

**RENEWAL OF MINING LEASE 1633 (ACT 1992)**  
**Held by Walker Quarries Pty Ltd, ACN 003 061 890**  
**Section 114 of the Mining Act 1992**

I, **Kevin Ruming, Director Strategic Resource Assessment and Advice** as delegate of the Minister for Resources for the State of New South Wales, under delegation dated 14 May 2018, and pursuant to section 114 of the *Mining Act 1992*, renew Mining Lease **1633 (Act 1992)** subject to the following:

1. The renewed Lease is as described in Schedule 1 of this document.
2. The Lease conditions are amended upon renewal and are set out in Schedule 2 of this document.
3. For the avoidance of doubt, Schedules 1 and 2 of the Lease are amended by deleting the details set out in those Schedules prior to the date of this renewal, and inserting the details set out in Schedules 1 and 2 of this document.

The conditions set out in Schedule 2 are imposed pursuant to provisions of the *Mining Act 1992* and are required to:

- ensure optimal resource recovery;
- prevent, minimise, and/or offset adverse environmental impacts;
- provide for the ongoing environmental management of the project; and
- ensure 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* and the *Mining Regulation 2016*, 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 13<sup>th</sup> day of August 2018



**Kevin Ruming**  
**Director Strategic Resource Assessment & Advice**  
**As delegate for the Minister for Resources**  
**Delegation dated: 14 May 2018**

## **SCHEDULE 1**

### **Description of Lease**

**Land:** The lease area embraces all land described in the attached lease plan titled **M27091** and approved on **16 October 2008**.

**Area:** 44.33 hectares

**Minerals/ Mining  
Purpose/Ancillary Mining  
Activities:** Quartzite

**Method:** Open Cutting

**Term ending:** 15 July 2040



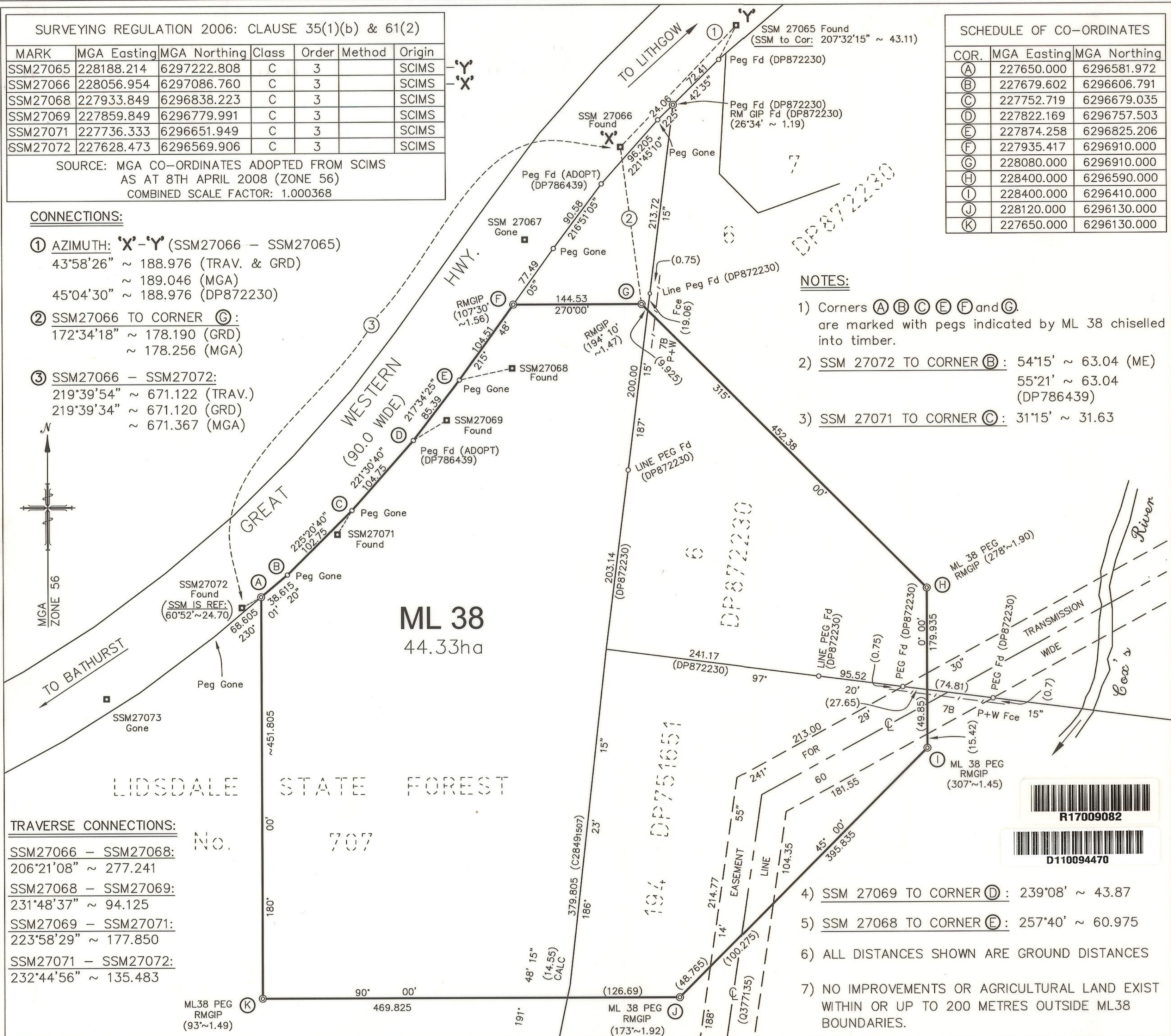
SURVEYING REGULATION 2006: CLAUSE 35(1)(b) & 61(2)

