



Reference: T14-1110

Mr L Longhurst  
Boral Cement Limited  
C/- Gordon Atkinson & Associates Pty Ltd  
P O Box 3687  
WEST TAMWORTH NSW 2340

Email: [les.longhurst@boral.com.au](mailto:les.longhurst@boral.com.au)

Dear Mr Longhurst

**MINING LEASE APPLICATION NO 481 (ACT 1992)**

The Minister on 4 September 2015 granted Mining Lease No 1716 (Act 1992) in satisfaction of this application. This authority expires on 4 September 2036. The lease is enclosed for your records.

You are reminded of the following:

- ◆ Mining operations must be conducted in accordance with a Mining Operations Plan satisfactory to the Secretary. This plan must be lodged before operations commence.

For further information, please contact the undersigned on 02 4931 6543 or Titles 02 4931 6500.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Lee Main'.

Lee Main  
**for Secretary**  
9 September 2015

Office of State Revenue  
NSW Treasury  
Client No: 1246988  
Duty: N/A Trans No: ML1716  
Asset details: Minerals  
*[Signature]*  
9/9/2015

MINING LEASE

MINING ACT 1992

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NO **1716**

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DATED **4 September 2015**

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THE MINISTER FOR INDUSTRY,  
RESOURCES AND ENERGY

OF THE STATE

OF NEW SOUTH WALES

TO

**BORAL CEMENT LIMITED**  
**ACN 008 528 523**

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Mining Lease Application No 481

## Mining Lease

### Section 63 of the *Mining Act 1992*

I, as delegate of the Minister for Industry, Resources and Energy for the State of New South Wales, under delegation dated 5 December 2014 pursuant to section 63 of the *Mining Act 1992*, determine **Mining Lease Application No 481** by granting a Mining Lease as described in Schedule 1 to **Boral Cement Limited, ACN 008 528 523**, 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



Under delegation

Director Minerals Operations

Dated: 4 SEPTEMBER 2015

## SCHEDULE 1

### Description of Lease

**Land:** The lease area embraces all land described in the attached lease plan titled **M27351** and approved on **8 April 2015**.

**Area:** 12.04 Hectares

**Minerals:** CLAY/SHALE, IRON MINERALS, LIMESTONE, MARBLE & STRUCTURAL CLAY

**Method:** OPEN CUTTING

**Term:** 21 YEARS

**Due expiry date:** 4 SEPTEMBER 2036

**SCHEDULE 2**  
**MINING LEASE CONDITIONS 2013**

**Definitions**

1. Notice to Landholders
2. Rehabilitation
3. Mining Operations Plan and Annual Rehabilitation Report
4. Compliance Report
5. Environmental Incident Report
6. Resource Recovery
7. Security
8. Cooperation Agreement

**Note: Exploration Reports (Geological and Geophysical)**

## 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 & Energy within the Department of Industry, Skills and Regional Development.

**Environment** has the same meaning as in 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.

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

**Minister** means the Minister administering the Act.

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



## 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, mining purposes 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, mining purposes 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, mining purposes and prospecting;
  - (iii) identifies how the mine will be managed and rehabilitated to achieve the post mining land use;
  - (iv) identifies how mining operations, mining purposes 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 Department's website at [www.resources.nsw.gov.au/environment](http://www.resources.nsw.gov.au/environment)
- (d) The lease holder may apply to the Minister to amend an approved MOP at any time.
- (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 *Mine Health and Safety Act 2004 / Coal Mine Health and Safety Act 2002* and *Mine Health and Safety Regulation 2007 / Coal Mine Health and Safety Regulation 2006* or the *Work Health and Safety Act 2011*; and
  - (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 Department's website at [www.resources.nsw.gov.au/environment](http://www.resources.nsw.gov.au/environment).

