



Sandon Point and McCauley's Beach Plan of Management

**includes the Sandon Point Aboriginal Place
Management Plan**

**Wollongong City Council
February 2015**

Message from the Lord Mayor



In 2013, Council exhibited Wollongong's first draft Plan of Management for a declared Aboriginal Place. The land at Sandon Point and McCauley's Beach has special meaning to all who see its natural foreshore beauty.

For Australia's oldest culture, Sandon Point demonstrates a past, present and future connection to Country that is rare and in need of protection as acknowledged by the declaration of the Sandon Point Aboriginal Place by the NSW Office of Environment and Heritage. Council wants to ensure its future management acknowledges both its cultural value and recreational purpose for the benefit of all.

Following community input, in 2014 Council revised and amended the draft Plan and sought additional community input.

Council has now finalised the Plan of Management and will use it to guide future activities at this important site.

Lord Mayor
Councillor Gordon Bradbery OAM

February 2015

Acknowledgement of Country

Wollongong City Council would like to show their respect and acknowledge the traditional owners of the Land, of Elders past and present, and extend that respect to other Aboriginal and Torres Strait Islander people.

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SANDON POINT AND McCAULEY'S BEACH PLAN OF MANAGEMENT

1. INTRODUCTION

The Sandon Point and McCauley's Beach area is a beautiful, rugged piece of the Illawarra coastline, situated in the suburbs of Bulli and Thirroul, which is valued and fiercely championed by all who use the area for a variety of purposes ranging from traditional beach activities such as swimming and surfing to advocating for Aboriginal Heritage and Cultural protection. The land to which this Plan of Management (PoM) applies is shown in Figure 1.

Community consultation activities undertaken by Wollongong City Council during the preparation and exhibition of the draft Plan of Management revealed a desire by the community for the area to retain its natural character and unique identity, while providing opportunities to increase public amenity and to acknowledge the area's history.

1.1 THE MAKING OF THE PLAN OF MANAGEMENT

In November 2011, Council sought the community's help in preparing a draft Plan of Management (PoM) for community land at Sandon Point and McCauley's Beach. Over 400 people had input into developing the first draft of the PoM. The first draft PoM was exhibited from 1 December 2012 for 90 days with submissions taken until 15 March 2013. 180 submissions or survey replies and one petition were received.

The exhibited draft PoM proposed new community land categories for the PoM area; by increasing the amount of land categorised as an area of cultural significance and introducing a general community category for the Sandon Point Surf Life Club. A public meeting for the community land category changes was held on 27 February 2013 at the Thirroul Community Centre with independent chairperson Gerry Holmes conducting the meeting. There were 80 attendees. No objections to the proposed community land categories were received during the exhibition period, but many other issues were raised including vehicle use of the shared path, protection of Aboriginal Culture and Heritage and vegetation management.

Following the exhibition period, Council reviewed the issues raised in the submissions, surveys, petition, public meetings and stakeholder discussions, which resulted in many changes and amendments to the original draft document.



1.1.1 CHANGES TO THE DRAFT PLAN OF MANAGEMENT SINCE ITS FIRST EXHIBITION

The revised draft PoM was reorganised and simplified, while still keeping the Values approach in the area's future management by Council. The revised draft PoM consolidates volumes 1, 2 and 4 (the former Plan of Management, Access Plan and Sandon Point Aboriginal Place Management Plan) into one plan.

Within the revised draft PoM, there were changes regarding permissible uses/developments/licenses in relation to Sandon Point Surf Club and Sandon Point Tent Embassy. The surf club has requested the ability to consider future building expansion in the

next 10 – 20 years and references to SPATE options 1 – 4 were removed with more information about SPATE's purposes has been added.

Aboriginal Cultural uses and developments which support the values of the Sandon Point Aboriginal Place are permissible under the revised draft PoM and it is appropriate that they are defined and managed by the Aboriginal community in culturally appropriate ways that are determined by the Aboriginal community in a co-management framework with Wollongong City Council.

Changes to the Access Plan include providing an access point type (either designated or formalised) to identify the type of future track upgrade or maintenance. There are now 14 identified access points to the beach, instead of the previous 17 because either the slope is too great for cost effective construction and maintenance or its use at high tide is not advisable. Additionally, the whale watching and surf viewing platforms and proposed upgrade of the pedestrian bridge have been removed, while strategies to better manage limited vehicle use of the shared path have been added. Changes to the management strategies for the Sandon Point Aboriginal Place have been made as a result of NSW Office of Environment and Heritage (OEH) feedback relating to when an Aboriginal Heritage Impact Permit (AHIP) is required under the National Parks and Wildlife Act 1974 legislation.

As a consequence of the PoM being simplified to focus on legislatively required elements, information about the PoM area and its relationship with the surrounding area over time has been moved to a Supplemental Materials document. This supplemental information is provided in response to the community's desire to continue an ongoing discussion about the wider Sandon Point area that has been the subject of many Land and Environment Court cases over the last 15 years. The surrounding areas are a mix of recently developed residential lots and natural areas with a history that has shaped how the PoM area is currently used. The information does not form part of the PoM but may assist in the public's consideration of the contents of the revised draft PoM.

The previous, volume 3, the Revegetation and Restoration Plan, has been simplified as a stand-alone operational Vegetation Management Plan (VMP) and removed from the draft PoM. The changes to volume 3 are consistent with Council's development process for other operational Vegetation Management Plans such as the Vegetation Management Plan for Hargraves Creek in Stanwell Park. Copies of the revised Sandon Point and McCauley's Beach VMP can be downloaded from Council's website. The VMP identifies what plants can be planted by Council staff, Council contractors (such as the Illawarra Local Aboriginal Land Council), and volunteers (such as the Sandon Point and McCauley's Beach Bushcare group) within the area. The VMP has been simplified, focuses on weed reduction to assist natural regeneration and excludes tall plants from plant eligibility lists. The VMP seeks to maintain the current mix of open and vegetated areas and protect the identified Ecologically Endangered Communities.

On 23 June 2014, Council considered a report on the submissions received during the exhibition period and the public hearing report. Council considered the issues raised and resolved that:

- 1 The revised draft Sandon Point and McCauley's Beach Plan of Management be exhibited for a minimum period of 42 days, subject to the following:*
 - a An amendment to Section 4 and Section 7 of the Plan of Management to limit vehicular access of the shared pathway to Sydney Water, Council and Emergency Services vehicles. Any other vehicle access must seek permission for a permit from Council for the specific day of required day of access.*
 - b The removal of Point 3 on page 10 which refers to the possibility of McCauley's Beach being patrolled.*
- 2 Following the exhibition period, a report on submissions be presented to Council to enable the revised draft Plan of Management to be finalised.*
- 3. The draft Sandon Point and McCauley's Beach Vegetation Management Plan be noted and used to guide vegetation management activities by Council staff, contractors and bush care volunteers.*

4. *Letters be sent to the Illawarra Local Aboriginal Land Council (ILALC), Korewal Elouera Jerrungarah Tribal Elders Aboriginal Corporation (KEJ), Sandon Point Aboriginal Tent Embassy (SPATE), Wadi Wadi Coomaditchie Aboriginal Corporation and Wodi Wodi Elders Council advising that Council is interested in pursuing a Joint Management Agreement for the management of Sandon Point Aboriginal Place and seeking their support and involvement.*

The revised draft Plan of Management was exhibited from 30 July to 10 October 2014 and 39 submissions were received. On 23 February 2015 Council considered a report on the issues raised in submissions. Council resolved that:

- 1 *The amended Sandon Point and McCauley's Beach Plan of Management (Attachment 3 of the report) be adopted in accordance with section 39 of the Local Government Act 1993.*
- 2 *The support of the Elders from the five Aboriginal community groups to participate in a Joint Management Agreement be noted and Council confirm its willingness to pursue and facilitate this process. A further report on the Joint Management Agreement be presented to Council for endorsement, when the protocols have been developed by the Elders.*

1.2 THE SANDON POINT AND MCCAULEY'S BEACH PLAN OF MANAGEMENT PURPOSE

A Plan of Management (PoM) is a statutory document under the Local Government Act 1993. The general purpose of any Site Specific Plan of Management is to outline to the community how Wollongong City Council plans to manage a significant area into the future. The draft Plan reviews the current condition of the land, lists the current uses and existing community infrastructure, and then sets future permissible uses or developments while setting goals and objectives for the area's future management.

What sets this site specific area of Illawarra coastline apart from any other community land in the Wollongong Local Government is its Aboriginal Place declaration. Within the PoM area, covering a substantial portion of land (Figure 1, outlined in red) is the Sandon Point Aboriginal Place.

The OEH's Place Declaration defines the values of the Sandon Point Aboriginal Place and provides a rationale for why the mix of existing and future uses/developments/amenities under this PoM are unlike any other coastal area in the Wollongong Local Government Area. To protect the Values of the Place, this Plan of Management includes the requirements of the OEH "Guidelines for Developing Management Plans for Declared Aboriginal Places" (February 2011). The PoM area includes many Aboriginal Heritage Objects and Sites outside and inside the Place boundaries as well. The primary purpose of this site specific PoM is to manage the PoM area with the highest level of protection for its Aboriginal Cultural and Heritage significance that is feasible for its recreational coastal location and Council's available resources.

1.3 THE VALUES OF THE SANDON POINT ABORIGINAL PLACE

The purpose of an Aboriginal Place declaration is to conserve the declared values of the place. OEH has defined the values of the Sandon Point Aboriginal Place as follows:

"The values of the Aboriginal place include a meeting place for Aboriginal groups; a 'chiefs' meeting place, a midden, and burials of Aboriginal people." "It is a place that has a history reflecting a resource rich environment where Aboriginal groups traditionally gathered for meetings, ceremonies and other activities, including camping and fishing. The whole of Sandon Point area is considered a significant meeting place, and a story site located on the Sandon Point headland was a place where two leaders of two Aboriginal groups met. Further, the McCauley's Beach midden is the surviving remnant of an extensive coastal midden, which includes an Aboriginal burial and re-burial site. The declaration of the Sandon Point Aboriginal Place acknowledges these values."

Council has worked with the Aboriginal community to develop this PoM by considering their submissions on the exhibited draft PoM and holding meetings with Aboriginal groups. It is

acknowledged that Council is bound by legislative requirements that may be inconsistent with Aboriginal views, beliefs and customs.

This Plan of Management, with its emphasis on the Sandon Point Aboriginal Place Values, shows support of Aboriginal Heritage and Culture. Additionally, continuing use of the area by Aboriginal People and ongoing communication between Council and the Aboriginal community about uses in the PoM area demonstrates appreciation of the Sandon Point Aboriginal Place values. Furthermore, in the PoM Action Plan and in section 6 of this PoM, Council proposes ways to manage threats to the values of the Sandon Point Aboriginal Place to demonstrate how, on an operational level, Council will work with the Aboriginal community as well as comply with the National Parks and Wildlife Act 1974 provisions to protect the Place and any Aboriginal Sites and Objects within the PoM area. The management strategies put into effect how Council will strive for the highest level of protection for the area's Aboriginal Cultural and Heritage significance that is feasible for its recreational coastal location and Council's available resources.

1.4 THE PLAN OF MANAGEMENT AREA

Sandon Point and McCauley's Beach is located approximately 14 kilometres north of Wollongong City, on the northern Illawarra coastal strip, with Bulli Pass located almost directly to the west.

The Plan of Management covers an area of approximately 17 hectares of community land and Crown Land, (as shown in Figure 1), including the foreshore and natural areas between Slacky Creek, Bulli in the south to Woodland Avenue, Thirroul in the north. It also covers low headlands (Sandon Point), beaches (McCauley's Beach and Sandon Point Beach), low dunes, coastal creeks (parts of Hewitts, Tramway and Slacky Creeks) and small areas of associated wetlands.

There are portions of land within the Plan of Management area that are road reserves under the Roads Act 1993, but function as part of the recreational areas. This includes part of the Sandon Point car park, as well as a small portion of the grassed area east of Beach Street.

Figure 1 shows the boundaries of the Plan of Management area and the Sandon Point Aboriginal Place. The Sandon Point Aboriginal Place boundaries were gazetted by the NSW Office of Environment and Heritage. This Plan of Management is also a Sandon Point Aboriginal Place Management Plan, and provides a framework for ensuring that Council and other users of the area respect the significance of the Place and protect Aboriginal Culture and Heritage Objects and Sites within the Plan of Management area while enjoying the coastline as a recreational or natural area.

FIGURE 1: PLAN OF MANAGEMENT AREA AND ABORIGINAL PLACE BOUNDARY



The Plan of Management applies to 31 properties owned by Council, which are mapped in Figure 2 and described in Table 1. In addition the Plan of Management applies to a strip of Crown Land (Lot 7017 CrownID 1053538) at the northern end of McCauley's Beach which has an area of 1.481 hectares.

TABLE 1: PLAN OF MANAGEMENT LAND PARCEL DETAIL TABLE

| Parcel Details | Property Address | Area (m²) |
|-----------------------|---|------------------|
| Lot 22 DP 7133 | McCauley's Beach Corbett Avenue THIRROUL NSW 2515 | 1,385 |
| Lot 25 DP 7133 | McCauley's Beach Corbett Avenue THIRROUL NSW 2515 | 581.7 |
| Lot 26 DP 7133 | McCauley's Beach Corbett Avenue THIRROUL NSW 2515 | 581.7 |
| Lot 27 DP 7133 | McCauley's Beach Corbett Avenue THIRROUL NSW 2515 | 581.7 |
| Lot 28 DP 7133 | McCauley's Beach Corbett Avenue THIRROUL NSW 2515 | 543.8 |
| Lot 1 DP 7813 | Lot 1 Point Street BULLI NSW 2516 | 613.4 |
| Lot 2 DP 7813 | Lot 2 Point Street BULLI NSW 2516 | 638.6 |
| Lot 3 DP 7813 | Lot 3 Point Street BULLI NSW 2516 | 632.8 |
| Lot 4 DP 7813 | Lot 4 Point Street BULLI NSW 2516 | 632.8 |
| Lot 5 DP 7813 | Lot 5 Point Street BULLI NSW 2516 | 689.2 |
| Lot 6 DP 7813 | Lot 6 Point Street BULLI NSW 2516 | 771.4 |
| Lot 7 DP 7813 | Lot 7 Blackall Street BULLI NSW 2516 | 986.4 |
| Lot 8 DP 7813 | Lot 8 Blackall Street BULLI NSW 2516 | 866.3 |
| Lot 9 DP 7813 | Lot 9 Blackall Street BULLI NSW 2516 | 853.6 |
| Lot 10 DP 7813 | Lot 10 Blackall Street BULLI NSW 2516 | 904.2 |
| Lot 11 DP 7813 | 11 Blackall Street BULLI NSW 2516 | 853.6 |
| Lot 12 DP 7813 | Lot 12 Blackall Street BULLI NSW 2516 | 853.6 |
| Lot 13 DP 7813 | Lot 13 Blackall Street BULLI NSW 2516 | 853.6 |

| Parcel Details | Property Address | Area (m²) |
|-----------------------|--|------------------|
| Lot 14 DP 7813 | Lot 14 Blackall Street BULLI NSW 2516 | 809.4 |
| Lot 15 DP 7813 | Lot 15 Blackall Street BULLI NSW 2516 | 758.8 |
| Lot 16 DP 7813 | Lot 16 Blackall Street BULLI NSW 2516 | 739.8 |
| Lot 17 DP 7813 | Lot 17 Blackall Street BULLI NSW 2516 | 739.8 |
| Lot 18 DP 7813 | Lot 18 Blackall Street BULLI NSW 2516 | 739.8 |
| Lot 19 DP 7813 | Lot 19 Blackall Street BULLI NSW 2516 | 739.8 |
| Lot 103 DP 7813 | Sandon Point Surf Club Point Street BULLI NSW 2516 | 24,281.1 |
| Lot 238 DP 1048602 | Lot 238 Aragan Circuit BULLI NSW 2516 | 11,060 |
| Lot 3 DP 588060 | McCauley's Beach Aragan Circuit BULLI NSW 2516 | 1,526 |
| Lot 4 DP 588060 | McCauley's Beach Aragan Circuit BULLI NSW 2516 | 24,700 |
| Lot 3 DP 417807 | Sandon Point Beach Beach Street BULLI NSW 2516 | 19,270 |
| Lot 102 DP 268549 | Public Reserve Hamilton Road THIRROUL NSW 2515 | 38,550 |
| Lot 1 DP 231244 | Sandon Point Point Street BULLI NSW 2516 | 28,440 |
| Lot 2003 DP 1047366 | Lot 2003 Hill Street Bulli NSW 2516 | 2,190 |
| Total | | 168,367.9 |

FIGURE 2: MAP OF PLAN OF MANAGEMENT LAND PARCEL LOCATIONS



1.5 WOLLONGONG COMMUNITY STRATEGIC PLAN

The development of the Sandon Point and McCauley's Beach PoM has been guided by the Community Strategic Plan, Wollongong 2022.

In 2012, Council endorsed the following vision:

Our Community Vision from Wollongong 2022

From the mountains to the sea, we value and protect our natural environment and we will be leaders in building an educated, creative and connected community.

To support the achievement of our community vision, Council endorsed the following six interconnected goals:

We value and protect our environment;

We have an innovative and sustainable economy;

Wollongong is a creative, vibrant city;

We are a connected and engaged community;

We are a healthy community in a liveable city; and

We have sustainable, affordable and accessible transport.

The Community Strategic Plan guides the preparation of the five year Delivery Plan and Annual Plan and budget.

2. PLAN OF MANAGEMENT PROVISIONS

Under the Local Government Act 1993 all Council owned land is required to be classified as community land or operational land. Council may make a Plan of Management over community land which applies to many land parcels in a generic way or to apply only to specific land parcels. Areas of Culture Significance require a site specific Plan of Management. A "Site Specific PoM" builds on the requirements of a "Generic PoM" as demonstrated in Table 2. Section 36 of the Local Government Act identifies what a PoM for community land must include.

Since this PoM will also act as a Management Plan for the Sandon Point Aboriginal Place, OEHP Place management requirements have also been listed in Table 2. *(Please note OEHP Place Management Plan requirements are not legislatively defined; however, there are OEHP guidelines on how to develop an Aboriginal Place Management Plan and the suggested requirements of such a plan are listed in the guidelines).*

TABLE 2: GENERIC PLAN OF MANAGEMENT, SITE SPECIFIC PLAN OF MANAGEMENT AND ABORIGINAL PLACE MANAGEMENT PLAN ELEMENTS

| Generic PoM | Site Specific PoM | Sandon Point Aboriginal Place Management Plan | Requirement | Location in PoM |
|-------------|-------------------|---|--|------------------------------|
| ü | ü | | Category of land identified as: sportsground, park, general community use or type of natural area - foreshore, bushland, escarpment, watercourse or wetland. | Figure 4 |
| ü | ü | | Objectives and performance targets identified with proposed means by which they are met and methods for assessment of progress. | Action Plan |
| ü | ü | | May require the prior approval of the Council to the carrying out of any specified activity on the land. | Appendix |
| | ü | | Description of the condition of the land, and any building or improvements on the land as at the date of the adoption of the plan. | Section 3, Figures 18 and 19 |
| | ü | | Specify the purposes for which the land and any such improvements will be permitted to be used. | Uses Table |
| | ü | | Specify the purpose for which any further development of the land will be permitted, whether under lease or licence or otherwise. | Uses Table |
| | ü | | Describe the scale and intensity of any such permitted use or development. | Uses Table |
| | | ü | Statement of cultural values of the Aboriginal Place. | Section 2.1 |
| | | ü | Threats to the place, an assessment of risk of harm and ways in which significant threats will be treated. <i>(Harming actions are defined by NPWS Act 1974 legislation, the regulations and OEHP policies).</i> | Section 6 |
| | | ü | Activities that may require AHIPs issued | Sections |

| Generic PoM | Site Specific PoM | Sandon Point Aboriginal Place Management Plan | Requirement | Location in PoM |
|-------------|-------------------|---|--|-------------------------------|
| | | | under Part 6 of the National Parks and Wildlife Act 1974, and maps where these activities are authorised under a permit. <i>(These actions are defined by NPWS Act 1974 legislation, the regulations and OEH Policies.)</i> Council and the Aboriginal community can suggest conditions to apply to if OEH grants an AHIP and can suggest what actions should be prohibited by OEH by not issuing an AHIP. | 7, 8, 9 |
| | | ü | The treatment of culturally sensitive information in accordance with a section 161 notice | Appendix F |
| | | ü | Ongoing management goals, actions, responsible parties, consultation arrangements, resource availability. | Action Plan, Sections 7, 8, 9 |

2.1 COMMUNITY LAND CATEGORIES UNDER THIS PLAN OF MANAGEMENT

Section 46(2) of the Local Government Act 1993 requires that Council can only grant a lease, licence or another estate (other than in respect of public utilities) for a purpose that is consistent with the legislatively defined core objectives applying to each category of community land.

Sandon Point and McCauley's Beach Plan of Management area is currently categorised as a combination of park, natural area watercourse, natural area foreshore, and area of Cultural Significance, (as shown in Figure 3) under Council's Generic Plan of Management. The eastern end of Point Street at Sandon Point is still a road reserve and is not classified or categorised as it is not community land.

The Plan of Management increases the area that is categorised as an area of Cultural Significance while changing the category of the land occupied by the Sandon Point Surf Club from Area of Cultural Significance to General Community Use to provide for the granting of a community land license to the Sandon Point Surf Club or an affiliated regional or national surf club organisation.

The community land categories under this Sandon Point and McCauley's Beach Plan of Management are found in Figure 4. Changing the community land categories requires the holding of a public hearing or public meeting, which was held on 27 February 2013. The relevant core objectives for each community land category under this Plan of Management are provided below.

2.2 CORE OBJECTIVES OF COMMUNITY LAND BY CATEGORY UNDER THIS PLAN OF MANAGEMENT

The legislatively defined Core Objectives of each community land category (described below) assist Council in making management decisions regarding the land consistent with the Local Government Act 1993. Management objectives and performance targets related to these Core Objectives are detailed in the PoM's Action Plan.

