

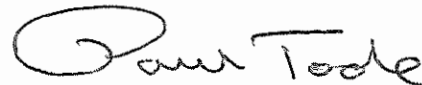
Instrument of Grant

Section 63 of the *Mining Act 1992*

I, **The Hon Paul Toole MP, Deputy Premier, Minister for Regional New South Wales, and Minister for Police** for the State of New South Wales, pursuant to section 63 of the *Mining Act 1992*, have determined to grant a Mining Lease in satisfaction of **Mining Lease Application 618 (Act 1992)**, as described in Schedule 1, to **Illawarra Coal Holdings Pty Ltd, ACN 093 857 286**, subject to the conditions:

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

SIGNED



**Paul Toole MP
Deputy Premier
Minister for Regional New South Wales
Minister for Police**

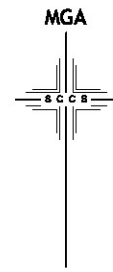
Dated: 28.2.23

SCHEDULE 1

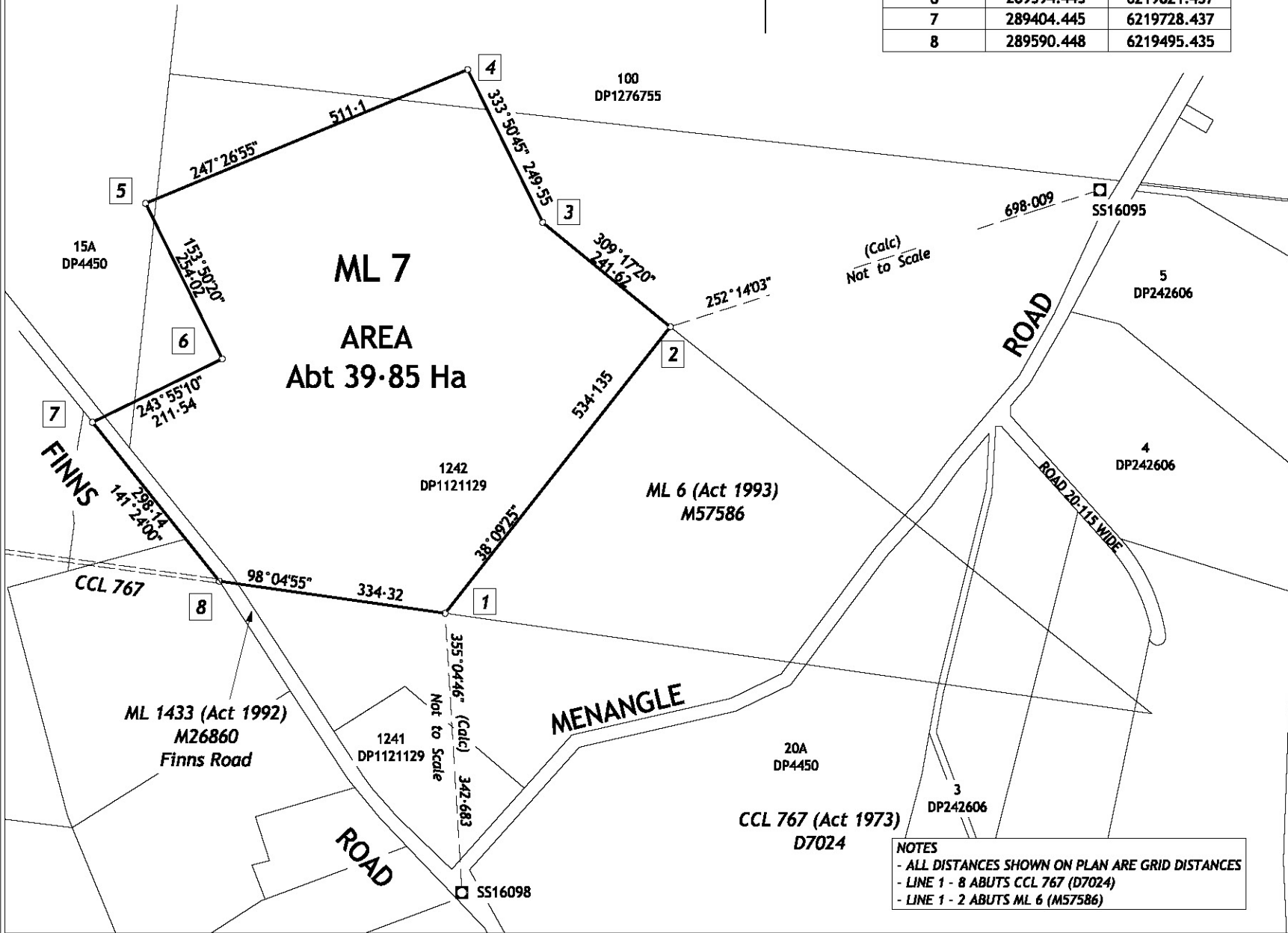
Description of Lease

Mining lease number:	1847 (Act 1992)
Grant date:	28 February 2023
Term:	Twenty-one (21) years
Term ending (expiry date):	28 February 2044
Lease Holder(s):	Illawarra Coal Holdings Pty Ltd ACN 093 857 286
Area:	39.85 hectares
Surface Exception / Depth Restriction:	Embraces the strata from 150 metres below the surface to a depth of 900 metres below Australian Height Datum (AHD)
Mineral(s):	Coal
Method:	Underground mining
Land:	The lease area includes all land described in the attached lease plan titled M27602 and approved on 23 November 2022.

COORDINATE SCHEDULE						
MARK	M.G.A. CO-ORDINATES		CLASS	PU	METHOD	STATE
	EASTING	NORTHING				
SS 16095	290916.195	6220081.430	D	-	CORS RTK	FOUND
SS 16098	289950.867	6219107.026	D	-	CORS RTK	FOUND
DATE OF SURVEYED COORDINATES: 13/1/2022			MGA ZONE: 56		MGA DATUM: GDA2020	
COMBINED SCALE FACTOR 1.000276						



CORNER	M.G.A. CO-ORDINATES	
	EASTING	NORTHING
1	289921.473	6219448.446
2	290251.473	6219868.447
3	290064.466	6220021.450
4	289954.467	6220245.448
5	289482.448	6220049.435
6	289594.445	6219821.437
7	289404.445	6219728.437
8	289590.448	6219495.435



PLAN OF PORTION ML 7

PARISH: CAMDEN
 COUNTY: CAMDEN
 MAP SHEET No. 9029-4-S PICTON
 REDUCTION RATIO 1: 6000
 MINING LEASE APPLICATION No. 618 (Act 1992)
