



Mr Chris Schultz
Lead Environment
Illawarra Metallurgical Coal
PO Box 514
UNANDERRA NSW 2526

20/11/2020

Dear Mr Schultz

**Bulli Seam Operations (MP08_0150)
Biodiversity Offset Strategy**

I refer to the Biodiversity Offset Strategy (Document ID APNMP0109 Version 2.0) which was submitted in accordance with Condition 35 of Schedule 4 of the above project approval.

The Department notes that the offset strategy has already been implemented and that arrangements (by means of a positive covenant and a restrictive covenant created under section 88E of the *Conveyancing Act 1919*) have been made to protect and manage the offset area.

The final paragraph in Section 4.1 of the Biodiversity Offset Strategy makes reference to the Biodiversity Management Plan “required by Condition 35 of Schedule 4 of the Project Approval”. This is an error. The Biodiversity Management Plan is required by Condition 36 not Condition 35.

The Planning Secretary approves the document subject to correction of the error noted above. Please ensure that the approved (corrected) plan is placed on the project website at your earliest convenience.

Yours sincerely

A handwritten signature in black ink, appearing to be 'S O'Donoghue'.

Stephen O'Donoghue
Director
Resource Assessments
As nominee of the Planning Secretary