

Instrument of Renewal


Section 114 of the *Mining Act 1992*

I, **Jamie Tripodi, Executive Director, Assessments and Systems**, 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 **Mining Lease 1533 (Act 1992)**, as described in Schedule 1, to **White Mining (NSW) Pty Limited, ACN 089 414 595**, 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 July 2023.

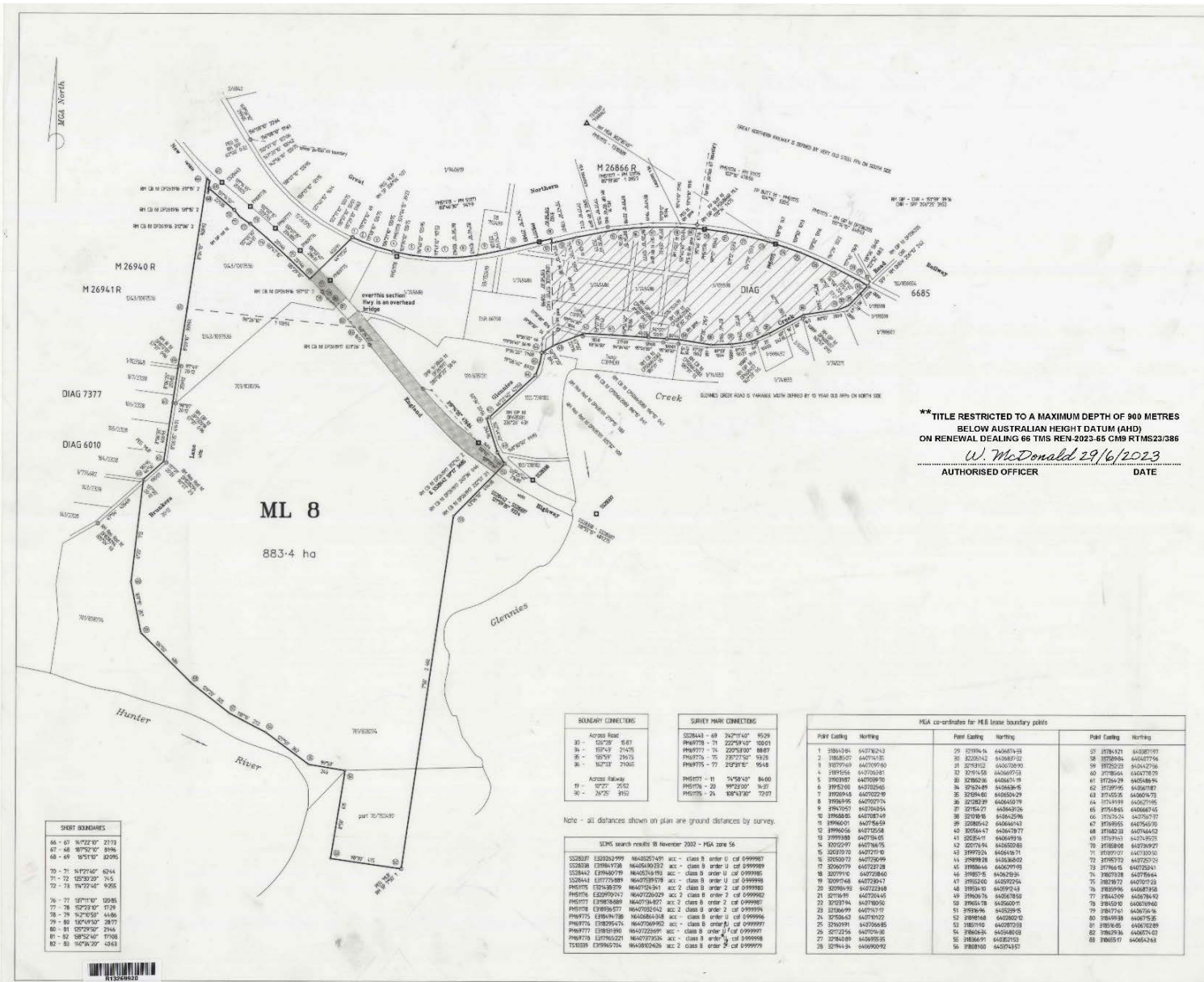


Jamie Tripodi
Executive Director, Assessments and Systems
Mining, Exploration and Geoscience
Regional NSW
As delegate for the Minister administering the *Mining Act 1992*
Delegation dated: 28 February 2023

