

Jane Flanagan - MP06_0094 Mod 4 & MP07_0032 Mod 4 - Stocklands Sandon Point

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Date: Saturday, 21st December, 2013

Subject: MP06_0094 Mod 4 & MP07_0032 Mod 4 - Stocklands Sandon Point

In reference to your EA Exhibition on the NSW DoP website

(http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6177), I wish to make my submission with a most solemn OBJECTION to the Proponent's Application to yet again MODIFY their CURRENTLY CONSENTED & included details of a previously, and most dubiously APPROVED, Concept Plan & its Stage 6's Project Plan in its component enclosures. Irrespective of the current or modified layout of this Projected Stage's subdivided partitions, the included land surface area[s] and their underlain horizons of soils and infill above the basal layers, have inclusions of aboriginal objects in varying type[s], densities and [re-]arrangements, and that that quantum is easily quantifiable, categorically & qualifyingly describable and ought to be made known or disclosed in the new land titles to be created as a result of this reconstructed land release and transfer. My caveat to or over the Crown possessions in situ should be made heard in a competent tribunal for the purposes of achievement of a completion of a good, if not better & settled, title[s] in this very much contested lands upon "My Country", as I am the [un-]disputed and [un-]determined holder of [ab-]original, native or tenant title & entitlements in these landscapes, according to a law, or juridical precepts.

Maybe not as of right, but because of the values metered in the pre-considered constraints throughout "Sandon Point Developments (SPDs)", a test case on merits of the aforesaid assertions should now be instigated & conducted in the best interests of cross-cultural interrelations, ecologically sustainable development, the public interest and natural justices across aboriginal and non-aboriginal realms of notions of an estate, discovery and tenancy. Maybe then life & living within SPDs, and also beyond SPDs, will have better meanings in the Australian dominions of its "peaceful settlements" and goodness in governance.

The Data Sets under-pinning this & prior Applications & For Modifications were flawed and are now most pathetically redundant. The most fresh investigation to do with Aboriginal Cultural Heritage (ACH) in SPDs was the most recent case concerning the presence of "***an aboriginal women's area***" [<http://www.austlii.edu.au/au/cases/nsw/NSWLEC/2013/1181.html>] among some other asserted criterion, which produced a virtual stalemate, indeterminate on ACH certainty and acuity. Upon an assessment of archaeological measures alone, these final Stages of SPDs must be held accountable to the [aboriginal] objects' and remains' spatial inclusions and their integrity, thus completing a fuller circle in the cycles of assertions over the now many years of activism and litigation over the SPDs. This Stage and its partitioning to whatever size land parcels must be new land that does withstand truthing by excelling at proving its precise detail in its fee title, entitled inclusions [and exclusions] and historical tailings from its [re-]constructed makeup, besides a market price or any

appreciation as real estate. To aide in this pursuit, the foundation instruments by Messers Dallas and McIntyre-Tamwoy, with whose reports into the Sandon Point North precinct have been made a foundation of cornerstones in ACH at SPDs, need to be revisited and affirmed as at least adequate for in their time, but also as relevant and pivotal datum at this present time. The critical element of the asserting speakers with “*an aboriginal voice*” (those being consulted by the report authors), has become as at now, both deceased and defunct on account of who speaks for the Wadi Wadi & the Wodi Wodi, and a ridiculous farce on account of the “establishments” such as The ILALC [Illawarra Local Aboriginal Land Council] and whatever it is or has become of The SPATE [Sandon Point Aboriginal Tenants’ Emporium]. Should there ever be a call for the assertions of a Peak Body with concerns for Wollongong, then what or where is it now, for a god or gods’ sake? If even the non-defunct **NIAC** [*Northern Illawarra Aboriginal Collective Inc.*] was awake and able to make a stand, then that in itself would be better than the current caveat emptor / terra nullius scenario wrought upon the precious Lands of Aboriginal Illawarra. The relevant library / database of reports referenced can be found at the following web-links:

Sandon Point North

<http://www.stockland.com.au/hd/sandon-point-north.htm>

Volume 3 - EAR - ARV

[Appendix H - Preliminary Aboriginal Assessment Report](#) (pdf 1,511kb)

Response to Agency Submission

[Appendix H Susan McIntyre-Tamwoy - Response to Heritage Issues](#) (pdf 260kb)

On close examination, a reasonable purveyor of the proposed real property should be entitled to a demonstration of “goodness & integrity” in this For Sale of new lands. Until such time, the product should be marked with Caution, if not a Writ of a Court with like prudent credentials.

I am most tired now and seek to rest my case in this as a submission to object to the approval of any furtherance or Project Plan modification. In doing so, I wish to be further queried, consulted or advised upon as to the Proponents’ Application (in success or otherwise), and I bid that current law and policy in society in land use planning developments, design & dealings in like land tenements would automatically command a form of field investigation and sampling. OEH policy dictates a minima of 0.5% of the land surface area, although I believe these latest lots “off the block” should command a high degree of rigor & thoroughness in study and testing, and a fair dinkum version of a Concept and Plan by the [Co-] Proponents (that being Stocklands [~~aka Shonklands~~] and the ARV) should readily submit to some meagre means and levels of integrity identification. If this letter be subsequently read & posted [with Jill Walker’s on the DoP website], I thank thee most heartily with hale, whether it be appreciated somewhat, or not.

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