

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 636 (Act 1992)**, as described in Schedule 1, to **Whitehaven Coal Mining Limited, ACN 086 426 253**, subject to the conditions:

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



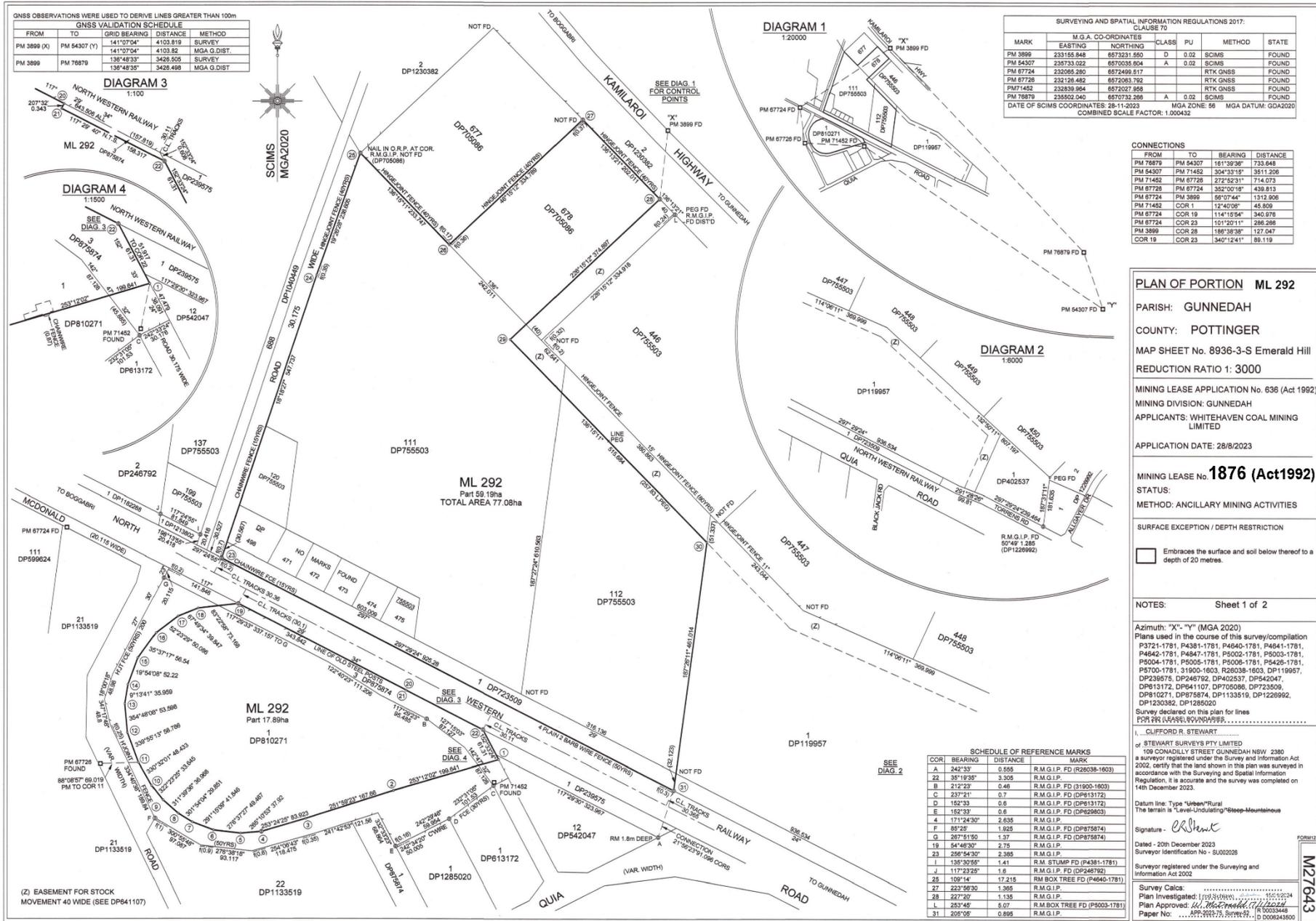
Jamie Tripodi
Executive Director Assessments and Systems
Department of Regional NSW – Mining, Exploration and Geoscience
As delegate for the Minister administering the *Mining Act 1992*
Delegation dated: 28 February 2023

