

Mining Lease

Section 63 of the *Mining Act 1992*

I, **Stephen Wills, Executive Director Resource Operations as a delegate of the Minister administering the *Mining Act 1992***, pursuant to section 63 of the *Mining Act 1992*, determined Mining Lease Application No **487** by granting a Mining Lease as described in Schedule 1 to **Bloomfield Collieries Pty Ltd, ACN 000 106 972**, subject to the conditions set out in Schedule 2.

The conditions set out in Schedule 2 are required to:

- ensure optimal resource recovery;
- prevent, minimise, and offset adverse environmental impacts;
- provide for the ongoing environmental management of the project; and
- ensure that the areas disturbed by mineral production and exploration activities are appropriately rehabilitated.

The rights and duties of a Lease Holder are those prescribed by the *Mining Act 1992*, subject to the terms and conditions of this Lease. This lease does not override any obligation on the Lease Holder to comply with the requirements of other legislation and regulatory instruments which may apply to the Lease Holder (including all relevant development approvals) unless specifically provided in the *Mining Act 1992* or other legislation or regulatory instruments.

Signed this Fifth day of May 2020



Stephen Wills
Executive Director, Resource Operations
Delegation Dated: 14 May 2018

SCHEDULE 1

Description of Lease

Land: The lease area embraces all land described in the attached lease plan titled **M27450** and approved on **28 November 2017**.

Area: **169.80 hectares**

Surface Exception: **Nil**

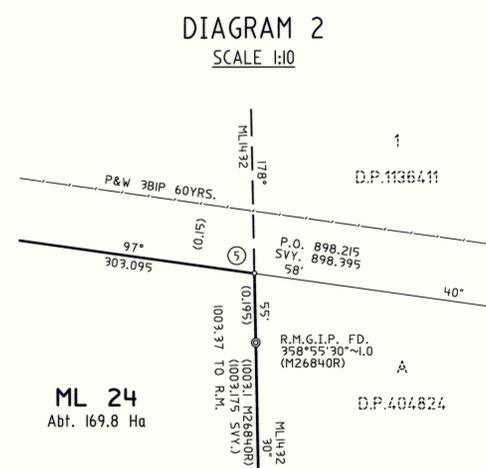
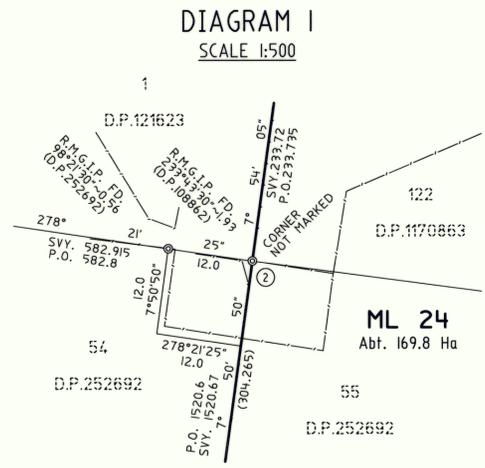
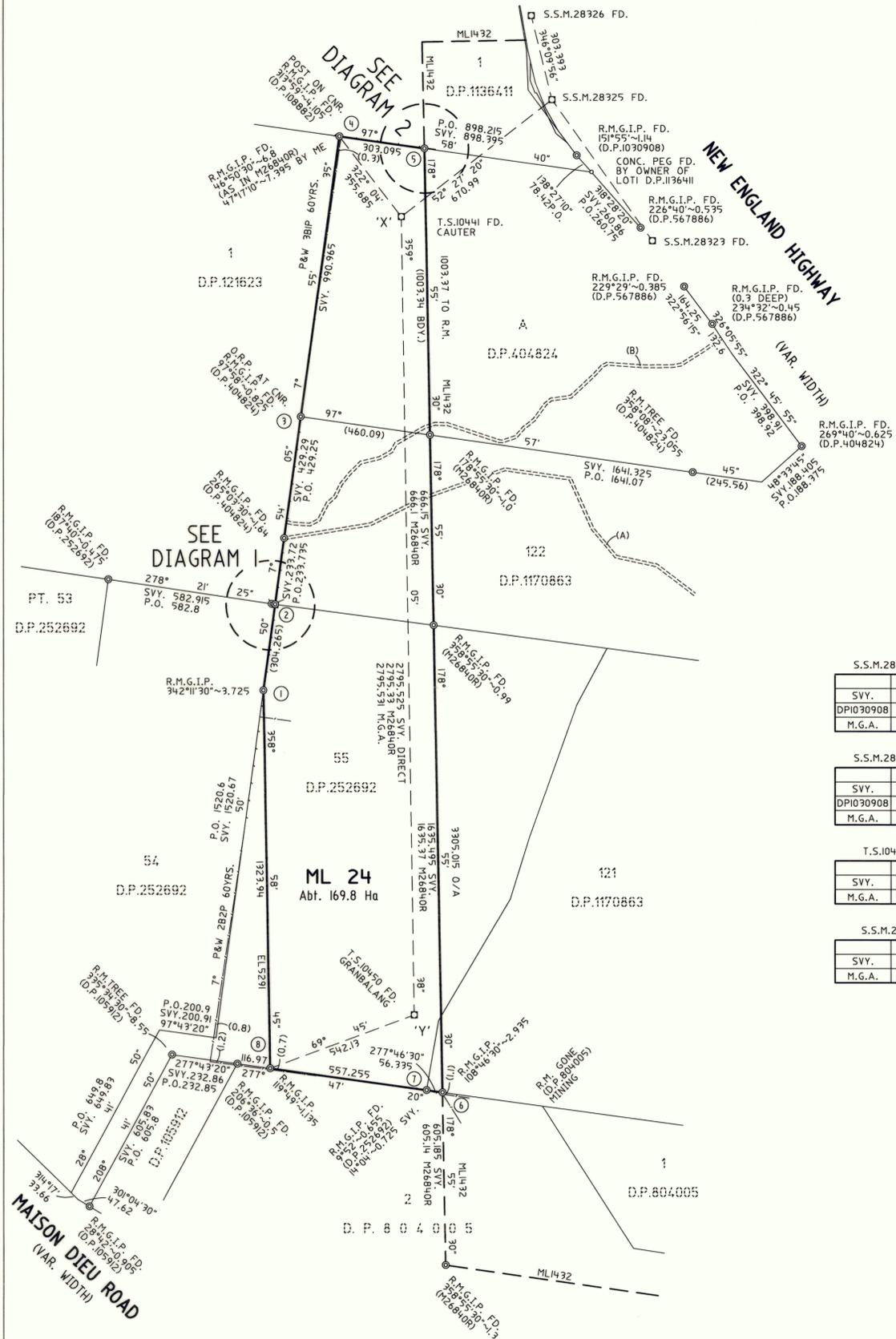
Depth Restriction: **20 metres below the surface**

