Land, together with the consultation report and all submissions received, to the Minister for Local Government for their consideration

was, on balance, reasonable and made in the best interests of the community.

It is therefore the Reviewer's recommendation that Council, in considering this report, **reaffirms this Decision**.

Provisional Report

The Reviewer emailed a provisional version of this report (dated 18 February 2026) to the Applicant and to Council (via the IRCO) on Wednesday 18 February 2026 seeking comment by 5pm on Wednesday 4 March 2026.

The recipients of this email were advised that any comment received would be considered by the Reviewer prior to them finalising the report and submitting it to Council for its consideration.

The Reviewer received a comment from the IRCO in relation to the provisional report to specifically clarify Council's statutory public consultation obligations under s194 of the *Local Government Act 1999* as they applied to the Phase 3 PLP consultation period. This was considered by the Reviewer and subsequently accommodated in this final report.

No comment was received from the Applicant.

ATTACHMENTS

See below.

Final Report
5 March 2026

Attachment 1 Section 270 Internal Review Request

Request to Review a Decision Form

Local Government Act 1999 (SA) s 270

A form to request a review a decision and request for services, to be completed and sent to City of Prospect via **admin@prospect.sa.gov.au**

Part 1 – Applicant details

This section requires information about the person requesting the review. If this form is being completed on someone else's behalf, please provide their information in this form, with your information as an alternative contact in the space below:

Applicant Details	
Given Name	WILLIAM
Surname	CURTIS
Address	[redacted]
Contact phone no.	
Email	
Alternative contact details	*Name:* — *Phone Number:* —

Part 2 – The decision details

This section requires information about the decision sought to be reviewed (*reviewable decision*):

Reviewable decision details	
Decision Maker	*Please tick the relevant box indicating the decision maker if known;* ☑ Council (Elected Body) ☐ Officer of Council (a member of staff) ☐ Unknown
	*Please provide details of the decision sought to be reviewed (**reviewable decision**), including how this decision has impacted you;* AS PER ATTACHED
Decision to review	
Decision date	*Please provide the date the decision sought to be reviewed (**reviewable decision**), was made:* ☐ within six months ☐ unknown ☑ known date being 16 / 12 / 2025 [Date/Month/Year]

Final Report
5 March 2026

Request to Review a Decision Form

Local Government Act 1999 (SA) s 270

Part 3 – Additional information

This section requires further information to assist the ***Internal Review Contact Officer (IRCO)*** when assessing this application:

Additional Information
I am seeking the following resolution as a result of this review: *Please give sufficient details with additional pages attached if required. For example, you may wish for the **reviewable decision** to be reversed, altered or an alternative decision may be available.)* AS PER ATTACHED

Part 4 – Fee

This application must be accompanied by the prescribed fee, however you may request for Council to reduce, waive or refund (in whole or part). Please note, the paid fee does not guarantee the application's progression. *Please tick the appropriate box below.*

I request the $20 application fee be: ☐ Reduced ☐ Waived ☐ Refunded in whole ☐ Refunded by $_____

Part 5 – Additional information for the Applicant

This section provides further information to the ***Applicant*** regarding what a review of a decision may achieve in accordance with legislation.

Additional Information for the Applicant:
In submitting this application, I understand that:
An application for review must be made within 6 months of the making of the decision, however Council may decide to progress this application if the decision was made more than 6 months ago on the basis of the information provided in this application.
An application for review must be accompanied by the $20 fee, which does not guarantee progression, but can be requested to be reduced, waived or refunded (in whole or part) see **Part 4** above.
An application may be refused from proceeding on any one or more of the following; • The application is made by an employee of council and relates to an issue concerning employment; • It appears the application is frivolous or vexatious; • The applicant does not have sufficient interest; • The Council or person is satisfied that the subject-matter has been or is already the subject of review by the Council or an investigation, inquiry or review by another authority.
A new decision may be made or the ***reviewable decision*** may be affirmed or altered.
Further information is available on Council's website: How to lodge a complaint compliment or feedback
Signature [redacted] Date _____

Office use only		
Received (date and time) EDRMS Number:	Date	Time
Acknowledged EDRMS Number:	Initial _____	Date
Approved by CEO and IRCO assigned EDRMS Number:	Yes ☐ No ☐	Date
Applicant notified: Yes ☐ No ☐ EDRMS Number:	In writing ☐ Verbally ☐	Date:

2 | Page

Decision to Review

Can you please review the decision of council to progress with sending the revocation of community land as part of the PLP to the Minister for Local Government.