MARK	MGA Easting	MGA Northing	Class	Order	Method	Origin
SSM27065	228188.214	6297222.808	C	3		SCIMS
SSM27066	228056.954	6297086.760	C	3		SCIMS
SSM27068	227933.849	6296838.223	C	3		SCIMS
SSM27069	227859.849	6296779.991	C	3		SCIMS
SSM27071	227736.333	6296651.949	C	3		SCIMS
SSM27072	227628.473	6296569.906	C	3		SCIMS

SOURCE: MGA CO-ORDINATES ADOPTED FROM SCIMS  
AS AT 8TH APRIL 2008 (ZONE 56)  
COMBINED SCALE FACTOR: 1.000368

CONNECTIONS:

- ① AZIMUTH: 'X' - 'Y' (SSM27066 - SSM27065)  
43°58'26" ~ 188.976 (TRAV. & GRD)  
~ 189.046 (MGA)  
45°04'30" ~ 188.976 (DP872230)
- ② SSM27066 TO CORNER ③:  
172°34'18" ~ 178.190 (GRD)  
~ 178.256 (MGA)
- ③ SSM27066 - SSM27072:  
219°39'54" ~ 671.122 (TRAV.)  
219°39'34" ~ 671.120 (GRD)  
~ 671.367 (MGA)



SCHEDULE OF CO-ORDINATES

COR.	MGA Easting	MGA Northing
(A)	227650.000	6296581.972
(B)	227679.602	6296606.791
(C)	227752.719	6296679.035
(D)	227822.169	6296757.503
(E)	227874.258	6296825.206
(F)	227935.417	6296910.000
(G)	228080.000	6296910.000
(H)	228400.000	6296590.000
(I)	228400.000	6296410.000
(J)	228120.000	6296130.000
(K)	227650.000	6296130.000

NOTES:

- 1) Corners (A) (B) (C) (E) (F) and (G) are marked with pegs indicated by ML 38 chiselled into timber.
- 2) SSM 27072 TO CORNER (B): 54°15' ~ 63.04 (ME)  
55°21' ~ 63.04 (DP786439)
- 3) SSM 27071 TO CORNER (C): 31°15' ~ 31.63

TRAVERSE CONNECTIONS:

- SSM27066 - SSM27068:  
206°21'08" ~ 277.241
- SSM27068 - SSM27069:  
231°48'37" ~ 94.125
- SSM27069 - SSM27071:  
223°58'29" ~ 177.850
- SSM27071 - SSM27072:  
232°44'56" ~ 135.483

PLAN OF PORTION ML 38

PARISH: LIDSDALE

COUNTY: COOK

MAP SHEET NO.: 8931-3-S

REDUCTION RATIO 1: 3000

MINING LEASE APPLICATION NO. 279  
(ACT 1992)

MINING DIVISION: ORANGE

APPLICANT: WALKER QUARRIES  
PTY. LTD.

