



COUNCIL MINUTES

for the meeting

Tuesday 28 May 2019

in the Council Chamber,
Adelaide Town Hall



Members - The Right Honourable the Lord Mayor [Sandy Verschoor] (Presiding);
Deputy Lord Mayor (Councillor Abiad)
Councillors Abrahamzadeh, Couros, Donovan, Hou, Hyde, Khera, Knoll,
Martin, Moran and Simms.

Acknowledgement of Country

At the opening of the Council Meeting, the Lord Mayor stated:

'Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

Acknowledgement of Colonel William Light

The Lord Mayor stated:

'The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six (6) squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia's planning heritage.'

Prayer

Upon the completion of the Acknowledgement of Colonel Light by the Lord Mayor, the Chief Executive Officer asked all present to pray -

'Almighty God, we ask your blessing upon the works of the City of Adelaide; direct and prosper its deliberations to the advancement of your glory and the true welfare of the people of this City. Amen'

Memorial Silence

The Lord Mayor asked all present to stand in silence in memory of those who gave their lives in defence of their Country, at sea, on land and in the air.

Apologies and Leave of Absence

Nil

Confirmation of Minutes

1. Item 6 - Confirmation of Minutes – 14/5/2019 [C]

Moved by Councillor Simms,
Seconded by Councillor Hou –

That the Minutes of the meeting of the Council held on 14 May 2019, be taken as read and be confirmed as an accurate record of proceedings subject to:

1. the deletion of the name 'Knoll' and substitution of the name 'Moran' voting against in the Division on the formal motion in Minute 7 page 6.
2. the deletion of the names 'Moran and Hyde' voting against in the Division on the amendment in Minute 2 page 2.

Carried

Deputation

2. Item 7.1 – Mr Daniel Caon – Deputation – Adelaide Archery Club Building Extension [C]

Mr Daniel Caon addressed the Council to:

- Seek support for an extended tenure for the Adelaide Archery Club to assist in the extension of the building.

The Lord Mayor thanked Mr Daniel Caon for his presentation.

Report of Committee and Advice from Adelaide Park Lands Authority (APLA)

3. Item 9.1 - Recommendations of The Committee – 21/5/2019 [2018/04062] [C]

Moved by Councillor Hyde,

Seconded by the Deputy Lord Mayor (Councillor Abiad) –

Recommendation 1 - Adelaide Archery Club Community Building Extension

That Council:

1. Approves the request made by the Adelaide Archery Club to undertake a building extension to their leased premises in Bullrush Park/Warnpangga (Park 10), subject to Development approval.
2. Approves the proposed building extension concept design as per Attachment A to Item 4.1 on the Agenda for the meeting of The Committee held on 21 May 2019 incorporating additional storage and upgraded amenities, and enhancements to the appearance of the existing facility as per Option 1.
3. Approves Administration to deal directly with the Adelaide Archery Club in relation to this project and notes that the Club will not be subjected to an Expression of Interest (EOI) process.
4. Authorises the CEO to enter into lease negotiations with the Adelaide Archery Club in accordance with the Park Lands Leasing and Licensing Policy and Guidelines and for a term of up to (15) years, noting that the agreement would be subject to community consultation (*Local Government Act (SA) 1999*) and being placed before both Houses of Parliament (*Adelaide Park Lands Act (SA) 2005*).

Carried

Lord Mayor's Reports

4. Item 10.1 – Lord Mayor's Report [2018/04064] [C]

The Lord Mayor addressed the meeting on the following:

- To thank the Deputy Lord Mayor (Councillor Abiad) for taking on the role of Acting Lord Mayor in her absence and attending events on her behalf.
- Domestic Violence vigil at the Adelaide Festival Centre
- International Women's Forum symposium
- University of Adelaide graduate ceremony at Bonython Hall
- Special Council meeting and Civic Reception to celebrate the birthday of Colonel Light
- Volunteer's Week
- National Reconciliation Week
- City of Adelaide's Local Government Management Challenge team
- Daniel Portlock, City of Adelaide Civic Events Coordinator, Local Government Trainee of the Year

It was then -

Moved by Councillor Simms,

Seconded by Councillor Abrahamzadeh -

That the report be received and noted.