Ancillary Mining Activity: **The activities specified in the Rix's Creek South Continuation of Mining Project Development Consent (SSD 6300) as determined 12 October 2019 that are prescribed as ancillary mining activities:**

- **the construction, maintenance and use of buildings, mining plant, roads, dams, drains, pipelines, telephone lines, signalling systems, bins, magazines (subclause 7(a) Mining Regulation 2016)**
- **the removal, stockpiling, management or depositing of overburden and tailings (subclause 7(c) Mining Regulation 2016)**
- **the storage of fuel, machinery, timber or equipment for use in or in connection with mining operations (subclause 7(d) Mining Regulation 2016)**
- **the generation and transmission of electricity for use in or in connection with mining operations (subclause 7(e) Mining Regulation 2016)**

Term: **21 years**

Due expiry date: **5 May 2041**



S.S.M.28325 FD. - S.S.M.28323 FD.

SVY.	BEARING	DISTANCE
DPI030908	144° 26' 15"	606.87
M.G.A.	144° 26' 06"	606.88

S.S.M.28325 FD. - S.S.M.28326 FD.

SVY.	BEARING	DISTANCE
DPI030908	346° 09' 45"	303.390
M.G.A.	346° 10' 00"	303.393

T.S.10441 FD. - S.S.M.28325 FD.

SVY.	BEARING	DISTANCE
M.G.A.	52° 27' 25"	670.97

S.S.M.28326 FD. - T.S.10450 FD.

