

<b>ITEM 15.6</b>	<b>NOTICE OF MOTION NO 29/2020 - STATION BEACH</b>
<b>TRIM FILE REF</b>	<b>2020/349680</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Rory Amon

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## **MOTION**

That:

1. Council do all things to prepare, lodge and progress a Development Application (to the extent required at law), as quickly as statutorily permissible, to seek to give effect to the Council resolution of 27 August 2019 which sought to authorise the off-leash dog trial at Station Beach, Palm Beach.
2. Part '1' is resolved by Council without prejudice and without admissions in relation to the Land and Environment Court proceedings against Council in relation to any off-leash dog trial at Station Beach.

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## **BACKGROUND FROM COUNCILLOR RORY AMON**

On 27 August 2019, Council authorised a trial of off-leash dogs at Station Beach, Palm Beach. That authorisation has been challenged in the Land and Environment Court. The Court hearing is on 20 to 23 October 2020.

A basis for the Court challenge is that Council must lodge a Development Application to permit the trial of off-leash dogs at Station Beach, Palm Beach. If the Court challenge is successful, a DA may need to be lodged. So, let's get ahead of the curve and lodge it now. If the Court finds a DA is required, Council will be ahead of the curve and the DA process will be underway, meaning (if the DA is approved), the off-leash dog trial can commence as soon as possible. If the Court finds that the DA is not required, no harm is done.

## **CHIEF EXECUTIVE OFFICER REPORT**

*In accordance with Council's Code of Meeting Practice Clause 4.15(a) I offer the following report on this matter to assist Council in the deliberation of this motion:*

The preparation and submission of the DA will cost in the vicinity of \$10,000. This will be funded from the current parks budget.