The council decided to approve this despite the majority (2/3) of the community who participated (~1%) in consultation voting against the revocation of community land.

This decision making was flawed for a number of reasons and hence why I would like this decision to be reviewed:

1. At the time of the consultation the community was not made aware of the height and scale of the buildings that are proposed to be built on the land to be revocated. Had this information been known prior this would have had a material impact on the number of participants in the consultation and the result. The mayor stated previously that this height was a myth which has proven to not be true.
2. The consultation documentation was not clear as the postcard flyer that was distributed by the council highly promoted "unlocking prospects future", but did not clearly explain the revocation of community land, its potential impacts and what the land would instead be used for. In fact this information could only be obtained by the community going to the council website and doing a large amount of research for themselves.
3. The agenda provided to councillors for the December council meeting was very biased in favour of the land revocation as was noted by cr Mark Groote during the meeting.
4. The councillors put undue weight on other factors in this decision making process rather than the results of the consultation.

Additional Information

I am seeking the following resolution as part of this review:

- No further decisions to be made on the PLP until this review has been completed.
- That the council does a comprehensive consultation (similar to the recent Campbelltown Community Heart consultation) where all costs, impacts and intended uses of the Masterplan are transparently documented and proposed to the community in its entirety. Until that point is reached delay any decisions committing to further progress on the PLP (Land Revocation and Code Amendment).

Final Report
5 March 2026

Attachment 2 Postcard – Phase 3 Consultation

UNLOCKING PROSPECT'S FUTURE

PROSPECT LIFESTYLE PRECINCT

Phase 3 consultation

The Prospect Lifestyle Precinct Masterplan is an exciting vision to transform the area into a vibrant hub, and we're taking important steps to ensure it provides long-term benefits for our community.

Share your feedback on our plans.



CITY OF PROSPECT

prospect.sa.gov.au/plp

How to have your say

Scan the QR code to read more and provide your feedback on:

- Proposal to revoke classification of Community Land - Report for Public Consultation
- Two draft Community Land Management Plans

You can also send written submissions by email to **admin@prospect.sa.gov.au** or by mail to PO Box 171, Prospect SA 5082, or complete a physical survey at Payinthi (128 Prospect Rd, Prospect).

Join us at a community information drop-in session

Friday 17 October
10am - 11:30am
Payinthi,
128 Prospect Rd, Prospect

Saturday 18 October
10am - 11:30am
Nailsworth Community Hall,
31 D'Erlanger Ave, Collinswood

Wednesday 22 October
6pm - 7:30pm
Payinthi,
128 Prospect Rd, Prospect

Contact us

If you have any questions or would like to discuss this project further, please contact our Strategic Project Manager on **8269 5355** or via **plp@prospect.sa.gov.au**.

Consultation is open from Tuesday 7 October to Tuesday 4 November 2025

10 REPORTS FOR DECISION

10.1 INTERNAL REVIEW UNDER SECTION 270 OF LOCAL GOVERNMENT ACT 1999 - REPORT FOR DETERMINATION

Cr Kristina Barnett proposed a Variation to the Motion which was supported by the Mover and Seconder.

Cr Mark Groote requested the Motion be taken in parts.

RESOLUTION 2026/34

Moved: Deputy Mayor Jason Nelson
Seconded: Cr Lillian Hollitt

That Council:

1. **Having considered Item 10.1 Internal Review under Section 270 of Local Government Act 1999 - Report for Determination receives and notes the report.**

CARRIED UNANIMOUSLY

2. **Endorse the recommendation made within the Internal Review Report and AFFIRM Resolution 2025/181 made on 16/12/2025.**

Cr Alison De Backer called for a Division. The original vote was set aside.

In Favour: Deputy Mayor Jason Nelson, Crs Kristina Barnett, Lillian Hollitt, Mark Standen, Thuy Nguyen and Trinh Nguyen

Against: Crs Alison De Backer and Mark Groote

CARRIED 6/2

3. **That the full Internal Review Report, with an explanation be, placed on Prospect Council's website on its Prospect Lifestyle Precinct page.**

CARRIED UNANIMOUSLY