

10 March 2023

Dr Sophie Scamps, MP  
Member for Mackellar  
Shop 1&2, 1238-1246 Pittwater Road  
Narrabeen NSW 2101

*By email*

Dear Dr Scamps,

### **Trespassing at Lizard Rock**

We act for the Metropolitan Local Aboriginal Land Council (**MLALC**).

#### **Videos and article**

We refer to various videos published on Facebook and Youtube by you and Northern Beaches Cr Michael Reagan, and the article, "*Mackellar candidate Dr Sophie Scamps' proposal for MLALC land sale solution*", published on 1 April 2022 in the Manly Observer, regarding your opposition to our client's proposed development at Belrose (**Lizard Rock**).

The videos and article show you trespassing on our client's land, sometimes alone, and sometimes with others.

In the article, you are photographed standing at 13 Namba Road, which is part of our client's land. The videos show you trespassing as follows:

1. In the video published on 25 February 2023 on your Facebook page, you, Dennis Jones and Neil Evers are shown walking through and on our client's land.
2. In the video published on 28 February 2023 on your Facebook page, you and Dr Conny Harris are shown walking through and on our client's land east of Morgan Road.
3. In the video published on Cr Reagan's Youtube channel on 1 March 2023, you and Cr Reagan are shown walking through and on our client's land adjacent to Morgan Road.

4. In the video published on your Facebook page on 7 March 2023, you and Nicole Romain are shown walking through and on our client's land.

Each video also begins with a location marker titled 'Lizard Rock, Belrose'. This can be seen in all videos at the 2-second mark.

### **Unlawful trespass**

As explained in several interviews given by our client's representatives,<sup>1</sup> Lizard Rock is private land. Our client has never provided you, or any of the people you appear alongside in the videos, with permission to access its land at the times that you did.

By accessing our client's land without permission or lawful reason, you have trespassed. Unlawful trespass is illegal.

We infer that you encouraged your interviewees to trespass on our client's land to make the videos. It is wholly inappropriate that a parliamentarian encourages others to break the law.

This trespass is not harmless. It exposes our client to increased risk.

We are instructed to request that you immediately cease trespassing on our client's land and cease to encourage others to trespass on our client's land.

Lastly, we note the commentary in the videos and articles, which convey a view that our client's development should not proceed because the public wishes to preserve the site and maintain its access to the same. As stated above, Lizard Rock is private land. The public have no right to access this land without permission or lawful reason. Every person who accesses the land without permission or lawful reason is a trespasser.

We doubt you or anyone else trespassing on our client's land would appreciate the same being done to your property.

Our client reserves all rights.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Chalk', with the initials 'PP' written to the left.

**Andrew Chalk**  
Director

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<sup>1</sup> For example: News.com, 'Aboriginal land council's development plan divides opinion', 28 August 2022 <<https://www.news.com.au/national/nsw-act/politics/aboriginal-land-councils-development-plan-divides-opinion/news-story/001c9e0428f3b0428aa3a2db6c01ae6c>>; St George and Sutherland Leader, 'Lizard Rock: Aboriginal Land Council's plans to develop its land', 18 March 2022 <<https://www.theleader.com.au/story/7658601/debate-heats-up-over-development-of-privately-owned-bushland-blocks>>.