FIGURE 3: LAND CATEGORISATION UNDER THE 2011 GENERIC PLAN OF MANAGEMENT

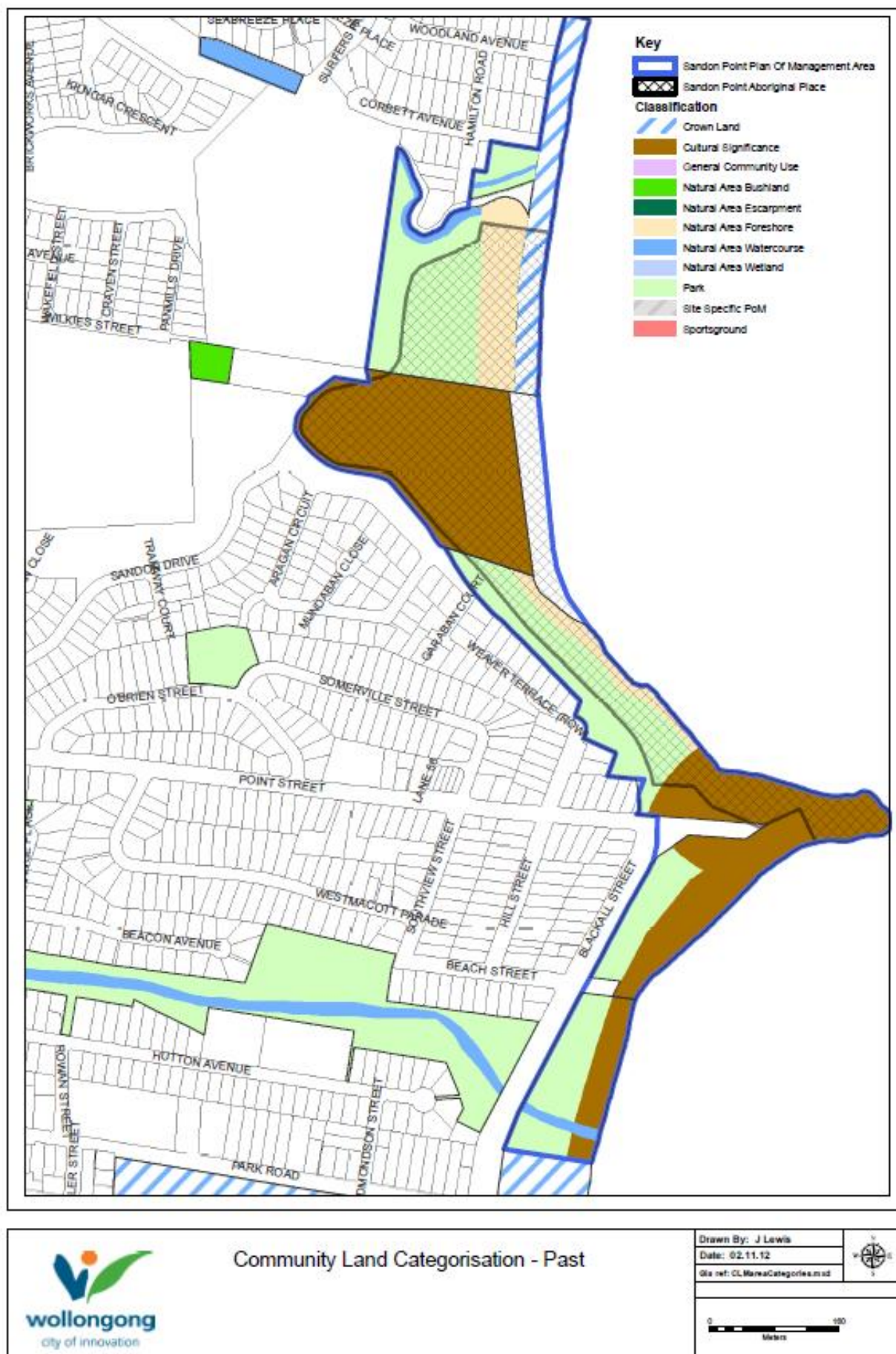
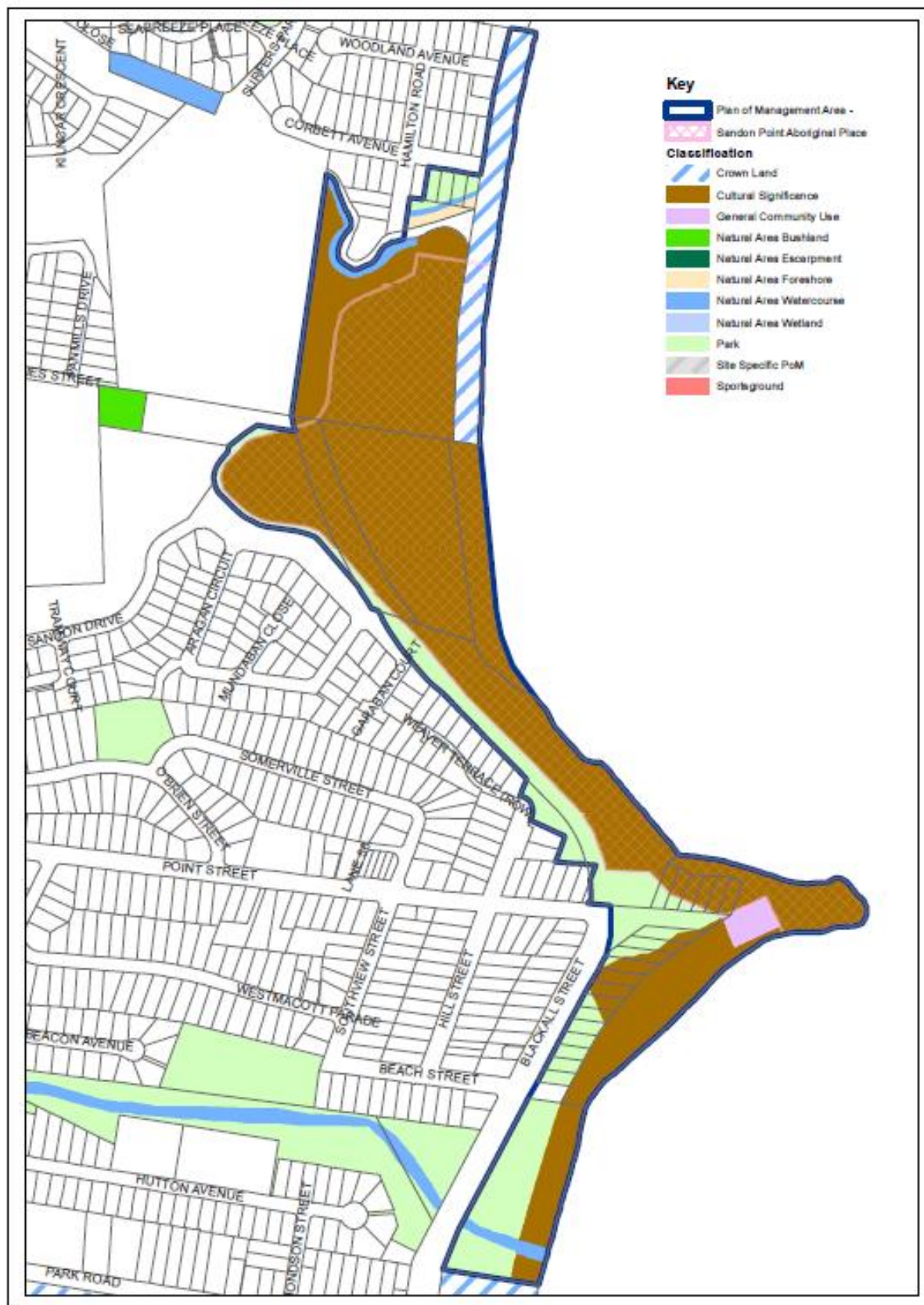





FIGURE 4: ADOPTED COMMUNITY LAND CATEGORISATION 2015



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|---|---------------------------------------|--|---|---|
|  | Community Land Categorisation - Final | | Drawn By: H Jones |  |
| | | | Date: 12.11.12 | |
| | Gis ref: Sandon P Cadastre2.mxd | |  | |
| | | | | |

2.3 AREA OF CULTURAL SIGNIFICANCE CORE OBJECTIVES (SECTION 36H) (SHADED BROWN)

- (1) *The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.*
- (2) *Those conservation methods may include any or all of the following methods:*
 - (a) *the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance,*
 - (b) *the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material,*
 - (c) *the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state,*
 - (d) *the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact),*
 - (e) *the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.*
- (3) *A reference in subsection (2) to land includes a reference to any buildings erected on the land.*

The areas which are categorised as an Area of Cultural Significance under this PoM relate to its value as an Aboriginal Place, the existence of Aboriginal artefacts and objects outside of the Aboriginal Place, the location of Sandon Cottage, landscape feature Norfolk Pines, the existing boatsheds as evidence of long standing economic and recreational use of the ocean and foreshore by the community and the Bulli jetty and related tramway.

2.4 PARK CORE OBJECTIVES (SECTION 36G)

- (a) *to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and*
- (b) *to provide for passive recreational activities or pastimes and for the casual playing of games, and*
- (c) *to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.*

2.5 GENERAL COMMUNITY USE CORE OBJECTIVES (SECTION 36I)

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (a) *in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and*
- (b) *in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).*

2.6 NATURAL AREA – CORE OBJECTIVES (THESE APPLY TO ALL NATURAL AREA SUB CATEGORIES) (SECTION 36E):

- (a) *to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and*
- (b) *to maintain the land, or that feature or habitat, in its natural state and setting, and*
- (c) *to provide for the restoration and regeneration of the land, and*
- (d) *to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and*
- (e) *to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994.*

2.7 NATURAL AREA – FORESHORE CORE OBJECTIVES (SECTION 36N)

- (a) *to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and*
- (b) *to facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.*

2.8 NATURAL AREA – WATERCOURSE CORE OBJECTIVES (SECTION 36M)

- (a) *to manage watercourses so as to protect the biodiversity and ecological values of the in-stream environment, particularly in relation to water quality and water flows, and*
- (b) *to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and*
- (c) *to restore degraded watercourses, and*
- (d) *to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.*

2.9 NATURAL AREA – WETLAND CORE OBJECTIVES (SECTION 36K)

- (a) *to protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and*
- (b) *to restore and regenerate degraded wetlands, and*
- (c) *to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.*

3. EXISTING USES, CONSENTS AND LICENCES

3.1 CURRENT USES

Section 36 (a) (i) and (ii) of the Local Government Act 1993, requires a PoM to detail existing uses, consents and licences within the PoM are:

Current uses, developments, and other improvements within the Plan of Management area are shown on the maps in Figures 18 and 19 and as explained in this section. The figures enable an assessment of the condition of all existing uses, improvements, developments at the time this PoM was prepared.

At Sandon Point, Sandon Point Beach and McCauley's Beach the following uses or activities or developments occur or exist in 2014:

Beach-related activities such as swimming, surfing, surf lifesaving, exercising dogs on the off-leash portion of the beach, fishing, and even occasional coastal Para glider practice;

There are **existing boatsheds**, on the northern side of Sandon Point. The boatsheds related to fishing activities on Sandon Point Beach that have been used by individuals since the 1940s. The shed structures have heritage value related to the area's recreational and economic history and are listed as local heritage items in the Wollongong LEP 2009.

FIGURE 5A, B, C: BOATSHEDS



A - Historic Boatsheds 2011



B - 2014 photo



C - 2014 photo

Wedding ceremonies or other celebratory or special event gatherings of family, friends or like-minded individuals supporting a worthy cause. Wedding ceremonies are often held on Sandon Point headland in the open lawn areas and occasionally at McCauley's Beach only in a designated area outside of the northern boundary of the Aboriginal Place.

Various Monuments, Markers as shown in Figures 6, 7, 8 and 9: Along with a Trig Station shown in Figure 6, there are markers commemorating the role of the Bulli Jetty to the Illawarra

economy, one marker for James John “Fuzz” Hughes, a 16 year old surfer who lost his life while surfing the point and one for Paul Mason “Jinxy” Jones who was a founding member of the Sandon Point Board Riders Association. In September 2009, a community group called the Paul Mason Jones Reserve Committee, made an application to the Geographical Names Board of New South Wales to name parklands to the east of the Sandon Point car park and outside of the declared Aboriginal Place, as the Paul Mason Jones Reserve. This Plan of Management supports the installation of a Paul Mason Jones Reserve sign within the PoM area in recognition of Mr Paul Mason Jones’ life and efforts at Sandon Point in accordance with the Community Recognition Program Policy and the Naming of Community Facilities and Parks (including Sportsgrounds and Natural Areas) Management Policy. Mr Paul Mason Jones was a highly respected citizen whose dream was to restore the headland at Sandon Point. He was born on 18 December 1951 and died on 15 May 1979. After Mr Jones’ untimely death, the community improved the foreshore area for recreational purposes in his honour; leaving the headland grassed by moving the location of the parking lot to its present location.

FIGURE 6: TRIG STATION ON HEADLAND



FIGURE 7: BULLI JETTY INFORMATION MARKER



FIGURE 8: MEMORIAL TO JAMES JOHN HUGHES



FIGURE 9: PAUL MASON JONES MEMORIAL



Viewing wildlife and coastal scenery.

Volunteer revegetation or bushcare activities to promote soil stability and biodiversity.

Sealed car park (capacity approximately 85 vehicles) located at Sandon Point, accessed off Point Street.

FIGURE 10: SEALED CAR PARK



Sandon Point Surf Life Saving Club, located on the southern side of Sandon Point at the base of the headland. The surf club was extensively renovated recently and was reopened in April 2013. Council Lifeguards also use the surf club for a basis of their patrols of Sandon Point Beach.

FIGURE 11: SANDON POINT SURF LIFE SAVING CLUB



Shared path, a walking/bike path that runs the full length of the Sandon Point and McCauley's Beach site - generally aligned along the western boundary of the site.

FIGURE 12: A PORTION OF THE SHARED PATH WITH PEDESTRIAN CAUTION MARKINGS



Several beach accesses, formalised as developed paths and/or steps and stairs or as desire lines over grassed slopes.

Park and picnic furniture, various picnic tables, benches, signs throughout the PoM area of differing levels of condition.

FIGURE 13: PICNIC TABLE NEAR CAR PARK



FIGURE 14: BENCH SEAT, SIGN - OVERGROWN VEGETATION



Open grassed areas and heavily vegetated areas throughout the entire Management Plan area which are used by the public for recreational, cultural, social, environmental and educational purposes.

Aboriginal Cultural Uses and Developments.

Aboriginal Cultural Uses and Developments are those relating to the protection of burials, middens, artefacts, practicing traditional customs and ceremonies, and maintaining a contemporary connection to the land as an expression of how the Aboriginal Culture is constantly changing like all cultures.

Council acknowledges that uses and developments which support the values of the Sandon Point Aboriginal Place are best defined and managed by the Aboriginal community in culturally appropriate ways that are determined by the Aboriginal community themselves. Through the PoM development process, a dialogue between the Aboriginal community and Council about the Sandon Point Aboriginal Place has been opened and will continue into the future.

Primarily the conversation between Council and the Aboriginal Community has occurred with the five following groups because of their association with the Sandon Point Court case related to the residential development of the wider Sandon Point Area and their listing as an Aboriginal community group to be negotiated with regarding the form and location of the Aboriginal Keeping Place required by Stockland Development Pty Ltd's section 90 permit number 2130:

- Illawarra Local Aboriginal Land Council (ILALC);
- Korewal Eloura Jerrungarah Tribal Elders Aboriginal Corporation (KEV);
- Sandon Point Aboriginal Tent Embassy (SPATE);
- Wadi Wadi Commaditchi Aboriginal Corporation; and
- Wodi Wodi Elders Council.

Any of these groups, or other Aboriginal custodians not named, may be conducting cultural uses within the PoM area and this PoM supports their access to the PoM area in keeping with the declared values of the Sandon Point Aboriginal Place.

One group, the Sandon Point Aboriginal Tent Embassy, has a development within the PoM area which supports the declared values of the Sandon Point Aboriginal Place as described in

section 1.3. The Illawarra Local Aboriginal Land Council has said, “*The Tent Embassy must be maintained as a cultural hub for community. It is a place to meet and gather, for ceremony and cultural business, a base for cultural guided tours and educational activities.*” The following sign was installed by the Land Council at SPATE’s entry to describe its functions and history:

FIGURE 15: WELCOME TO KURADJI SIGN, DESCRIBES ESTABLISHMENT OF SANDON POINT OR KURADJI TENT EMBASSY



FIGURE 16: SPATE EXISTING STRUCTURES

(PICTURE FROM WEBSITE <http://seacliffcoast.com.au/sandon-point>)



SPATE ascribes the following purposes and meanings to its organisation and its structures as described in Table 3, Figure 17 and the associated text:

TABLE 3: SPATE PURPOSE AND MEANING ACCORDING TO OWN ORGANISATION LITERATURE

| | |
|------------------|---|
| Political | A symbol for all, indigenous and non indigenous people. It is a symbol of Aboriginal cultural and political struggle for recognition and sovereignty. Its tin structure is an echo of the houses in which many local Indigenous people grew up in around Coomaditchie and Red Point (Hill 60) and reminds all visitors of the lifestyle imposed on Aboriginal people after colonisation. Its structures support the political idea of practicing sustainable living, by its use of recycled timber and tin, its reliance on solar power and by the composting and recycling of waste. |
| Cultural | A place of gathering for all local Aboriginal people, where culture can be explored, protected, maintained and nurtured following the appropriate protocols. |
| Social | A place for Conciliation, where Indigenous and non-Indigenous people can gather, share and learn about each other on an individual and community basis and about Aboriginal culture and its connection with the environment, in particular the coastal landscape at Sandon Point and McCauley's Beach. |

SPATE is also part of a national sovereignty movement to protect Aboriginal Cultural Heritage sites. According to the website (<http://nationalunitygovernment.org/content/sovereign-union-foundation-kuradji-25th-may-2012>): *"A meeting of representatives from across the continent gathered to confirm their intent to form a National Unity Government of the Sovereign Union of First Nations Peoples in Australia. This intent was confirmed with representatives formally signing an Act of Sovereign Union between First Nations Peoples in Australia on the 25th May 2012 (at Kuradji)."* Member organisations are shown in the following map from website: <http://nationalunitygovernment.org/content/tent-embassy-map>.

FIGURE 17: FIRST NATIONS SOVEREIGN EMBASSY MOVEMENT MAP INCLUDING KURADJI

First Nations Sovereign Embassies



This PoM does not seek to examine or endorse the issues surrounding the Sovereignty movement; it is mentioned here to provide an example of the Sandon Point Aboriginal Place being used as a contemporary meeting place for the Aboriginal community and to provide the wider community with information relating to the purposes of the Sandon Point or Kuradji Tent Embassy.

Dogs on Beaches and Parks Policy Note:

Council reviewed its Dogs on Beaches and Parks Policy and resolved on 24 November 2014:

“The current Dogs on Beaches and Parks Policy be maintained; this includes the current off leash parks and off leash beaches and current green, orange and red zonings”.

Dog walking in accordance with the current or any future Dogs on Beaches and Parks Policy is a general existing recreational activity within the PoM area.

FIGURE 18: CURRENT LAND USES - NORTH



The Current Uses South Map (Figure 19) uses aerial photography from 2011, and shows a temporary gravel road down to the surf club. That road has been removed and the grasses have been reinstated as shown in Figures 20 and 21. The condition demonstrated in this photo, represents the way Council wants to manage the headland into the future.

The surf club uses this grassed area to occasionally bring supplies and equipment to and from the surf club and this will continue; the wear and tear on the ground should not exceed the level shown in the photograph. Towards this goal, the area should not be used in time of recent heavy rain and periodic reseeding may need to occur. Consultation with Council and the Aboriginal community will need to occur if the area loses its grassed appearance and other ground treatments are considered in the future. The access way includes portions of the Sandon Point Aboriginal Place. Maintaining a grassed headland provides protection for the Aboriginal Place value and the recreational value of the headland.

FIGURE 19: CURRENT LAND USES – SOUTH

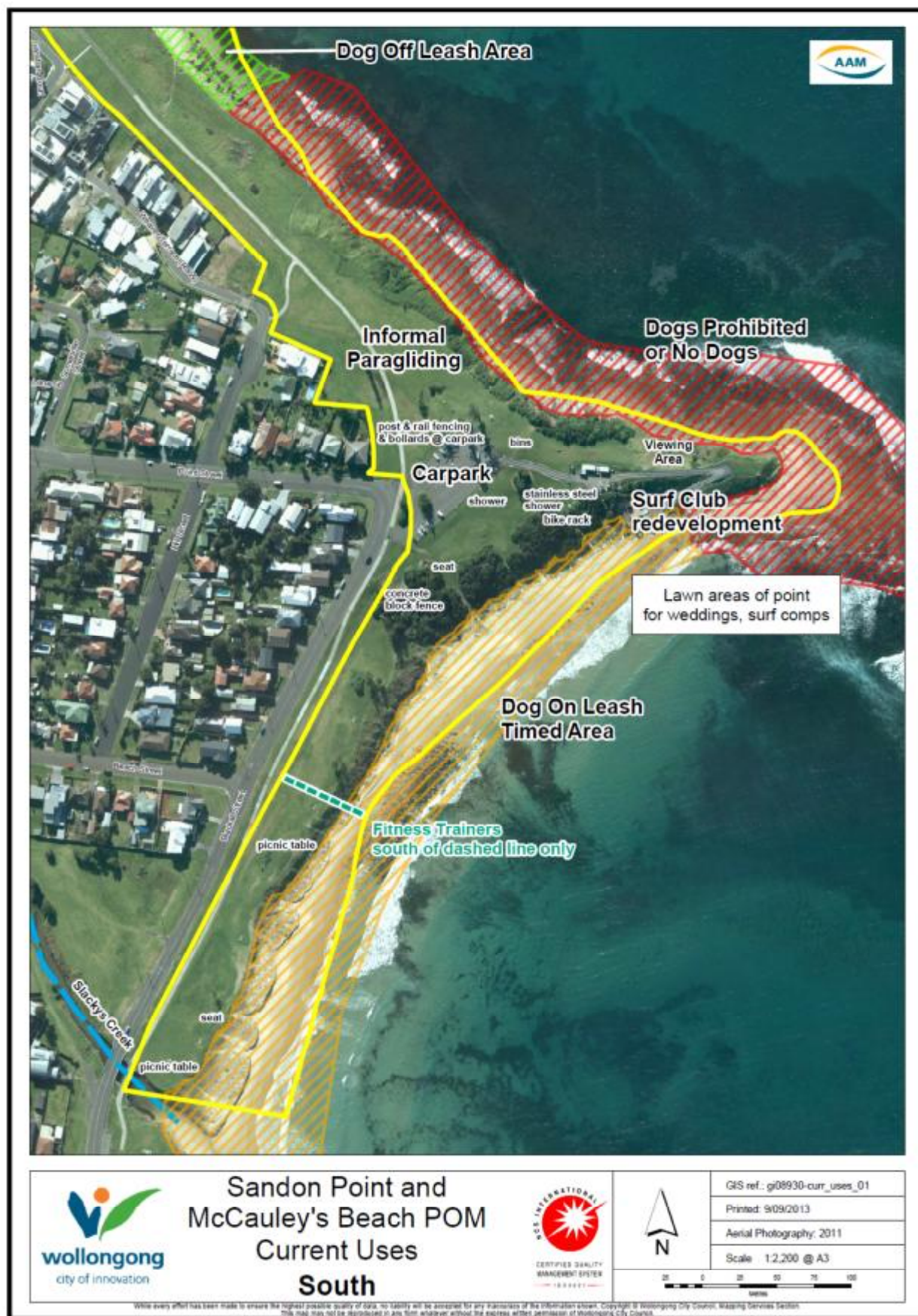


FIGURE 20: SANDON POINT HEADLAND 2014



FIGURE 21: SANDON POINT SURF CLUB EQUIPMENT STORAGE (NORTHERN SIDE OF BUILDING)



4. PLAN OF MANAGEMENT AREA VALUES AND THEIR RELATIONSHIP WITH PERMISSIBLE USES/DEVELOPMENTS

Plan of Management Values are what make a place important to the community. This PoM will use the following Values when considering permissible activities/developments and their scale and intensity, management actions and granting leases and licenses throughout the PoM area. These are in addition to OEH declared Values of the Sandon Point Aboriginal Place. The coastline of Sandon Point and McCauley's Beach is of outstanding value and meaning to the community.