SVY.	BEARING	DISTANCE
M.G.A.	186° 46' 08"	3523.194

CO-ORDINATE TABLE (M.G.A. ZONE 56)

No.	EASTING	NORTHING
1	321646.281	6400467.676
2	321687.820	6400769.084
3	321778.963	6401425.779
4	321915.622	6402407.246
5	322215.774	6402365.178
6	322277.795	6399060.850
7	322221.980	6399068.470
8	321669.883	6399143.989

Surveying and Spatial Information Regulation 2012 CLAUSE 35(1)(b) & 6(2)
M.G.A. CO-ORDINATES - ZONE 56 COMBINED SCALE FACTOR : 0.999968

MARK	EASTING	NORTHING	CLASS	ORDER	METHOD/DATE	ORIGIN
TS 10441	322194.267	6402126.715	B	2	04/10/2016	SCIMS
TS 10450	322178.468	6399931.623	B	2	04/10/2016	SCIMS
SSM 28323	323019.224	6402041.907	B	U	04/10/2016	SCIMS
SSM 28325	322666.259	6402535.562	B	U	04/10/2016	SCIMS
SSM 28326	322593.721	6402830.146	B	U	04/10/2016	SCIMS



RTK G.N.S.S. OBSERVATIONS WERE USED TO DERIVE PARTS OF THIS SURVEY

PLAN OF PORTION ML 24

PARISH: AUCKLAND
 COUNTY: DURHAM
 MAP SHEET No. 9132-4-N
 REDUCTION RATIO 1: 10,000

MINING LEASE APPLICATION No: 487
 MINING DIVISION: SINGLETON
 APPLICANTS: BLOOMFIELD COLLIERIES PTY LTD.
 APPLICATION DATE: 23 FEB 2015

MINING LEASE No. 1803 (Act 1992)
 STATUS:
 METHOD: ANCILLARY MINING ACTIVITIES

SURFACE EXCEPTION / DEPTH RESTRICTION
 EMBRACES THE SURFACE AND SOIL BELOW THEREOF TO A DEPTH OF 20m METRES.

NOTES:

Azimuth: 'X' - 'Y'

Plans used in the course of this survey/compilation:
 DPI05912, DP252692, DP404824, DP567886, DP739911, DPI030908 & DPI170863, M26840R

Survey declared on this plan for lines 1 - 8

I Martin Alexander Burns
 of Survey and Drafting Resources Pty.Ltd.
 a surveyor registered under the Surveying and Spatial Information Act 2002, hereby certify that the survey / compilation represented in this plan is accurate and has been completed in accordance with the Surveying and Spatial Information Regulation 2012 and the Surveyor General's Direction for Mining Surveys and was completed on 27/09/2016

Signature: *M.A. Burns*
 BOSSI Identification No: 263

Survey Calcs :
 Plan Investigated : *M.A. Burns 28-11-2017*
 Plan Approved : *Pete Howard 28-11-2017*
 Paper No : 15/536 R17009270 D110098690

IMPORTANT NOTES:
 - SURVEY WITH RESPECT TO MINING LEASE BOUNDARY ONLY. OTHER BOUNDARIES HAVE BEEN ESTABLISHED FROM THE D.C.D.B. AND ARE FOR DIAGRAMMATIC PURPOSES ONLY.
 - ALL BEARINGS AND DISTANCES ARE BY SURVEY, ON GROUND, UNLESS SHOWN OTHERWISE.

(A) - RIGHT OF CARRIAGEWAY 10 WIDE (VIDE H296837).
 (B) - PROPOSED RIGHT OF CARRIAGEWAY 10 WIDE (VIDE MY PLAN DATED 25/06/2014).

FORM 10
 M27450

Schedule 2

Mining Lease Conditions 2013

Definitions

1. **Notice to Landholders**
2. **Rehabilitation**
3. **Mining Operations Plan and Annual Rehabilitation Report**
4. **Non-Compliance Reporting**
5. **Extraction Plan**
6. **Condition Does Not Apply to This Authority**
7. **Condition Does Not Apply to This Authority**
8. **Security**
9. **Cooperation Agreement**

Definitions:

Words used in this mining lease have the same meaning as defined in the *Mining Act 1992* except where otherwise defined below:

Act means the *Mining Act 1992*.

Department means the Division of Resources and Geoscience within the Department of Planning, Industry and Environment.

Environment has the same meaning as in the *Protection of the Environment Operations Act 1997*.

Environmental incident notifications and reports means any notifications and reports required to be provided to relevant authorities under Part 5.7 or Part 5.7A of the *Protection of the Environment Operations Act 1997*.

Harm to the environment has the same meaning as in the *Protection of the Environment Operations Act 1997*.

