

Instrument of Renewal

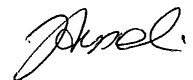
Section 114 of the *Mining Act 1992*

I, **Jamie Tripodi, Executive Director Assessments & Systems, Mining, Exploration and Geoscience**, as delegate for the Minister administering the *Mining Act 1992* for the State of New South Wales, pursuant to section 114 of the *Mining Act 1992*, have determined to renew **Consolidated Coal Lease 745 (Act 1973)**, as described in Schedule 1, to **Wollongong Resources Pty. Ltd., ACN 111 244 896**, subject to the conditions:

1. prescribed in the *Mining Act 1992* and the Mining Regulation 2016; and
2. set out in Schedule 2.

Note: For the avoidance of doubt, any prior Description of Lease and any Conditions imposed prior to the effective date of this Instrument of Renewal are replaced by Schedule 1 and 2 of this Instrument of Renewal on and from the effective date.

Signed this 31st day of August 2023.



Jamie Tripodi
Executive Director Assessments & Systems
Mining, Exploration and Geoscience
Department of Regional NSW
As delegate for the Minister administering the *Mining Act 1992*
Delegation dated: 28 February 2023

SCHEDULE 1

Description of Lease

| | |
|---|---|
| Consolidated Coal Lease: | 745 (Act 1973) |
| Renewal date: | 31 August 2023 |
| Effective date: | 31 December 2023 |
| Term ending (expiry date): | 30 December 2044 |
| Lease Holder(s) | Wollongong Resources Pty. Ltd., ACN 111 244 896 |
| Land: | The lease area includes all land described in the attached lease plan titled D6771 approved on 16 October 1997 and amended on 10 August 2023 |
| Area: | 6001 hectares |
| Surface Exception / Depth Restriction: | See plan |
| Mineral(s): | Coal |
| Method: | Nil methods/purposes specified |

SOUTH BULLI

Depth Restriction is limited 900 metres below AHD
Renewal Dealing 87 REN-2923-145, SS-1096
W. McDonald 10/8/2023
Authorised Officer Date

PLAN APPROVED FOR AN
AMENDED AREA OF 6420-7HA
Sean P. ...
Authorized Officer

Plan approved for an area of 6001 ha
by virtue of grant of ML 1574 (1992)
Papers: 06-0912

Alford 25-7-08
 Authorised Officer Date

THIS IS THE PLAN 'A' REFERRED TO IN THE ABOVE
CONSOLIDATED COAL LEASE NO. 745 UNDER THE COAL MINES
ACT, 1902 GRANTED TO THE BELLAMB
COAL COMPANY PTY. LTD.
 R. New Ave.
REGISTERED HOLDER WITNESS TO THE MANAGER'S SIGNATURE


PLAN A

SUBJECT TO SURVEY.

PAPERS : 690-0247

PARISHES: CORDEAUX, WALLANDGOLA
WOONONA, WEDDERBURN, WILTON
COUNTY: CAMDEN, CUMBERLAND

SURFACE EXCEPTION / DEPTH RESTRICTION

- | | |
|---|--|
|  | Excepts the surface & land below to a depth of 15.5 metres |
|  | Excepts the surface & land below to a depth of 30 metres |
|  | Excepts the surface & land below to depths of 30-40 metres |
|  | Excepts the surface & land below to a depth of 50 metres |
|  | Excepts the surface & land below to depths of 75.2 - 4 metres |
|  | Excepts the surface & land below to depths of 155 metres |
|  | Embaces beds & seams of coal only |
|  | Embaces the surface & land below to certain depths including the surface & land below to a depth of 4.57 metres (15 feet) in the following:- Wombourne - P.D. 980015 2500 10000; A.L.S. (Pty) Ltd. Embaces the surface & land below to certain depths including the coal seams known in the Department of Minerals & Energy as the Balmuccine Group, including the surface & land below to a depth of 4.570 metres (15 feet) in the following:- T.P.L. 980647 1000; held by A.L.S. (Pty) Ltd. |
|  | Embaces the surface & land below to depths of 75.2 - 4 metres |
|  | Embaces the surface & land below to depths of 15.24 metres & land below the depth of 75.2 - 4 metres below the surface |
|  | Embaces the surface & land below to a depth of 5.24 metres |
|  | Excepts the surface & land below to depths of 15 metres and the Balmuccine Series |
|  | Embaces the surface & land below to a depth of 3 metres |
|  | Embaces the surface & land below to depths of 3 metres & land below the depth of 75.2 - 4 metres below the surface |
|  | Embaces the surface & land below to depths of 100 metres & land below the depth of 75.2 metres below the surface |
|  | Embaces the surface & land below to depths of 152.4 metres below the surface |
|  | Embaces the surface and land below to a depth of 12.19 metres |
|  | Excepts the surface & land below to a depth of 12 metres |

