

Instrument of Renewal

Section 114 of the *Mining Act 1992*

I, **Tony Linnane, Acting Executive Director, Assessments and 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 **Mining Lease 1464 (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.

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 October 2023

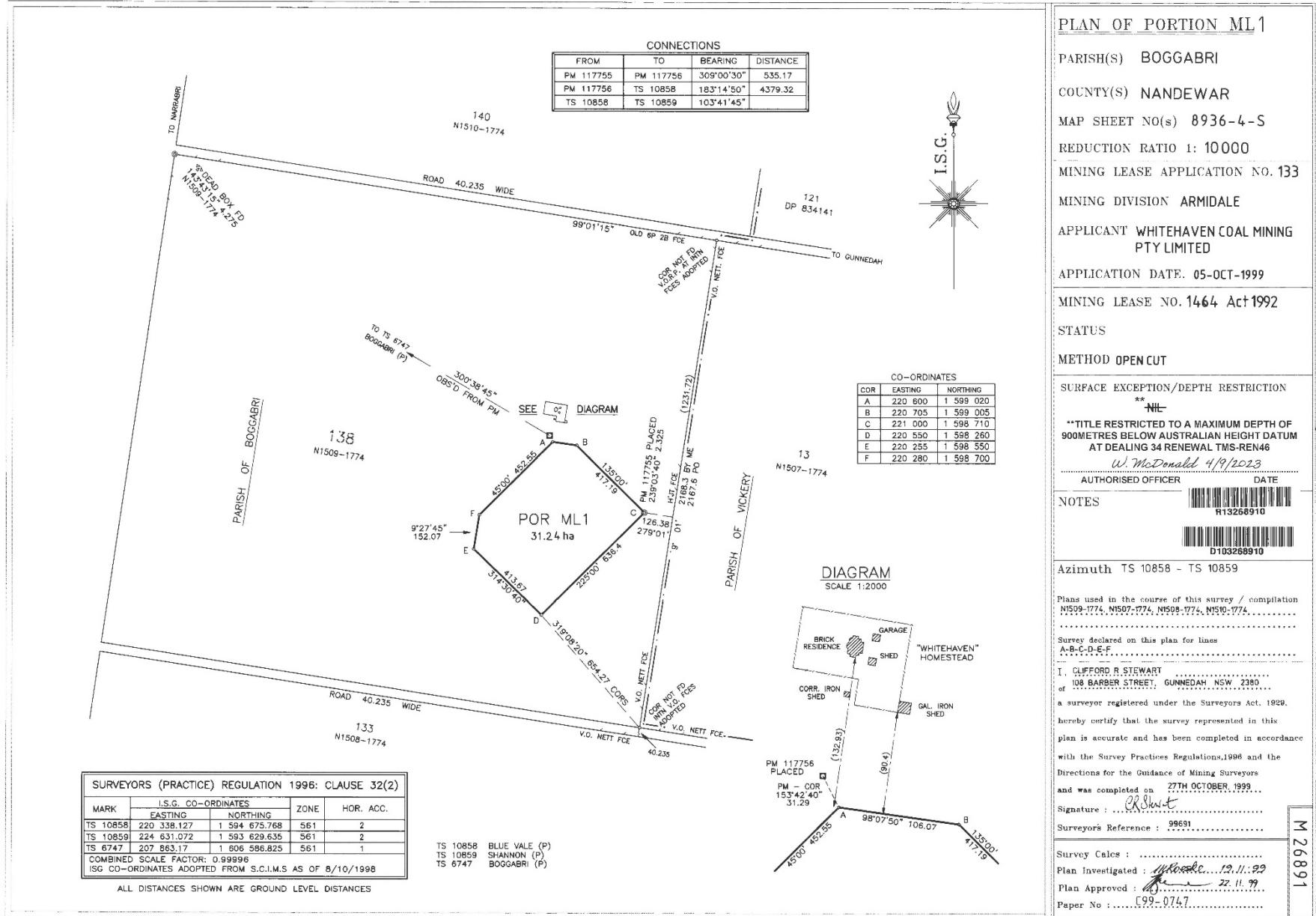


Tony Linnane
Acting Executive Director, Assessments and Systems
Mining, Exploration and Geoscience
Regional NSW
As delegate for the Minister administering the *Mining Act 1992*
Delegation dated: 28 February 2023