Landholder for the purposes of these conditions does not include a secondary landholder and includes, in the case of exempted areas, the controlling body for the exempted area.

Minister means the Minister administering the Act.

MINING LEASE CONDITIONS 2013

1. Notice to Landholders

- (a) Within a period of three months from the date of grant/renewal of this mining lease, the lease holder must serve on each landholder a notice in writing indicating that this mining lease has been granted/renewed and whether the lease includes the surface. A plan identifying each landholder and individual land parcel subject to the lease area, and a description of the lease area must accompany the notice.
- (b) If there are ten or more landholders, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this mining lease has been granted/renewed; state whether the lease includes the surface and must contain a plan and description of the lease area. If a notice is made under condition 1(b), compliance with condition 1(a) is not required.

2. Rehabilitation

Any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister.

3. Mining Operations Plan and Annual Rehabilitation Report

- (a) The lease holder must comply with an approved Mining Operations Plan (MOP) in carrying out any significant surface disturbing activities, including mining operations, ancillary mining activities and prospecting. The lease holder must apply to the Minister for approval of a MOP. An approved MOP must be in place prior to commencing any significant surface disturbing activities, including mining operations, ancillary mining activities and prospecting.
- (b) The MOP must identify the post mining land use and set out a detailed rehabilitation strategy which:
 - (i) identifies areas that will be disturbed;
 - (ii) details the staging of specific mining operations, ancillary mining activities and prospecting;
 - (iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use;
 - (iv) identifies how mining operations, ancillary mining activities and prospecting will be carried out in order to prevent and or minimise harm to the environment; and
 - (v) reflects the conditions of approval under:
 - the *Environmental Planning and Assessment Act 1979*;
 - the *Protection of the Environment Operations Act 1997*; and
 - any other approvals relevant to the development including the conditions of this mining lease.
- (c) The MOP must be prepared in accordance with the *ESG3: Mining Operations Plan (MOP) Guidelines September 2013* published on the [Division's website](#).
- (d) The lease holder may apply to the Minister to amend an approved MOP at any time.

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- (e) It is not a breach of this condition if:
 - (i) the operations which, but for this condition 3(e) would be a breach of condition 3(a), were necessary to comply with a lawful order or direction given under the *Environmental Planning and Assessment Act 1979*, the *Protection of the Environment Operations Act 1997*, the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014* or the *Work Health and Safety Act 2011*; and *Work Health and Safety Regulation 2017*
 - (ii) the Minister had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.
- (f) The lease holder must prepare a Rehabilitation Report to the satisfaction of the Minister. The report must:
 - (i) provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved MOP;
 - (ii) be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister); and
 - (iii) be prepared in accordance with any relevant annual reporting guidelines published on the [Division's website](#).

Note: The Rehabilitation Report replaces the Annual Environmental Management Report.

4. Non-Compliance Reporting

- (a) The lease holder must notify the Department upon becoming aware of any breaches of the conditions of this mining lease or breaches of the Act or Mining Regulations 2016;
- (b) Notifications under condition 4(a) must be provided in the form specified on the Department's website within seven (7) days of the mining lease holder becoming aware of the breach.

5. Environmental Incident Report

The lease holder must provide environmental incident notifications and reports to the Secretary no later than seven (7) days after those environmental incident notifications and reports are provided to the relevant authorities under the *Protection of the Environment Operations Act 1997*.

6. Extraction Plan

This condition does not apply to this authority.

7. Resource Recovery

This condition does not apply to this authority.

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8. Security

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

The amount of the security deposit to be provided has been assessed by the Minister at **\$10,000**.

9. Cooperation Agreement

The lease holder must make every reasonable attempt, and be able to demonstrate its attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:

- access arrangements
- operational interaction procedures
- dispute resolution
- information exchange
- well location
- timing of drilling
- potential resource extraction conflicts; and
- rehabilitation issues.

Special Conditions

Note: The standard conditions apply to all mining leases. The Division of Resources and Geoscience (DRG) reserves the right to impose special conditions, based on individual circumstances, where appropriate.

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MINING LEASE

MINING ACT 1992

NO 1803

DATED 5 May 2020

THE MINISTER FOR RESOURCES

OF THE STATE

OF NEW SOUTH WALES

TO

Bloomfield Collieries Pty Ltd

ACN 000 106 972