0150000888

0100028230

SOUTH BULLI

PLAN B

SUBJECT TO SURVEY

PAPERS : C90-0247

PARISHES : CORDEAUX, WALLANDoola,
WOONONA, WEDDERBURN, WILTON
COUNTY : CAMDEN, CUMBERLAND

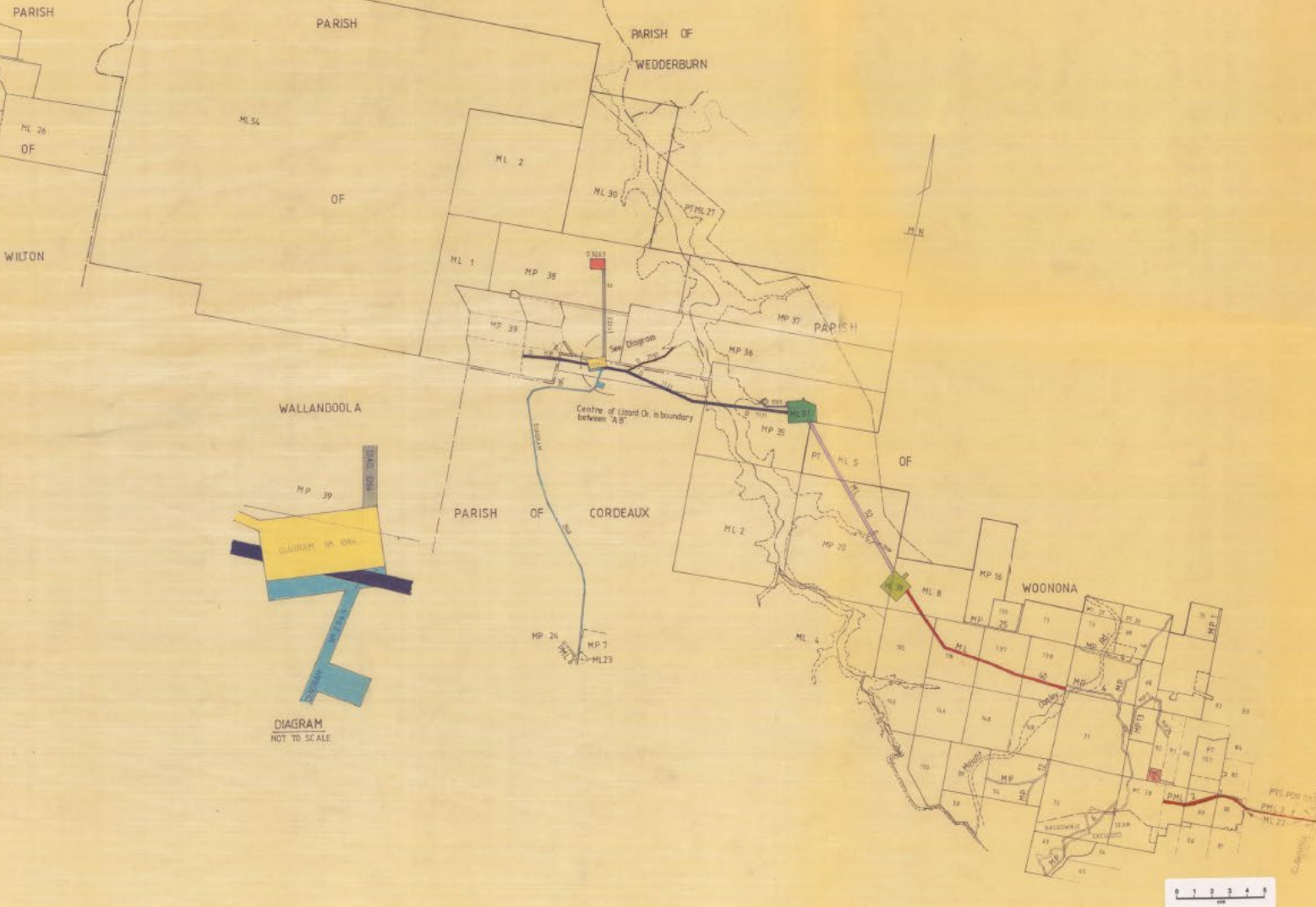
Area referred to in Condition No 53 of the
Conditions of the Consolidated Coal Leases, 1985,
annexed to this Lease:

