

Instrument of Grant

Section 63 of the *Mining Act 1992*

I, **Georgina Beattie, Deputy Secretary, NSW Resources**, as delegate for 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 586 (Act 1992)**, as described in Schedule 1, to **Boggabri Coal Pty Limited, ACN 122 087 398, Chugoku Electric Power Australia Resources Pty. Ltd., ACN 600 294 068** and **NS Boggabri Pty Limited, ACN 113 447 313**, subject to the conditions:

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

SIGNED



Georgina Beattie
Deputy Secretary
NSW Resources

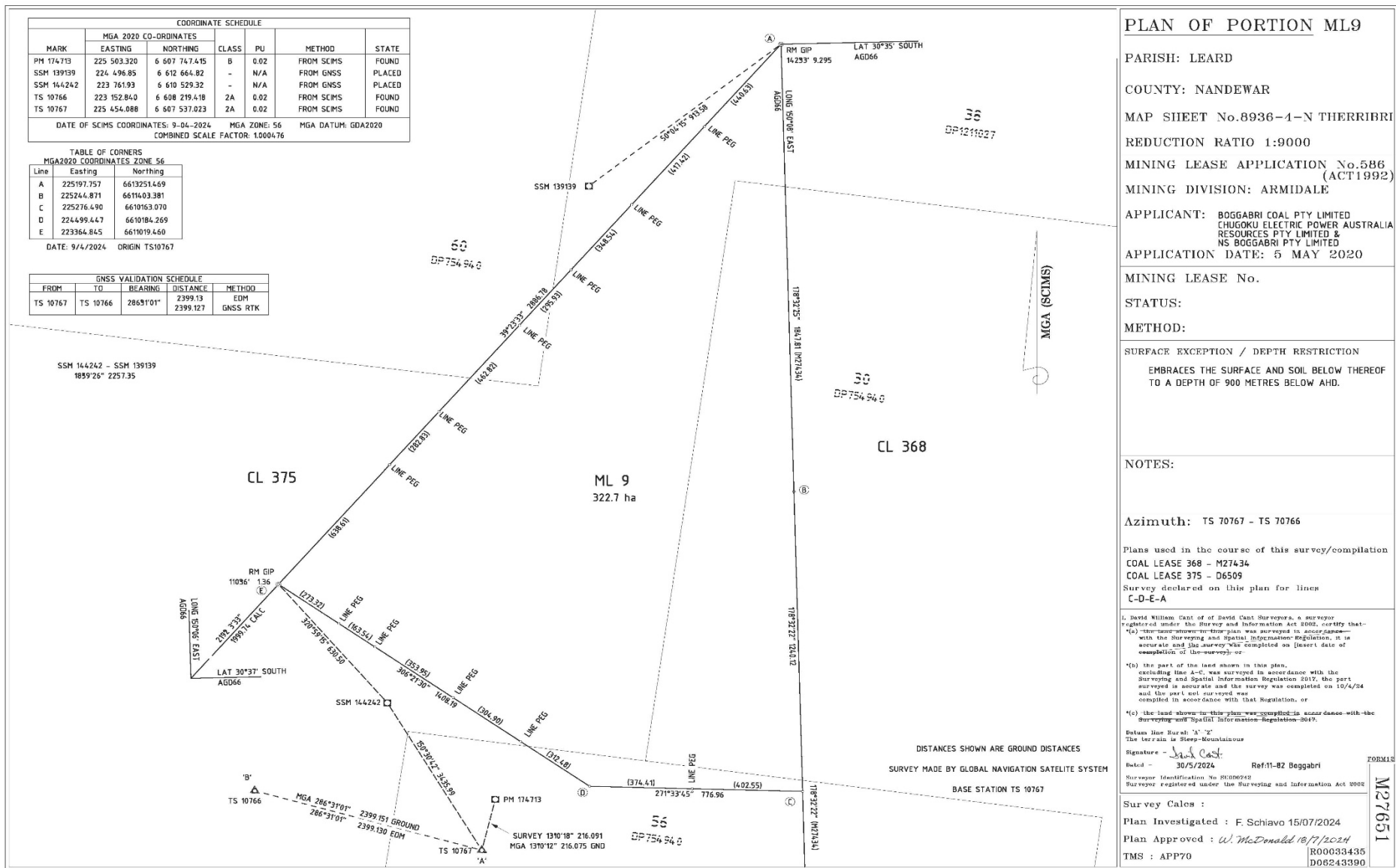
Department of Primary Industries and Regional Development
As delegate for the Minister administering the *Mining Act 1992*
Delegation dated: 28 February 2023