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

#### **4. Compliance Report**

- (a) The lease holder must submit a Compliance Report to the satisfaction of the Minister. The report must be prepared in accordance with any relevant guidelines or requirements published by the Minister for compliance reporting.
- (b) The Compliance Report must include:
- (i) the extent to which the conditions of this mining lease or any provisions of the Act or the regulations applicable to activities under this mining lease, have or have not been complied with;
  - (ii) particulars of any non-compliance with any such conditions or provisions,
  - (iii) the reasons for any such non-compliance;



- (iv) any action taken, or to be taken, to prevent any recurrence, or to mitigate the effects, of that non-compliance.
- (c) The Compliance Report must be lodged with the Department annually on the grant anniversary date for the life of this mining lease.
- (d) In addition to annual lodgement under condition 4(c) above, a Compliance Report:
  - (i) must accompany any application to renew this mining lease under the Act;
  - (ii) must accompany any application to transfer this mining lease under the Act; and
  - (iii) must accompany any application to cancel, or to partially cancel, this mining lease under the Act.
- (e) Despite the submission of any Compliance Report under (c) or (d) above, the titleholder must lodge a Compliance Report with the Department at any date or dates otherwise required by the Minister.
- (f) A Compliance Report must be submitted one month prior to the expiry of this mining lease, where the licence holder is not seeking to renew or cancel this mining lease.

## 5. Environmental Incident Report

- (a) The lease holder must notify the Department of all:
  - (i) breaches of the conditions of this mining lease or breaches of the Act causing or threatening material harm to the environment; and
  - (ii) breaches of environmental protection legislation causing or threatening material harm to the environment (as defined in the *Protection of the Environment Operations Act 1997*),

arising in connection with significant surface disturbing activities, including mining operations, mining purposes and prospecting operations, under this mining lease. The notification must be given immediately after the lease holder becomes aware of the breach.

*Note. Refer to [www.resources.nsw.gov.au/environment](http://www.resources.nsw.gov.au/environment) for notification contact details.*
- (b) The lease holder must submit an Environmental Incident Report to the Department within seven (7) days of all breaches referred to in condition 5(a)(i) and (ii). The Environmental Incident Report must include:
  - (i) the details of the mining lease;
  - (ii) contact details for the lease holder;
  - (iii) a map identifying the location of the incident and where material harm to the environment has or is likely to occur;

- (iv) a description of the nature of the incident or breach, likely causes and consequences;
- (v) a timetable showing actions taken or planned to address the incident and to prevent future incidents or breaches referred to in 5(a).
- (vi) a summary of all previous incidents or breaches which have occurred in the previous 12 months relating to significant surface disturbing activities, including mining operations, mining purposes and prospecting operations under this mining lease.

*Note. The lease holder should have regard to any relevant Secretary's guidelines in the preparation of an Environmental Incident Report. Refer to [www.resources.nsw.gov.au/environment](http://www.resources.nsw.gov.au/environment) for further details.*

- (c) In addition to the requirements set out in conditions 5(a) and (b), the lease holder must immediately advise the Department of any notification made under section 148 of the *Protection of the Environment Operations Act 1997* arising in connection with significant surface disturbing activities including mining operations, mining purposes and prospecting operations, under this mining lease.

## 6. Resource Recovery

The lease holder must optimise recovery of the minerals that are the subject of this mining lease to the extent economically feasible.

## 7. Security

### Group 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 as a group security has been assessed by the Minister at **\$14,380,000**.

The leases covered by the group security include:

**Consolidated Mining Lease 16 (Act 1992)**

**Mining Lease Application 481 (Act 1992)**

## 8. 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.

## Exploration Reporting

*Note: Exploration Reports (Geological and Geophysical)*

*The lease holder must lodge reports to the satisfaction of the Minister in accordance with section 163C of the Mining Act 1992 and in accordance with clause 57 of the Mining Regulation 2010.*

*Reports must be prepared in accordance with Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales (Department of Trade and Investment; Regional Infrastructure and Services 2010).*