- (orange) HL22&PML2 Parish WOONONA - Formerly Mining Purposes Lease NP 74 (Act 1964) - Depth Restriction: 30.50 metres
- (lightgreen) ML20 Parish WOONONA
- (red) HL22&PML2 Parish WOONONA - Formerly Mining Purposes Lease NP 74 (Act 1964) - Depth Restriction: 30.50 metres
- (purple) HL22&PML2 Parish WOONONA - Formerly Mining Purposes Lease NP 74 (Act 1964) - Depth Restriction: 30.50 metres
- (yellow) DIAG 1095 - Formerly Mining Purposes Lease NP 138 (Act 1973) - Depth Restriction: 15.24 metres
- (darkgreen) ML51 Parish WOONONA - Formerly Mining Purposes Lease NP 8 (Act 1973) - Depth Restriction: 15.24 metres
- (blue hatch) DIAG 1095 - Formerly Mining Purposes Lease NP 42 (Act 1973) - Depth Restriction: 15.24 metres
- (purple) DIAG 1131 - Formerly Mining Purposes Lease NP 84 (Act 1973) - Depth Restriction: 3 metres
- (brown) DIAG 2787 - Formerly Mining Purposes Lease NP 138 (Act 1973) - Depth Restriction: 3 metres
- (light blue) DIAG 2949 - Formerly Mining Purposes Lease NP 138 (Act 1973) - Depth Restriction: 3 metres
- (pink) DIAG 3243 - Formerly Mining Purposes Lease NP 143 (Act 1973) - Depth Restriction: 15.24 metres
- (grey) DIAG 3264 - Formerly Mining Purposes Lease NP 144 (Act 1973) - Depth Restriction: 3 metres
- (red hatch) PML 8 Parish WOONONA - Formerly Private Lands - Mining Purposes Lease No 3641 (Act 1964) - Depth Restriction: 121.92 metres

THIS IS THE PLAN 'B' REFERRED TO IN THE ANNEXED
CONSOLIDATED COAL LEASE NO 745 UNDER THE COAL MINING
ACT, 1973 GRANTED TO THE BELLAMBI COAL
COMPANY PTY. LTD.

SCALE 1:25000

CATALOGUE NO D 6771



SCHEDULE 2

Mining Lease Conditions 2021

(Version 1.1 as at February 2022)

Definitions

Words used in this mining lease have the same meaning as defined in the *Mining Act 1992* except where otherwise defined below:

| Term | Definition |
|-------------------|--|
| Act | means the <i>Mining Act 1992</i> . |
| Landholder | for the purposes of these conditions: <ul style="list-style-type: none">• does not include a secondary landholder• includes, in the case of exempted areas, the controlling body for the exempted area. |
| Minister | means the Minister administering the Act. |

Note:

1. The rights and duties of the lease holder(s) are those prescribed by the *Mining Act 1992* and the Mining Regulation 2016, subject to the terms and conditions of this mining lease.
2. This mining lease does not override any obligation on the lease holder(s) to comply with the requirements of other legislation and regulatory instruments which may apply (including all relevant development approvals) unless specifically provided under the *Mining Act 1992* or other legislation or regulatory instruments.

MINING LEASE CONDITIONS

Standard conditions

See Mining Regulation 2016, Schedule 8A, Part 2.

NOTE TO HOLDERS: The prescribed standard conditions in the Mining Regulation 2016, Schedule 8A, Part 2 apply in addition to the conditions in this Schedule 2 (but have not been replicated in this mining lease). The conditions imposed by the Mining Regulation 2016 prevail to the extent of any inconsistency with the conditions in this Schedule 2.

General conditions

1. Notice to Landholders

- (a) Within 90 days from the date of grant or renewal of this mining lease, the lease holder must give each landholder notice in writing:
- (i) that this mining lease has been granted or renewed; and
 - (ii) whether the lease includes the surface.