Carried

Councillors' Reports

5. Item 11.1 - Reports from Council Members [2018/04064] [C]

Moved by Councillor Martin,
Seconded by Councillor Moran -

THAT COUNCIL

1. Notes the functions attended on behalf of the Lord Mayor (Attachment A to Item 11.1 on the Agenda for the meeting of the Council held on 28 May 2019).
2. Notes the summary of Council Members meeting attendance for the period 24 April 2019 to 22 May 2019 (Attachment B to Item 11.1 on the Agenda for the meeting of the Council held on 28 May 2019).
3. Notes that reports from Council Members tabled at the meeting of the Council held on 28 May 2019 be included in the Minutes of the meeting.

The Chief Executive Officer advised the meeting that the Lord Mayor's absence from recent meetings in Attachment B, had been noted as an 'Apology' when it should have been 'On Leave'.

Councillor Martin addressed the meeting on the following activities:

- Announcement of the Dunstan Foundation Hutt Street Centre Connection week
- Attendance at the Adelaide Airport Consultative Committee

The motion was then put and carried

Reports for Council (Chief Executive Officer's Reports)

6. Item 12.1 – Adelaide Botanic High School Council [2018/04054] [C]

Moved by Councillor Martin,
Seconded by Councillor Abrahamzadeh -

THAT COUNCIL

1. Appoints a City of Adelaide representative to the Adelaide Botanic High School Council.

Carried

The Lord Mayor called for nominations for appointment as City of Adelaide representative to the Adelaide Botanic High School Council.

Councillor Martin nominated Councillor Simms, who accepted the nomination.

Councillor Abrahamzadeh nominated Councillor Couros, who accepted the nomination.

There being two (2) nominations for one (1) Councillor position, a ballot was conducted resulting in Councillor Simms being selected for appointment.

It was then –

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Martin -

That Council appoints Councillor Simms to represent the City of Adelaide on the Adelaide Botanic High School Council.

Carried

7. Item 12.2 – Libraries Board of South Australia [2018/04054] [C]

Moved by Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Knoll -

THAT COUNCIL

1. Approves the nomination of a Council or staff member to the Libraries Board of South Australia.

Carried

The Lord Mayor called for nominations for a Council or staff member to the Libraries Board of South Australia.

Councillor Simms nominated Councillor Martin, who accepted the nomination.

Councillor Knoll nominated Councillor Donovan, who accepted the nomination.

Councillor Abrahamzadeh nominated Councillor Couros, who accepted the nomination.

There being three (3) nominations for two (2) nominee positions, a ballot was conducted resulting in Councillor Couros and Councillor Donovan being selected for nomination.

Councillors Couros and Donovan identified an actual conflict of interest in Item 12.2 [Libraries Board of South Australia] pursuant to Sections 75 & 75A of the Local Government Act 1999, because of remuneration associated with an appointment to the Libraries Board of South Australia, withdrew their chairs and left the Council Chamber at 6.24pm.

It was then –

Moved by Councillor Moran,
Seconded by Councillor Abrahamzadeh -

That Council approves the nomination of Councillors Couros and Donovan to the Libraries Board of South Australia.

Carried

Councillors Couros and Donovan re-entered the Council Chamber at 6.24pm.

8. Item 12.3 – Progress of Motions by Elected Members [2018/04074] [C]

Moved by Councillor Simms,
Seconded by Councillor Martin -

That Council:

- Notes the report.

Carried

Questions without Notice

Discussion ensued

Motions on Notice

9. Item 15.1 – Councillor Simms – Motion on Notice – Atmospheric Lighting [C]

Moved by Councillor Simms,
Seconded by Councillor Moran -

That:

Council requests that administration investigate options for atmospheric lighting (similarly to that on Rundle Street) for O’Connell Street and Melbourne Street in North Adelaide, with prioritisation given to solar options.

Discussion ensued

Amendment –

Moved by Councillor Abrahamzadeh,
Seconded by Councillor Hyde -

That the motion be amended by the inclusion of the words ‘as part of the Master Plan process’ after the word ‘options’.