Dated this 11th day of April 2024

SCHEDULE 1

Description of Lease

Mining lease number:	1876 (Act 1992)
Grant date:	11 April 2024
Term:	21 years
Term ending (expiry date):	11 April 2045
Lease Holder:	Whitehaven Coal Mining Limited ACN 086 426 253
Area:	77.08 hectares
Surface Exception / Depth Restriction:	Embraces the surface and soil below thereof to a depth of 20 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 any: <ul style="list-style-type: none"> ○ building or mining plant ○ road, railway or bridge ○ reservoir, dam, drain or water race ○ cable, conveyor, pipeline or signalling system ○ bin • 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 machinery or equipment for use in or in connection with mining operations
Land:	The lease area includes all land described in the attached lease plan titled M27643 and approved on 17 January 2024 .



GNS OBSERVATIONS WERE USED TO DERIVE LINES GREATER THAN 100m

GNS VALIDATION SCHEDULE					
FROM	TO	GRID BEARING	DISTANCE	SURVEY METHOD	
PM 3899 (X)	PM 54307 (Y)	141°07'04"	4103.819	SURVEY	
PM 3899 (X)	PM 78879 (Z)	136°48'33"	3426.505	SURVEY	
PM 3899 (X)	PM 78879 (Z)	136°48'33"	3426.499	MGA G.DIST.	

SURVEYING AND SPATIAL INFORMATION REGULATIONS 2017: CLAUSE 70

MARK	M.G.A. CO-ORDINATES	CLASS	PJ	METHOD	STATE
PM 3899	233153.848	6573231.550	D	0.02	SCIMS FOUND
PM 54307	235733.022	6570038.604	A	0.02	SCIMS FOUND
PM 67724	232056.290	6572498.517			RTK GNS FOUND
PM 67728	232126.482	6572051.792			RTK GNS FOUND
PM 71452	232839.954	6572027.958			RTK GNS FOUND
PM 78879	235502.040	6570732.266	A	0.02	SCIMS FOUND

DATE OF SCIMS COORDINATES: 28-11-2023 MGA ZONE: 56 MGA DATUM: GDA2020
COMBINED SCALE FACTOR: 1.000432

CONNECTIONS

FROM	TO	BEARING	DISTANCE
PM 78879	PM 54307	161°39'39"	733.648
PM 54307	PM 71452	304°33'15"	3511.206
PM 71452	PM 67728	272°52'31"	714.073
PM 67728	PM 67724	352°00'18"	438.813
PM 67724	PM 3899	56°07'44"	1312.908
PM 71452	COR 1	12°40'09"	45.899
PM 67724	COR 19	114°15'54"	340.876
PM 67724	COR 23	101°20'11"	286.268
PM 3899	COR 28	168°38'38"	137.047
COR 19	COR 23	340°12'41"	86.119

PLAN OF PORTION ML 292

PARISH: GUNNEDAH
 COUNTY: POTTINGER
 MAP SHEET No. 8936-3-S Emerald Hill
 REDUCTION RATIO 1: 3000
 MINING LEASE APPLICATION No. 636 (Act 1992)
 MINING DIVISION: GUNNEDAH
 APPLICANTS: WHITEHAVEN COAL MINING LIMITED

APPLICATION DATE: 28/8/2023

MINING LEASE No. **1876 (Act 1992)**

STATUS:
 METHOD: ANCILLARY MINING ACTIVITIES

SURFACE EXCEPTION / DEPTH RESTRICTION
 Embraces the surface and soil below thereof to a depth of 20 metres.