The notice must include a plan identifying the lease area and each landholder and individual land parcel within the lease area.

- (b) If there are ten or more landholders to which notice must be given, the lease holder will be taken to have complied with condition 1(a) if a notice complying with condition 1(a) is published in a newspaper circulating in the region where the lease area is situated.

2. Group Security

The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations under the mining leases covered by the group security deposit, including obligations under each mining lease that may arise in the future.

The amount to be provided and maintained as a group security deposit is **\$12,354,000**.

The leases covered by the group security include:

| |
|--|
| Consolidated Coal Lease 745 (Act 1973) (Head lease) |
| Mining Purposes Lease 271 (Act 1973) |
| Mining Lease 1575 (Act 1992) |

3. Cooperation Agreement

The lease holder must make every reasonable attempt, and be able to demonstrate its attempts to the satisfaction of the Secretary, to enter into a cooperation agreement with the holder(s) of any overlapping authorisations issued under the *Mining Act 1992* and petroleum titles issued under the *Petroleum (Onshore) Act 1991*. The cooperation agreement should address but not be limited to:

| | |
|--|---|
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- access arrangements
- operational interaction procedures
- dispute resolution
- information exchange
- well location
- timing of drilling
- potential resource extraction conflicts; and
- rehabilitation issues.

4. Assessable Prospecting Operations

- (a) The lease holder must not carry out any assessable prospecting operation on land over which this lease has been granted unless:
 - (i) it is carried out in accordance with any necessary development consent; or
 - (ii) if development consent is not required, the prior written approval of the Minister has been obtained.
- (b) The Minister may require the lease holder to provide such information as required to assist the Minister to consider an application for approval.
- (c) An approval granted by the Minister under this condition may be granted subject to terms.
- (d) The lease holder must comply with the approval granted to the holder under this condition.

Special conditions

5. Details of Lands and Purposes

The lease holder shall be limited to the following operations and conditions within the specified areas described on the plan annexed hereto and marked "B".

| COLUMN 1 | COLUMN 2 |
|---|--|
| Lands shown by orange colour on the plan annexed hereto and marked "B" | <p>The construction, maintenance or use (in or in connection with mining operations) of any building or railway.</p> <p>The storage of machinery for use in or in connection with mining operations.</p> |
| Lands shown by light green colour on the plan annexed hereto and marked "B" | <p>The construction, maintenance or use (in or in connection with mining operations) of any building.</p> <p>The storage of machinery for use in or in connection with mining operations.</p> <p>The construction, maintenance and use (in or in connection with mining operations) of any drillhole or shaft for drainage of gas, or drainage or conveyance of water, or ventilation, or conveyance of electricity, or conveyance of materials, or communications, or emergency access to underground workings.</p> |
| Lands shown by red colour on the plan annexed hereto and marked "B" | <p>The construction, maintenance or use (in or in connection with mining operations) of any road.</p> <p>The generation of electricity for use in or in connection with mining operations.</p> |
| Lands shown by mauve colour on the plan annexed hereto and marked "B" | The generation and transmission of electricity for use in or in connection with mining operations. |
| Lands shown by yellow colour on the plan annexed hereto and marked "B" | <p>The construction, maintenance or use (in or in connection with mining operations) of any building.</p> <p>The storage of machinery for use in or in connection with mining operations.</p> <p>The construction, maintenance and use (in or in connection with mining operations) of any drillhole or shaft for drainage of gas, or drainage or conveyance of water, or ventilation, or conveyance of electricity, or conveyance of materials, or communications, or emergency access to underground workings.</p> |