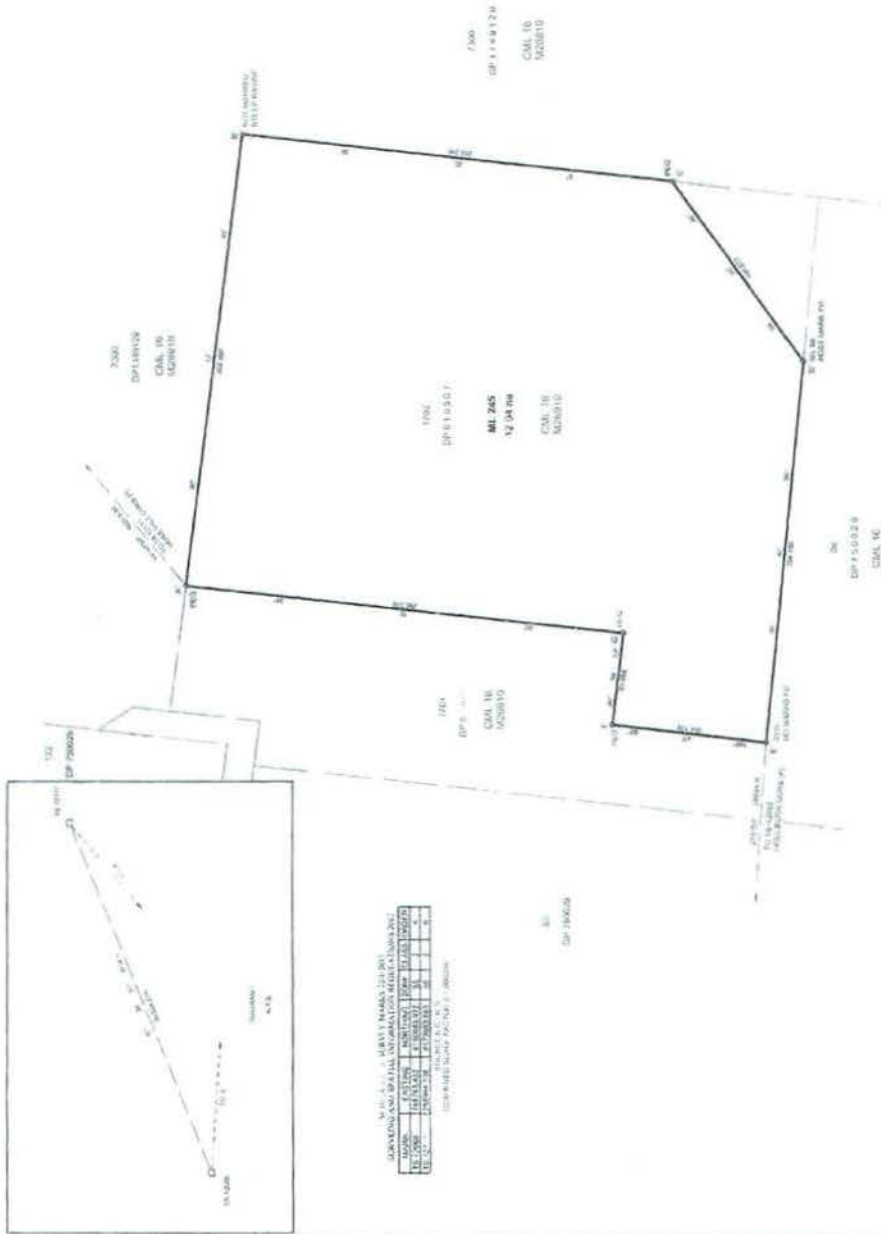
## **SPECIAL CONDITIONS**

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



NGA COORDINATES  
ZONE 56

MARK	Easting	Northing
A	220288.12	6442023.40
B	220288.42	6442064.40
C	220243.00	6442775.00
D	220625.00	6441967.50
E	220110.20	6442711.00
F	220362.50	6442918.20
G	220640.70	6442081.00