Discussion continued

CEO Undertaking – Atmospheric Lighting

In response to queries from Councillor Couros, an undertaking was given to ensure that the atmospheric lighting would be complementary to the Splash program.

The amendment was then put and lost

Further discussion ensued

The motion was then put and carried

Councillor Moran then requested that a division be taken on the motion

Division

For (9):

Deputy Lord Mayor (Councillor Abiad) and Councillors Abrahamzadeh, Couros, Donovan, Khera, Knoll, Martin, Moran and Simms.

Against (2):

Councillors Hou and Hyde.

The division was declared in favour of the motion.

10. Item 15.2 – Councillor Moran – Motion on Notice – Voluntary Disclosure [C]

Moved by Councillor Moran,
Seconded by Councillor Simms -

That:

1. Council supports a voluntary disclosure of member contact with developers;
2. Administration provide advice on the best way to capture this disclosure.

Discussion ensued

The Lord Mayor called for a short adjournment of the meeting at 7.21pm.

The meeting reconvened at 7.27 pm with all members present.

Discussion continued

The motion was then put and lost

Councillor Simms then requested that a division be taken on the motion

Division

For (5):

Councillors Donovan, Khera, Martin, Moran and Simms

Against (6):

Deputy Lord Mayor (Councillor Abiad) and Councillors Abrahamzadeh, Couros, Hou, Hyde and Knoll.

The division was declared against the motion.

Item 15.2 [with Administration Comment], distributed separately to the Agenda is attached for reference at the end of the Minutes of this meeting.

11. Item 15.3 – Councillor Khera – Motion on Notice – Rate Freeze [C]

Moved by Councillor Khera,
Seconded by Councillor Moran -

That Council:

1. Provide a commitment to our ratepayers, by reaffirming Council's commitment to freezing the rate in the dollar within this current budget and by extending this commitment to freeze the rate in the dollar, or lower the rate, for the rest of this Council term,
2. On the basis only that projected rates revenue for any subsequent year does not fall below the budgeted rates revenue of 2019/2020 as a base year.

Much discussion ensued, during which Deputy Lord Mayor (Councillor Abiad) left the Council Chamber at 7.48pm and re-entered at 7.49pm.

The motion was then put and lost

Councillor Moran then requested that a division be taken on the motion

Division

For (3):

Councillor, Khera, Martin and Moran.

Against (8):

Deputy Lord Mayor (Councillor Abiad) and Councillors Abrahamzadeh, Couros, Donovan, Hou, Hyde, Knoll and Simms.

The division was declared against the motion.

Item 15.3 [with Administration Comment], distributed separately to the Agenda is attached for reference at the end of the Minutes of this meeting.

12. Item 15.4 – Councillor Hyde – Motion on Notice – Sturt Street Parking Rectification [C]

Councillor Hyde advised that meeting that he was withdrawing his motion from consideration.

Item 15.4 [with Administration Comment], distributed separately to the Agenda is attached for reference at the end of the Minutes of this meeting.

13. Item 15.5 – Councillor Martin – Motion on Notice – Invitation to Address Council [C]

Moved by Councillor Martin,
Seconded by Councillor Simms -

That Council;

1. Requests the Lord Mayor write to the new member for the Federal seat of Adelaide, Mr Steve Georganas to congratulate him on behalf of Council on his recent election and;
2. Invites Mr Georganas as the first new member for the electorate since 2004 to formally address Council to outline his goals for the City of Adelaide.

Discussion ensued, during which:

- Councillor Moran left the Council Chamber at 7.57pm and re-entered at 7.57pm.
- With consent of the mover, seconder and the meeting the motion was varied to read as follows:
'That Council;
 1. Notes the Lord Mayor has written to the new member for the Federal seat of Adelaide, Mr Steve Georganas to congratulate him on behalf of Council on his recent election and;
 2. Invites Mr Georganas as the first new member for the electorate since 2004 to informally meet Council to outline his goals for the City of Adelaide.'

The motion, as varied, was then put and carried

Item 15.5 [with Administration Comment], distributed separately to the Agenda is attached for reference at the end of the Minutes of this meeting.

