



Mr Craig White
Environment Superintendent
Bengalla Mining Company Pty Limited

07/04/2022

Dear Mr White

Bengalla Continuation Project (SSD 5170) -Security of Offsets

I refer to your recent correspondence (dated 31 March 2022) regarding the long-term security of the Bengalla offset land required by SSD 5170.

The Department understands that Bengalla Mining Company (BMC) is proposing to establish Biodiversity Stewardship Agreements over the required offset areas, which the Department considers is the appropriate mechanism for securing the offsets.

However, in your recent correspondence, BMC has indicated that it intends to meet its obligations regarding establishment of the long-term security of the offset areas "where reasonable and feasible". The Department advises that the consent condition does not include allowance for "reasonable and feasible" noting that the offset properties were originally required to be secured by October 2017.

The Department has provided a number of extensions to BMC, allowing additional time to secure these offsets and reiterates its previous correspondence that finalisation of the long-term security of the offset areas is required by 30 June 2022 and the offset security should be expedited as soon as possible. To be clear, BMC would be in non-compliance with this condition if the offsets are not secured by 30 June 2022 and the matter would need to be considered by the Department's compliance team in accordance with the Department's Compliance Policy.

To ensure that this matter is expedited as quickly as possible, the Department can arrange a meeting to further discuss this matter. If you can contact Joe Fittell on 02 4908 6896 [E Joe.Fittell@planning.nsw.gov.au](mailto:Joe.Fittell@planning.nsw.gov.au)

Yours sincerely

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