| | |
|--|--|
| Lands shown by dark green colour on the plan annexed hereto and marked "B" | <p>The construction, maintenance or use (in or in connection with mining operations) of any building or mining plant, drain, telephone or road.</p> <p>The construction, maintenance and use (in or in connection with mining operations) of any drillhole or shaft for drainage of gas, or drainage or conveyance of water, or ventilation, or conveyance of electricity, or conveyance of materials, or communications, or emergency access to underground workings.</p> <p>The generation and transmission of electricity for use in or in connection with mining operations.</p> |
| Lands shown by blue hatch on the plan annexed hereto and marked "B" | <p>The construction, maintenance or use (in or in connection with mining operations) of any building, cable or pipeline.</p> <p>The storage of machinery for use in or in connection with mining operations.</p> |
| Lands shown by purple colour on the plan annexed hereto and marked "B" | <p>The generation and transmission of electricity for use in or in connection with mining operations) of any road or pipeline.</p> <p>The generation and transmission of electricity for use in or in connection with mining operations.</p> |
| Lands shown by brown colour on the plan annexed hereto and marked "B" | <p>The construction, maintenance or use (in or in connection with mining operations) of any pipeline.</p> <p>The storage of machinery for use in or in connection with mining operations.</p> <p>The generation and transmission of electricity for use in or in connection with mining operations.</p> |
| Lands shown by light blue colour on the plan annexed hereto and marked "B" | <p>The construction, maintenance or use (in or in connection with mining operations) of any magazine, reservoir or road.</p> <p>The generation and transmission of electricity for use in or in connection with mining operations.</p> |
| Lands shown by pink colour on the plan annexed hereto and marked "B" | <p>The construction, maintenance or use (in or in connection with mining operations) of any building, cable or pipeline.</p> <p>The construction, maintenance and use (in or in connection with mining operations) of any drillhole or shaft for drainage of gas, or drainage or conveyance of water, or ventilation, or conveyance of electricity, or conveyance of materials, or communications, or emergency access to underground workings.</p> <p>The storage of machinery for use in or in connection with mining operations.</p> |

| | |
|--|--|
| Lands shown by grey colour on the plan annexed hereto and marked "B" | <p>The construction, maintenance or use (in or in connection with mining operations) of any road, cable or pipeline.</p> <p>The generation and transmission of electricity for use in or in connection with mining operations.</p> |
| Lands shown by red hatch on the plan annexed hereto and marked "B" | Maintaining an electrical transmission line and maintaining drives in connection with mining. |

6. Dam Safety – Mining Leases

- (a) The lease holder must not mine within any part of the lease area which is within the notification area of the **Cataract Dam** without the prior written approval of the Minister and subject to any conditions the Minister may stipulate.
- (b) Where the lease holder desires to mine within the notification area, the lease holder must:
- (i) at least twelve (12) months before mining is to commence or such lesser time as the Minister may permit, notify the Minister of the desire to do so. A plan of the mining system to be implemented must accompany the notice; and
 - (ii) provide such information as the Minister may direct.
- (c) The Minister must not, except in the circumstances set out in sub-paragraph (ii), grant approval unless sub-paragraph (i) of this paragraph has been complied with.
- (i) This sub-paragraph is complied with if:
 - (a) Dams Safety NSW as constituted by section 6 of the *Dams Safety Act 2015* and the owner of the dam have been notified in writing of the desire to mine referred to in paragraph (b).
 - (b) the notifications referred to in clause (a) are accompanied by a description or plan of the area to be mined.
 - (c) the Secretary has complied with any reasonable request made by Dams Safety NSW or the owner of the dam for further information in connection with the mining proposal.
 - (d) Dams Safety NSW has made its recommendations concerning the mining proposal or has informed the Minister in writing that it does not propose to make any such recommendations; and
 - (e) where Dams Safety NSW has made recommendations the approval is in terms that are:
 - in accordance with those recommendations; or
 - where the Minister does not accept those recommendations or any of them - in accordance with a determination under sub-paragraph (ii) of this paragraph.
 - (ii) Where the Minister does not accept the recommendations of Dams Safety NSW or

where Dams Safety NSW has failed to make any recommendations and has not informed the Minister in writing that it does not propose to make any recommendations, the approval shall be in terms that are, in relation to matters dealing with the safety of the dam:

- as determined by agreement between the Minister and the Minister administering the *Dams Safety Act 2015*; or
- in the event of failure to reach such agreement - as determined by the Premier.

(d) The Minister, on notice from Dams Safety NSW, may at any time or times:

- (i) cancel any approval given where a notice pursuant to section 19 of the *Dams Safety Act 2015* is given
- (ii) suspend for a period of time, alter, omit from or add to any approval given or conditions imposed.

Exploration Reporting

Note: Exploration Reports (Geological and Geophysical)

The lease holder must lodge reports in accordance with the requirements in section 163C of the *Mining Act 1992* and clauses 59, 60 and 61 of the Mining Regulation 2016 as well as any further requirements issued by the Secretary under clause 62 of the Mining Regulation 2016.

Guidelines for the structure, content and data format requirements for reports are set out in the *Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales*.

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|--|---|
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