



12 January 2021

Our Ref: SSD-3846

Dear Sir / Madam

**Sealark Pty Ltd v Independent Planning Commission – West Culburra Concept Proposal
Land and Environment Court Proceedings No 2019/78149 – Amended Plans**

I refer to the above merit appeal currently before the Land and Environment Court (the Court) for determination.

I am writing to update you on the progress of the appeal and notify you that the amended plans now relied upon by Sealark Pty Ltd (the Applicant) are to be publicly exhibited by the Department of Planning, Industry and Environment (the Department) and the Independent Planning Commission (the Commission).

You are being notified of the appeal as you may have previously made a submission on the original development application, or because your property is located in close proximity to the development site.

Exhibition of amended plans

The Court has granted the Applicant leave to rely on amended plans (the amended application).

The amended application and accompanying documents will be on public exhibition from **Friday 15 January 2021** until **Friday 26 February 2021**. The amended application may be viewed on the Department's website at: <https://www.planningportal.nsw.gov.au/major-projects/project/40901>.

Alternatively, the amended application may be accessed by searching "West Culburra Concept Proposal – SSD 3846" or by accessing the Commission's website at: <https://www.ipcn.nsw.gov.au/projects/2018/06/west-culburra-concept-proposal>.

The Commission is currently assessing the amended application and considering whether to consent to approve the development based on the amended application.

If you wish to make a submission on the amended application, you should read the 'Have your say' section overleaf. Submissions must reach the Department by **Friday 26 February 2021**.

Yours sincerely

Joanna Bakopanos
**Team Leader - Industry Assessments
Planning and Assessment**



EXHIBITION OF AMENDED STATE SIGNIFICANT DEVELOPMENT APPLICATION

West Culburra Concept Proposal

Application No	SSD 3846
Location	Land north of Culburra Road and west of the Culburra Beach township (Part lots 5 and 6 DP 1065111 and Part Lot 1 DP 631825)
Applicant	Sealark Pty Ltd
Council Area	Shoalhaven
Consent Authority	Land and Environment Court of NSW

Description of refused application

On 17 October 2018, the Independent Planning Commission (the Commission) refused development consent for the West Culburra Concept Proposal (SSD 3846). The refused application involved:

- An urban development area of approximately 75 hectares;
 - 650 low and medium-density residential lots;
 - 3.5 hectares of industrial development;
 - Tourist accommodation, cafes, restaurants and viewing areas;
 - A foreshore reserve including cycleways, walkways, picnic areas and playgrounds;
 - A sports field, parks and view corridors; and
 - Supporting infrastructure and services, including new roads and a stormwater management system.
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Description of amended application

Sealark Pty Ltd (the Applicant) has lodged an appeal against the Commission's refusal in the Land and Environment Court of NSW and has been granted leave to rely upon amended plans (the amended application) as part of the appeal process. The amended application includes:

- An urban development area of approximately 47 hectares;
 - 244 low-density residential lots, capable of providing up to 293 dwellings;
 - 12 medium-density residential lots;
 - 45 integrated housing lots;
 - 3 mixed use lots;
 - 13 industrial lots;
 - A sportsground with supporting amenities and parkland/open space areas; and
 - Supporting infrastructure and services, including new roads and a stormwater management system.
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Exhibition Details

The amended application for SSD 3846, including the updated Environmental Impact Statement and accompanying documents will be exhibited from **Friday 15 January 2021** until **Friday 26 February 2021**, and are accessible electronically on:

- The Department's website (www.planningportal.nsw.gov.au/major-projects/projects/on-exhibition); and
 - The Independent Planning Commission's website (<https://www.ipcn.nsw.gov.au/projects/2018/06/west-culburra-concept-proposal>).
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Have your say

Anyone can make a written submission about the amended application during the exhibition period.

Web submissions: To make an online submission, please go to the Department's Major Projects website at www.planningportal.nsw.gov.au/major-projects. Search for this project under www.planningportal.nsw.gov.au/major-projects/projects/on-exhibition. On the application's webpage, click 'Make a Submission'. You will be required to log in or create a user account. Follow the online instructions.

If you cannot lodge online, you can post your submission to the address below. If you want the Department to withhold your personal information before publication, please make this clear at the top of your cover letter and do not include personal details in your attached submission. If you post your submission, it needs to be received by the Department before the close of the exhibition period.

Your submission must include the following:

- Your name and address, at the top of the letter only;
- The name of the application and the application number;
- A statement on whether you 'support' or 'object' to the proposal (or are only making a comment);
- The reasons why you support or object to the proposal; and
- A declaration of any reportable political donations you made in the previous two years.

Privacy statement: Before making your submission, please read our Privacy Statement at www.planning.nsw.gov.au/privacy or call the number below for a copy. The Department will publish your submission on its website in accordance with our Privacy Statement. To find out what is reportable, and to access a disclosure form, go to www.planning.nsw.gov.au/DonationsandGiftDisclosure or telephone the number below for a copy. The disclosure requirements apply to both postal and online submissions.

For more information: Contact industry.assessments@planning.nsw.gov.au or 1300 305 695

Address: Director, Industry Assessments, Planning and Assessment, Department of Planning, Industry and Environment, Locked Bag 5022 PARRAMATTA NSW 2124.