SCHEDULE 1

Description of Lease

Mining lease:	1533 (Act 1992)
Renewal date:	31 July 2023
Effective date:	26 February 2024
Term ending (expiry date):	25 February 2045
Lease Holder(s)	White Mining (NSW) Pty Limited ACN 089 414 595
Land:	The lease area includes all land described in the attached lease plan titled M26992 as approved on 20 December 2002 and amended on 29 June 2023 .
Area:	883.4 hectares
Surface Exception:	Part – 5 metres below the surface Remainder - nil
Depth Restriction:	Part – 20 metres below the surface Remainder – 900 metres below Australian Height Datum
Mineral(s):	Coal



PLAN of PORTION ML 8

PARISH of VANE
COUNTY of DURHAM
MAP SHEET N° - 9133-3-S

REDUCTION RATIO - 1 : 10 000

MINING LEASE APPLICATION N° 190 of 12 November 2001
MINING LEASE APPLICATION N° 201 of 12 February 2001
by WHITE MINING LIMITED,
WHITE MINING (NSW) Pty Ltd &
ICRA ASHTON Pty Ltd.
MINING DIVISION of SINGLETON

MINING LEASE N° **ML1533 (Act1992)**
STATUS
METHOD

DEPTH RESTRICTIONS**
 SURFACE and LAND BELOW TO UNLIMITED DEPTH**
 SURFACE and LAND BELOW TO 20 metres DEPTH 1:207.8
 STRATUM FROM 0-66 metres DEPTH TO UNLIMITED DEPTH 30-38 ha
 STRATUM FROM 5 metres DEPTH TO UNLIMITED DEPTH**

DATUM LINE of ORIENTATION - PM51715 - TS10239

Survey declared for all lease boundaries.

PLANS USED IN SURVEY
M26866R M26940R D2666-2083
DP2528 DP185598 DP262025 DP267916 DP267917
DP35022 DP282457 DP222070 DP265321 DP268642
DP272018 DP738182 DP714503
DP745486 DP774682 DP780607 DP223148
DP227208 DP282294 DP272191 DP740619 DP700756

L. DANIEL GOLOMA, of HUNTER VALLEY SURVEYORS P/L, ABN 4606798672,
of PEB 89 SINGLETON 2380. gdoloma@peb.com.au, ph 1x 1677 3077,
a SURVEYOR REGISTERED under the SURVEYORS ACT, 1926, as amended,
HEREBY CERTIFY that the SURVEY represented in this plan is ACCURATE
and has been completed in accordance with the SURVEYORS (PRACTICE)
REGULATIONS 2001 and the SURVEYOR GENERAL'S DIRECTION for PUBLIC
SURVEYS and was COMPLETED on 22 November 2002.

Surveyor's Reference - 06725

Survey calculations & Plan Investigated by
W. McDonald on 17.12.20
Plan approved by *W. McDonald* on 20.12.02

DMS Point N° - C01/0368 & C02/p096

M 26992
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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 **\$23,852,000**.

The leases covered by the group security include:

Mining Lease 1529 (Act 1992) (Head lease)
Mining Lease 1533 (Act 1992) (This lease)
Mining Lease 1623 (Act 1992)
Mining Lease 1696 (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:

- 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.

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Special conditions

5. 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 **Ravensthorpe Inpit Storage Dam** and **Ravensthorpe Void 5 Ash 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

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- 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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