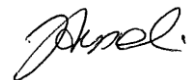


Instrument of Grant

Section 63 of the *Mining Act 1992*

I, **Jamie Tripodi, Executive Director Assessments and Systems, Mining, Exploration and Geoscience** as delegate of the Minister administering the *Mining Act 1992* 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 521 (Act 1992)**, as described in Schedule 1, to **AUSTAR COAL MINE PTY LIMITED, ACN 111 910 822**, subject to the conditions:

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



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

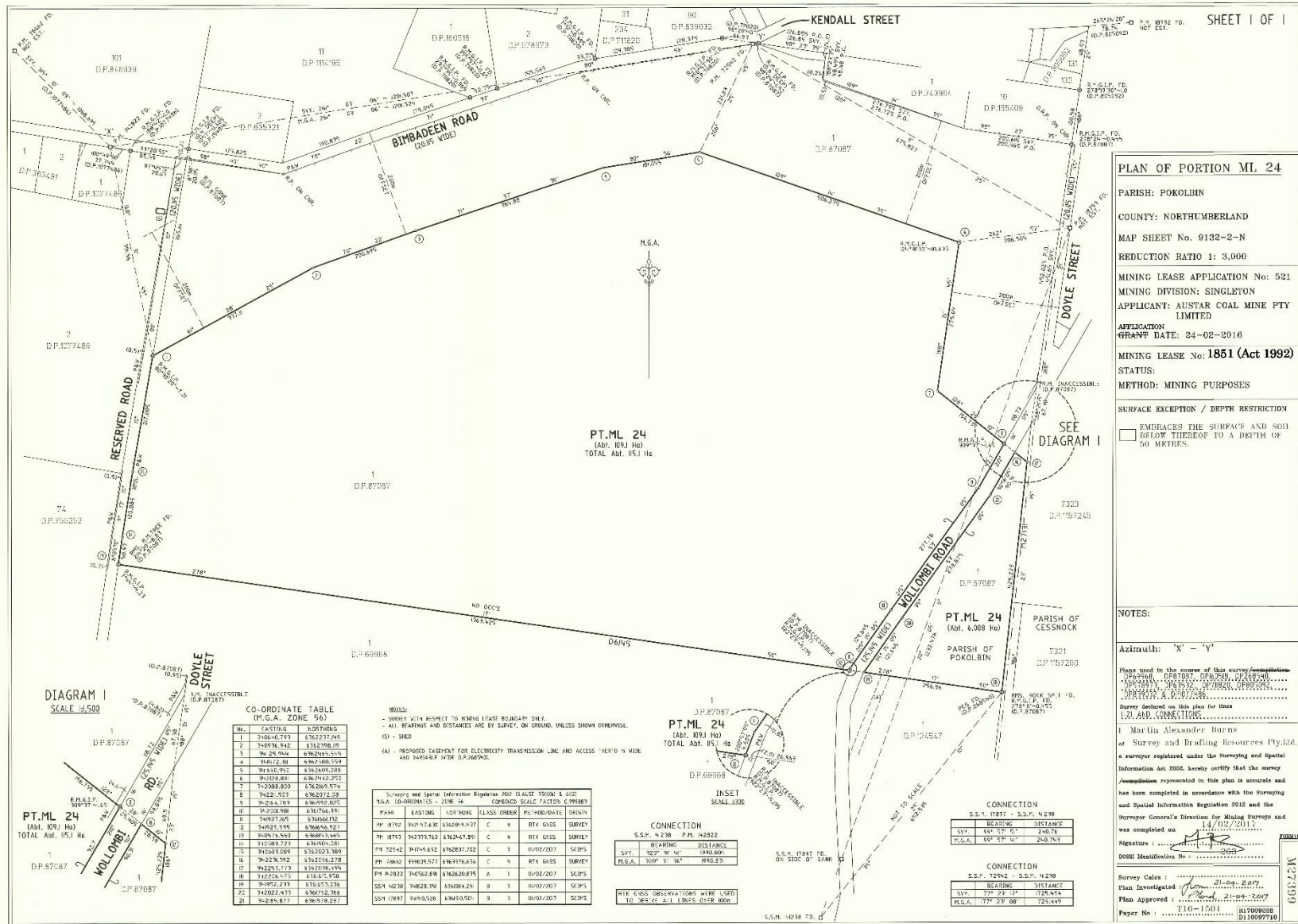
Dated this 16th day of May 2023

SCHEDULE 1

Description of Lease

Mining lease number:	1851 (Act 1992)
Grant date:	16 May 2023
Term:	21 years
Term ending (expiry date):	16 May 2044
Lease Holder(s)	AUSTAR COAL MINE PTY LIMITED, ACN 111 910 822
Area:	115.1 hectares
Surface Exception / Depth Restriction:	Embraces the surface and soil below thereof to a depth of 50 metres
Ancillary Mining Activity or Activities:	<ul style="list-style-type: none"> • The construction, maintenance or use (in or in connection with mining operations) of – <ul style="list-style-type: none"> ○ building or mining plant ○ road, railway, tramway, bridge or jetty ○ reservoir, dam, drain or water race ○ cable, conveyor, pipeline, telephone line or signalling system ○ bin, magazine or fuel chute ○ plant nursery • The removal, stockpiling, management or depositing of overburden, ore or tailings to the extent that it is associated with mineral extraction or mineral beneficiation • The storage of fuel, machinery, timber or equipment for use in or in connection with mining operations

	<ul style="list-style-type: none">• The generation and transmission of electricity for use in or in connection with mining operations• The construction, maintenance and use (in or in connection with mining operations) of any drillhole or shaft for –<ul style="list-style-type: none">○ 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• The environmental management, protection and rehabilitation of land on which the above ancillary mining activity is being or has been carried out.
Land:	The lease area includes all land described in the attached lease plan titled M27399 and approved on 21 April 2017 .



SCHEDULE 2

Mining Lease for Ancillary Mining Activities Conditions 2021

(Version 1.2 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 FOR ANCILLARY MINING ACTIVITIES 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 the 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 **\$26,912,000**.

The leases covered by the group security include:

Dam Site Lease (Mining Purposes) 89 (Act 1901) (Head lease)
Mining Lease 1157 (Act 1906)
Mining Lease 1283 (Act 1906)
Mining Purposes Lease 23 (Act 1906)
Mining Purposes Lease 204 (Act 1906)
Mining Purposes Lease 217 (Act 1906)

Mining Purposes Lease 233 (Act 1906)
Mining Purposes Lease 269 (Act 1906)
Mining Purposes Lease 1364 (Act 1906)
Consolidated Coal Lease 728 (Act 1973)
Consolidated Coal Lease 752 (Act 1973)
Consolidated Mining Lease 2 (Act 1992)
Mining Lease 1345 (Act 1992)
Mining Lease 1388 (Act 1992)
Mining Lease 1550 (Act 1992)
Mining Lease 1661 (Act 1992)
Mining Lease 1666 (Act 1992)
Mining Lease 1677 (Act 1992)
Mining Lease 1851 (Act 1992) (This lease)

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.

Special conditions

Nil