14. Item 15.6 – Councillor Martin – Motion on Notice – North Adelaide Residents Protections [C]

Moved by Councillor Martin,
Seconded by Councillor Moran -

That Council:

Noting the St Ann's College ERD Court Appeal, instructs the CEO to consider lodging an appeal in the Supreme Court of South Australia by the deadline of May 29th, 2019 against the ERD Court decision to grant permission to St Ann's College to construct a four storey student accommodation building which residents believe will compromise views and set a significant precedent that could lead to further erosion of the protections the City of Adelaide secured on their behalf. The consideration and subsequent decision of the CEO on the appeal is to be informed by specialist legal advice on the reasonable prospect of success, based on legal merits and in context of the cost of and risks associated with litigation.

Much discussion ensued, during which:

- Councillor Hou left the Council Chamber at 8.02pm and re-entered at 8.03pm.
- Councillor Moran left the Council Chamber at 8.19pm and re-entered at 8.19pm.

The motion was then put and lost

Councillor Moran then requested that a division be taken on the motion

Division

For (4):

Councillor Donovan, Martin, Moran and Simms.

Against (7):

Deputy Lord Mayor (Councillor Abiad) and Councillors Abrahamzadeh, Couros, Hou, Hyde, Khera and Knoll.

The division was declared against the motion.

Item 15.6 [with Administration Comment], distributed separately to the Agenda is attached for reference at the end of the Minutes of this meeting.

Motion without Notice

15. Item 16.1 – Deputy Lord Mayor (Councillor Abiad) – Motion without Notice – Liquor Licensing Fees [C]

Moved by Deputy Lord Mayor (Councillor Abiad),
Seconded by Councillor Hyde -

That Council:

- (1) Notes the announcement made by Treasurer Hon Rob Lucas MLC on Thursday 23 May regarding increases to liquor licensing fees;
- (2) Request administration prepare a detailed report on the type and quantity of businesses impacted as a result of the increase to Licensing Fees in the City of Adelaide.

Discussion ensued

The motion was then put and carried

Closure

The meeting closed at 8.39pm.

Mark Goldstone,
Chief Executive Officer

Sandy Verschoor,
Lord Mayor.

The documents referenced in:

- Minute 10 – Item 15.2 - Councillor Moran – Motion on Notice – Voluntary Disclosure, Administration Comment
- Minute 11 – Item 15.3 - Councillor Khera – Motion on Notice – Rate Freeze, Administration Comment
- Minute 12 – Item 15.4 - Councillor Hyde – Motion on Notice – Sturt Street Parking Rectification, Administration Comment
- Minute 13 – Item 15.5 - Councillor Martin – Motion on Notice – Invitation to Address Council, Administration Comment
- Minute 14 – Item 15.6 - Councillor Martin – Motion on Notice – North Adelaide Residents Protections, Administration Comment

are attached for reference.

Voluntary Disclosure

ITEM 15.2 28/05/2019
Council

Council Member
Councillor Moran

2019/00951
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

Councillor Moran will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That:

1. Council supports a voluntary disclosure of member contact with developers;
2. Administration provide advice on the best way to capture this disclosure.'

ADMINISTRATION COMMENT:

1. The conflict of interest provisions under the Local Government Act provide a framework to ensure appropriate governance controls relating to Council Member activity.
2. If carried, the administration will present advice as per above.

- END OF REPORT -

Rate Freeze

ITEM 15.3 28/05/2019
Council

Council Member
 Councillor Khera

2019/00224
 Public

Receiving Officer:
 Mark Goldstone, Chief Executive
 Officer

MOTION ON NOTICE:

Councillor Khera will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

1. Provide a commitment to our ratepayers, by reaffirming Council's commitment to freezing the rate in the dollar within this current budget and by extending this commitment to freeze the rate in the dollar, or lower the rate, for the rest of this Council term,
2. On the basis only that projected rates revenue for any subsequent year does not fall below the budgeted rates revenue of 2019/2020 as a base year.'