Respect for Aboriginal Culture and Heritage

To show this respect, Council acknowledges that Aboriginal sites have been impacted or destroyed at Sandon Point and McCauley's Beach by the colonising of NSW and the resulting expanding non Aboriginal population over the course of hundreds of years. More recently, sites have been destroyed by industrial and residential development. The history of Australia's treatment of Aboriginal people, combined with the significance of the story site, burials, middens and tool artefacts at Sandon Point and McCauley's Beach create an environment where protecting the remaining Aboriginal Heritage sites within the PoM area is very important to the Aboriginal Community and Council. Efforts to maintain the current recreational amenity of the PoM area and to improve the safety of the shared path and public access to the beach will be pursued with the intent to have the least impact on Aboriginal Culture and Heritage possible.

Respect for the Coastal Environment and Biodiversity

Five EECs have been recorded within the PoM area and Council is legally required to protect any EECs which occur on its land, regardless of when the EEC community presents in a particular location under the Threatened Species Conservation Act 1997. The EECs are Swamp Sclerophyll Forest; Swamp Oak Floodplain Forest; Themeda Grassland on Seacliffs and Coastal Headlands; Sydney Freshwater Wetlands, and Floodplain Wetland.

Council will demonstrate respect for the area's Coastal Environment and Biodiversity by protecting these EECs and implementing the Sandon Point and McCauley's Beach Vegetation Management Plan. The current mix of open and heavily vegetated areas in the PoM in 2014 are to remain to balance the recreational needs of the community with the desire to provide habitat to endangered fauna that use the wide variety of habitats provided by the EECs.

Respect for the Open Space and Recreational Uses

"Beautiful Sandon Point, Bulli Estate" was subdivided and an auction sale held on 26 December 1913. A flyer from the time promoted its surfing beaches, public reserves and commanding view of the coastline. Recreational use of the coastline and the appreciation of a coastal view have only increased over time.

Council demonstrates respect for this PoM value by maintaining the current open vistas in the PoM area through Vegetation Management Plan implementation, the recent refurbishment of the Sandon Point Surf Club and the permissible uses set out in the PoM relating to coastal and recreational pastimes.

4.1 PLAN OF MANAGEMENT OBJECTIVES

The Plan of Management has the following objectives:

- To increase the community's awareness and appreciation of the site's Aboriginal cultural heritage significance and of the continuing importance of the area to Aboriginal people today.
- To work with Aboriginal people and groups in managing the area's Aboriginal cultural heritage values and sites and in presenting these, where appropriate, to the community.
- To maintain the site as a low-key and less-developed area of coastal open space providing an attractive venue for a range of appropriate leisure and information recreation activities.

- To provide for safe, convenient, low-impact and sustainable access to area's beach and foreshore.
- To balance the needs of managing and protecting vegetation communities and species legislated as having high conservation value or of conservation significance with maintaining and enhancing the area's scenic values, vantage points and views.
- To accommodate appropriate cultural, recreational, social, educational or special use activities.
- To maintain the site's accessibility and promote pedestrian and bicycle links to adjacent areas.
- To promote and enhance residents, visitors and the community's appreciation and understanding of the areas values.

4.2 PLAN OF MANAGEMENT PERMISSIBLE USES, DEVELOPMENTS, LEASES AND LICENCES

Existing and Future Uses and Developments as described in sections 3, 3.1 and 4 or shown or described in Figures 5 - 21 are permissible under this Plan of Management, with the following exceptions:

- paragliding
- any new boat storage activities or structures as shown in Figure 5C.
- vehicular access of the shared pathway by any other vehicles, besides Sydney Water, Council and Emergency Service vehicles, without a permit from Council.

Generally, uses and developments upon land will require different levels of legislative review and approval depending on the scale and intensity, its impact on the environment or Aboriginal significance, or other existing uses. For activities or developments on community land, typical legislative approvals are development consent under the Environmental Planning and Assessment Act 1979 or approval under Section 68 of the Local Government Act 1993 and/or the granting of a lease or license for a certain area of land or a certain use.

For the existing and future uses, activities and developments that are listed as permissible under this PoM in Table 4, each proponent will need work with Council to determine the applicable legislation to apply and then seek compliance within the relevant framework. Table 4 also contains current development consents and licensing information.

4.2.1 HERITAGE AND CULTURAL USES OR DEVELOPMENTS CONSIDERATIONS

Heritage and cultural uses or developments like the boatsheds at Sandon Point and the SPATE structures do not easily sit within the current legislative and regulatory framework that Council uses to manage its Community land, although they are consistent with one or more of the values of this PoM. Users of the Sandon Point boatsheds and the SPATE structures are doing so at their own risk. Council may choose to take no action against persons who use a boatshed with a license under the Local Government Act or occupy a SPATE structure that does not have development consent, but that does not absolve the individual of the risk of not complying with current Council policies and applicable legislation. It is acknowledged that Council is bound by legislative requirements that may be inconsistent with Aboriginal views, beliefs and customs.

Council supports the seeking of regulatory compliance by all users as a means to limit risk to themselves and to limit their own personal liability for possibly harming others, as it completely rests on the individual users. The Wollongong Local Environment Plan 2009 includes provisions relating to Aboriginal Places and listed heritage items that identify a means for applying for development consent.

Additionally, as a PoM is a planning document, not all permissible uses or developments will eventuate or remain over time due to changing needs or priorities and/or lack of resources (both financial and social). But setting permissible uses and developments for community land does give an indication of what is valued about the area and what the future could possibly hold.

If in the future, an appropriate use, activity or development (not specifically described in this Plan of Management) can be proven to support the Plan of Management values and fits within

the character of the community land area and compliance with applicable legislation can be obtained; it is permissible subject to a future Council resolution rather than amendment of this Plan of Management. This provision would not affect the Not Permissible Statements below.

Not Permissible Statements

Paragliding is not permitted as it is unlikely to obtain an exemption from flight conditions mentioned in paragraph 4.7 of Civil Aviation Order 95.8. There is an alternative paragliding training area at Bell's Point, Austinmer with development consent; it is expressly not a permissible future use under this Management Plan.

Vegetation management not in compliance with Council's Vegetation Management Plan for the area is prohibited.

TABLE 4: PERMISSIBLE USES/FUTURE DEVELOPMENT TABLE

| Permissible Use, Development | Existing | Possible Future Change | Scale and Intensity | Council Comment |
|--|----------|--|--|---|
| Sandon Point Surf Life Saving Club | Yes | Expand in 10 – 20 years (2024-2034) to meet increased demand by members. (The club has requested the PoM include this expansion as permissible in the event that it is needed. The club believes expanding the southern boundary of the building may be necessary.) | Design for least impact on Aboriginal Heritage and Cultural Values. Consultation with Aboriginal community required. | Funding for such an expansion rests with the club itself and not Council. Any future expansion of the building has the potential to impact on an Aboriginal site. Being listed as permissible does not mean the structure will be expanded in the future, it means it is a possibility. If the ability to expand the club building was not listed as permissible, it could not occur without amending the PoM. DA and amended lease/licence will be required. |
| Aboriginal Cultural Use and Development | Yes | Changing forms and functions to meet the evolving needs of the Aboriginal community related to the Values of the Sandon Point Aboriginal Place (Chiefs Meeting Place, Middens, Burial and Re-burial, Resource rich area for ceremony, camping and meeting) Examples: current: The Sandon Point Tent Embassy, possible future: A Keeping Place. | Uses and developments which support the values of the Sandon Point Aboriginal Place are best defined and managed by the Aboriginal community in culturally appropriate ways that are determined by the Aboriginal community. Not to impact on burials. Not to impede on a designated Beach Access. | It is noted that the existing sanitation method of the SPATE structures, a self-composting toilet, severely limits the nature of any future change related to SPATE. |

| Permissible Use, Development | Existing | Possible Future Change | Scale and Intensity | Council Comment |
|------------------------------|----------|---|---|--|
| Shared path | Yes | <p>Possible to redesign current shared path to rectify existing water ponding and separation of vehicles from pedestrian and cycle traffic.</p> <p>One possible way is to leave the existing shared path as it is for cyclists (and occasional use by vehicles) and construct about 30m of boardwalk (2.5m wide) on the western edge of the cycle track for pedestrian use. This would improve safety and provide pedestrians with a dry footway after rain at a very reasonable cost.</p> <p>Alternatively, as Sydney Water vehicles use the ponding portion of the shared path on a regular basis, the design has to accommodate the weight of a vehicle and the cost of this level of construction may prohibit an alternate pedestrian path.</p> <p>Implementation of better signage to inform public about safe use by all – vehicles, bicycles and pedestrians. The portion used by three modes of traffic to become a shared zone with appropriate signage.</p> <p>Consideration can be given to installation of lighting along the shared path along the curved section to the pedestrian bridge.</p> | <p>Any shared path Redesign or improvement to have the least impact on the Values of the Sandon Point Aboriginal Place.</p> <p>Better signage locations planned for least impact on the Values of the Sandon Point Aboriginal Place.</p> <p>Consultation with Aboriginal Community and wider community required.</p> <p>Ongoing use of the shared way by vehicles other than clearly identifiable Council, Sydney Water and Emergency Services Vehicles requires a Council permit for the specific day of required access. Permit process to be developed by Council and the Aboriginal community who participate in pursuing a Joint Management Agreement for the Sandon Point Aboriginal Place with the aim of upholding the values of the Sandon Point Aboriginal Place “where Aboriginal groups traditionally gathered for meetings, ceremonies, and other activities, including camping and fishing. (see section 1.3 for more information).</p> | <p>Redesigning the shared path is a long term goal rather than a short term goal. Improved signage should occur over the next 6 months to a year.</p> <p>Installation of lighting along a portion of the shared path would require specialised equipment that would have minimal ground impact relative to other lighting devices. Would only be possible with grant funding and Aboriginal and wider community support.</p> |
| Historic Boat Sheds | Yes | No change. | Consistent with boatshed photograph. | Recently, a boat has been stored outside of a |

| Permissible Use, Development | Existing | Possible Future Change | Scale and Intensity | Council Comment |
|---|----------|---|---|--|
| | | | | boatshed as shown if Figure 5C. The extra boat is not considered part of the Heritage listing of the boatsheds. |
| Learn to Surf Instructors | Yes | No change. | Consistent with development consent of DA-2011/1334. | |
| Outdoor Personal Fitness Trainers | Yes | No change. | To remain within the area shown in Figure 19. | |
| Vegetation Management | Yes | Existing view corridors from 2013 to be retained. EECs protected. Better defined Beach Access Points through dunes. Use of site as part of a Biocertification or Biobanking agreement. | In compliance with the Vegetation Management Plan for the area. Consultation with Aboriginal community required. | Implementation of the Vegetation Management Plan to be subject to obtaining future grant funds and seeks to maintain the current mix of heavily vegetated areas and low vegetated areas as are present at the time of the making of the PoM. |
| General Park and Foreshore Operational Maintenance and Management of existing | Yes | Suitable to enhance the values of the PoM to acknowledge the history of the area increase level of amenity such as public toilets, or undertake Access Plan improvements. Additional signage: Aboriginal Place, Paul Mason Jones, | Not to significantly impact on the values of the Place. Consultation with Aboriginal community required. Consultation with wider community required regarding proposed locations of public toilets or other new | In the short to medium term, Council will be focusing on maintaining current infrastructure rather than introducing new infrastructure. The installation of a Sandon Point Aboriginal Place |

| Permissible Use, Development | Existing | Possible Future Change | Scale and Intensity | Council Comment |
|---|----------|--|--|---|
| and future improvements | | Share way use, Beach safety, Dogs on beach, etc. | infrastructure. | sign and a Paul Mason Jones Reserve sign is proposed in the next 6 months to a year, subject to finding suitable location and funding. |
| Walking, Running, Cycling, Surfing, Swimming, recreational uses Personal Events (e.g. weddings) | Yes | As population increases over time, more people will undertake these types of activities. | Not to significantly impact on the values of the Place. Consultation with the Aboriginal community required for special events that could use some part of the Aboriginal Place. | The Sandon Point Boardriders Association and the Sandon Point Surf Lifesaving club routinely discuss protecting the values of the Sandon Point Place with the Local Aboriginal Land Council and SPATE when they hold conduct club activities. |

TABLE 5: CURRENT DEVELOPMENT CONSENTS AND LICENSING INFORMATION

| Activity or Development | Conditional Approval | Approval Date | Consent End Date | Current License or Lease | Current License or License Holder (or Council Booking Agent) |
|--|---|--|--|--|--|
| Community event - annual fun run from Bulli Beach to Thirroul and back along the shared path. Event raises funds for a variety of charities. | Yes – This Special Event DA consent has been provided as an example of a large community event requiring DA consent within the Plan of Management area. In 2012 the event had 405 participants. | 25 May 2011 | This consent permits the event to be held once annually until 31 December 2016. It is a one day event. | Council booking. | Private commercial operator. |
| Commercial Fitness Training Activities on and above Sandon Point Beach (Lot 3 DP 417907 – in a designated area south of Beach Street), excluding the sand dunes and dune stabilisation areas. | Yes – In accordance with Council Minute 151 at its 26 October 2010 meeting. For example, general public use to take precedence over commercial operations. | 26 Oct 2010 | On-going. | Prior to the commencement of the fitness training operation the commercial users of the site must enter into an appropriate licence arrangement with Council. Council will call for tenders and appoint users. This process will ensure compliance with various legislation such as the <i>Local Government Act 1993</i> and <i>Crown Lands Act 1989</i> . | A “Commercial Fitness Training Operator’s Licence Agreement” will be valid for a period of not less than six (6) months and not greater than five (5) years and will authorise each trainer to use designated public open space for commercial fitness training activities in accordance with <i>Council’s Policy of Commercial Fitness Training Activities on Public Open Space</i> or its future replacement policy, on a non-exclusive basis. One commercial operator, Shade Pty Ltd, currently holds an annual license. |
| Renewal of Sandon Point Surf Life Saving Club and use of top floor as a place of public | Yes – There was also an Aboriginal Heritage Impact Permit granted (Number 1131363) issued by the Office of Environment and | 25 Aug 2009. 27 Feb 2012 for modification. | Completed. AHIPS concludes on 11 January 2014. | Once a PoM is adopted, a lease or license will be required. | Sandon Point Surf Life Saving Club or a regional/national surf lifesaving club organisation. No lease or licence in place at present, during the Surf Club’s refurbishment. |

| Activity or Development | Conditional Approval | Approval Date | Consent End Date | Current License or Lease | Current License or License Holder (or Council Booking Agent) |
|---|--|---------------|------------------|--|---|
| entertainment and modification to remove the retaining wall and footpath and steps on northern corner of the building. | Heritage Metropolitan Branch, dated 13/01/2012, including as varied by the AHIP Notice of Variation No. 1131482, issued by the same OEH Metropolitan Branch, dated 18/01/2012. | | | | |
| Commercial Surf School Activity on and above McCauley's Beach – south of Corbett Avenue and at Sandon Point Beach. | Yes – Use in compliance with license conditions and Council's <i>Commercial Surf School Activities on Foreshore Public Open Space Policy</i> (and/or other relevant Council policies) on a non-exclusive basis. Use of dune area prohibited. | 2 Dec 2011 | On-going. | No current license holder. Council is seeking a new surf school provider in process similar to that applying to fitness trainers. Essential Surf School and Sea Australian Pty Limited have been offered 3 year licenses in May 2014. | A commercial surf school operator's licence agreement will be valid for a period not greater than five (5) years. No current license holder. |

4.2.2. ABORIGINAL KEEPING PLACE

The NSW Office of Environment and Heritage has notified Council that the Aboriginal objects recovered at Sandon Point are currently housed in the Australian Museum, which is, in effect, a temporary Keeping Place until appropriate arrangements are made for the return of these objects to Aboriginal communities or establishing a permanent Keeping Place.

The development of an “Aboriginal Keeping Place” is a requirement placed on Stockland Ltd as a condition of various consents issued in January 2002 under section 90 of the National Parks and Wildlife Act 1974 (consents to destroy, deface or damage an Aboriginal relic/place), and reconfirmed by the Land and Environment Court, as part of the approval process for residential development west of the Sandon Point area.

The section 90 permit process required that the form and location of the Aboriginal Keeping Place, and a plan for its management, be negotiated with the following five Aboriginal community groups – Illawarra Local Aboriginal Land Council, Korewal Elouera Jerrungarah Tribal Elders Aboriginal Corporation, Sandon Point Tent Embassy, Wadi Wadi Coomaditchie Aboriginal Corporation and Wodi Wodi Elders Council.

An Aboriginal Keeping Place is permissible under this Plan of Management, in accordance with the requirements of the section 90 permit.

4.2.3 POSSIBLE LEASES OR LICENSES OF PERMISSIBLE USES

Council has the authority to grant a booking, license, lease or other estate for activities related to permissible uses or developments as described in this Plan of Management in accordance with the Local Government Act 1993, its regulations, and the requirements of this Plan of Management and all its components. Furthermore, Council has the authority to grant a lease or license or accept a Council booking for a casual short term use for such existing or future uses and developments.

4.2.4 GENERAL INFORMATION REGARDING LEASES AND LICENSES OVER COMMUNITY LAND

Community land may not be leased or licensed for a period of more than 30 years under the Local Government Act 1993. Except for some limited temporary and casual uses as defined by the regulations, before granting a lease or license over community land Council must publically exhibit each proposed lease or license including its location, term and purpose in clearly understood language and consider the community feedback prior to determining whether or not to grant the proposed lease or license.

If a lease or license period is for more than five years and there is an objection to the proposal during the public exhibition period, the consent of the Minister for Local Government is required to be obtained. Additional guidelines for the granting of leases, licences or other estates over community land are provided in Clauses 116 and 117 of the *Local Government (General) Regulation 2005*.

A lease over a section of community land, or a facility within that land, enables more exclusive use of that land or facility than a license allows. A long term lease or license may be required due to the scale of investment, by the lessee or licensee, for close scrutiny of management and operation, to relieve demands on Council, for security measures, or for a range of other reasons. Conditions may be included in either a short term or long term lease or license to promote multiple or shared use of an area and the availability of a site/facility to other activities and user groups. A lease or license can also require certain management responsibilities, such as maintenance and bookings, over to the lessee as well as containing specific conditions, required standards or performance criteria. More than one licence may apply to the same area at the same time, provided there is no conflict between them.

Council bookings are in the form of casual licensing that generally enables shorter term use of an area, or part of an area, such as seasonal or scheduled activities often at specified times (typically sport uses or community events as well as one off special events/activities or scheduled/occasional commercial uses).

4.2.5 LEASE OR LICENSE LIMITATIONS ON NATURAL AREAS

The Local Government Act 1993 specifically limits the ability to lease or license Natural Area Foreshore, wetland, watercourse, bushland, and escarpment in the following manner:

Legislated Natural Area Leasing and Licensing Restrictions (section 47B)

The Local Government Act 1993 prescribes the following restrictions on all community land that is categorised as a natural area, be that foreshore, watercourse, wetland, bushland, or escarpment.

- (1) A lease, licence or other estate must not be granted, in respect of community land categorised as a natural area:
 - (a) to authorise the erection or use of a building or structure that is not a building or structure of a kind prescribed by this section or the regulations, or*
 - (b) to authorise the erection or use of a building or structure that is not for a purpose prescribed by this section or the regulations.**
- (2) A lease, licence or instrument granting any other estate is void to the extent that its provisions are inconsistent with this section.*
- (3) In this section, "erection" of a building or structure includes rebuilding or replacement of a building or structure.*
- (4) The following buildings and structures are prescribed for the purposes of subsection (1) (a):
 - (a) walkways,*
 - (b) pathways,*
 - (c) bridges,*
 - (d) causeways,*
 - (e) observation platforms,*
 - (f) signs.**
- (5) The following purposes are prescribed for the purposes of subsection (1) (b):
 - (a) information kiosks,*
 - (b) refreshment kiosks (but not restaurants),*
 - (c) work sheds or storage sheds required in connection with the maintenance of the land,*
 - (d) toilets or rest rooms.**
- (6) Despite subsection (1), a lease, licence or other estate may be granted, in respect of community land categorised as a natural area, to authorise the erection or use of any building or structure necessary to enable a filming project to be carried out, subject to the conditions prescribed by subsection (7) and the regulations.*
- (7) It is a condition of any lease, licence or other estate referred to in subsection (6):
 - (a) that any building or structure so erected must be temporary in nature, and*
 - (b) that as soon as practicable after the termination of the lease, licence or other estate:
 - (i) any building or structure erected must be removed, and*
 - (ii) any damage to the land caused by the erection or use of a building or structure must be made good, and*
 - (iii) the land must be restored as nearly as possible to the condition that it was in at the time the lease, licence or other estate was granted,***at the expense of the person to whom the lease, licence or other estate was granted.**

5. PLAN OF MANAGEMENT ACTION PLAN

TABLE 6: ACTION PLAN

| | Objective (Refer section 4.5) | Performance Target | Means of Achievement | Manner of Assessment |
|---|---|--|--|---|
| 1 | To increase the community's awareness and appreciation of the site's Aboriginal cultural heritage significance and of the continuing importance of the area to Aboriginal people today. | Implementation of the Aboriginal Place Management Strategies. All organised organisations who are users of the area (surf club, fitness training organisations, learn to surf operator etc.) attend an Aboriginal Place Induction | Work cooperatively with the Aboriginal community to enable implementation of the Management Strategies. Seek Aboriginal Heritage Impact Permits as required for implementation of the Plan of Management. Develop an Aboriginal Place Induction process in cooperation with Illawarra Local Aboriginal Land Council. | Relevant Aboriginal Heritage Impact Permits obtained. Number of Aboriginal Place Inductions held. |
| 2 | To work with Aboriginal people and groups in managing the area's Aboriginal cultural heritage values and sites and in presenting these, where appropriate, to the community. | Aboriginal significance is safeguarded and explained. | Securing funding to enable the design, construction and use of signs and structures that reflect the Aboriginal significance of the area. Working cooperatively with the Aboriginal community to develop and manage proposed permissible uses. Discuss with the Aboriginal community a co-management framework to protect the values of the Sandon Point Aboriginal Place. | Presence of infrastructure that reflects the Plan of Management areas connection to the Aboriginal community Progress towards co-management strategies to protect the Values of the Sandon Point Aboriginal Place. |
| 3 | To maintain the site as a low-key and less-developed area of coastal open space providing an attractive venue for a range of appropriate leisure and information recreation activities. | Existing uses enhanced and new development/uses implemented with minimal environmental impact. | Minimal additional proposed permissible uses. Adherence to applicable legislation. Community consultation for implementation of permissible uses. | Community satisfaction. |
| 4 | To provide for safe, convenient, low- | Implementation of the Plan of | Securing funding to enable the formalisation | Number of formal access |

| | Objective (Refer section 4.5) | Performance Target | Means of Achievement | Manner of Assessment |
|---|--|--|--|--|
| | impact and sustainable access to area's beach and foreshore as a means of increasing public amenity and as a risk mitigating factor to harming middens, burials or artefact scatters. | Management Access Plan. | of beach accessways. | points/viewing areas improved or constructed in accordance with the Access Plan. |
| 5 | To balance the needs of managing and protecting vegetation communities and species legislated as having high conservation value or of conservation significance with maintaining and enhancing the area's scenic values, vantage points and views. | Implementation of the Vegetation Management Plan. | Future vegetation management works is undertaken in accordance with the Vegetation Management Plan. Enhance educational opportunities for Bushcare activities. | Reduction in vegetation vandalism. |
| 6 | To accommodate appropriate cultural, recreational, social, educational or special use activities. | Permissible uses implemented with minimal environmental impact. | Secure funding for proposed improvements. Work with relevant groups to achieve compliance with relevant legislative requirements. | Relevant approvals in place. Community satisfaction. |
| 7 | To maintain the site's accessibility and promote pedestrian and bicycle links to adjacent areas. | Implementation of the Plan of Management Access Plan. | Secure funding to enable upgrades to the shared path as identified in the Access Plan. Work with relevant landowners/stakeholders to formalise access for Wilkies Walk. | Shared path upgrade completed. Wilkies walk formalised. |
| 8 | To promote and enhance residents, visitors and the community's appreciation and understanding of the areas values. | Greater understanding of the significance and values of the area. | Installation of interpretive and educational signage and displays in consultation with stakeholders. | Installation completed. |
| 9 | To adhere to the legislated core objectives of the relevant community | Managing the areas of cultural significance, park, general community | Increasing awareness of the area's importance by the general public. | When people use the area in the future they are aware of the |

| | Objective (Refer section 4.5) | Performance Target | Means of Achievement | Manner of Assessment |
|--|--------------------------------------|--|-----------------------------|--|
| | land categories shown in Figure 4. | use and natural area foreshore without losing its cultural value, environmental or recreational purpose. | | area's past and the fragile nature of the coastal environment. |

6. THREATS TO THE SANDON POINT ABORIGINAL PLACE AND OTHER ABORIGINAL SITES WITHIN THE PLAN OF MANAGEMENT AREA

Almost all of the PoM's Action Plan's objectives, performance targets, and means of achievements are related to addressing a threat to the values of the Sandon Point Aboriginal Place or a threat to Aboriginal sites within the wider PoM area. In accordance with OEH's Guidelines for Developing Management Plans for declared Aboriginal Place, these threats are now examined in more detail to develop strategies to limit the harm that may occur in the future to the values of the place.