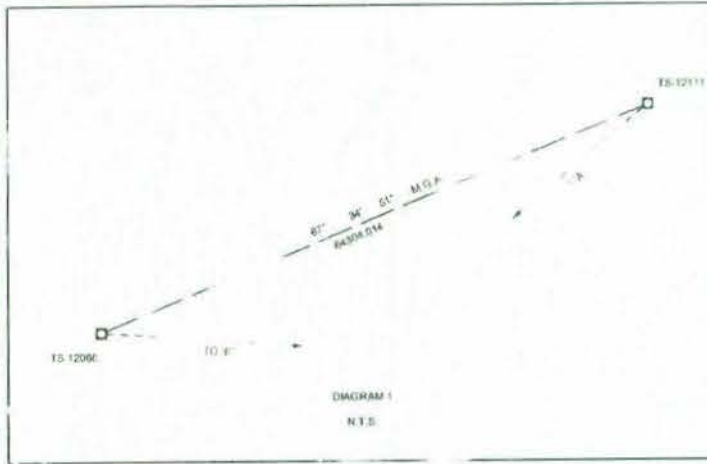
NO. 11111 - MARY'S PARKS 224 201  
DRAWING AND DATA INFORMATION AGENTS ONLY

MARK	Easting	Northing	DP	OWNER
A	220288.12	6442023.40	DP 115517	CAL 16
B	220288.42	6442064.40	DP 115517	CAL 16
C	220243.00	6442775.00	DP 136628	MCDONNO
D	220625.00	6441967.50	DP 155229	MCDONNO
E	220110.20	6442711.00	DP 186628	MCDONNO
F	220362.50	6442918.20	DP 750628	MCDONNO
G	220640.70	6442081.00	DP 750628	MCDONNO

DATE: 11/11/18 BY: [Signature]

PLAN OF PORTION	ML 245
PARISH	MARULAN
COUNTY	ARGYLE
MAP SHEET No.	9278-CB-LAORBA
REDUCTION RATIO	1:1000
BINDING LEASE APPLICANTS No.	461
SHIPPING DIVISION	SYDNEY
APPLICANT	BERKAL CLEARBENT LIMITED
APPLICATOR DATE	15/07/14
BINDING LEASE No.	
STATUS	
METHOD	OPEN CUT
SURFACE EXCEPTION - DEPTH RESTRICTIONS	SUBJECT TO THE STRAITS FROM AND ADJACENT BULKHEADS AND ANY OTHER DEEDS AND INSTRUMENTS
NOTES	Annexure TS 17306, TS-12511 Plans filed in the office of this survey DP 14972N, DP 750628, DP 631057 Notes attached to this plan for files A. B. C. D. E. F. G.
NOTES	C. MATTHEW BRUCE SMITH of CAAYPS 11103195-8 HAS BEEN DESIGNATED AS a survey engineer under the Surveying Act 2002. I hereby certify that the survey expressed in this plan is accurate and has been completed in accordance with the Surveying Legislation 2012, and the Surveyor General's Director for Mining Survey and was completed on 17/07/2013.
Signatures	Surveyor Reference: 10313019 Surveyor's Signature: [Signature] Plan Investigator: [Signature] Plan Approved: [Signature] Date No: 11/11/18 BY: [Signature]

