

MEDIA RELEASE - 18TH MAY 2011

UPDATE ON SPATE LEGAL CHALLENGE AGAINST STOCKLAND

The Sandon Point Aboriginal Tent Embassy (SPATE) is locked into a big legal battle with Stockland Developments over breaches of the Project Approval arising from Stockland's current works on the new McCauleys Beach residential development site.

The *'Kennedy vs Stockland and the NSW Minister for Planning, LEC 40880 of 2010'* case commenced in November 2010 and will have the final two days of hearing before Judge Sheehan in the NSW Land and Environment Court on the 26th and 27th May 2011.

Al Oshlack of the Indigenous Justice Advocacy Network (IJAN) is representing Roy 'Dootch' Kennedy and the Embassy in the court.

Mr Kennedy's submission is that Stockland's breaches to the conditions of consent include the clearing all native vegetation from the site, excavating the whole area at great depths, excavating Hewitts and Woodlands Creeks and destroying their associated riparian corridors, and causing polluted ground water to dam up on the site and discharging it into local waterways and wetlands. Mr Kennedy claims the developer is exposing the local environment and the local community to an unacceptable level of risk of harm from contaminated substances that had been buried on the site and which were not fully remediated by former owners of the site, and that the developer is now causing pollution and desecration of the Sandon Point Aboriginal Place.

Over the past six months the northern Illawarra community has responded generously to calls for donations with many groups and individuals making deposits totaling over \$6,000 to help support the Embassy's legal challenge against the developer Stockland.

Following the final two days hearing in this matter, SPATE is hosting a Reconciliation Week gathering on Sunday 29th May 2011 from 1pm onwards at the Embassy on McCauleys Beach.

Everyone is welcome at this casual event to hear an update on the court happenings and to discuss our next moves. Please bring food to share and a BBQ will be provided. Donations towards the court case costs will also be accepted on the day.

For further information:

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