Threat 1: Visitors to the Sandon Point Aboriginal Place may unknowingly cause harm

Discussion: Currently, there is no Council sign which indicates a visitor to Sandon Point is entering a declared Aboriginal Place. Without appropriate signage, visitors cannot readily tell that this coastal area is any different from other foreshores. During the making of the PoM, this issue was raised often. Additionally, it is likely a visitor to Sandon Point and McCauley's Beach will not know that they are entering an Aboriginal Place or if their behaviour while in the Place is harmful or not. For example, the McCauley's Beach midden is unknowingly harmed each day when someone walks over the dunes to access the beach and unleashed dogs are the worst offenders.

Management of Threat: To lessen the amount of potential harm, community awareness needs to be raised. Appendix A to this PoM provides information on known Aboriginal sites that are not confidential. This information increases the awareness of the significance of this coastal area to the Aboriginal people. Council proposes to formalise a limited number of existing informal beach access points to McCauley's Beach and to close others as shown in the Access Plan (Figure 29). Formalising access points creates safer beach access points and lessens the rate of coastal erosion of the dune, which assists in maintaining the integrity of the midden and stabilises the foreshore. Combining Aboriginal Place signage with formal beach access points is a very effective tool to manage the threat of harm.

Other examples of activities that could destroy, deface or damage and/or otherwise harm an Aboriginal Place or Object are:

Visitors to the Place interfering with middens or other Aboriginal objects by touching them or moving them or collecting them*;

Human interference (vandalism, pilfering) with burial grounds, cemeteries or burial places of known ancestors*;

Removing trees that contribute to the special significance of the site*;

Developing or maintaining roads or pathways;

Constructing dwellings;

Fire and managing fire;

Recreational activities such as, motorbike riding, four wheel driving;

Damming, pumping and diverging waterways;

Most major landscape changes to the place such as clearing or burning of trees;

Infrastructure development.

A person or an organisation cannot harm an Aboriginal Place or Aboriginal Object without the granting of an Aboriginal Heritage Impact Permit or AHIP by the Office of Environment and Heritage. The activities marked with an "*" would be activities for which it is highly unlikely that an Aboriginal Heritage Impact Permit (AHIP) would be granted by the Office of Environment and Heritage. The penalties for harming an Aboriginal Place or Object have been recently

increased and could include time in prison. The penalties for persons and corporations breaching the National Parks and Wildlife Act 1974 can be found in Appendix C.

Management of Threat: Because the definition of harm is so wide ranging, Council will need to apply for an AHIP to manage the place, as it is not possible or desirable to exclude the general public from the popular coastal foreshore area. To manage the risk of the general public's use of the Sandon Point Aboriginal Place, an Access Plan has been developed to designate the routes which the general public should take to access the foreshore as a means to protect the values of the place (the middens, the burials, storylines, place of ceremony, etc.).

Threat 2: Visitors to the Sandon Point Aboriginal Place may knowingly cause harm

Discussion: The connection between Aboriginal people and the natural environment is very different from a "non-indigenous" view of the relationship between environment and mankind. Where early settlers to the Illawarra region sought to clear the land for grazing or farming to feed their family or to earn money, Aboriginal people sought to live in its bushland, near creeks, swamps and the ocean to feed, clothe and house themselves through use of plants, animals and fish.

The more abundant the plant and animal life was in any area (i.e. the richer the biodiversity of the area), the more the Aboriginal community felt connected to that "Country". According to OEH's 2006 Working to Protect Aboriginal Cultural Heritage document, "*Aboriginal culture and heritage involves conserving Country with and by Aboriginal people and communities, and ensuring that connections to Country are recognised, respected and can be maintained*".

The results of the grant funded revegetation and restoration projects that have occurred within the Sandon Point Aboriginal Place are in keeping with the declared Values of the Place. **The presence of this vegetation at Tramway Creek at McCauley's Beach has led to acts of vegetation vandalism which constitute harm to an Aboriginal Place.** The perpetrators of vegetation vandalism can be prosecuted under the National Parks and Wildlife Act 1984 and the Threatened Species Act 1995 as there are Ecologically Endangered Communities (EECs) within the contested vegetation. Some community members content that the coastal area should remain as shown in Figure 22. The area will remain as shown in Figure 23. Anger over the presence of trees has resulted in actions as shown in Figure 24.

FIGURE 22: VIEW FROM NEARBY RESIDENTIAL DEVELOPMENT FROM EARLY 2000S COMPARED WITH 2012 VIEW



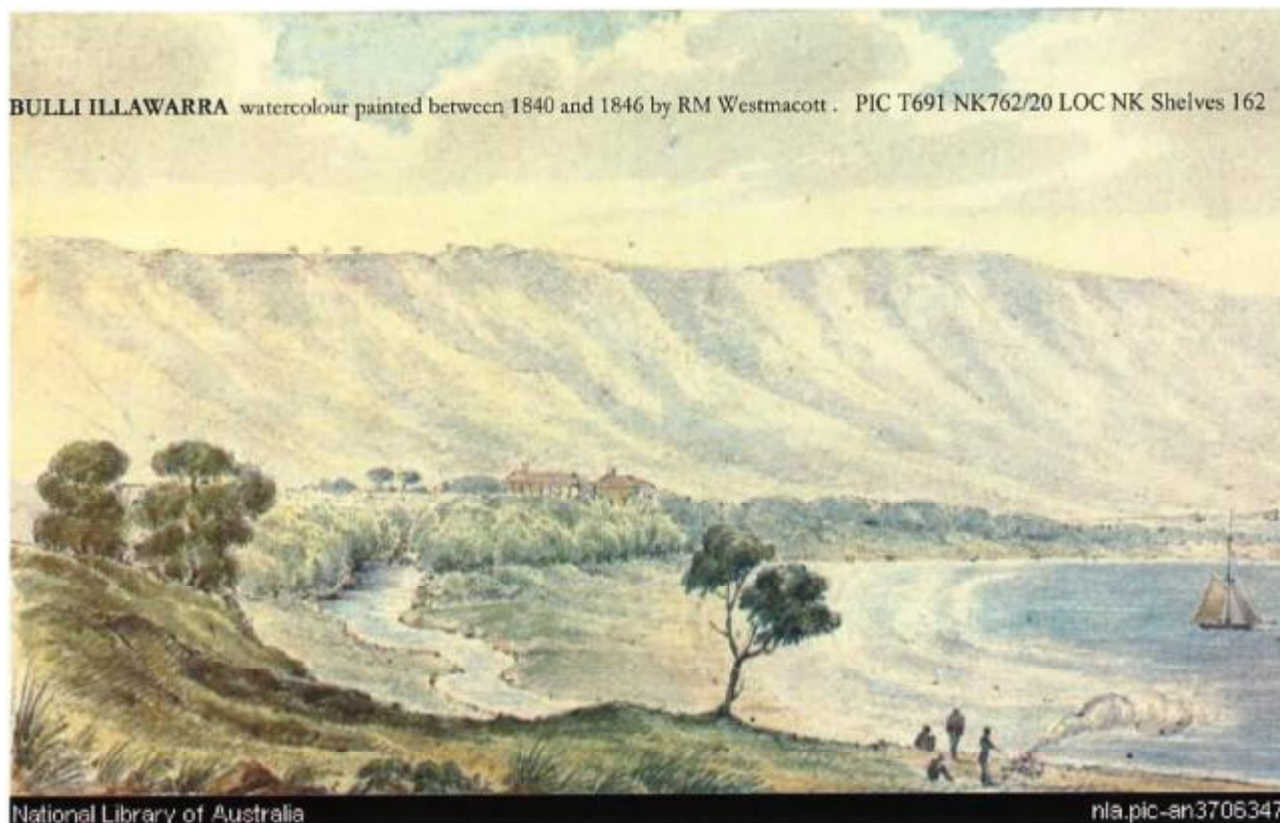
FIGURE 23: VIEW FROM NEARBY RESIDENTIAL DEVELOPMENT FROM EARLY 2000S COMPARED WITH 2012 VIEW



FIGURE 24: EXAMPLE OF VEGETATION VANDALISM IN THE SANDON POINT ABORIGINAL PLACE



FIGURE 25: 1840S ART WORK



A “resource rich environment” has been created similar to the one shown in a 1840s era art work by RM Westmacott, who lived from 1801-1870. He was an amateur artist and draughtsman with a military background, who was very important to the Illawarra region as a pictorial chronicler of the period 1837-1847. His art work titled Bulli Illawarra (figure 25) services as a record of early settlement homesteads, early landscapes and the use of the area by Aboriginal people in the 1840s.

FIGURE 26: VEGETATION IN 2012 (NOTE SIMILARITY TO 1840S PAINTING)



Management of Threat: Council has installed signs to discourage vegetation vandalism. Council has also developed an operational Vegetation Management Plan for the area which protects EECs while maintaining the existing open vistas.

There is also the threat of people deliberately causing harm by removing tool making artefacts or even burials. Many Aboriginal Elders will not disclose the location or the nature of the significance of an Aboriginal Object or an Aboriginal Site for fear that it will be vandalised or destroyed. The threat posed is real and it is the most difficult threat to manage as Council has limited resources and determined individuals are difficult to stop.

Management of Threat: Confidential Aboriginal Heritage Sites are not shown in the Plan of Management maps. The Access Plan has been developed to encourage the general public not to enter areas of high Aboriginal Heritage and Cultural value.

Threat 3: There is a concern in the Aboriginal community that future development to cater for increased visitor numbers to the PoM area could result in the destruction of the values of the Place like the destruction of middens, burials, and tool making sites. Outside of the PoM area, Aboriginal Heritage Impact Permits (AHIPS) were granted and many artefacts and ceremonial places were destroyed against the wishes of some members of the Aboriginal community.

Discussion: In March 1998, a significant 6,000 year old burial of a clever man was uncovered during a storm at McCauley's Beach. The existence of that burial, along with the other known Aboriginal sites in the area, has cemented the area's importance to the Aboriginal community that culminated in the OEH declaration of the Sandon Point Aboriginal Place on 16 February 2007. The values declaration noted the presence of middens, burials, and acknowledged the area was a resource rich place of meetings, ceremonies, camping and fishing for the Aboriginal community. It is the intent of Wollongong Council to manage the area with the highest degree of protection for the Place as feasible for its recreational use. Council now knows much more about how important this area is after taking two years to develop the Plan of Management and seeks to transparently manage the area.

Management Strategy: Clearly identify what an AHIP could be applied for under this PoM which is also a Place Management Plan in accordance with OEH Guidelines. Pursue the development of a co-management framework with the Aboriginal community to protect the values of the Sandon Point Aboriginal Place through continued and regular communication between Council and the Aboriginal community.

6.1 ACTIONS THAT WILL NOT HARM THE VALUES OF THE SANDON POINT ABORIGINAL PLACE AND THAT WILL NOT REQUIRE AN AHIP

Recreational, social, community activities that do not break the ground surface, do not occur on the dunes, and occur in the open, grassed, areas of the Place. Examples include, but are not limited to, picnicking, walking, sitting and viewing the natural beauty of the area.

Repairing or installing signage or park furniture on existing sign poles or existing concrete pads (i.e. when there is no breaking of the ground surface). Signs would be related to public safety or history of the area in keeping with surroundings.

Major "making good" works after a storm or erosion damage conducted under the State Emergency and Rescue Management Act 1989 exemption provisions.

Aboriginal people and their dependents undertaking non-commercial traditional cultural activities as provided for under exemption provisions of 87B of the National Parks and Wildlife Act 1974.

6.2 ACTIONS THAT WOULD HARM THE VALUES OF THE SANDON POINT ABORIGINAL PLACE AND WOULD NEED AN AHIP, BUT MAY BE ACCEPTABLE IN CERTAIN SITUATION AND WITH CERTAIN CONTROLS

1. **Routine park/reserve management operations** that involve ground disturbance, such as, but not limited to: mechanical slashing; mowing over areas with artefact scatters, drainage or erosion control works, irrigation; returfing; weed removal; staking; aerating, top dressing, fertilising and conditioning of soil; installation of pegs/stakes for erosion control matting, vegetation trimming, spraying, soil testing, pest and vermin control, disease control, rubbish removal, street sweeping, beach raking, repairs to existing park facilities (repainting etc.).
2. **Leisure, recreation uses and events** (including temporary facilities or equipment on or above current ground surface or having superficial surface impacts). Examples of leisure and recreation uses are the provision of lifeguard services at a designated patrolled beach within the PoM area, Surf Lifesaving Club patrols of the beach or board rider activities. An example of a superficial surface impact would be the installation of a sun shade tent for watching a Sandon Point Surfboard Association event that will be removed at the end of the event.
3. **Maintenance and repair** to the Sandon Point Surf Life Saving Club, existing park furniture, existing formalised access points to the foreshore or new park furniture or new formalised access points to the foreshore installed in accordance with an OEH approved AHIP.
4. **The use and maintenance of the vehicle access route used by the Surf Club and Council Lifeguards** to access the Sandon Point Surf Life Saving Club when loading and unloading operational supplies or equipment on an occasional, not daily occurrence. During long periods of wet weather, use of access way is to be avoided. Required maintenance of access route to be above ground. Access route to be maintained as grassed area.
5. **Upgrading an existing path to the foreshore that is designated in the Access Plan.**
6. **Planting coastal vegetation to implement any current Council vegetation management plan within the PoM area as a means to promote or protect the values of the Sandon Point Aboriginal Place.**
7. **Installing new signage related to public safety or the history of the area, located with as little harm to the Aboriginal Place as possible, consistent with Aboriginal community consultation outcomes.**
8. **Improvements to Corbett Avenue Reserve relating to provision of better public access to the beach and dune stabilisation to protect the existing road asset.**

***Please note:** Items 1-8 could form the basis of an area AHIP application. Management Strategies to mitigate harm to the values of the Aboriginal place are dependent on more site specific information being provided in future AHIP applications. Council is committed to adopting management strategies that are agreeable to the Aboriginal community when considering how to carry out future improvements in accordance with this PoM.*

Buildings or major items of park infrastructure in any part of the Sandon Point Aboriginal Place would require an individual AHIP. Locations of buildings or major items of park infrastructure (i.e. new art work, new concrete paving, public toilets, an addition to surf club, etc.) would need to be located and constructed with as little harm to Aboriginal sites and the Sandon Point Aboriginal Place as possible.

6.3 ANY HARMING ACTIONS FOR WHICH COUNCIL WOULD REQUEST THAT OEH GENERALLY REFUSE TO ISSUE AN AHIP

Activities not related to cultural practices of the Aboriginal community that would impact Burials.

Activities that cause destruction of the McCauley's Beach Midden within the Sandon Point Aboriginal Place that are not related to upgrading (i.e. formalising by means of plank laying, etc.) an existing path to the foreshore that is designated in the Access Plan or planting low growing coastal vegetation to close desire paths to the foreshore that are NOT designated in the Access Plan.

7. ACCESS PLAN

The public can access Sandon Point and McCauley's Beach Plan of Management area by foot, cycle or car. The area is heavily used on a daily basis for a variety of purposes by many different people. Implementation of the Access Plan will change the way people move across and through the Plan of Management area. This will have a positive impact on environmental values, provide protection for Aboriginal Heritage items and improve general public safety.

The Access Plan includes:

- an outline of existing access arrangements;
- a map that identifies the existing beach access points (Figure 29); and
- proposed access improvements, permissible under the Plan of Management (Figure 30).

7.1 EXISTING ACCESS AND MOVEMENT

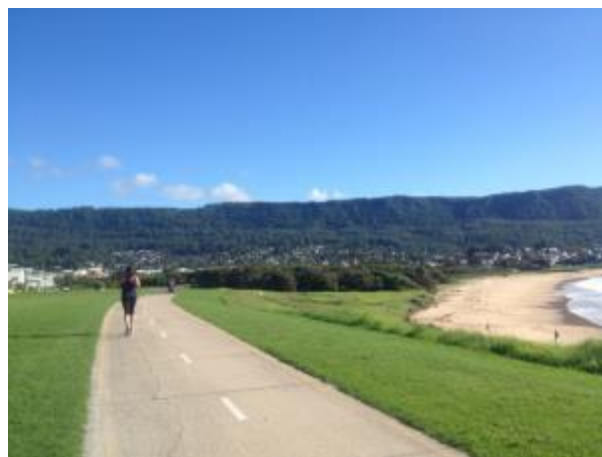
Parking

Many people use their car to visit the area. There is a sealed car park with a capacity for 85 vehicles, situated at the eastern end of Point Street, Bulli at the intersection of Blackall Street. This parking area is the closest to the Sandon Point Surf Club and is frequently used on a daily basis.

A smaller informal parking area is located on Corbett Avenue north of Hewitts Creek. This area has capacity for approximately 12 vehicles with 90° roadside parking. Parallel parking is also available along Blackall Street in the south, as well as more limited parallel parking on Corbett Avenue and Hamilton Road in the north. There is little space or opportunity for parallel parking along the newer residential streets behind the south end of McCauley's Beach, such as Aragan Circuit, Garaban Court and Weaver Terrace. The Access Plan does not propose any additional sealed car parking.

Sandon Point Surf Club Access

The surf club has been recently redeveloped and includes accessibility via ramps and there is easy paved parking as noted earlier. During construction, a gravel access driveway was used to reach the ground level of the building. This gravel driveway has been replaced with grass to replicate its condition prior to the start of construction. The Access Plan acknowledges that the surf club requires periodic vehicular access for operational reasons such as equipment removal and storage and provides for that use; it is hoped that this periodic vehicular use can be managed in a respectful manor in acknowledgement of the values of the Sandon Point Aboriginal Place. The access pathway transverses across known artefacts as well as occurs with the OEH designated Sandon Point Aboriginal Place. This periodic use of vehicle access by the Sandon Point Surf Club to the ground level of the building was occurring under the Aboriginal Heritage Impact Permit No. 1131363 which lapsed in January 2014. Council is proposing to continue this periodic use in compliance with applicable legislation and in cooperation with the Aboriginal community, the Sandon Point Surf Life Saving Club and Office and Environment and Heritage through a future AHIP application.

FIGURE 27: SHARED PATH PHOTO**FIGURE 28:****SHARED PATH PHOTO**

A sealed shared path designed for cycle and pedestrian users runs roughly north-south through the area, generally along the western boundary of the Plan of Management area. The shared path joins onto Hamilton Road in the north, and continues within foreshore parkland to the south after crossing Slacky Creek. Sealed paths link the shared pathway to Weaver Terrace/Hill Street and Sandon Drive. The shared path is also readily accessible from adjacent streets. The shared path crosses Tramway Creek in a sweeping curve with a sharper bend at the creek crossing itself. The pathway's piped crossing over Tramway Creek is a low-point that is often flooded for long periods after rain, otherwise the pathway is in a state of good physical condition.

The shared path is the most heavily used community infrastructure in the area. Please find below examples of uses of the shared path found currently and in the recent past.

1. Walking their dogs on a leash;
2. Cycling for pleasure or commuting to and from work;
3. Walking or running for fitness or social interaction or appreciating natural coastal setting;
4. Driving slowly (and giving way to pedestrians and cyclists) to reach the Sydney Water Sewer Pumping Station for maintenance of utility provision;
5. Driving slowly (and giving way to pedestrians and cyclists) with plants, tools, herbicides to areas of re-vegetation and restoration activities;
6. Driving slowly (and giving way to pedestrians and cyclists) to visit the Sandon Point Aboriginal Tent Embassy for bringing in supplies, to participate in meetings, ceremonies, education or protection activities in a respectful manner appropriate to the Sandon Point Aboriginal Place;
7. Driving too fast and otherwise "hooning around" (especially NOT giving way to pedestrians and cyclists) by car, ute or motorcycle with the aim to access the beach or SPATE or Ray Hannah's land without any respect for the Place or others using the area or living nearby;
8. Walking their dogs without a leash anywhere along the shared path; and
9. Cyclists riding at speeds too fast for the weather conditions, number of other users on the shared path and limited sight lines near Tramway Creek.

Shared path uses numbered 7, 8, and 9 are not permitted under this PoM explicitly, although these actions are already prohibited by Council's existing policies, it is stated here to reinforce the bans. Shared path use examples 5 and 6 will require a permit in line with Council's resolution of 23 June 2014.

Council will work with the Aboriginal community who participate in pursuing a Joint Management Agreement for the Sandon Point Aboriginal Place to develop a permit process (see Management Strategy E in Table 7 below) that upholds the values of the Sandon Point Aboriginal Place “where Aboriginal groups traditionally gathered for meetings, ceremonies, and other activities, including camping and fishing. (see section 1.3 for more information on the place values). Any vehicle, not clearly identified as either a Council vehicle, Sydney Water vehicle or emergency services vehicle, will need a permit to use the shared path.

As limited vehicle use of the shared path cannot be avoided (Sydney Water must access its sewer pumping station and SPATE currently uses the shared path occasionally under this PoM) it will be better managed as set forth in this Access Plan by the following actions and possible future capital improvements listed in Table 7.