Dated: 24 September 2024

SCHEDULE 1

Description of Lease

Mining lease:	1883 (Act 1992)
Grant date:	24 September 2024
Term:	Twenty-one (21) years
Term ending (expiry date):	24 September 2045
Lease Holder(s):	<p>Boggabri Coal Pty Limited, ACN 122 087 398</p> <p>Chugoku Electric Power Australia Resources Pty. Ltd., ACN 600 294 068</p> <p>NS Boggabri Pty Limited, ACN 113 447 313</p>
Area:	322.7 hectares
Surface Exception / Depth Restriction:	Embraces the surface and soil below thereof to a depth of 900 metres below Australian Height Datum (AHD)
Mineral(s):	Coal
Method:	Open cut
Land:	The lease area includes all land described in the attached lease plan titled M27651 and approved on 18 July 2024 .



ADMINISTRATIVE SHEET

PLAN OF PORTION ML9

PARISH: LEARD

COUNTY: NANDEWAR

MAP SHEET No.8936-4-N THERRIBRI

REDUCTION RATIO 1:9000

MINING LEASE APPLICATION No.586
(ACT1992)

MINING DIVISION: ARMIDALE

APPLICANT: BOGGABRI COAL PTY LIMITED
CHUGOKU ELECTRIC POWER AUSTRALIA
RESOURCES PTY LIMITED &
NS BOGGABRI PTY LIMITED

APPLICATION DATE: 5 MAY 2020

MINING LEASE No.

STATUS:

METHOD:

SURFACE EXCEPTION / DEPTH RESTRICTION
EMBRACES THE SURFACE AND SOIL BELOW THEREOF
TO A DEPTH OF 900 METRES BELOW AHD.

NOTES:

Azimuth: TS 70767 - TS 70766

Plans used in the course of this survey/compilation
COAL LEASE 368 - M27434
COAL LEASE 375 - D6509
Survey declared on this plan for lines
C-D-E-A

I, David William Cant of David Cant Surveyors, a surveyor
registered under the Survey and Information Act 2002, certify that:
*(a) 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 [insert date of
completion of the survey], or
*(b) the part of the land shown in this plan,
excluding line A-C, was surveyed in accordance with the
Surveying and Spatial Information Regulation 2017, the part
surveyed is accurate and the survey was completed on 12/4/24
and the part not surveyed was
compiled in accordance with that Regulation, or
*(c) the land shown in this plan was compiled in accordance with the
Surveying and Spatial Information Regulation 2017.

Datum: New South Wales 'A'-2
The terrain is Steep-Mountainous

Signature: *David Cant* Ref: 11-82 Boggabri
Dated: 30/5/2024

Surveyor Identification No: SU000742
Surveyor registered under the Surveying and Information Act 2002

Survey Calcs :

Plan Investigated : F. Schiavo 18/07/2024

Plan Approved : *W. McDonald 18/7/2024*

TMS : APP70 R00033435 D06243390

TABLE OF CORNERS
MGA2020 COORDINATES ZONE 56

Line	Easting	Northing
A	225197.757	6613251.469
B	225244.871	6611603.381
C	225276.490	6610163.070
D	224499.447	6610184.269
E	223364.845	6611019.460

DATE: 9/4/2024 ORIGIN TS10767

FORM 12
M27651

SCHEDULE 2

Mining Lease Conditions 2021

(Version 1.3 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.

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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) 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.

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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.

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

Nil

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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