NOTES: Sheet 1 of 2

Azimuth "X", "Y" (MGA 2020)
 Plans used in the course of this survey/compilation P3721-1781, P4381-1781, P4640-1781, P4641-1781, P4642-1781, P4847-1781, P5002-1781, P5003-1781, P5004-1781, P5005-1781, P5006-1781, P5426-1781, P5700-1781, 31900-1803, 626038-1803, DP119957, DP239575, DP246792, DP402537, DP542047, DP813172, DP841107, DP750886, DP723509, DP810271, DP875874, DP1133519, DP1229992, DP1230382, DP1285020
 Survey declared on this plan for lines P3721-1781, P4381-1781, P4640-1781, P4641-1781, P4642-1781, P4847-1781, P5002-1781, P5003-1781, P5004-1781, P5005-1781, P5006-1781, P5426-1781, P5700-1781, 31900-1803, 626038-1803, DP119957, DP239575, DP246792, DP402537, DP542047, DP813172, DP841107, DP750886, DP723509, DP810271, DP875874, DP1133519, DP1229992, DP1230382, DP1285020

SCHEDULE OF REFERENCE MARKS

COR	BEARING	DISTANCE	MARK
A	242°33'	0.555	R.M.G.I.P. FD (R26038-1603)
B	35°19'35"	3.305	R.M.G.I.P.
B	212°22'	0.46	R.M.G.I.P. FD (31600-1903)
C	237°21'	0.7	R.M.G.I.P. FD (DP613172)
D	152°23'	0.6	R.M.G.I.P. FD (DP613172)
E	152°33'	0.6	R.M.G.I.P. FD (DP629803)
F	85°25'	1.825	R.M.G.I.P. FD (DP875874)
G	267°51'50"	1.37	R.M.G.I.P. FD (DP875874)
H	54°46'30"	2.75	R.M.G.I.P.
I	23°54'30"	2.585	R.M.G.I.P.
J	135°30'56"	1.41	R.M. STUMP FD (P4381-1781)
K	117°23'28"	1.6	R.M.G.I.P. FD (DP246792)
L	109°14'	17.215	R.M. BOX TREE FD (P4640-1781)
M	223°58'30"	1.855	R.M.G.I.P.
N	227°20'	1.135	R.M.G.I.P.
O	283°48'	8.07	R.M. BOX TREE FD (P5003-1781)
P	202°02'	0.895	R.M.G.I.P.

I, **CLIFFORD R. STEWART**,
 of STEWART SURVEYS PTY LIMITED
 108 CONNALLY STREET GUNNEDAH NSW 2380
 a surveyor registered under the Survey and Information Act 2002, certify that the land shown in this plan was surveyed in accordance with the Surveying and Spatial Information Regulation. It is accurate and the survey was completed on 14th December 2023.
 Datum line: Type "Urban/Rural"
 The terrain is "Level/Undulating/Steep/Mountainous"
 Signature: *[Signature]*
 Dated - 20th December 2023
 Surveyor Identification No - SU002028
 Surveyor registered under the Surveying and Information Act 2002
 Survey Calcs:
 Plan Investigated: *[Signature]*
 Plan Approved: *[Signature]*
 Paper No:
 D 000243850

M27643

ADMINISTRATIVE SHEET

MGA 2020 COORDINATES ZONE 56

COR	EASTING	NORTHING
1	232850.015	6572072.671
2	232658.811	6572014.946
3	232499.297	6571963.085
4	232418.834	6571939.109
5	232381.032	6571935.922
6	232331.874	6571941.831
7	232292.857	6571958.806
8	232267.503	6571972.588
9	232239.872	6571997.171
10	232219.33	6572023.836
11	232195.495	6572066.022
12	232175.304	6572121.259
13	232170.446	6572174.659
14	232176.215	6572210.168
15	232193.999	6572259.29
16	232226.943	6572305.27
17	232266.638	6572335.849
18	232303.554	6572350.895
19	232376.266	6572359.33
20	232681.41	6572200.531
21	232681.251	6572200.227
22	232821.747	6572127.105
23	232346.082	6572443.223
24	232518.211	6572963.46
25	232597.662	6573188.558
26	232759.362	6573019.626
27	233001.319	6573251.223
28	233141.143	6573105.302
29	232870.199	6572845.959
30	233226.936	6572473.268
31	233167.244	6572015.933

ORIGIN OF COORDINATES: PM 3899
 FOR SURVEY CONTROL & VALIDATION SEE SHEET 1
 DATED: 14TH DECEMBER 2023

PLAN OF PORTION ML 292

PARISH: GUNNEDAH
 COUNTY: POTTINGER
 MAP SHEET No. 8936-3-S Emerald Hill
 REDUCTION RATIO 1: N/A

MINING LEASE APPLICATION No. 636 (Act 1992)
 MINING DIVISION: GUNNEDAH
 APPLICANTS: WHITEHAVEN COAL MINING LIMITED

APPLICATION DATE: 28/8/2023

MINING LEASE No. 1876 (Act1992)

STATUS:
 METHOD: ANCILLARY MINING ACTIVITIES

SURFACE EXCEPTION / DEPTH RESTRICTION

Embraces the surface and soil below thereof to a depth of 20 metres.