TABLE 7: ACCESS PLAN VEHICLE USE OF SHARED PATH MANAGEMENT STRATEGIES

| Access Plan vehicle use of shared way Management Strategies | Completed or Progressing y ? |
|---|---|
| A. Regularly cut high reed growth along Tramway Creek portion of shared path; acknowledging that rainy periods, mechanical breakdowns and schedules of tractor mowing in other Council reserves may result in periods of high reed growth beyond Council's control. | y |
| B. Paint hazard signs on shared path near the Tramway Creek portion of shared path. | y |
| C. Install shared zone signage with give way to pedestrians and designated speed limit. | y |
| D. If necessary to improve sight lines for vehicles entering shared path from Sandon Drive, seek relevant approvals (if any) for vegetation removal. | y |
| E. Requiring a permit for any vehicle, excluding clearly identified (<i>by sign or symbol on actual vehicle</i>) Council, Sydney Water or Emergency Services Vehicles, on the shared way. | y |
| F. Redevelopment of the shared path to better accommodate the modes of traffic and decrease the water ponding that occurs during most rain events. Design would seek to limit the impact on the values of the adjacent Sandon Point Aboriginal Place. | Would require community consultation on design, and inclusion in a future Council capital budget and/or grant funds to progress. |
| G. Installation of a convex mirror at the north western blind corner of the shared path | This measure would only occur if regular weed cutting and hazard paintings on shared path do not adequately address line of sight issues. |

7.2 ACCESS TO THE BEACH

Pedestrian access to the beaches is provided by designated beach access ways and numerous informal tracks. Along the open grassed areas either side of Sandon Point, the access ways to the beach are direct, short routes (albeit very numerous routes to the beach). Pedestrians walking from north of Mundaban Close, or using Wilkies Walk from farther west who make a

short cut to the beach, walk through the existing heavy vegetation to access the beach via three existing desire trails.

The heavily vegetated area is in need of the most protection in terms of Aboriginal Culture and Heritage based on OEH's Aboriginal Heritage Information Management System, therefore access through to the beach in this area be removed as a risk management strategy to protect the site. Whilst general public access to the beach through the heavily vegetated area is not provided in this draft Access Plan, there are access points to the south and north of the area that are proposed to be upgraded for easier public use.

The public access points to McCauley's Beach north of the vegetated area will acknowledge an existing desire track from the shared path across the wider coastal plain to an existing track in the dune. Another designated general public access way is from the bridge over Hewitts Creek, across the dune.

Developed beach access ways are provided at six locations (five on Sandon Point and one on Sandon Point Beach) as formalised paths of board-and-chain and/or steps or stairs. Most of these are fenced.

There are also five partially developed or formalised beach access tracks, two accessing Sandon Point Beach, two accessing the south end of McCauley's Beach and one off the Corbett Avenue parkland. Some of the partially formalised access ways used by the public are informal works by local residents or beach users.

Finally, there are another 22 informal trample tracks used to access the beaches and rock platforms elsewhere across the Plan of Management area. Many of these informal tracks have been impacted by erosion.

Unmanaged beach and foreshore access can generate a number of management issues, including:

- clearing or damage to vegetation (including mature plants, native seedling and revegetation sites);
- possible impacts on Aboriginal cultural heritage sites (notably middens);
- exacerbating foreshore erosion and coastal/geotechnical hazards;
- introducing and spreading of weeds (continuing soil disturbance favours weed invasion and traffic risks the translocation of weed propagules);
- soil compaction by track formation and constant trampling;
- the potential for introducing soil pathogens;
- user safety issues; and
- visual impacts.

Consequently there is a need to manage foreshore access by identifying appropriate ways for the public to access the beach and closing inappropriately located trample tracks through rehabilitation and/or fencing to discourage their use. The primary approach under this Access Plan is to improve the designated informal and formalised public access points to make them more attractive for the general public to use, rather than to actively close trample tracks by vegetation planting or fencing.

The Sandon Point Surf Life Saving Club has highlighted the need for a suitable access point for surf rescue 'all-terrain vehicles' to the south end of McCauley's Beach for emergency response purposes and there have been requests for emergency access improvements to the bridge over Hewitts Creek. There are currently no identified funding sources for these types of access improvements. Beach users have also expressed the desire for improved access to the south end of McCauley's Beach for elderly or less mobile visitors as well people carrying surf craft. These viewpoints can be considered when designing future works to formalise beach access points in accordance with this Plan.

Figure 28 identify proposed formal access points for Sandon Point and McCauley's Beach for maintenance and improvement. The aim of these access points is to rationalise and improve beach access for easier east west and north south movement. All Access Plan improvements would be subject to future funding. In light of Council receiving submissions questioning the need for a whale watching platform, that proposal has been removed from the revised Access Plan.

There were also submissions against any additional fencing throughout the PoM area, in particular the Aboriginal Place. Council reserves the right under this PoM to install fencing to formalise access points identified in the Access Plan and to protect the Aboriginal Place and Aboriginal Objects as required under any future AHIP conditions. Any fencing would be designed appropriately for its coastal setting and to have minimal impact on the existing coastal views and Aboriginal objects. First priority for any fencing would be to identify public access points to Sandon and McCauley's beaches. To protect the Sandon Point Aboriginal Place, Council will consider constructing pedestrian barrier fencing if necessary; but it is not a preferred first option.

Access to McCauley's Beach from the west over privately owned land

Wilkie's Walk is an existing well used pathway through privately owned land to McCauley's Beach, just north of Tramway Creek. The community has however raised concerns that Wilkie's Walk access to the Plan of Management area will be closed because of nearby residential development and that it traverses over privately owned land before it reaches McCauley's Beach. Notably though, this Access Plan supports a connection to McCauley's Beach via Wilkie's Walk.

Council has received submissions asking about additional access over private land to McCauley's Beach from the McCauley's Beach Residential Development. Council does not own the land over which any pedestrian path would need to traverse in order to meet up with Council land. Stockland is encouraged to contact the land owner to discuss such matters. It is not a Council responsibility to pursue such an access and only note that any new pedestrian path over privately owned land should not encourage use of non-designated access points to the beach by its location or design.

Plan supplied by
City of Wollongong

LEGEND

- constructed, developed or formalised access
- partly constructed or developed access
- undeveloped or informal access or trample track

Key

- Aboriginal Place
- Plan of Management Area
- Crown Land

FIGURE 30: ACCESS PLAN IMPROVEMENTS TO WITHIN THE PoM AREA



Table 8 below details proposed treatments for the designated access points. The record of the existing condition of each designated access point is contained in photos under Figure 31.

TABLE 8: ACCESS POINTS – PROPOSED TREATMENTS

| Access Point Number and Existing Description | Access Point proposed treatments | Area of Impact related to Aboriginal Heritage and Culture |
|--|---|--|
| 1. Formal access stairs (northern end, off Corbett Avenue). | As part of a stabilisation of Corbett Avenue against coastal erosion and asset failure, improvements within the road reserve for parking and within the dune area shown marked in Figure 28 for formalised beach access. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 31 as highlighted and labelled as Public Access Point 1. |
| 2. Informal designated Access Point at the low point in the dunes near the pedestrian bridge. | None other than designation within the Access Plan. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 2. |
| 3. A path through to McCauley's Beach (the original Wilkie's Walk beach access). The existing path ranges from wide to a footpath along high vegetation closer to the beach. | Marking the path by means which create the least amount of impact on the values of the Sandon Point Aboriginal Place, subject to seeking required approvals. Under take limited vegetation removal or pruning (subject to seeking required approvals) along designated access path to assist with pathway identification and for ease of public's use of path. At times this access point will not be suitable when a lagoon forms and as such it is not suitable for formalization beyond designation. Aboriginal community monitors present if undertaking vegetation removal or track marking. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 3. |
| 4. There is a semi formalised path of concrete over gabion baskets and associated sewer out let pipe. There is a sign and over grown vegetation along path. | Improve access point as the main public access point to McCauley's Beach from the south, suitable for pedestrians with leashed dogs and pedestrians of varying abilities of mobility and consider possibility of emergency all-terrain vehicle use in design of future upgrade. Design for least amount of impact on the values of the Sandon Point | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 4. |

| Access Point Number and Existing Description | Access Point proposed treatments | Area of Impact related to Aboriginal Heritage and Culture |
|--|---|--|
| | Aboriginal Place suitable is designation as a main access point to keep traffic away from known Aboriginal sites. Aboriginal community monitors present if undertaking activities related to path upgrading. | |
| 5. Semi-formal track (near change in cycleway surface, with off-leash sign, with some steps, but some steep unmanaged sections). | Designated informal Access Point to the beach. Maintenance of path as required. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 5. |
| 6. Existing Formal beach access point heading to the historic boatsheds. | Maintenance and repair of existing formal access, along with possible vegetation trimming or removal (subject to obtaining relevant approvals if required) to make access point easy for public use. Aboriginal community monitors present if undertaking vegetation removal. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 6. |
| 7. Operational access for Sandon Point Surf Club. | Maintenance and repair as needed. The surf club operational access to maintain the grassed appearance (i.e. do not use track in times of recent heavy rainfall, occasional use by limited number of volunteers, not regular use by any club member). Consultation with the Aboriginal community required if changes to the track are proposed. There is already wear and tear from surf club vehicle use evident in the site picture. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 7. |
| 8. Concrete steps and chain fence at most eastern point of Sandon Point headland. | Maintenance and repair of existing formal access, along with possible vegetation trimming or removal (subject to obtaining relevant approvals if required) to make access point easy for public use. Aboriginal community monitors present if undertaking vegetation | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 8. |

| Access Point Number and Existing Description | Access Point proposed treatments | Area of Impact related to Aboriginal Heritage and Culture |
|--|---|---|
| | removal. | |
| 9. Refurbished Surf Club beach access. | Maintenance, repair, upgrade as needed in consultation with Sandon Point Surf Life Saving Club and the Aboriginal community if proposal will impact on an Aboriginal site. Removal of the timber posts may be considered. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 9. |
| 10. Formalised Beach Access Stairs south of Surf Club building. | Maintenance, repair, upgrade as needed in consultation with Sandon Point Surf Life Saving Club and the Aboriginal community if proposal will impact on an Aboriginal site. Removal of the timber posts may be considered. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 10. |
| 11. Formalised Beach Access south of Access Point 10. | Maintenance, repair, upgrade as needed in consultation with Sandon Point Surf Life Saving Club and the Aboriginal community if proposal will impact on an Aboriginal site. Removal of the timber posts may be considered. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 11. |
| 12. Informal Beach Access Point that is grassed – Dune Crew uses it for vehicle access to beach. | Lawn mowing. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 12. |
| 13. Existing Formal Beach Access with wooden steps, posts and linking chains. | Maintenance, repair, upgrade as needed in consultation with Sandon Point Surf Life Saving Club and the Aboriginal community if proposal will impact on an Aboriginal site. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 13. |
| 14. Existing Informal Beach Access through low profile dune. | Lawn mowing. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted and labelled as Public Access Point 14. |
| Shared path Water Ponding Improvement Area (Area shaded Brown). | Engineering solution for water ponding problem suitable for limited vehicle weight bearing. | Detail to be provided in future AHIP application generally consistent with area shown in Figure 28 as highlighted brown. |

FIGURE 31: PHOTOS OF 13 ACCESS POINT SITES

Access Point 1 Site Photos



Access Point 2 Site Photo



Access Point 3 Site Photos

near share path



path through vegetation



path narrows going east



path end point



Access Point 4 Site Photos



Access Point 5 Site Pictures



Access Point 6



Access Point 7 Site Photos: Surf Club Operational Access



Access Point 8 Site Photo



Access Point 9 Site Photos





Access Point 10 Site Photo



Access Point 11 Site Photo



Access Point 12 Site Photo



Access Point 13 Site Photo



Note: There is no photo of Access Point 14 as it is a natural path that will be managed by mowing – no changes are proposed for this access point.

8. IMPLEMENTING THIS PLAN OF MANAGEMENT - MONITORING OF PROGRESS

The Sandon Point and McCauley's Beach draft Plan of Management objectives and the progress towards achieving them will be monitored primarily through Council's Community Strategic Planning processes, including quarterly and annual reporting. Each year Council adopts a new Annual Plan and Budget which can include capital works and operational budgets to implement the actions outlined in the draft Plan of Management.

This draft Plan of Management signifies Council's commitment to the Sandon Point and McCauley's Beach area however Council has many obligations across the Local Government Area. Not all permissible uses and developments under this Plan of Management will eventuate unless there are additional resources and community commitment over the long term. Council will continue to work cooperatively with the community to ensure activities and developments are well placed, thoughtfully designed and meet health and safety and other legislated requirements when projects receive grant funding, donations and/or are included in Council's service plans and budgets.

Plan of Managements adopt a 10 to 15 year planning time horizon, but are usually reviewed every five years, to determine if changing social, economic, ecological conditions and needs require an amendment of the Plan of Management.

9. REFERENCE / BACKGROUND DOCUMENTS

The following documents assisted in the preparation of the Plan of Management:

BMT WBM Pty Ltd, 2012, **Wollongong Coastal Zone Management Plan: Management Study - Final Draft Report**, Wollongong City Council, Wollongong.

Cardno Lawson Treloar Pty Ltd, 2010, **Wollongong City Council Coastal Zone Study**, Wollongong City Council, Wollongong.

Comber, J., 2007, **Archaeological Survey and Cultural Heritage Assessment - Extension to the Sandon Point Surf Club**, report by Comber Consultants Pty Ltd for Wollongong City Council, Wollongong.

Cumberland Flora and Fauna Interpretive Services, 2010, *Sandon Point Aboriginal Place and Kuradji Lands Vegetation Management Plan*, unpublished report to Illawarra Local Aboriginal Land Council (with Wollongong City Council and Southern Rivers Catchment Management Authority), Wollongong.

Department of Environment, Climate Change and Water, 2010, **Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010**, DECCW, Sydney.

Don Fox Planning, 2006, Volume 2 - **Environmental Assessment Report, Concept Plan Application - Sandon Point**, Stockland Developments Pty Ltd, Sydney.

Don Fox Planning, 2007, **Environmental Assessment Report, Project Plan Application - Sandon Point**, Stockland Developments Pty Ltd, Sydney.

Fullagar, R. and Donlon, D., 1998, *Archaeological Salvage Excavation at McCauley's Beach, Thirroul, NSW - Preliminary Report*, unpublished report for NSW National Parks and Wildlife Service, Sydney.

Graham Brooks and Associates Pty Ltd, 2001, **Heritage Impact Assessment, McCauley's Beach, Sandon Point**, report to Rose Consulting Group for Stockland Constructors Pty Ltd, Sydney.

Gutteridge, Haskins and Davey Pty Ltd, 1993, **Local Environmental Study Sandon Point**, Wollongong City Council, Wollongong.

Gutteridge Haskins and Davey Pty Ltd, 2007, **Estuary Management Plan for Several Wollongong Creeks and Lagoons Estuary Processes Study**, Wollongong City Council, Wollongong.

Kass, T., 2010, **A Thematic History of the City of Wollongong – Final Report**, Wollongong City Council, Wollongong.

Kate Sullivan and Associates and Mary Dallas Consulting Archaeologists, 1995, *Wollongong City Council Aboriginal Heritage Workshops Workbook*, unpublished training manual, Wollongong City Council, Wollongong.

Lawson and Treloar Pty Ltd, 2005, **Fairy, Towradgi and Hewitts/Tramway Creeks - Data Analysis and Review**, Wollongong City Council, Wollongong.

Lemmon, J, 2010, **Illawarra Biodiversity Strategy 2010**, joint project of Wollongong City Council, Shellharbour City Council and Kiama Municipal Council, Wollongong City Council, Wollongong.

Museums and Galleries NSW, 2011, **Keeping Places and Beyond: Building Cultural Futures in NSW**, M and G NSW, Sydney.

Navin, K., 1992, **Assessment of Aboriginal Archaeological Resource: Sandon Point, Wollongong NSW**, report by Navin Officer Archaeological Resource Management to Gutteridge, Haskins and Davey Pty Ltd for Wollongong City Council, Wollongong.

Navin Officer Heritage Consultants, 2001, **Sandon Point Residential Subdivision, Stage 1 Development Area, North of Wollongong, NSW: Archaeological Subsurface Testing Program**, report to Rose Consulting Group for Stockland Constructors Pty Ltd, Canberra.

NSW National Parks and Wildlife Service, 2002, **Bioregional Assessment Study Part 1: Native Vegetation of the Illawarra Escarpment and Coastal Plain**, NPWS, Sydney.

Office of Environment and Heritage, 2011a, **Aboriginal Places Policy**, OEH, Sydney.

Office of Environment and Heritage, 2011b, **Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW**, OEH, Sydney.

Office of Environment and Heritage, 2012, **Guidelines for Developing Management Plans for Declared Aboriginal Places**, OEH, Sydney.

Quality Environmental Management Pty Ltd, 1992, **Local Environmental Study Sandon Point, Bulli/Thirroul, Flora and Fauna Assessment**, report to Gutteridge, Haskins and Davey Pty Ltd for Wollongong City Council, Wollongong.

Tramway Wetlands Planning Committee, 2003, *Sandon Point - A Community Vision: Bushland Management Strategy 2003 and Beyond*, unpublished community plan by the Tramway Wetlands Planning Committee with Natural Habitats Ecosystem Management and the Northern Illawarra Residents Action Group, Wollongong.

WBM Oceanics Australia, 2006, **Wollongong Coastal Creeks and Lagoons – Data Compilation and Review**, Wollongong City Council, Wollongong.

Wollongong City Council, 2002, **Hewitts Creek – Incorporating Slacky, Tramway, Woodlands and Thomas Gibson Creeks – Floodplain Risk Management Study and Plan**, Wollongong City Council, Wollongong.

Wollongong City Council, 2011, **Strategic Directions 2011-14**, Wollongong City Council, Wollongong.

10. APPENDICES

| | |
|--------------------|---|
| APPENDIX A: | KNOWN ABORIGINAL SITES MAP |
| APPENDIX B: | SANDON POINT ABORIGINAL PLACE DECLARATION |
| APPENDIX C: | OEH FACT SHEET – PROTECTION OF ABORIGINAL SITES |
| APPENDIX D: | COMMUNITY CONSULTATION |
| APPENDIX E: | OTHER LEGISLATIVE REQUIREMENTS |
| APPENDIX F: | OTHER COUNCIL STUDIES AND STRATEGIES |
| APPENDIX G: | GEOLOGY, SOILS AND LANDFORMS AND HYDROLOGY IN THE PLAN OF MANAGEMENT |
| APPENDIX H: | HOW COUNCIL FOLLOWED THE 11 STEPS FOR DEVELOPING MANAGEMENT PLANS FOR DECLARED ABORIGINAL PLACES IN ACCORDANCE WITH OEH GUIDELINES |
| APPENDIX I: | PAUL MASON JONES MEMORIAL INFORMATION FROM COMMUNITY GROUP |
| APPENDIX J: | BIRD OBSERVATION LIST BY COMMUNITY VOLUNTEER |

APPENDIX A: KNOWN/RECORDED ABORIGINAL HERITAGE SITES

(NOTE: CONFIDENTIAL SITES INFORMATION ARE NOT SHOWN)



Please note: These known sites are the results of consultation with the Aboriginal community and review of existing Archaeological Surveys and Cultural Heritage Assessments:

Comber, J., 2007, **Archaeological Survey and Cultural Heritage Assessment-Extension to the Sandon Point Surf Club**, report by Comber Consultants Pty Ltd for Wollongong City Council.

Fullagar, R. and Donlon, D, 1998, **Archaeological Salvage Excavation at McCauley's Beach, Thirroul, NSW-Preliminary Report**, unpublished report for NSW National Parks and Wildlife Service, Sydney.

Graham Brooks and Associates Pty Ltd, 2001, **Heritage Impact Assessment, McCauley's Beach, Sandon Point**, report to Rose Consulting Group for Stockland Constructors Pty Ltd, Sydney.

Navin, K., 1992, **Assessment of Aboriginal Archaeological Resource: Sandon Point, Wollongong, NSW**, report by Navin Officer Archaeological Resource Management to Gutteridge, Haskins and Davey Pty Ltd for Wollongong City Council, Wollongong.

Navin Officer Heritage Consultants, 2001, **Sandon Point Residential Subdivision, Stage 1 Development Area, North of Wollongong, NSW: Archaeological Subsurface Testing Program**, report to Rose Consulting Group for Stockland Constructors Pty Ltd, Canberra.

Kate Sullivan and Associates and Mary Dallas Consulting Archaeologists, 1995, **Wollongong City Council Aboriginal Heritage Workshops Workbook, unpublished training manual**, Wollongong City Council, Wollongong.

Council is of the opinion that additional subsurface archaeological testing is unnecessary if the sole objective is to prove the area's type or level of significance. Consultation with the Aboriginal community, the Place declaration and existing studies demonstrates its value. Council will work within existing impacted areas (for example, where there is existing concrete slabs or existing sandy paths through shrub/grassland to reach the beach) when pursuing the goals and objectives of the PoM.

APPENDIX B: SANDON POINT ABORIGINAL PLACE DECLARATION

936

OFFICIAL NOTICES

16 February 2007

NATIONAL PARKS AND WILDLIFE ACT 1974

Sandon Point Aboriginal Place

IN pursuance of the powers vested in me under section 84 of the National Parks and Wildlife Act 1974, I, the Minister for the Environment, do, by this my Order, declare such of the lands described hereunder as an Aboriginal Place.

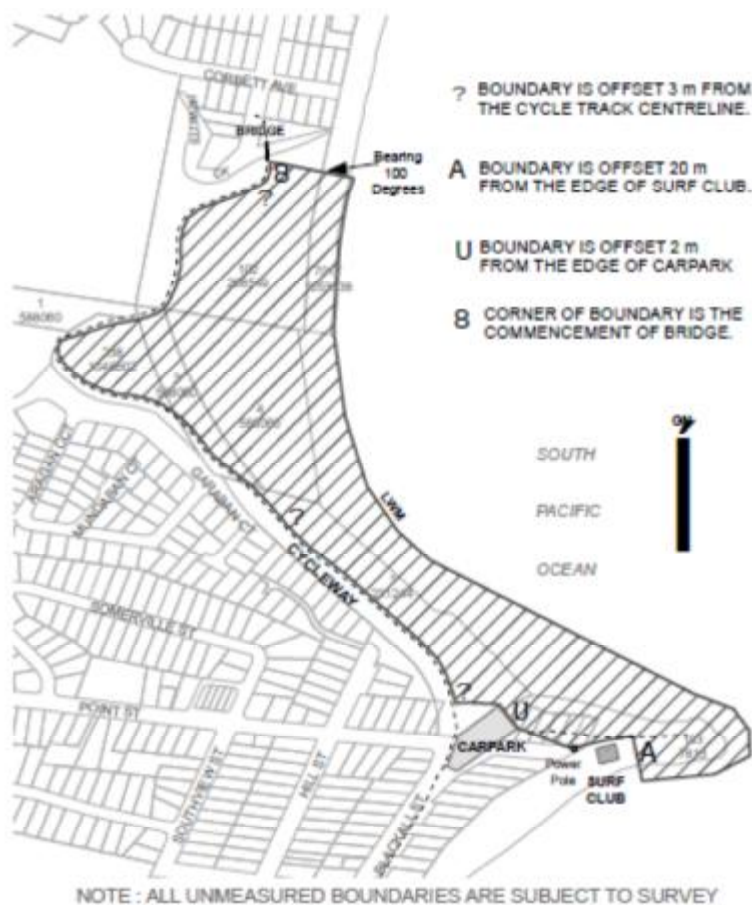
The values of the Aboriginal Place include a meeting place for Aboriginal groups, chiefs meeting place, midden and burials of Aboriginal people.

BOB DEBUS, M.P.
Minister for the Environment

DESCRIPTION

Land Districts – Kiama and Metropolitan; LGA – Wollongong

Counties Camden and Cumberland, Parishes Woomona and Southend, at Bulli, about 14 hectares, being the area shown by hatching in the diagram following:



NEW SOUTH WALES GOVERNMENT GAZETTE No. 32

APPENDIX C: OEH FACT SHEET – PROTECTION OF ABORIGINAL SITES



Environment,
Climate Change
& Water

National Parks and Wildlife Act 1974

Fact sheet 3

Better law enforcement for the protection of Aboriginal heritage, national parks and threatened species in New South Wales

Recent amendments to the *National Parks and Wildlife Act 1974* (NPW Act) have brought its compliance and enforcement provisions more into line with those in other NSW environmental protection and heritage legislation, and with those in some other states.