APPLICATION DATE: 13-4-2006

MINING LEASE NO. 1633 (Act 1992)

STATUS

METHOD OPEN CUT

~~SURFACE EXCEPTION/DEPTH RESTRICTION~~  
70 METRES

NOTES

Azimuth: SSM27066 - SSM27065  
'X' - 'Y'

Plans used in the course of this survey / compilation  
C28491507 .....  
DP786439 and DP872230 .....

Survey declared on this plan for corners  
..... (A) to (K) .....

I, KYLE SCOTT .....  
of Craven, Elliston, & Hayes (Lithgow) Pty. Limited,  
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 5/5/2008 .....  
Signature : Kyle Scott .....  
Surveyor's Reference : 3/1414 (KS) .....

Survey Calcs : ..... 30.9.08  
Plan Investigated : ..... 2/10/08  
Plan Approved : Val Sobol 16.10.2008  
Paper No : 06-138 .....

M27091



## **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. Environmental Incident Report**
- 6. Resource Recovery**
- 7. Security**
- 8. Cooperation Agreement**
- 9. Prescribed Dam**

**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 and Geoscience within the Department of Planning 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, 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.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/pgf/environmental-guidelines](http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/pgf/environmental-guidelines)
- (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 *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 2011*
  - (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.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/pgf/environmental-guidelines](http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/pgf/environmental-guidelines)

*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 Mining Act or Regulations;
- (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. 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**

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 **\$690,000**.

## **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 59 of the Mining Regulation 2016.*

*Reports must be prepared in accordance with Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales.*

## 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.*

### 9. Prescribed Dam

- (a) Notwithstanding any Mining Operations Plan, the lease holder must not mine within any part of the lease area which is within the Wallerawang Dam Notification Area without the prior written approval of the Minister and subject to any conditions he may stipulate.
- (b) Where the lease holder desires to mine within the notification area he must:
  - (i) at least twelve (12) months before mining is to commence or such lesser time as the Minister may permit, notify the Minister of the desire to do so. A plan of the mining system to be implemented must accompany the notice; and
  - (ii) provide such information as the Minister may direct.
- (c) The Minister must not, except in the circumstances set out in sub-paragraph (ii), grant approval unless sub-paragraph (i) of this paragraph has been complied with.
  - (i) This sub-paragraph is complied with if:
    - (a) the Dams Safety Committee as constituted by Section 7 of the Dams Safety Act 1978 and the owner of the dam have been notified in writing of the desire to mine referred to in paragraph (b).
    - (b) the notifications referred to in clause (a) are accompanied by a description or plan of the area to be mined.
    - (c) the Director-General has complied with any reasonable request made by the Dams Safety Committee or the owner of the dam for further information in connection with the mining proposal.
    - (d) the Dams Safety Committee has made its recommendations concerning the mining proposal or has informed the Minister in writing that it does not propose to make any such recommendations; and
    - (e) where the Dams Safety Committee has made recommendations, the approval is in terms that are:
      - (i) in accordance with those recommendations; or
      - (ii) where the Minister does not accept those recommendations or any of them - in accordance with a determination under sub-paragraph (ii) of this paragraph.
  - (ii) Where the Minister does not accept the recommendations of the Dams Safety Committee or where the Dams Safety Committee has failed to make any recommendations and has not informed the Minister in writing that it does not

propose to make any recommendations, the approval shall be in terms that are, in relation to matters dealing with the safety of the dam:

- (a) as determined by agreement between the Minister and the Minister administering the Dams Safety Act 1978; or
- (b) in the event of failure to reach such agreement - as determined by the Premier.

- (d) The Minister, on notice from the Dams Safety Committee, may at any time or times:
  - (i) cancel any approval given where a notice pursuant to Section 18 of the Dams Safety Act 1978 is given.
  - (ii) suspend for a period of time, alter, omit from or add to any approval given or conditions imposed.