M27351



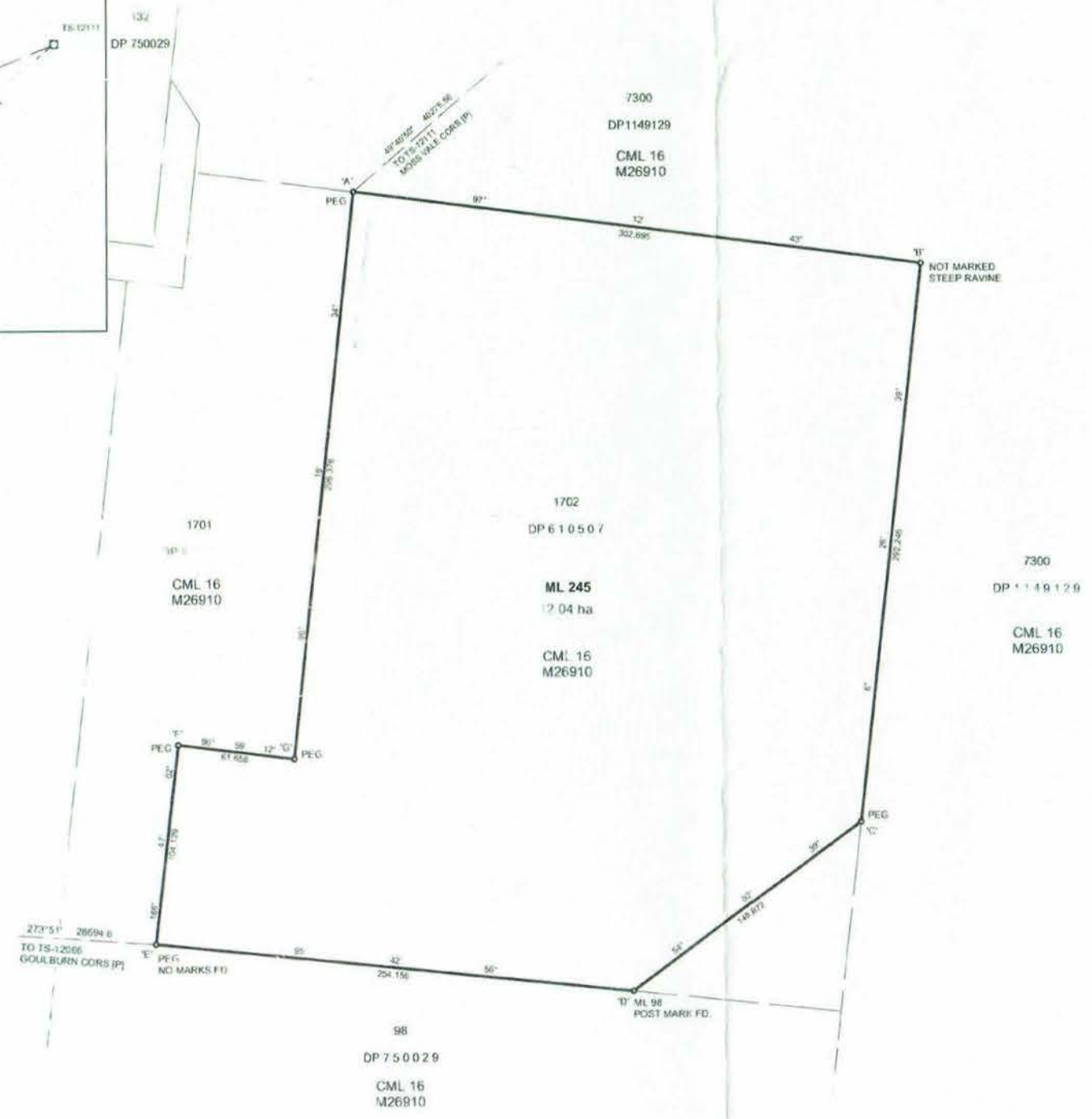
MGA COORDINATES  
ZONE 56

MARK	EASTING	NORTHING
A	228276.10	6147603.40
B	228576.40	6147565.40
C	228543.60	6147275.00
D	228423.09	6147187.59
E	228170.20	6147212.90
F	228182.50	6147316.30
G	228243.70	6147308.80

BY MARKS 1:100  
SURVEYING AND SPATIAL INFORMATION REGULATIONS 2012

MARK	EASTING	NORTHING	ZONE	CLASS	ORDER
TS 12066	748763.452	6136683.922	55	2	A
TS 12111	750972.138	6137963.863	56	2	A

SOURCE: S.C.I.M.B.  
COMBINED SCALE FACTOR: 0.000256



PLAN OF PORTION ML 245

PARISH: MARULAN  
COUNTY: ARGYLE  
MAP SHEET No. 8928-3-N CAOURA  
REDUCTION RATIO 1:1000  
MINING LEASE APPLICATION No. 481  
MINING DIVISION: SYDNEY  
APPLICANT: BORAL CEMENT LIMITED

APPLICATION DATE: 18/07/14  
MINING LEASE No. 1716 (Act 1992)  
STATUS:  
METHOD: OPEN CUT

SURFACE EXCEPTION / DEPTH RESTRICTION

EMBRACES THE STRATA FROM 30.48 METRES BELOW THE SURFACE TO AN UNLIMITED DEPTH

NOTES:

Azimuth: TS -12066, TS -12111  
Plans used in the course of this survey  
DP1149129, DP 750029, DP 610507  
Survey declared on this plan for lines  
A, B, C, D, E, F & G

I, MATTHEW BRUCE SMITH  
of CRAVEN ELLISTON & HAYES (DAPTO) PTY LTD  
a surveyor registered under the Surveying Act 2002,  
hereby certify that the survey represented  
in this plan is accurate and has been completed in  
accordance with the Surveying Regulation 2012 and  
the Surveyor General's Direction for Mining Surveys  
and was completed on 17/02/2015

Signature:  
Surveyors Reference: D215039

Survey Calcs: *[Signature]* 2/4/2015  
Plan Investigated: *[Signature]* 2/4/2015  
Plan Approved: *[Signature]* 2/4/2015  
Trim No. T11-1110 R17009166 D110096750

M27351