Offences and penalties for harming or desecrating Aboriginal objects and declared Aboriginal Places

The new and existing Aboriginal cultural heritage offences and the penalty for each offence are summarised below.

| Offence | Maximum penalty: Individual | Maximum penalty: Corporation |
|---|---|--|
| A person must not harm or desecrate an Aboriginal object that the person knows is an Aboriginal object. | 2,500 penalty units (\$275,000) or imprisonment for 1 year 5,000 penalty units (\$550,000) or imprisonment for 2 years or both (in circumstances of aggravation) | 10,000 penalty units (\$1,100,000) |
| A person must not harm or desecrate an Aboriginal object (strict liability offence). | 500 penalty units (\$55,000) 1,000 penalty units (\$110,000) (in circumstances of aggravation) | 2,000 penalty units (\$220,000) |
| A person must not harm or desecrate an Aboriginal Place (strict liability offence). | 5,000 penalty units (\$550,000) or imprisonment for 2 years or both | 10,000 penalty units (\$1,100,000) |
| Failure to notify DECCW of the location of an Aboriginal object (existing offence and penalty) | 100 penalty units (\$11,000). For continuing offences a further maximum penalty of 10 penalty units (\$1,100) applies for each day the offence continues. | 200 penalty units (\$22,000). For continuing offences a further maximum penalty of 20 penalty units (\$2,200) applies for each day the offence continues |
| Contravention of any condition of an Aboriginal Heritage Impact Permit | 1,000 penalty units (\$110,000) or imprisonment for 6 months, or both, and in the case of a continuing offence a further penalty of 100 penalty units (\$11,000) for each day the offence continues | 2,000 penalty units (\$220,000) and in the case of a continuing offence a further penalty of 200 penalty units (\$22,000) for each day the offence continues |

The amendments also provide for:

- an offence for delaying or obstructing a person carrying out a remediation direction
- a cost recovery provision which states that where the recipient of a remediation direction is not the person who caused the damage, the costs of complying with the direction can be recovered from the person who caused the relevant damage.

Statute of limitations

An additional provision has been included to allow for a two-year period to prosecute following the evidence of the alleged offence first coming to the attention of an authorised officer.

Civil and criminal enforcement

Introduction of ancillary offence provision

New sections in the NPW Act and the *Threatened Species Conservation Act 1995* (TSC Act) allow prosecution of a person who aids, abets, attempts and/or conspires to commit an offence against the NPW Act or TSC Act.

Restraint of breaches

Section 176A of the NPW Act and s.147 of the TSC Act have been amended to clarify that proceedings may be brought in the Land and Environment Court for an order to remedy or restrain a breach or a threatened or apprehended breach of the Act or related Regulations. Previously the legislation only allowed proceedings to be taken to restrain actual breaches of the Acts.

Interim protection orders and stop work orders

Under Part 6A of the NPW Act the Minister administering this Act can make an interim protection order or stop work order in respect of land. It is an offence to fail to comply with an interim protection order or stop work order. A provision has been incorporated in the NPW Act creating an offence for *causing or permitting* a person to fail to comply with an interim protection order or stop work order.



W. Mayers/DECCW

APPENDIX D: COMMUNITY CONSULTATION

Community consultation has occurred in stages, pre-draft, first draft and revised draft.

Pre-Draft Community Activities

To help develop the draft PoM, pre-draft consultation activities primarily asked the question, “Tell us why the Sandon Point and McCauley’s Beach foreshore is important to you”.

During the pre-draft consultation phase from November 2011 to July 2012, 400 persons gave us feedback through:

Attending a meeting with Council staff or Gondwana Consulting representative to talk about Sandon Point and McCauley’s Beach (14 meetings in total with representatives from 12 local groups);

Attending a Community Information Session at Thirroul District and Community Library held on 30 November 2011;

Attending an on-site community kiosk on 4 December 2011;

Writing a pre-draft submission to Council; and

Completing an on-line survey (from November to end of February 2012).

A total of 290 people completed Council’s Sandon Point and McCauley’s Beach on-line survey. Below is a summary of how they used the area:

- 234 respondents visited the area on both weekdays and weekends. 100 of these people visit between two and four days a week, whilst 103 visit daily for between five and seven days a week;
- 236 respondents use the shared pathway, making it the most popular Council asset in the area;
- 139 respondents use the Sandon Point car park;
- 133 respondents use the picnic tables;
- 67 respondents use the surf club building;
- 210 respondents walk or run along the shared path;
- 195 respondents swim at Sandon Beach;
- 150 respondents cycle along the shared path;
- 143 respondents use the area as a meeting place;
- 123 respondents surf in the area;
- 102 respondents walk the dog in the area;
- 97 respondents use the area for picnics;
- 52 respondents attend community events;
- 35 respondents undertake surf club activities;
- 34 respondents participate in bush regeneration activities; and
- 14 respondents undertake group exercises.

Overall community consultation confirmed that the area is greatly valued in its present condition, despite disagreements over vegetation management or how to express the area’s history. A challenge for the future will be safeguarding the area’s open space and natural beauty in the face of a predicted increase in visitor use and enjoyment in light of nearby residential development and the desire for more people to understand the area’s Aboriginal cultural and heritage values.

First draft Plan of Management community consultation activities

| | |
|---|---|
| 26 November 2012 | Council resolved to exhibit a Draft Plan of Management for Sandon Point and McCauley's Beach for 90 days. |
| 1 December 2012 | Start of Exhibition Period. Advertisement in Mercury. Copies in Libraries and via Website. Submissions taken via email, letter, and on line. |
| January 2013 | Letters to property owners of Bulli, Thirroul and Woonona and Aboriginal community. |
| 2 February 2013 | On Site Kiosk at Sandon Point Car park - 70 attendees. |
| 9 February 2013 | Aboriginal community meeting at Bellambi Neighbourhood Centre with Council officers – 9 attendees. |
| 13 February 2013 | Information Night at Thirroul Community Centre with Council officers – 80 attendees. |
| 23 February 2013 | Aboriginal community meeting with Public Meeting Chairperson Gerry Holmes – 5 attendees. |
| 28 February 2013 | End of exhibition period. |
| 15 March 2013 | Closing date for submissions. |
| Stakeholder meetings regarding first draft | 15 meetings with 6 community groups: WCC Aboriginal Reference Group; Sandon Point Resident Group; NIRAG; KEJ; SPATE; and Illawarra Local Aboriginal Land Council. |
| First draft exhibition Submissions | 180 submissions via email, letter or community feedback form or on line survey. (1 of the 180 submissions included a petition signed by 214 persons). |

Revised draft Plan of Management community consultation activities

| | |
|---|--|
| 23 June 2014 | Council resolved to exhibit the revised draft Plan of Management for 42 days |
| 30 July to 10 October 2014 | Exhibition period. |
| Revised draft exhibition Submissions | 39 submissions. |

APPENDIX E: OTHER LEGISLATIVE REQUIREMENTS

This Appendix provides an overview of the legislative and policy framework, as well as existing Wollongong City Council plans and the current and future pressures, within which this Plan of Management has been developed.

Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 provides the framework for planning and development across NSW. The Act is the principal legislation governing environmental land use planning and assessment in NSW; it includes the preparation of planning instruments and the environmental impact assessment process. Any works proposed for Sandon Point may require development consent under part 4 or an approval under part 5 of the Act.

Part 3 of the Act relates to the preparation of planning instruments which provide a basis for development control including:

- State Environmental Planning Policies (SEPPs);
- Local Environmental Plans (LEPs); and
- Development Control Plans (DCPs).

Guidelines for the preparation of these planning instruments include the requirement that Aboriginal heritage matters, including known sites of significance, should be assessed and considered in the planning process. The Act requires that development and use of community land must comply with all relevant SEPPs, LEPs and DCPs as well as the requirements of this Plan of Management.

With respect to Aboriginal heritage the Act provides protection by considering impacts in land use and planning decisions. Although the objects of the Act do not specifically refer to Aboriginal heritage or even cultural heritage matters generally, there are a number of mechanisms within the Act of relevance for Aboriginal heritage management in a local government context. These principally relate to the preparation of planning instruments, the development assessment and decision-making process of both local and state government, and the assessment of environmental impacts.

Local government's central role in the management of cultural heritage was detailed in a 1985 policy and procedures document from the then Department of Environment and Planning (Circular No.84 – G21 Conservation of Environmental Heritage and Ecologically Significant Items and Areas) which directed that despite specific roles for State agencies such as the (then) Heritage Council and National Parks and Wildlife Service that “the major responsibility for conservation rests with local government”.

Part 4 of the Act guides the development assessment and approval activities of local government, when acting as a consent authority. Section 79C lists the matters that a consent authority should take into consideration when determining a development application. These include:

“the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality” (section 79C (1) (b)); and

“the public interest” (79C (1) (e)).

Part 4 of the Act also addresses the “integrated development approval” process where non-complying or other proposals can require development consent from a number of agencies or authorities (under section 91 of the Act). The Office of Environment and Heritage is a consent or concurrence body for such proposals that are likely to impact Aboriginal objects or places, with proponents having obligations to provide adequate information to the Department of Planning and Infrastructure to allow it to formulate a decision and any associated conditions. However section 91(2) (a) of the Act specifically excludes “a relic” or Aboriginal object that is uncovered during the development process, and that was not known during the assessment stage, from triggering the integrated development approval process.

Part 5 of the Act governs the decision making process by State government (determining) authorities in relation to the assessment and approval of proposed developments, land uses and activities. Under Section 111 of the Act, agencies are required to consider environmental impacts, and subsequently determine whether the level of impact is sufficient to require the preparation of an Environmental Impact Statement. The definition of “environmental impacts” in NSW includes Aboriginal heritage values and items.

Wollongong Local Environmental Plan 2009

A Plan of Management may place more limits on the use and development of community land than existing planning laws, but it cannot permit prohibited land uses.

The Wollongong Local Environmental Plan 2009 (LEP) is Council’s key local land use planning document. It describes land use objectives as well as permitted and prohibited developments and uses according to land use zones.

The Wollongong LEP 2009 covers the Sandon Point and McCauley’s Beach area, the majority of which is zoned “RE1 Public Recreation” apart from a small portion at Tramway Creek zoned “W1 Natural Waterways” (Figure C.1). Development on land to the west in the McCauley’s Beach estate is controlled under SEPP (Major Developments) 2005.

For a use or development to be permitted within the Sandon Point and McCauley’s Beach Plan of Management area in the future it must be in compliance with the Plan of Management permitted uses and developments as well as any adopted LEP zoning permitted uses and developments.

Section 5.10 of the LEP enables Council to grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, subject to a number of considerations being satisfied. An Aboriginal place of heritage significance includes (but is not limited to) places that are declared under section 84 of the National Parks and Wildlife Act 1974 to be Aboriginal Places for the purposes of that Act.

Schedule 5: Environmental Heritage of the LEP lists three heritage items in the Plan of Management area, all of local significance:

- Boat sheds at Sandon Point (no. 6487),
- Norfolk Island Pine beach front planting in Point Street, Bulli Point (no. 6161), and
- the site of Captain Westmacott’s homestead (or possibly O’Brien’s original dwelling) at Sandon Point Trig Station (no. 6358).

The LEP also includes provisions regarding development within the coastal zone (Part 5 Clause 5.5), flood planning areas (Part 7 Clause 7.3) and the temporary use of land (Part 2, Clause 2.8).

APPENDIX FIGURE E 1 CURRENT LAND ZONING



APPENDIX TABLE E 1 LAND USE TABLE FOR CURRENT ZONES

ZONE RE1 PUBLIC RECREATION

1. Objectives of zone:
 - To enable land to be used for public open space or recreational purposes.
 - To provide a range of recreational settings and activities and compatible land uses.
 - To protect and enhance the natural environment for recreational purposes.
 - To cater for the development of a wide range of uses and facilities within open spaces for the benefit of the community.
2. Permitted without consent:

Nil.
3. Permitted with consent:

Boat sheds; Camping grounds; Caravan parks; Child care centres; Community facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Helipads; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreational facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Water recreation structures.
4. Prohibited:

Any development not specified in item 2 or 3.

ZONE W1 NATURAL WATERWAYS

1. Objectives of zone
 - To protect the ecological and scenic values of natural waterways.
 - To prevent development that would have an adverse effect on the natural values of waterways in this zone.
 - To provide for sustainable fishing industries and recreational fishing.
2. Permitted without consent:

Nil
3. Permitted with consent:

Environmental facilities; Environmental protection works; Moorings pens; Moorings; Recreation areas; Water recreation structures.
4. Prohibited:

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3.

Clause 5.10 “Heritage Conservation” of the 2009 LEP

This clause provides for conservation of Aboriginal and non-Aboriginal heritage, including Aboriginal Places declared under section 84 of the National Parks and Wildlife Service Act, 1974. Clause 5.10 states the following:

(10) *Conservation incentives*

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

Wollongong Development Control Plan 2009

The Wollongong Development Control Plan (DCP) 2009 provides more detailed development controls and guidelines for permissible development. Part E of the DCP contains chapters on issues including, access for people with a disability, Aboriginal heritage, water sensitive urban design, preservation and management of trees and vegetation, threatened species impact assessment, earthworks, crime prevention through environmental design, soil erosion and sediment control, riparian land management and landscaping.

National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 (NPW Act) is the principal legislation governing the protection and management of Aboriginal heritage in NSW. This legislation is administered by the Office of Environment and Heritage, which includes the NSW National Parks and Wildlife Service (NPWS). The Sandon Point Aboriginal Place Management has been developed to manage the area in compliance with the Act.

All Aboriginal objects, including sites with physical evidence and mobile heritage items, are protected under the Act regardless of their size or level of significance or land tenure.

If an Aboriginal Place or Object is to be impacted on by proposed development an application for an Aboriginal Heritage Impact Permit (AHIP) should be made. The application can make reference to the Management Plan for the Aboriginal Place.

Key sections in the Act which are of direct relevance for management of an Aboriginal Place include the following:

- sections 85 and 86 – providing legal protection for all Aboriginal places;
- sections 86 and 87 – regarding harming or desecrating Aboriginal objects/places including the defences of “due diligence” and acting in accordance with an Aboriginal Heritage Impact Permit;
- section 87B – exempting Aboriginal people from penalties related to harming or defacing Aboriginal objects/places if undertaking traditional cultural activities (except commercial activities);

- section 89A – requiring that the Director of the OEH is notified of any newly located Aboriginal objects;
- section 90 – enabling the Director of the OEH to issue Aboriginal Heritage Impact Permits allowing the damage or destruction of Aboriginal objects/places, moving Aboriginal objects or in relation to other activities and lands; and
- section 91AA – enabling the Director of the OEH to issue stop-work orders against actions likely to significantly affect an Aboriginal object/site or place.

A copy of the Aboriginal Place declaration is contained in Appendix B.

Threatened Species Conservation Act 1995

OEH is responsible for administering the Threatened Species Conservation Act 1995 (TSC Act). The Act aims to protect terrestrial threatened species, populations and ecological communities. The main objectives of the Act are to:

- conserve biological diversity and promote sustainable development;
- prevent the extinction of native plants and animals;
- protect habitat that is critical to the survival of endangered species;
- eliminate or manage threats to biodiversity;
- properly assess the impact of development on threatened species; and
- encourage cooperative management in the conservation of threatened species.
- The Act achieves these objectives in the following ways:
- by listing species, populations and ecological communities;
- by habitat protection - the Act provides a vehicle to improve degraded environments, and protect areas of high conservation value and areas critical to the survival of threatened species;
- by developing strategies to tackle biodiversity loss; and
- by integrating threatened species into the land use planning and approval systems.

The Act applies where a threatened species or endangered local community (as listed by the Act) occurs on community land, or has its habitat on community land. The Revegetation and Restoration Plan has been developed with compliance with the TSCA in mind.

Local Government Act 1993 - Section 68 Requirements

Some activities that may occur with the Plan of Management could also require approval under section 68 of the *Local Government Act 1993*), which relates to the following activities on community land or elsewhere:

- engaging in a trade or business;
- public theatrical, musical or other entertainment (including erecting temporary enclosure associated with such entertainment);
- playing a musical instrument or singing for money/reward;
- using a loudspeaker or sound amplifying device;
- holding a public meeting or a religious service, or delivering a public address;
- installing or operating amusement devices;
- Conducting sales from a vehicle; and
- Operating a camping ground.

Crown Lands Act 1989

A small parcel of land within the far northern end of the Sandon Point and McCauley's Beach Plan of Management area – along beach front below Woodland Avenue (as previously shown in Figure 1) – is Crown land which in effect is managed by Wollongong City Council, and is not community land.

Crown land under Council's control is managed in accordance with the public purposes of the land and the principles as set out in section 11 of the Crown Lands Act 1989. These principles specify:

- Environmental protection principles be observed in relation to the management and administration of Crown land;
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible;
- Public use and enjoyment of appropriate Crown land be encouraged;
- Where appropriate, multiple use of Crown land be encouraged;
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity; and
- Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.

Heritage Act 1977

The Act provides the means to protect the State's natural and cultural heritage. Aboriginal places or objects that are recognized as having high cultural value are listed on the State Heritage Register. Listing on the Register ensures that a place is protected. Approval by the Heritage Council is required for any changes or demolitions. So that places continue to live and be used by current and future generations, exemptions can be arranged for cultural practices by communities.

The Heritage Act 1977 does not specifically refer to Aboriginal heritage items (in fact, Aboriginal relics are specifically excluded from the definition of "relics" as employed by the Act).

However it includes references to the "cultural" value and "archaeological" value of items or places, both of which may include Aboriginal heritage values, in the assessment of both state and local heritage significance (section 4A (1)). Items listed on the State Heritage Register, or subject to an Interim Heritage Order, are afforded protection from a range of damaging or disruptive activities – except with the prior approval of the NSW Heritage Office. The Heritage Act can provide protection for Aboriginal heritage when:

- a tangible Aboriginal cultural site is known, recorded or under further investigation – supplementing the provisions of the National Parks and Wildlife Act;
- an Aboriginal cultural site is of mythological, spiritual or historic significance but with no tangible/relic material (and hence where the National Parks and Wildlife Act cannot be invoked); and
- a site is under threat of destruction or significant damage – using the Act's Emergency or Interim Heritage Order provisions.

Sandon Point Aboriginal Place is not listed on the State Heritage Register but is however registered as an Aboriginal Place by OEH. The OEH is responsible for the protection and preservation of all Aboriginal places and objects in NSW. The State Heritage Register protects particular places and items that the community has formally recognised as being of high cultural value. The State Heritage Register protects any listing against any damage or destruction. There are heavy penalties for offences under the Heritage Act.

State Environmental Planning Policy (Infrastructure) 2007

The State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) identifies planning provisions and development controls for 25 specific types of infrastructure works or facilities. These include – among others – parks and other public reserves, waterway or foreshore management activities flood mitigation works, soil conservation works and stormwater management systems.

The Infrastructure SEPP outlines the planning “rules” for these works and facilities, including:

- where such development can be undertaken;
- what type of infrastructure development can be approved by a public authority under Part 5;
- what type of infrastructure development can be approved by a public authority following an environmental assessment (called “development without consent”);
- what type of development can be approved by the relevant local council, Minister for Planning or Department of Planning under Part 4 of the Environmental Planning and Assessment Act 1979 (or “development with consent”);
- what type of development is exempt or complying development; and
- the relationship of other statutory planning instruments to the Infrastructure SEPP.

The SEPP was intended to assist and support local councils in providing urban utilities through providing greater flexibility in where services can be provided, streamlining and simplifying planning requirements, and increasing the scope of exempt development enabling basic works to be undertaken more quickly and efficiently. However relevant approvals, licences or permits under other legislation must still be obtained for infrastructure works.

NSW Sea Level Rise Policy Statement 2009

The Sea Level Rise Policy Statement supersedes the 1988 NSW Coastline Hazard Policy. Most of the objectives from the 1988 policy have been included in the NSW Coastal Policy 1997 and it remains current. Other objectives from the original NSW Coastline Hazard Policy are updated by this Sea Level Rise Policy Statement.

The objective of the Statement is to assist coastal communities to adapt to rising sea levels in a manner that minimises the resulting social disruption, economic costs and environmental impacts. To assist in meeting this objective, the Government proposes to support local councils and the community in adapting to sea level rise by:

- promoting an adaptive risk-based approach to managing the impacts of sea level rise;
- providing guidance to local councils to support their sea level rise adaptation planning;
- encouraging appropriate development on land projected to be at risk from sea level rise;
- continuing to provide emergency management support to coastal communities during times of floods and storms; and
- continuing to provide up-to-date information to the public about sea level rise and its impacts.

The Statement provides details of how it will undertake these commitments.

NSW Coastal Policy 1997

This Policy outlines the context in which provision is made for population growth and economic development whilst protecting the natural, cultural, spiritual and heritage values of the coastal environment. The Policy provisions are based on the principles of ecologically sustainable development (ESD). The Policy provides a framework for balanced and coordinated management of the coast's physical, ecological, cultural and economic attributes.

The Policy addresses a number of key coastal themes including:

- population growth in terms of physical locations and absolute limits;
- coastal water quality issues, especially in estuaries;
- disturbance of acid sulfate soils;
- establishing an adequate, comprehensive and representative system of reserves;
- better integration of the range of government agencies and community organisations involved in coastal planning and management;
- indigenous and European cultural heritage; and
- integration of the principles of ESD into coastal zone management and decision making.
- The policy identifies the following goals to:
 - protect, rehabilitate and improve the natural environment;
 - recognise and accommodate natural processes and climate change;
 - protect and enhance the aesthetic qualities of the coastal zone;
 - protect and conserve cultural heritage;
 - promote ecologically sustainable development and use of resources;
 - provide for ecologically sustainable human development;
 - provide for appropriate public access and use;
 - provide information to enable effective management; and
 - provide for integrated planning and management.

The Policy further defines a range of key actions to address these goals, some of which are the responsibility of local councils to undertake.

As directed by the Minister for Planning, local councils in the coastal zone preparing a draft Planning Proposal are required to include provisions that give effect to and are consistent with the Coastal Policy.

State Environmental Planning Policy No. 71 Coastal Protection 2002

This Policy has been created to ensure:

- development in the NSW coastal zone is appropriate and suitably located;
- there is a consistent and strategic approach to coastal planning and management; and
- there is a clear development assessment framework for the Coastal Zone.

Other State or Commonwealth Legislation and State Planning Controls

Following is a list of the principal legislation and planning controls which may be of relevance to the management of Sandon Point:

- Protection of Moveable Cultural Heritage Act 1986;
- Federal Environment Protection and Biodiversity Act 1999;
- Native Title Act 1993;
- Commonwealth Disability Discrimination Act, 1992;
- NSW Native Vegetation Act 2003;
- NSW Fisheries Management Act 1993;
- NSW Rural Fires Act 1997;
- NSW Protection of the Environment Operations Act, 1997; and
- NSW Noxious Weeds Act, 1993.

