

ASX RELEASE

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Dartbrook Update

As announced on 13 August 2019, the Independent Planning Commission of New South Wales (as delegate for the Minister for Planning and Public Spaces New South Wales) (**IPC**) gave notice of modification of development consent DA 231-07-2000. The development consent was in relation to the company's Dartbrook Underground Coal Mine which is located between Aberdeen and Muswellbrook in the Hunter Valley, New South Wales.

The IPC announced that *"... the Commission has determined to approve part of the Application to permit mining operations up until 5 December 2022, subject to conditions of consent, namely to commence underground coal mining on the site using bord-and-pillar methods; and use a varied coal clearance system, including transport of coal by trucks using a private haul road to a new coal delivery shaft connecting to an existing underground conveyor to the existing coal handling and preparation plant."*

But the proposed five-year extension to the life of the mine has been refused, with the Commission finding ... [amongst other things] ...a five-year extension would not be in accordance with the principles of ecologically sustainable development or inter-generational equity; and, as such, is not in the public interest."

The determination by the IPC comes despite on 29 January 2019 the NSW department of planning and environment (DPE) advising the IPC "The department concludes that the impacts of the modification are acceptable and the proposal is approvable, subject to the proposed recommended conditions of consent".

AQC has previously stated and the IPC acknowledged the proposed five-year extension of the approval period was required to justify the capital expenditure involved in recommissioning the mine.

Under the Environmental Planning & Assessment Act 1979 NSW an appeal against the determination of the IPC is available for a period of 3 months and accordingly AQC may initiate an appeal against the decision of the IPC in the New South Wales Land and Environment Court.

A decision about the next steps in that regard remains under consideration by the Board. The period for lodgement of any appeal will expire on 8 November 2019.

All enquiries:

Company Secretary

E: cosec@aqcltd.com

P: +61 7 3221 0679