

## 16.0 QUESTIONS WITH NOTICE

<b>ITEM 16.1</b>	<b>QUESTION ON NOTICE NO 06/2020 – OFF LEASH LAND USE AT STATION BEACH</b>
<b>TRIM FILE REF</b>	<b>2020/349681</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Rory Amon

### QUESTION

Given the Governor Phillip Park Plan of Management (POM) was settled with input from the Department of Crown Lands (known as Department of Lands and Water Conservation at the time), and that the Plan of Management:

1. Notes and asserts Council's "authority to control activities below Mean High Water Mark (MHWM)" (POM, page 6).
2. Notes and asserts "developments and activities that will be permissible in the park will be those that are consistent with the Land Use Planning Table" (POM, page 22).
3. Lists "Animals on the beach – only with express authorisation of Council" as a Permissible Use (not requiring development consent), in the Land Use Planning Table (POM, page 34).
4. Lists "Unleashed dog exercise/training area" as a Permissible Use (not requiring development consent), in the Land Use Planning Table (POM, page 36).
5. Notes and asserts "The area below Mean High Water Mark is owned by the Crown and not part of the trustee management of the park. Council does have an instruction under the Local Government Act to manage activities in this area." (POM, page 61).
6. Records the Department of Lands and Water Conservation understanding with respect to management of lands below Mean High Water Mark without need of licence, that "Council has management powers over these lands conferred on it through the Local Government Act" (POM, page 91).

Is it Council's view that a licence from the Department of Crown Lands is required for the approved off-leash land use at Station Beach, as expressly authorised by Council on 27 August 2019?