APPENDIX F: OTHER COUNCIL STUDIES AND STRATEGIES

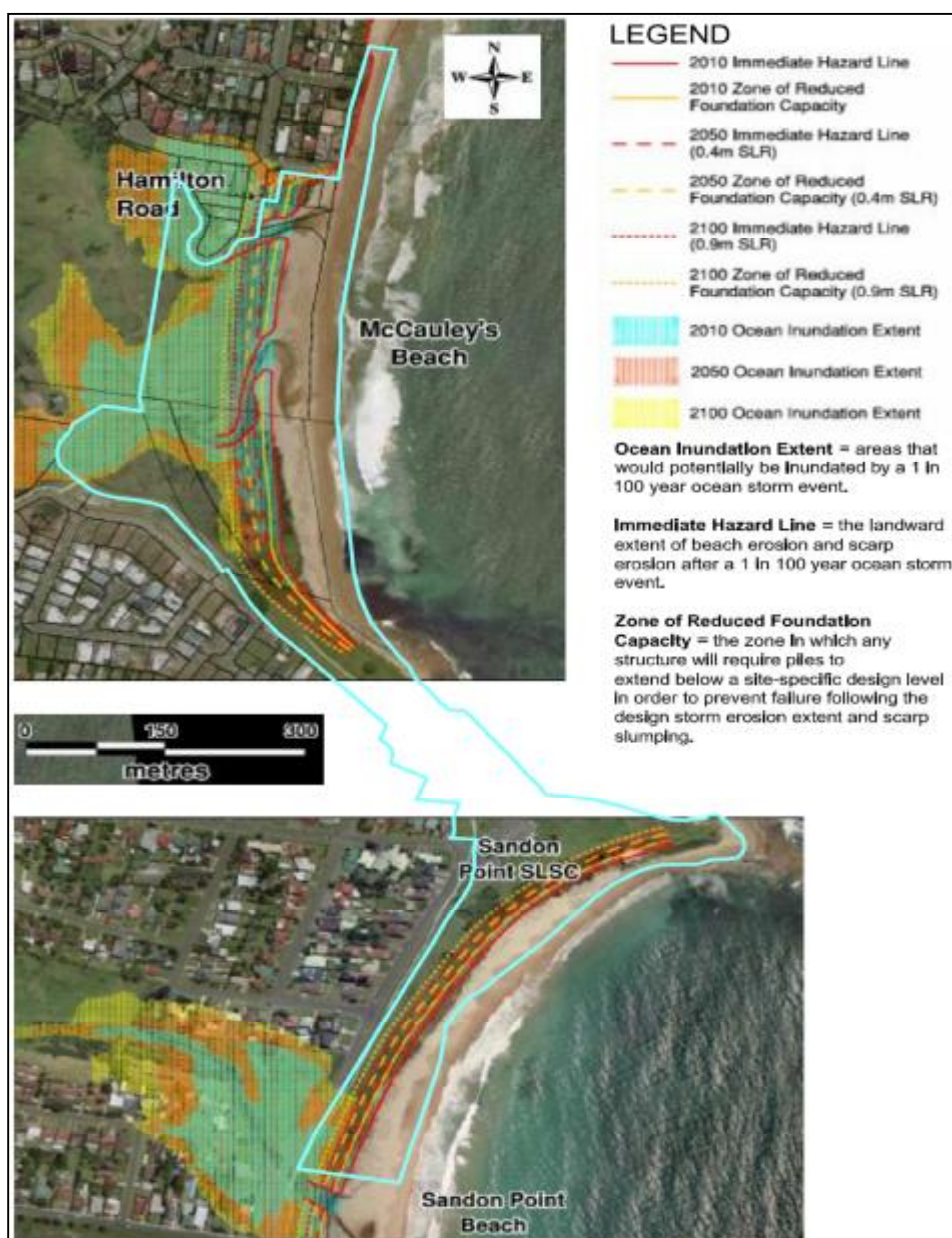
Coastal Zone Study and Coastal Zone Management Plan 2010

Council is at present preparing a Coastal Zone Management Plan for Wollongong. Stage One is complete and was endorsed by Council in July 2010. A major focus of the study was the identification of the hazards potentially impacting on Wollongong's coastline from coastal processes, climate change and sea level rise.

The hazards considered include coastal erosion and recession, ocean inundation and geotechnical instability (in the event of a 1 in 100 year ocean conditions) and sea level rises (of 40 cm to 2050 and 90 cm to 2100 above the 1990 mean sea levels). The areas potentially impacted have been mapped.

The maps below show the significant impacts of sea level rise by 2100 and erosion hazards extents:

APPENDIX FIGURE F 1 COASTAL EROSION HAZARD LINES AND PREDICTED EXTENT OF OCEAN INUNDATION (2010, 2050 AND 2100) (SOURCE: WCC COASTAL ZONE STUDY 2010)



Planning People Places - Open Space Recreation Study, Volumes 1 and 2, 2006

The Study divides the LGA into nine planning areas. Sandon Point is located within Planning Area 3. The major strategic direction for this area relating to Sandon Point is:

define, enhance and promote recreation destinations along the coastline, such as Sandon Point....

APPENDIX FIGURE F 2 COASTAL INFLUENCE GEOTECHNICAL RISKS (SOURCE: WCC COASTAL ZONE MANAGEMENT PLAN 2010)



These planning areas are further clustered into districts; Sandon Point is located in District One. The main directions for this district include emphasis on:

- improving the quality of larger parcels of open space (Sandon Point Reserve is nominated); and
- strengthening the open space connections, particularly along the coastline.

Specific directions also include:

- do not overdevelop the coastal open space and maintain a strong link to the natural environment.

The study also includes guidelines for development, an action plan and directions for implementation.

APPENDIX G: GEOLOGY, SOILS AND LANDFORMS AND HYDROLOGY IN THE PLAN OF MANAGEMENT AREA

Geology, Soils and Landforms

The site includes three major landform types - low headlands, beaches and associated dunes and low lying wetland areas.

The site is underlain by Quaternary age soils and rocks of the Permian Illawarra Coal measures (according to 1:100,000 scale geological mapping by the Department of Mineral Resources). The beach areas are typically underlain by Quaternary deposits of medium to coarse grained marine quartz sand with shelly fragments. The fore-dune areas are typically underlain by fine to medium grained marine quartz sands. Some inter-dune silts and sands may also be found behind the fore-dune areas. The geology of the sea cliffs and rock platforms consist of inter-bedded sandstones with some claystone, siltstone and coal layers. The rock quality underlying the beaches can be variable and, in places, deep weathered residual profiles consisting of sandy clays are evident.

Broad scale soil landscape mapping indicates that the site is dominated by three soil landscapes – specifically Wollongong, Fairy Meadow, Gwynneville soil landscapes, as well as areas of “disturbed terrain”. The Wollongong soil landscapes generally occur along the fore-dunes with the Fairy Meadow soil landscape on gentle slopes and flats behind the fore-dunes. The Gwynneville soil landscapes are found on the headlands and elevated lands. “Disturbed terrain” soil landscapes have been identified where soils have been disturbed through filling and/or erosion processes or other human interventions. The underlying geology and soils influence the vegetation as well as coastal erosion risk.

The area’s landforms - low headlands, beaches, low dunes, and watercourses and minor wetlands - underpin the visual appeal of the area. The headlands provide ideal vantage points for viewing coastal scenery and the ocean. The less developed wetlands, beaches and dunes provide a contrast to the surrounding residential/urban development.

Hydrology

The Sandon Point and McCauley’s Beach area includes the lower reaches and mouths of Hewitts and Tramway Creeks and associated wetlands, as well as a small part of the Slacky Creek mouth in the south. The catchment of Hewitts Creek originates in the Illawarra Escarpment to the west of the site. Tramway Creek’s catchment is more localised, draining from the immediate surrounds. The mouth of both Hewitts and Tramway Creeks are described as intermittently closed and open lagoons. An estuary condition assessment conducted as part of the Coastal Zone Management Study found Hewitts Creek and Tramway Creek to be in good condition despite being impacted by stormwater and runoff from the surrounding urban areas.

The sections of creek near the mouth follow a semi-natural course. However further upstream, and outside the Council owned community land, they have been physically modified with culverts, straightening, and diversion to facilitate stormwater management. These modifications have altered the natural flows of the creeks. Some of the wetter areas between the two creeks have also been filled. Despite these modifications the wetlands and waterways provide important wildlife habitat, especially for birds.

Several stormwater outlets are located at the mouth of Hewitts Creek.

Council’s Coastal Zone Study (Cardno 2010) indicate that the creeks are likely to be affected by coastal erosion and ocean inundation within the life of this Plan.

APPENDIX H: HOW COUNCIL FOLLOWED THE 11 STEPS FOR DEVELOPING MANAGEMENT PLANS FOR DECLARED ABORIGINAL PLACES IN ACCORDANCE WITH OEH GUIDELINES

Guidelines for developing Management Plans for Aboriginal Places (OEH 2012)

Define the relevant stakeholders and affected parties

Council has defined the following as stakeholders and affected parties in relation to the Sandon Point Aboriginal Place Management Plan:

- Office of Environment and Heritage.
- Council and Council's Aboriginal Reference Group.

The Aboriginal Community Generally (defined as any Aboriginal person or group interested in Sandon Point and McCauley's Beach as noted by a survey response, written correspondence or attendance at a pre-draft consultation meeting or event from November 2011 and beyond).

Specifically, the Aboriginal Groups listed on the "Keeping Place" Section 90 permit issued to a private land owner/developer (Stocklands) by OEH for residential development west of the Sandon Point area:

- Illawarra Local Aboriginal Land Council,
- Korewal Elouera Jerrungarah Tribal Elders Aboriginal Corporation,
- Sandon Point Tent Embassy,
- Wadi Wadi Coomaditchi Aboriginal Corporation,
- Wodi Wodi Elders Council.

Prepare a general statement of management

In accordance with the OEH Guidelines, a general statement of management provides a summary of an Aboriginal community's vision for the management of a gazetted Aboriginal Place. Council has used the text from the OEH declaration letter and gazettal for this purpose as it provides a good summary of the importance of the Place and was confirmed by Aboriginal Groups during community consultation from November 2011 to July 2012.

Prepare a statement of cultural values of the Aboriginal Place

Council referred to the OEH declaration letter and gazettal for the cultural values of the Sandon Point Aboriginal Place. This was confirmed by Aboriginal Groups during community consultation from November 2011 to July 2012.

Identify the Aboriginal community's management goals

The main management goal of the Aboriginal Place Management Plan is to protect the cultural values of the Place as well as Aboriginal Objects. Additionally, continuing the connection to Country for Aboriginal people and Aboriginal Organisations is important as well as increasing the wider non Aboriginal community's knowledge of the area in relation to its great significance to Aboriginal people is also important. Council will be actively pursuing licensing and/or leasing community land for Aboriginal Cultural and Heritage activities and developments in the future and look forward to working with the community.

Identify the types of activities that may harm the Aboriginal Place and the Associated cultural values

These activities are explained in section 6 of the PoM.

Identify what values objects and areas must be conserved

The declared values of the Sandon Point Aboriginal Place are to be conserved and threats to the values are to be managed as set out in section 6 of the PoM.

Burials and Re-burials should not be disturbed.

The entire Sandon Point and McCauley's Beach Plan of Management Plan has been designed with protecting and sharing the Aboriginal Cultural and Heritage Value with others in mind.

Identify what works and ongoing management activities are required

The permissible uses under the Sandon Point and McCauley's Beach Plan of Management are designed to identify what works and ongoing management activities are required. For example, it is not permissible to for an Outdoor Personal Fitness Trainer to use or have a license within the Sandon Point Aboriginal Place, while it is a permissible use, in compliance with existing development consent, on the lawn areas of community land south east of Beach Street. Management strategies include increasing the public awareness of both Council Staff and the general public about the values of the Aboriginal Place, undertaking actions to reduce coastal erosion of the coastal dunes by designating formal access points to the beach and permitting the planting of low growing vegetation and requiring consultation with the Aboriginal Community on any changes in use of the place.

The Access Plan does not provide for general public access through to the beach in areas that contain burials or reburials. General public access to McCauley's Beach is being rationalised and kept to existing disturbed areas. It is a permissible use to develop physical or built expressions of the importance of the Sandon Point Aboriginal Place to promote the importance of the area to the wider community.

Identify other matters that may need to be negotiated between all identified groups

Council will need to negotiate with Aboriginal Community members on matters relating to future licenses, compliance with the Sandon Point and McCauley's Beach Plan of Management components (which includes this OEH plan) and on ways to increase the wider non Aboriginal community's understanding of the importance of the area.

Council welcomes the opportunity in the future to collaborate with Elders and other Aboriginal community members to acknowledge and protect the values of the Sandon Point Aboriginal Place. Installing a Sandon Point Aboriginal Place sign is the first priority for collaboration. As needed into the future, subject to funds being available, the Aboriginal Community and Council may undertake other capital works to protect and/or promote the values of the Aboriginal Place. Furthermore, negotiation between Council and the Aboriginal community will be undertaken to develop proposed management strategies for OEH to consider in any future AHIP application lodged by Council.

Define ways in which culturally sensitive information will be treated

Information already in the public domain has been provided so that areas in need of protection or careful management are identified. Specific Aboriginal Elders/Persons have not been quoted to explain the area's importance (even if information was provided on the OEH website) out of respect for their knowledge and their own ability to share information with the general public as they determine is appropriate. Confidential Aboriginal Sites have not been included in any PoM maps.

Council will continue to work with the Aboriginal Community to protect the area and tell the story of the place to the general public by means that are permissible under the Plan of Management and in compliance with this Sandon Point and Aboriginal Place Management Plan.

Explain if funding and resources are available for conservation projects through grants and the ways in which the funds will be used

Council currently has operational funds for routine park and beach/foreshore maintenance, including regulatory signage or minor safety improvements.

Improvements requiring capital funding to protect and/or promote the values of the Aboriginal Place will require inclusion in a future Capital budget and partnering organisations with their own funds or grant funds to put towards the relevant projects. Every future improvement within the Sandon Point Aboriginal Place has to contend with significant land constraints that will increase its cost and require extensive community consultation in terms of limiting harm to the Place, location, design and construction methods and future ongoing management of the asset.

Permissible use improvements built within the Community Land at Sandon Point and McCauley's Beach will only be possible with community commitment and future grant funding. If the improvements could be built, they have been listed as a permissible use/development in the draft Plan of Management; however the costs of meeting all the constraints may be prohibitive.

Under the Plan of Management it is permissible to do the following to acknowledge the Aboriginal Cultural and Heritage importance of the area:

Table H 7 Funding and Resource Needs for Conservation Projects

| Conservation Projects that could Acknowledge or Conserve the Aboriginal Significance of the Sandon Point Aboriginal Place | Estimated cost without project plans, design plans, engineering reports, etc. based on past similar costs incurred by Council. |
|---|--|
| AHIP application preparation and consultation with the Aboriginal Community in accordance with section 6 of the PoM to protect the values of the Place. | \$40,000 - \$100,000, depending on the number of AHIPs required for future improvements. |
| Activities undertaken by the Aboriginal community to promote the values of the Sandon Point Aboriginal Place, (website or pamphlet creation, event management strategies, oral history projects, etc.). | \$500 - \$20,000 per community awareness project, depending on scale. |
| Signs, decorative pathways and/or other art work depicting its history and the ongoing cultural connection to country. | \$10,000 - \$50,000 depending on scale. |
| Construction or upgrade of formal access points to Sandon Point Beach and McCauley's Beach in accordance with the Access Plan. Eliminating other informal access points by low growing vegetation planting or fencing as a last resort as needed in consultation with the Aboriginal Community and OEH. | \$5,000 – \$200,000 depending on scale. |
| Widening or otherwise improving the portion of the shared path used by Aboriginal Groups or Persons to access the current Sandon Point Tent Embassy to address water ponding issues and to better manage the use of shared path by pedestrians, bicycle riders and occasional vehicles. | \$30,000 to \$500,000 – may include purchasing a small amount of private land to the west and there are considerable constraints to manage, as well as AHIP permit application. |
| Installation of convex mirror for improved site lines for authorised vehicles, walkers and cyclists. Designed to be less ground impacting. | \$5,000 for design and installation. |
| Improvements to allow SPATE to meet the evolving needs of the Aboriginal Community as appropriate for the values of the NSW Sandon Point Aboriginal Place declaration. | \$ 2,000 to \$200,000 depending on scale of change. |
| A Keeping Place as described in the Section 90 Permit Consent # 2130 issued to Stockland Development Pty Ltd and shown in appendix 5. | It is a Stockland requirement of the section 90 permit. Stockland would be financing the structure if built. Depending on the form and location, and its management strategy, the Keeping Place may be a building or an area |

| | |
|--|---|
| Conservation Projects that could Acknowledge or Conserve the Aboriginal Significance of the Sandon Point Aboriginal Place | Estimated cost without project plans, design plans, engineering reports, etc. based on past similar costs incurred by Council. |
| | where artefacts are re-interred and there are interpretive signs/walkways/paths. |

List contacts

This information will be provided to OEH directly rather than listed in this public document.

**APPENDIX I: INFORMATION THE PAUL MASON JONES RESERVE COMMITTEE
WOULD LIKE TO SHARE ABOUT PAUL MASON JONES**

**Pictures of Headland before and after the community restoration
in honour of Paul Mason Jones**





The Sandon Point Headland Restoration in Memory of Paul Mason Jones

Paul Mason Jones “Jinxy” 1952 – 1979

Husband and Father

Coal Mining’s Youngest Electrical Engineer

Past President of Southern Pacific Boardriders

Founding President of Sandon Point Boardriders

Charged the Point when the surf was big

Often spoke of rehabilitating the Point

Community love and respect for Jinxy

restored the Headland in his memory

DEARLY MISSED and NEVER FORGOTTEN

Paul Jones inadvertently created this Reserve through the love and friendship he gave to all segments of our community. After his accidental death in 1979 this friendship and respect inspired many people, industry leaders and local surfers alike, to rehabilitate the Point and create the Reserve in his memory. Whenever a working group was organized the response was often more than 100 people. Most materials and all earth moving and other equipment were freely supplied by local industry leaders. The initial restoration was solely a community designed and executed project but with complete Council blessing.

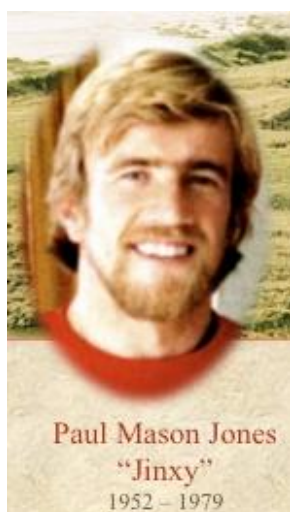
Over 4000 tons of topsoil were used to create the contours of the Reserve and cover the old gravel road and car-park down by the trig post. Hundreds of tons were to repair a headland badly eroded by heavy traffic: large erosion holes were filled, the southern and front slopes of the headland rebuilt and the whole headland capped. Thousands of feet of turf were rolled and transported by volunteers to quickly stabilize the extensive repair east of the trig-post. All earthworks and landscaping in the upper Reserve area were carried out by local residents and

the present day car-park was designed and built by them and later paved by Council. No amount of work seemed too much for anyone who had come to know Paul.

Home improvers and Surf Club stabilization had depleted the beach rocks protecting the SE side of the headland. With colliery support a convoy of trucks and many cars drove to the Shoalhaven River dam site. A long chain of willing arms loaded and unloaded over 100 tons of river rocks piled high from the dam excavation and used them to protect the southern base of the headland. These are often buried under growing sand dunes which will be washed away by that rare but inevitable south mega-swell. The rocks will help diffuse wave energy preventing future headland erosion and yet look natural when uncovered.

Years of tree and shrub planting by locals and Council have managed to stay ahead of the growing traffic and vandalism which tend to accompany greater numbers of people. Planting and maintenance are an on-going concern and volunteers are always welcome to help in any way. Please enjoy the Paul Mason Jones Reserve and take care of it. We hope anyone using the Reserve will respect and uphold all aspects of culture, environment and public health in this area. Please leave only sand and rocks on the beach and footprints on the grass. Though it was short, a special life lived well inspired this Reserve and with your respect for the area the value of that life will endure.

Our deeds live on in the minds of others.



APPENDIX K: COMMUNITY VOLUNTEER BIRD SURVEY

Bird list for Sandon Point and surrounds List collated by Jill Molan 2004, updated January 2007

| RA † | Species | Scientific Name | Source |
|---------|------------------------------|------------------------------------|-----------------------------|
| S | Brown Quail | <i>Coturnix ypsilophera</i> | 2, 6, 7, 16 |
| | Black Swan | <i>Cygnus atratus</i> | Ross Dearden 1/11/03 x5 |
| C | Australian Wood Duck | <i>Chenonetta jubata</i> | 3, 7, 9, 15 |
| C | Grey Teal | <i>Anas gracilis</i> | 1, 4, 6 |
| MC | Chestnut Teal | <i>Anas castanea</i> | 6, 7 |
| C | Pacific Black Duck | <i>Anas superciliosa</i> | 2, 3, 5, 6, 7, 9, 15 |
| C | Australasian Grebe | <i>Tachybaptus novaehollandiae</i> | 6 |
| MC | Little (Fairy) Penguin | <i>Eudyptula minor</i> | 7, 9 ¹ |
| C | Fluttering Shearwater | <i>Puffinus gavia</i> | 7 ² |
| U | Sooty Shearwater | <i>Puffinus griseus</i> | 9 ³ |
| C | Short-tailed Shearwater | <i>Puffinus tenuirostris</i> | 7, 9 ⁴ |
| R | White-tailed Tropicbird | <i>Phaethon lepturus</i> | 12 ⁵ |
| S | Darter | <i>Anhinga melanogaster</i> | 7, 6, 8, 7, 9, 8, 13, 9, 17 |
| C | Great Cormorant | <i>Phalacrocorax carbo</i> | 1, 2, 4, 7, 9, 15 |
| C | Little Black Cormorant | <i>Phalacrocorax sulcirostris</i> | 2, 6, 7, 9, 15, 16 |
| C | Little Pied Cormorant | <i>Phalacrocorax melanoleucos</i> | 6, 7, 9, 15, 16 |
| U | Pied Cormorant | <i>Phalacrocorax varius</i> | 1, 2, 4, 5, 7, 9 |
| C | Australian Pelican | <i>Pelecanus conspicillatus</i> | 7, 8, 9 |
| MC | Australasian Gannet | <i>Morus serrator</i> | 7 |
| MC | Great Egret | <i>Ardea alba</i> | 1, 2, 4, 6, 7, 15 |
| R | Intermediate Egret | <i>Ardea intermedia</i> | 9 ¹⁰ |
| C | Cattle Egret | <i>Ardea ibis</i> | 1, 2, 4, 5, 6, 7, 9, 15, 16 |
| S | Little Egret | <i>Ardea (Egretta) garzetta</i> | 6, 9 |
| S | Eastern Reef Egret | <i>Ardea (Egretta) sacra</i> | 3, 15 |
| C | White-faced Heron | <i>Ardea novaehollandiae</i> | 1, 2, 5, 6, 7, 9, 15, 16 |
| U | White-necked Heron | <i>Ardea pacifica</i> | 3, 7, 11, 12, 15 |
| U | Rufous (Nankeen) Night Heron | <i>Nycticorax caledonicus</i> | 7 ¹² |
| R | Little Bittern | <i>Ixobrychus minutus</i> | 9 ¹³ |
| R | Australasian Bittern | <i>Botaurus poiciloptilus</i> | 7 ¹⁴ |

¹ 1 bird beachwashed McCauley's beach: 01.01.98.