NOTES: Sheet 2 of 2

Azimuth: "X"- "Y" (MGA 2020)
 Plans used in the course of this survey/compilation
 P3721-1781, P4381-1781, P4640-1781, P4641-1781,
 P4642-1781, P4847-1781, P5002-1781, P5003-1781,
 P5004-1781, P5005-1781, P5006-1781, P5426-1781,
 P5700-1781, 31900-1603, R28038-1603, DP119957,
 DP238575, DP246792, DP402537, DP542047,
 DP613172, DP641107, DP705086, DP723509,
 DP810271, DP875874, DP1133519, DP1226992,
 DP1230382, DP1285020

Survey declared on this plan for lines
 FOR 282 (LEASE) BOUNDARIES

I, ...CLIFFORD R. STEWART.....
 of .STEWART SURVEYS PTY LIMITED
 109 CONADILLY STREET GUNNEDAH NSW 2380
 a surveyor registered under the Survey and Information Act
 2002, certify that the land shown in this plan was surveyed in
 accordance with the Surveying and Spatial Information
 Regulation, it is accurate and the survey was completed on
 14th December 2023

Datum line: Type "Urban"/"Rural"
 The terrain is "Level-Undulating"/"Steep-Mountainous"

Signature - *CR Stewart*

Dated - 20th December 2023
 Surveyor Identification No - SU002026

Surveyor registered under the Surveying and
 Information Act 2002

Survey Calcs:
 Plan Investigated: F. Schiavo 16/01/2024
 Plan Approved: *W. McDonald* 17/11/2024 R 00033448
 Paper No: ... APP-2023-75, Survey-52, D 006243490

FORM12

M27643

SCHEDULE 2

Mining Lease for Ancillary Mining Activities Conditions 2021

(Version 1.4 as at October 2023)

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 2021	Version Date: October 2023 (Version 1.4)
Mining Lease 1876 (Act 1992)	Page 5 of 7

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) The lease holder must cause written notice of the grant or renewal of this mining lease to be provided to each landholder of land over which the mining lease was granted or renewed in accordance with paragraph (b).
- (b) If there are –
 - i. less than 10 landholders of the land over which the lease was granted or renewed – the notice must be provided to each landholder,
 - ii. 10 or more landholders of the land over which the lease was granted or renewed – the notice may be provided to each landholder or published in a newspaper circulating in the area where the mining lease is situated.
- (c) The notice must be provided –
 - i. for notice of the grant of the mining lease – not later than 90 days after the date on which the mining lease was granted,
 - ii. for notice of the renewal of the mining lease – not later than 90 days after the date on which the renewal of the mining lease takes effect.
- (d) The notice must include the following –
 - i. a statement that the mining lease has been granted or renewed (as relevant),
 - ii. confirmation as to whether the mining lease includes the surface of the land,
 - iii. a plan which identifies –
 - 1. the area of the land subject to the mining lease, and
 - 2. geographical and other features (such as roads, rivers, railways, towns, suburbs, or localities) that are sufficient to identify the area of the State within which the mining lease is situated.

Mining Lease for Ancillary Mining Activities Conditions 2021	Version Date: October 2023 (Version 1.4)
Mining Lease 1876 (Act 1992)	Page 6 of 7

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
- information exchange
- well location
- timing of drilling
- potential resource extraction conflicts; and
- rehabilitation issues.

Special conditions

4. Nil

Mining Lease for Ancillary Mining Activities Conditions 2021	Version Date: October 2023 (Version 1.4)
Mining Lease 1876 (Act 1992)	Page 7 of 7