 MINING DIVISION: SYDNEY
 APPLICANT: ILLAWARRA COAL HOLDINGS P/L
 APPLICATION DATE: 27-05-2022

MINING LEASE No. **1847** (Act 1992)
 STATUS:
 METHOD: UNDERGROUND MINING

SURFACE EXCEPTION / DEPTH RESTRICTION
 Embraces the strata from 150 metres below the surface to a depth of 900 metres below (AHD) Australian Height Datum

NOTES: This plan has been compiled from information supplied in MLA 618

Azimuth: SS16098 - SS16095
 Plans used in the course of this survey/compilation
 D 7024, M26860, M57586
 Survey declared on this plan for lines
 SS16098 - SS16095 44°43'55" 1371-613

I, Andrew A Nesbitt
 or Southern Cross Consulting Surveyors
 a surveyor registered under the Surveying and Spatial Information Act 2002, hereby certify that the survey/
 /completion represented in this plan is accurate and has been completed in accordance with the Surveying and Spatial Information Regulation 2017 and the Surveyor General's Direction for Mining Surveys and was completed on 26 August 2022

Signature: *Andrew A Nesbitt*
 BOSSI Identification No: 8300 Surveyors REF: 24686

NOTES
 - ALL DISTANCES SHOWN ON PLAN ARE GRID DISTANCES
 - LINE 1 - 8 ABUTS CCL 767 (D7024)
 - LINE 1 - 2 ABUTS ML 6 (M57586)

Survey Calcs: *F. Schiavo* 23/11/2022
 Plan Investigated: *F. Schiavo* 23/11/2022
 Plan Approved: *W. MacDonald* 23/11/2022
 Paper No: APP-2022-112 R 17009321 D 006295990

FORM11
M27602

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.

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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. Security

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

The amount of the security deposit to be provided and maintained is **\$10,000**.

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

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- 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.

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.

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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