² Several huge rafts of thousands of birds feeding both out to sea and close off the rock platform north of Sandon Point: 03.11.02.

³ A raft of birds resting behind breakers off McCauley's beach: December 1998.

⁴ Beachwashed birds: 01.01.98 and early Summer each year; 03.11.01 one beachwashed.

⁵ October 1998: sitting on handrail of cycleway over Hewitt's Creek. Flew away uninjured, appeared healthy and strong.

⁶ Hewitts Creek: 28.01.02.

⁷ One female flew in and landed in estuary lagoon at eastern end of Tramway Creek, 06.11.01. Observers Jill Molan, Eva and Maurice Sempe.

⁸ Hewitts Creek: 10.11.01.

⁹ Hewitt's Creek lagoon: 3.12.99.

¹⁰ Tramway Creek lagoon: November 1997.

¹¹ Woodlands Creek at the point of diversion towards Hewitt's Creek, one bird: 25.08.01.

¹² Roosting in casuarinas Hewitts Creek 22.12.01.

¹³ Hewitt's Creek near Surfer's Parade roundabout. 24.2.03.

| RA † | Species | Scientific Name | Source |
|---------|-------------------------|----------------------------------|---|
| MC | Royal Spoonbill | <i>Platalea regia</i> | 3, 6, 15 |
| U | Yellow-billed Spoonbill | <i>Platalea flavipes</i> | E (H) |
| C | Australian White Ibis | <i>Threskiornis molucca</i> | 3, 6, 15 |
| MC | Straw-necked Ibis | <i>Threskiornis spinicollis</i> | 1, 4, 15 |
| U | Whistling Kite | <i>Haliastur sphenurus</i> | 6 |
| MC | White-bellied Sea-eagle | <i>Haliaeetus leucogaster</i> | 6, 7, 9, 14 ¹⁵ |
| U | Swamp (Marsh) Harrier | <i>Circus approximans</i> | 1, 4, 6, 7, 18 ¹⁶ |
| MC | Black-shouldered Kite | <i>Elanus axillaris</i> | 1, 2, 3, 5, 7, 8, ¹⁷ 9, 15, 16 |
| MC | Brown Goshawk | <i>Accipiter fasciatus</i> | 7, 16 |
| MC | Grey Goshawk | <i>Accipiter novaehollandiae</i> | 9, ¹⁸ 7 ¹⁹ |
| MC | Australian Kestrel | <i>Falco cenchroides</i> | 2, 3, 5, 7, 9, 15 |
| U | Australian Hobby | <i>Falco longipennis</i> | 3, 9, 15 |
| U | Peregrine Falcon | <i>Falco peregrinus</i> | 7 ²⁰ , 9 |
| U | Brown Falcon | <i>Falco berigora</i> | 3, 15 |
| MC | Dusky Moorhen | <i>Gallinula tenebrosa</i> | 2, 3, 5, 6, 7, 9, 15, 16 |
| C | Purple Swampphen | <i>Porphyrio porphyrio</i> | 1, 2, 4, 6, 7, 9, 15, 16 |
| MC | Eurasian Coot | <i>Fulica atra</i> | 3, 15 |
| S | Lewin's Rail | <i>Dryolimnas pectoralis</i> | 2, 3, 7, ²¹ 15 |
| U | Buff-banded Rail | <i>Gallirallus philippensis</i> | 3, 11 ²² , 14 ²³ , 12, ²⁴ 15 |
| MC | Ruddy Turnstone | <i>Arenaria interpres</i> | 8 ²⁵ |
| S | Latham's Snipe | <i>Gallinago hardwickii</i> | 1, 2, 4, 5, 7, ²⁶ 8 ²⁷ , 10, ²⁸ 15 |
| LC | Bar-tailed Godwit | <i>Limosa lapponica</i> | 12 ²⁹ |
| U | Whimbrel | <i>Numenius phaeopus</i> | 7 ³⁰ |
| | | | |
| MC | Black-winged Stilt | <i>Himantopus himantopus</i> | 6 |

- ¹⁴ 1 bird flushed north of pumping station on Woodlands Creek, flew south west up Tramway Creek until disappeared behind vegetation: 20.10.01. Observers Darryl McKay, Jill Molan, Terrill Nordstrom.
- ¹⁵ Dominic Leahy 7.04.02 One adult. Seen from Sandon Point surf club as it fished offshore and along McCauleys beach where it caught at fish at the exit of Tramway Creek. Then flew to the turpentine forest.
- ¹⁶ Hunting over Woodlands Creek, NW of pumping station: 10.11.04.
- ¹⁷ Nesting winter 2001. Two young fledged. Nested again spring-summer 2001. Two young fledged.
- ¹⁸ White phase.
- ¹⁹ Grey phase, south of Hewitt's Creek, east of Woodlands Creek Diversion: 20.10.01. Observers Darryl McKay, Jill Molan, Terrill Nordstrom.
- ²⁰ Hewitt's creek eastern end, bird with prey item (bird), 29.09.01.
- ²¹ 29.09.01; 20.10.01 near the confluence of Tramway and the unnamed creek north of Cookson's Plibrico. Observers Darryl McKay, Jill Molan and Terrill Nordstrom. Flushed from reeds 23.03.02 DM:JM: Sally Forsstrom.
- ²² In his backyard, Hill St, Bulli over a period of weeks: 1998.
- ²³ Reported in Illawarra Bird Observers' Club newsletter 2001. Sighting by John Bisset in wetland on Woodlands Creek, 02.03.01.
- ²⁴ Alex Peterson, from 20.08.02 onwards, frequent sightings near the mouth of Hewitt's Creek.
- ²⁵ Pass through on northerly migration route to northern hemisphere (our Autumn). Gather in small flocks and feed before departing.
- ²⁶ Two birds, Woodlands creek, level with pumping station, 29.09.01.
- ²⁷ One bird flushed from the western edge of cylceway crossing Tramway Creek, 5.45am, 31 10.01. Observers Jill Molan and Stefanie Hoy.
- ²⁸ Tramway Creek Lagoon: 29.11.00, 8-9am; 28.12.00, 8am. Marcel van Wijk. Woodlands Creek: 29.9.01, 4pm. Jill Molan and Darryl McKay 2 birds flushed from Woodland Creek just north of the pumping station, flew south west and landed in Tramway creek.
- ²⁹ Mouth of Hewitt's Creek 06.11.06.
- ³⁰ Solitary bird. Several sightings around the period 25.09.01 to 4.10.01.

| RA † | Species | Scientific Name | Source |
|---------|------------------------------|--------------------------------------|------------------------------------|
| MC | Sooty Oystercatcher | <i>Haematopus fuliginosus</i> | 3, 8, 9, 15 |
| MC | Red-capped Plover | <i>Charadrius ruficapillus</i> | 3, 6, 8 ³¹ , 15, |
| C | Masked Lapwing | <i>Vanellus miles</i> | 1, 2, 4, 5, 7, 9, 15, 16 |
| MC | Artic Jaegar | <i>Stercorarius parasiticus</i> | 9 ³² |
| S | Pacific Gull | <i>Larus pacificus</i> | 9 |
| MC | Kelp Gull | <i>Larus dominicanus</i> | 2, 3, 6, 7, 9, 15 |
| C | Silver Gull | <i>Larus novaehollandiae</i> | 1, 2, 4, 6, 7, 9, 15, 16 |
| C | Crested Tern | <i>Sterna bergii</i> | 3, 6, 7, 8, 9, 15 |
| U | Common Tern | <i>Sterna hirundo</i> | 7 |
| MC | Topknot Pigeon | <i>Lopholaimus antarcticus</i> | 9 ³³ |
| MC | Crested Pigeon | <i>Ocyphaps lophotes</i> | 3, 9 |
| C | Feral Pigeon* (Rock dove) | <i>Columba livia</i> | 1, 4, 5, 7, 9, 16 |
| C | Spotted Turtle-dove* | <i>Streptopelia chinensis</i> | 1, 2, 5, 7, 9, 15, 16 |
| MC | Yellow-tailed Black-Cockatoo | <i>Calyptorhynchus funereus</i> | 7, 8, 9, 16 |
| LC | Long-billed Corella | <i>Cacatua tenuirostris</i> | 7, 9 |
| LC | Little Corella | <i>Cacatua sanguinea</i> | 2, 7, 9, 16 |
| MC | Sulphur-crested Cockatoo | <i>Cacatua galerita</i> | 2, 3, 7, 9, 15, 16 |
| C | Galah | <i>Cacatua roseicapilla</i> | 1, 2, 4, 5, 7, 9, 15 |
| MC | Rainbow Lorikeet | <i>Trichoglossus haematodus</i> | 5, 7, 9, 16 |
| R | Scaly-breasted Lorikeet | <i>Trichoglossus chlorolepidotus</i> | 9 ³⁴ |
| U | Little Lorikeet | <i>Glossopsitta pusilla</i> | 9 ³⁵ |
| MC | Australian King Parrot | <i>Alisterus scapularis</i> | 7, 9 |
| C | Crimson Rosella | <i>Platycercus elegans elegans</i> | 7, 9, 16 |
| C | Eastern Rosella | <i>Platycercus eximius</i> | E (H) |
| U | Red-rumped Parrot | <i>Psephotus haematonotus</i> | E (H), 8 ³⁶ |
| R | Swift Parrot | <i>Lathamus discolor</i> | E ³⁷ |
| C | Fan-tailed Cuckoo | <i>Cacomantis flabelliformis</i> | 1, 2, 4, 7, 8, 9 |
| MC | Horsefield's Bronze-Cuckoo | <i>Chrysococcyx basalis</i> | 9 ³⁸ |
| MC | Common Koel | <i>Eudynamys scolopacea</i> | 7, 8, 9 |
| MC | Channel-billed Cuckoo | <i>Scythrops novaehollandiae</i> | 7, 8, 9 |
| C | Southern Boobook | <i>Ninox novaeseelandiae</i> | 3 |
| U | Barn Owl | <i>Tyto alba</i> | 7 ³⁹ , 12 ⁴⁰ |
| MC | Tawny Frogmouth | <i>Podargus strigoides</i> | 3 |
| MC | White-throated Needletail | <i>Hirundapus caudacutus</i> | E (H) |
| U | Azure Kingfisher | <i>Alcedo azurea</i> | 7, 9, 12 ⁴¹ |
| C | Sacred Kingfisher | <i>Todiramphus sanctus</i> | 3, 6, 9, 15 |
| C | Laughing Kookaburra | <i>Dacelo novaeguineae</i> | 2, 3, 7, 9, 15 |
| MC | Dollarbird | <i>Eurystomus orientalis</i> | 7, 9 |

³¹ Intermittent sightings McCauley's beach e.g. 21.07.01 and 22.07.01.

³² Offshore Thirroul beach: December 1997.

³³ North side McCauley's hill: 5.2.00.

³⁴ Just after the big storm - 2 birds: 18.08.98.

³⁵ Pine trees, McCauley's Hill: 12.11.00.

³⁶ 3 birds seen nearby in Park Rd Bulli Dec 2000.

³⁷ Per Chris Chafer.

³⁸ Base of track behind pumping station: 01.09.00.

³⁹ Located in trees western side Woodlands Creek diversion, flew westward: 14.07.01 early afternoon.

⁴⁰ Alex Peterson and Gill Vozza near Woodlands Creek diversion: 04.08.01 noon.

⁴¹ Hewitt's Creek.

| RA † | Species | Scientific Name | Source |
|---------|----------------------------|-------------------------------------|--|
| C | White-throated Treecreeper | <i>Cormobates leucophaeus</i> | 2 |
| C | Superb Fairy-wren | <i>Malurus cyaneus</i> | 1, 2, 4, 5, 7, 9, 15, 16 |
| MC | Variegated Fairy-wren | <i>Malurus lamberti</i> | 1, 2, 4, 7, 9 |
| U | Southern Emu-wren | <i>Stipiturus malachurus</i> | 1, 2, 4, 5, 6, 7 ⁴² , 9, 16 |
| C | Spotted Pardalote | <i>Pardalotus punctatus</i> | 2, 7 |
| C | White-browed Scrubwren | <i>Sericornis frontalis</i> | 1, 2, 4, 5, 7, 9, 16 |
| C | Yellow (Little) Thornbill | <i>Acanthiza nana</i> | 3, 5, 7, 9, 15 |
| C | Striated Thornbill | <i>Acanthiza lineata</i> | 1, 2, 4, 5, 9 |
| C | Yellow-rumped Thornbill | <i>Acanthiza chrysorrhoa</i> | 8 ⁴³ |
| C | Brown Thornbill | <i>Acanthiza pusilla</i> | 2, 7 |
| C | Red Wattlebird | <i>Anthochaera carunculata</i> | 5, 7, 9, 16 |
| MC | Little Wattlebird | <i>Anthochaera chrysoptera</i> | 1, 2, 4, 7, 9, 15, 16 |
| MC | Noisy Friarbird | <i>Philemon corniculatus</i> | E (H) |
| C | Noisy Miner | <i>Manorina melanocephala</i> | E (H) |
| C | Lewin's Honeyeater | <i>Meliphaga lewinii</i> | 3, 7, 9, 15, 16 |
| C | Yellow-faced Honeyeater | <i>Lichenastomus chrysops</i> | 2 |
| C | New Holland Honeyeater | <i>Phylidonyris novaehollandiae</i> | 1, 2, 4, 5, 7, 9, 16 |
| S | White-cheeked Honeyeater | <i>Phylidonyris nigra</i> | 1, 2, 4, 5, 7 ⁴⁴ , 9 |
| C | Eastern Spinebill | <i>Acanthorhynchus tenuirostris</i> | 1, 2, 4, 5, 7, 9, 15 |
| U | Scarlet Honeyeater | <i>Myzomela sanguinolenta</i> | 9 ⁴⁵ |
| C | Eastern Yellow Robin | <i>Eopsaltria australis</i> | 2, 7, 9 |
| C | Eastern Whipbird | <i>Psophodes olivaceus</i> | 3, 7, 9, 15, 16 |
| MC | Golden Whistler | <i>Pachycephala pectoralis</i> | 7 ⁴⁶ |
| C | Grey Shrike-thrush | <i>Colluricincla harmonica</i> | 7 ⁴⁷ , 9 ⁴⁸ |
| MC | Black-faced Monarch | <i>Monarcha melanopsis</i> | E ⁴⁹ |
| MC | Leaden Flycatcher | <i>Myiagra rubecula</i> | 18 ⁵⁰ |
| MC | Rufous Fantail | <i>Rhipidura rufifrons</i> | 9 ⁵¹ , 17, 8 ⁵² |
| C | Grey Fantail | <i>Rhipidura fuliginosa</i> | 1, 2, 4, 5, 7, 9, 15 |
| C | Willie Wagtail | <i>Rhipidura leucophrys</i> | 1, 2, 4, 5, 7, 9, 15, 16 |
| U | Spangled Drongo | <i>Dicrurus bracteatus</i> | 7, ⁵³ 9 ⁵⁴ |
| C | Magpie-lark | <i>Grallina cyanoleuca</i> | 1, 2, 4, 5, 7, 9, 15, 16 |
| C | Black-faced Cuckoo-shrike | <i>Coracina novaehollandiae</i> | 2, 3, 7, 9, 15 |
| # | Barred Cuckoo-shrike | <i>Coracina lineata</i> | 9 ⁵⁵ |
| U | Figbird | <i>Sphecotheres viridis</i> | 9 ⁵⁶ |

⁴² Some sightings near eastern end Hewitt's Creek (quite close to bridge) 11.02.01 (4 birds including 2 male); north of pumping station 18.02.01 (4 birds including 1 male); 24.03.01.

⁴³ August 2002.

⁴⁴ Two birds, causeway Tramway creek, 29.09.01.

⁴⁵ seen nearby in Waterloo St Bulli: March 1998.

⁴⁶ Turpentine forest 27.1.02.

⁴⁷ Public walkway up beside turpentine forest 20.4.02.

⁴⁸ McCauley's Hill.

⁴⁹ Uses habitat similar to Rufous Fantail, recorded nearby in Wharton's Creek.

⁵⁰ Wilkie's walk, in Casuarina trees and woodland. 3.11.04.

⁵¹ Hewitt's Creek: 24.03.01.

⁵² With Stefanie Hoy. On grassland off cycleway 10 metres from the picket. Resting on the ground, not injured. Flew away when approached. May have been feeding on the numerous flies around that morning: 01.11.04.

⁵³ Near the confluence of Hewitts creek and the Woodlands Creek diversion 20.4.02.

⁵⁴ Hewitt's Creek: 27.06.98.

⁵⁵ McCauley's Hill Figtrees: 24-26.11 00.

| RA † | Species | Scientific Name | Source |
|---------|----------------------------|----------------------------------|----------------------------------|
| R | White-breasted Woodswallow | <i>Artamus leucorhynchus</i> | 9 ⁵⁷ |
| MC | Grey Butcherbird | <i>Cracticus torquatus</i> | 7, 9, 15, 16, 18 ⁵⁸ |
| C | Australian Magpie | <i>Gymnorhina tibicen</i> | 2, 3, 7, 9, 15, 16 |
| C | Pied Currawong | <i>Strepera graculina</i> | 2, 3, 7, 9, 15, 16 |
| C | Australian Raven | <i>Corvus coronoides</i> | 1, 2, 4, 5, 7, 9, 15, 16 |
| C | Satin Bowerbird | <i>Ptilonorhynchus violaceus</i> | 7 |
| LC | Skylark* | <i>Alauda arvensis</i> | 2, 3, 15 |
| C | Australian Pipit | <i>Anthus novaeseelandiae</i> | 2, 3, 4, 7, 9, 15 |
| U | Zebra Finch | <i>Taeniopygia guttata</i> | 3, 5, 6, 15 |
| U | Double-barred Finch | <i>Taeniopygia bichenovii</i> | 9 ⁵⁹ |
| C | Red-browed Finch | <i>Neochmia temporalis</i> | 1, 2, 4, 7, 9, 15, 16 |
| U | Chestnut-breasted Mannikin | | 9 ⁶⁰ |
| C | House Sparrow* | <i>Passer domesticus</i> | 2, 3, 5, 7, 9, 15, 16 |
| MC | European Goldfinch* | <i>Carduelis carduelis</i> | 2, 5, 7, 9, 15, 16 |
| MC | Mistletoebird | <i>Dicaeum hirundinaceum</i> | E (H) |
| C | Welcome Swallow | <i>Hirundo neoxena</i> | 1, 2, 4, 5, 6, 7, 9, 15, 16 |
| U | Fairy Martin | <i>Hirundo ariel</i> | 3, 9, 7, 15 |
| MC | Clamorous Reed-Warbler | <i>Acrocephalus stentoreus</i> | 2, 3, 6, 7, 9, 15, 16 |
| U | Little Grassbird | <i>Megalurus gramineus</i> | 2, 6, 8, ⁶¹ 9, 15, 16 |
| MC | Golden-headed Cisticola | <i>Cisticola exilis</i> | 1, 2, 4, 5, 6, 7, 9, 15, 16 |
| U | Rufous Songlark | <i>Cincloramphus mathewsi</i> | 5 |
| C | Silvereye | <i>Zosterops lateralis</i> | 1, 2, 4, 5, 7, 9, 15, 16 |
| MC | Red-whiskered Bulbul* | <i>Pycnonotus jocosus</i> | 1, 2, 4, 5, 7, 9, 15, 16 |
| C | Common Starling* | <i>Sturnus vulgaris</i> | 1, 2, 4, 5, 7, 9, 15, 16 |
| C | Common Mynah* | <i>Acridotheres tristis</i> | 1, 2, 4, 5, 7, 9, 15, 16 |
| U | Common Blackbird* | <i>Turdus merula</i> | 7 |

RA† = Regional Abundance in the Illawarra Area according to Chafer et al. 1999 (see below).

* introduced species

only recorded once before in 1998, is 400km south of its natural southern distribution.

Sources

1. QEM, Local Environmental Study: Sandon Point, Bulli/Thirroul. Flora & Fauna Assessment 1992.
2. Rowles, *cited in QEM 1992*. 1982-92. pp. 3.9-3.12.
3. Glynn and Wady, *cited in QEM 1992*. 1991. pp. 3.9-3.12.
4. Huggett, *cited in QEM 1992*. 1992. pp. 3.9-3.12.
5. Daly, *cited in QEM 1992*. 1992. pp. 3.9-3.12.
6. Chafer, C. J., Biodiversity of Wetlands in the Illawarra Catchment. 1997.
7. Darryl McKay (NSW FOC & CBOC) and Jill Molan.
8. Jill Molan (NSW FOC and CBOC and Birds Australia).
9. Ian McInlay (IBOC).
10. Marcel Van Wijk.
11. Ross Dearden (Point Street Bulli resident).
12. Alex Peterson (Thirroul resident).
13. Joe Davis (Thirroul resident).
14. Other (see footnotes).
15. Alan Sefton (1983) (Illawarra Natural History Society per Max Ackerman).
16. Connell Wagner Flora and Fauna Assessment, April-May 2001.
17. Roger Truscott (local birdwatcher).
18. Frances Patterson and Jill Molan.

⁵⁶ McCauley's Hill Figtrees.

⁵⁷ December 1998 group of 4 birds - 1 sighting only.

⁵⁸ Breeding in Turpentine forest, fledged two young, October-November 04.

⁵⁹ A pair near pumping station: 24.03.01.

⁶⁰ 24/2??

⁶¹ At cycleway over Tramway Creek, 14.01.03 with Stef Hoy.

- E (H) Species listed as expected by Huggett in QEM (1992) (common names updated).
 E Species expected but not yet observed on site. Reasons for listing noted in footnote.

The order of species on this list is according to Morcombe, M. 2000. *Field Guide to the Birds of Australia*. Steve Parish Publishing Pty. Ltd., Archerfield Queensland.

Abundance of species in the Illawarra area is listed according to Chafer, C.J., Brandis, C.C.P. and Wright, D. 1999. *Handbook of Birds Found in the Illawarra, Shoalhaven and Adjacent Tablelands*. Illawarra Bird Observers Club, Wollongong.

The following is an extract from this book which explains the 'Regional abundance' column on this table:

Status is defined ... as being the broad degree of residency each species displays while present in the region.

| | |
|---|---|
| <i>Extirpated:</i> | <i>regionally extinct, no confirmed observations for the past 50 years</i> |
| <i>Accidental:</i> | <i>one to few observations this century of a species well outside of its normal distribution</i> |
| <i>Rare (R):</i> | <i>less than 3 locations/observations reported per calendar year</i> |
| <i>Scarce (S):</i> | <i>present in restricted habitats, with a regional population below 200 individuals</i> |
| <i>Uncommon (U):</i> | <i>present in restricted habitats, with a regional population usually below 1,000 individuals</i> |
| <i>Moderately common (MC):</i> | <i>present in small numbers in preferred habitat(s) throughout the region</i> |
| <i>Locally moderately common (LMC):</i> | <i>present in small numbers in locally restricted habitats throughout the region</i> |
| <i>Common (C):</i> | <i>found in many habitats across most of the region in large numbers</i> |
| <i>Locally common (LC):</i> | <i>found in a locally restricted number of habitats across the region in large numbers</i> |

Sooty Oyster Catchers at McCauleys Beach – Photos by Marcel Van Wijk



A New Holland Honeyeater, on a Banksia branch, Sandon Point Headland