ADMINISTRATION COMMENT:

1. Rate Freeze
 - 1.1. The motion, if adopted, provides notice of Council's intention to consider a further freeze in the rate in the dollar to be included as an option in the financial planning and budget process for 2019-20 and the intention to consider this in future budgets.
 - 1.2. It should be noted that consistent with *Section 153 (5) of the Local Government Act 1999*, Council is not permitted to formally declare a general rate until after it has adopted its annual business plan and budget (Integrated Business Plan) for the relevant year.
 - 1.3. However, Council is permitted to provide the administration with notice of its policy position and intent in advance of adopting the Integrated Business Plan.
 - 1.4. The draft 2019-20 Integrated Business Plan was based on the rate in the dollar being frozen for a fifth consecutive year.
2. Projected Rates Revenue
 - 2.1. The Integrated Business Plan process for 2020-21 will include a range of inputs (including outcomes from Community Engagement) and provide Council with the opportunity to review its forecast rates income and policy position prior to adopting the 2020-21 Integrated Business Plan.
 - 2.2. If projected rates revenue is forecast to be less than 2019-20 (base) then Council will have the opportunity to consider an amended rate in the dollar.

- END OF REPORT -

Sturt Street Parking Rectification

ITEM 15.4 28/05/2019
Council

Council Member
Councillor Hyde

2016/02563
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

Councillor Hyde will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

1. Removes paid parking on Sturt Street.
2. Leaves parking bay classifications, including times, the same.
3. Conducts a short review in three months' time, particularly focusing on local businesses, to assess the success of the change.'

ADMINISTRATION COMMENT:

1. Paid parking was introduced to Sturt Street in early 2003. Prior to this time the parking bays were routinely fully occupied, and paid parking was introduced to better manage on-street parking demand.
2. Sturt Street currently contains 129 2-Hour Ticket Parking bays which are serviced by 14 ticket machines and 129 inground sensors.
3. The Ticket Parking bays are effective Monday to Friday, 8am to 6pm. The current fee for parking is \$3.70 per hour and has resulted in an income in the 2018/19 year to date of approximately \$155K.
4. On 26 June 2018 Council resolved that "*Council undertakes a review of parking utilisation in all on-street parking spaces (i.e. ticket parks and time limited parks) in Sturt Street and adjacent streets with a view to significantly reducing street parking charges in order to optimise utilisation of on street parking spaces in that area.*"
5. This review has been underway since the smart parking sensors were activated in mid-January and we planned to bring this to Council for consideration in June. Data from the Smart Parking sensors in the paid parking bays in Sturt St and observations since mid-January shows average occupancy of approximately 30% during the hours 8am-6pm Mon-Fri. Observations in the side streets surrounding Sturt Street (where time limit parking is unpaid) indicates that during the same time periods, overall occupancy is close to 90% with periods of the day observing 100% and providing little or no opportunity of available parking bays during these times.
6. Optimal parking occupancy is widely recognised at being around 80%, indicating that there is an opportunity to optimise parking controls in the area to assist to redistribute the demand.

7. We have also just commenced work on the South Ward Local Area Traffic & Parking Management Plan. This will provide an opportunity for all residents and businesses within the South Ward to provide feedback and assist in shaping their local streetscape to assist Council plan for the future of the area. We recommend that this would be the best context within which to view parking arrangements on Sturt St and to consider any changes. We would also recommend an approach consistent with that adopted during the North Adelaide Local Area Traffic & Parking Management Plan development which was to make little or no changes to the on-street parking arrangements until the completion of the plan.
8. If this Motion is supported, we will:
 - 8.1. Remove the requirement to purchase a Ticket from all parking control signs in Sturt St;
 - 8.2. Cover the Ticket Machines and place information advising that payment is not required;
 - 8.3. Update the Park Adelaide App.
9. Following the removal of paid parking for a period of 3 months, we will consult with all stakeholders of the area, including businesses, to gauge success of the change. The results of consultation and data collected relating to the impact of the change will be presented to Council.
10. Removing the paid parking and converting it to unpaid bays, even for a short period of time, does risk the parking being fully utilised, reducing the availability for customers and visitors. There will also be a budget impact of approximately \$47,500 reduction in revenue across the three months.
11. If Council does wish to make immediate changes to Sturt St parking, alternate proposals include:
 - 11.1. Removing paid parking from approximately half of the parking bays (e.g. one side of street); or
 - 11.2. Reducing the cost of parking in line with Zone 3 in Fees and Charges, currently \$2.90 per hour which may achieve an increase in utilisation and maintain vehicle turnover.