SCHEDULE 1

Description of Lease

Mining lease:	1464 (Act 1992)
Renewal date:	31 October 2023
Effective date:	31 October 2023
Term ending (expiry date):	20 December 2043
Lease Holder(s)	Whitehaven Coal Mining Limited, ACN 086 426 253
Land:	The lease area includes all land described in the attached lease plan titled ML26891 and approved on 22 November 1999 and amended on 4 September 2023 .
Area:	31.24 hectares
Surface Exception / Depth Restriction:	Nil to 900 metres below Australian Height Datum
Mineral(s):	Coal
Method:	Open cutting



CONNECTIONS

FROM	TO	BEARING	DISTANCE
PM 117755	PM 117756	309°00'30"	535.17
PM 117756	TS 10858	183°14'50"	4379.32
TS 10858	TS 10859	103°41'45"	

CO-ORDINATES

COR	EASTING	NORTHING
A	220 600	1 599 020
B	220 705	1 599 005
C	221 000	1 598 710
D	220 550	1 598 260
E	220 255	1 598 550
F	220 280	1 598 700

SURVEYORS (PRACTICE) REGULATION 1996: CLAUSE 32(2)

MARK	I.S.G. CO-ORDINATES		ZONE	HOR. ACC.
	EASTING	NORTHING		
TS 10858	220 338.127	1 594 675.768	561	2
TS 10859	224 631.072	1 593 629.635	561	2
TS 6747	207 863.17	1 606 586.825	561	1

COMBINED SCALE FACTOR: 0.99996
 ISG CO-ORDINATES ADOPTED FROM S.C.I.M.S AS OF 8/10/1998

TS 10858 BLUE VALE (P)
 TS 10859 SHANNON (P)
 TS 6747 BOGGABRI (P)

ALL DISTANCES SHOWN ARE GROUND LEVEL DISTANCES

PLAN OF PORTION ML1

PARISH(S) BOGGABRI
 COUNTY(S) NANDEWAR
 MAP SHEET NO(s) 8936-4-5
 REDUCTION RATIO 1: 10000
 MINING LEASE APPLICATION NO. 133
 MINING DIVISION ARMIDALE
 APPLICANT WHITEHAVEN COAL MINING PTY LIMITED
 APPLICATION DATE. 05-OCT-1999
 MINING LEASE NO. 1464 Act 1992
 STATUS
 METHOD OPEN CUT

SURFACE EXCEPTION/DEPTH RESTRICTION
 NIL
 **TITLE RESTRICTED TO A MAXIMUM DEPTH OF 900METRES BELOW AUSTRALIAN HEIGHT DATUM AT DEALING 34 RENEWAL TMS-REN46
 W. McDonald 4/9/2023
 AUTHORISED OFFICER DATE

NOTES
 R13268910
 D103288910

Azimuth TS 10858 - TS 10859

Plans used in the course of this survey / compilation
 N1509-1774, N1507-1774, N1508-1774, N1510-1774.

Survey declared on this plan for lines
 A-B-C-D-E-F

I, CLIFFORD R. STEWART
 of 106 BARBER STREET, GUNNEDAH NSW 2380
 a surveyor registered under the Surveyors Act, 1929,
 hereby certify that the survey represented in this
 plan is accurate and has been completed in accordance
 with the Survey Practices Regulations, 1996 and the
 Directions for the Guidance of Mining Surveyors
 and was completed on 27TH OCTOBER, 1999.

Signature: *Clifford R. Stewart*
 Surveyor's Reference : 99691

Survey Cales :
 Plan Investigated : *W. McDonald* 12.11.99
 Plan Approved : *W. McDonald* 22.11.99
 Paper No : 599-0747

M 26891

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 2021	Version Date: February 2022 (Version 1.1)
Mining Lease 1464 (Act 1992)	Page 4 of 7

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 **\$3,380,000**.

The leases covered by the group security include:

Coal Lease 316 (Act 1973) (Head lease)
Mining Lease 1464 (Act 1992) (This lease)
Mining Lease 1471 (Act 1992)
Mining Lease 1718 (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

Mining Lease Conditions 2021	Version Date: February 2022 (Version 1.1)
Mining Lease 1464 (Act 1992)	Page 5 of 7

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.

Mining Lease Conditions 2021	Version Date: February 2022 (Version 1.1)
Mining Lease 1464 (Act 1992)	Page 6 of 7

Special conditions

5. Aboriginal Place or Relic

The lease holder shall not knowingly destroy, deface or damage any aboriginal place or relic within the subject area except in accordance with an authority issued under the *National Parks and Wildlife Act 1974* and shall take every precaution in drilling, excavating or disturbing the land against any such destruction, defacement or damage.

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*.

Mining Lease Conditions 2021	Version Date: February 2022 (Version 1.1)
Mining Lease 1464 (Act 1992)	Page 7 of 7