



PO Box 295 Vincentia NSW 2540 | [www.birdlifeshoalhaven.org](http://www.birdlifeshoalhaven.org) | [shoalhaven@birdlife.org.au](mailto:shoalhaven@birdlife.org.au)  
BirdLife Shoalhaven is a branch of BirdLife Australia Limited ABN 75 149 124 774

---

Ms Liana Hoult  
Principal Legal Officer, Litigation  
Department of Planning, Industry and Environment  
[legalservices@planning.nsw.gov.au](mailto:legalservices@planning.nsw.gov.au)

26 October 2021

Dear Ms Hoult

**Sealark Pty Ltd v Independent Planning Commission - West Culburra SSD 3846**

Your letter dated 19 October 2021 states that the Independent Planning Commission (IPC) intends to enter into an agreement with Sealark Pty Ltd to approve a revised concept plan for the West Culburra proposed development.

You state that the IPC's agreement will be subject to conditions and will have been based on further expert advice, both of which are not available to the public.

This shows a complete lack of transparency and public participation and precludes us from making an informed submission on the revised plan.

We find this unacceptable, given the potential for adverse impacts on bird conservation. This is especially the case, given the Shoalhaven-Crookhaven Estuary is both listed in the Directory of Important Wetlands in Australia, and the proposed development is in close proximity to Lake Wollumboola, which is also listed in the same Directory and recognised by BirdLife International as a Key Biodiversity Area.

This lack of scrutiny means that we cannot form any opinion if the revised plan fails to take account of the issues raised in our submission to you dated 25 February 2021

- The importance of conserving unburned vegetation
- Impacts on birds in high conservation value mangroves and wetlands
- Tensions with existing NSW strategies

As such we express our objection to this proposed course of action.

We request that IPC members are fully aware of our position as outlined above.

Yours sincerely

A handwritten signature in black ink, appearing to read "Rob Dunn", is written over a light blue grid background.

**Rob Dunn**  
**President**  
[president@birdlifeshoalhaven.org](mailto:president@birdlifeshoalhaven.org) - 0438 250 600