- END OF REPORT -

Invitation to Address Council

ITEM 15.5 28/05/2019
Council

Council Member
Councillor Martin

2018/04180
Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

Councillor Martin will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council;

1. Requests the Lord Mayor write to the new member for the Federal seat of Adelaide, Mr Steve Georganas to congratulate him on behalf of Council on his recent election and;
2. Invites Mr Georganas as the first new member for the electorate since 2004 to formally address Council to outline his goals for the City of Adelaide.'

ADMINISTRATION COMMENT:

1. If this motion is carried, the above will be actioned accordingly.

- END OF REPORT -

Council Member
Councillor Martin2019/00951
PublicReceiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

Councillor Martin will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

Noting the St Ann's College ERD Court Appeal, instructs the CEO to consider lodging an appeal in the Supreme Court of South Australia by the deadline of May 29th, 2019 against the ERD Court decision to grant permission to St Ann's College to construct a four storey student accommodation building which residents believe will compromise views and set a significant precedent that could lead to further erosion of the protections the City of Adelaide secured on their behalf. The consideration and subsequent decision of the CEO on the appeal is to be informed by specialist legal advice on the reasonable prospect of success, based on legal merits and in context of the cost of and risks associated with litigation.'

ADMINISTRATION COMMENT:

1. The decision in the matter of St Ann's College Inc v The Corporation of the City of Adelaide was handed down on 8 May 2019 by the Environment, Resources and Development Court. The Court allowed the appeal therefore overturning Council's decision to refuse the application.

During the appeal, and prior to the Court hearing, the applicant reduced the height of the proposed building to lessen the impact of loss of views from neighbouring properties. The Court therefore considered a different proposal to that refused by the Council Assessment Panel.
2. The judgement concluded that:
 - 2.1 *"It would be unusual for any development at St Ann's to not impact, in some way, on surrounding land.*
 - 2.2 *Where the Plan anticipates the undertaking of development, it must anticipate that there will be some consequences of that development.*
 - 2.3 *In the context of the policy changes introduced for St Ann's little more than two years ago, the undertaking of the proposed building additions to create a four-level building, will have an impact and it is hard to construct a scenario where views from somewhere will not, in some way be impacted.*
 - 2.4 *The available City views, for all the above reasons, on our planning assessment, are suitably protected and while there will be changes to these views, the impacts are considered to be not unreasonable.*
 - 2.5 *Similarly, while the proposed building will impact on the limited glimpses of the Church as are currently available from a limited section of Melbourne Street, these changes are acceptable as the Church's landmark contribution and heritage value will essentially be undiminished.*

2.6 *We have decided, for these reasons, that the development application should be granted Development Plan consent.”*

3. For Council to appeal the decision of the ERD Court, there would need to be an argument that there was an error of law or fact (that is, Council could not lodge an appeal on planning merits). The Full Court of the Supreme Court would not seek to interfere with subjective planning decisions or provide input into matters that go to the merits of a decision.
4. In the first instance, there appears to be no clear error in law or fact in the reasoning of the ERD Court judgment. We cannot, therefore, provide any assurance or comfort that Council would be successful if it did appeal.
5. The costs of an appeal may be significant. If the appeal was unsuccessful, Council would be obliged to pay the costs of the respondent for the appeal as well. Of course, if the appeal was successful, the opposite would apply and the matter remitted to the ERD Court for a further trial.
6. A preliminary legal opinion has been obtained from a Senior Partner in planning law who is familiar with the relevant Council Development Plan policy applying to St Ann's College and the specific facts of this case. We recommend that Council does not lodge an appeal to the Full Court of the Supreme Court
7. If Council wishes to appeal the decision, it has 21 days from the date of judgment (8 May 2019) to do so, i.e. any appeal must be lodged no later than 29 May 2019.

- END OF REPORT -