



ASX RELEASE

Bengalla legal proceedings settled

24 April 2018

The Company is pleased to advise that Bengalla Mining Company Pty Ltd (BMC), in which the Company has a 40% interest, has settled the proceedings which BMC commenced in April 2017 in the Land and Environment Court of New South Wales against MACH Energy Australia Pty Ltd (MACH).

Further information regarding the terms of the settlement are set out in the attached joint public statement from BMC and MACH.

(ends)

For more information, please contact:

INVESTORS & ANALYSTS

Robert Millner	Chairman	P: +61 2 9232 7166
Shane Stephan	Managing Director	P: +61 7 3418 0500
Libby Beath	Manager Corporate Affairs	P: +61 499 016 674

MEDIA

Cathy Uechtritz	Senior Communication Advisor	P: +61 7 3418 0558 M: +61 400 188 127
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REGISTERED OFFICE

P: PO Box 47, Ipswich, QLD Australia 4305
A: 3/22 Magnolia Drive, Brookwater, QLD Australia 4300
T: +61 7 3418 0500 **F:** +61 7 3418 0355 **W:** newhopegroup.com.au



JOINT PUBLIC STATEMENT

MACH Energy Australia Pty Ltd (**MACH**) and Bengalla Mining Company Pty Limited (**Bengalla**) are pleased to announce that they have settled the legal proceedings commenced in April 2017 against MACH by Bengalla in the Land and Environment Court of New South Wales.

Under the terms of the settlement:

- The court proceedings are to be discontinued, with each party bearing its own costs.
- Bengalla will support the two applications lodged by MACH to modify the Mount Pleasant development consent (to extend the life of the Mount Pleasant Mine from 2020 to 2026 and to construct its long-term rail and associated infrastructure).
- Bengalla has agreed to provide land to MACH for construction of its long-term rail and associated infrastructure.
- MACH has agreed to remove its existing, short-term rail and other infrastructure, which is located south of Wybong Road, Muswellbrook ("Infrastructure") by 31 October 2022 in order to make way for continuation of Bengalla's mining operations south of Wybong Road.
- MACH has agreed to transfer its underlying land and mining lease associated with the Infrastructure (located south of Wybong Road, Muswellbrook) to Bengalla by 31 October 2022.
- MACH and Bengalla will request the New South Wales Government to incorporate the above commitments to remove the Infrastructure and transfer the underlying land and mining lease into the development consent and mining lease for the Mount Pleasant mine.
- Bengalla has agreed to pay \$12 million to MACH, by instalments (with the first instalment anticipated to be payable in about one month and the final instalment due after MACH has performed the last of its obligations described above).
- MACH and Bengalla have agreed, as adjoining land owners and mining operators, that they will act in good faith to enable each project to undertake its operations without unreasonable interference from the other (including in relation to operational matters, regulatory approvals and future development within their respective mining tenements).

The relocation of MACH's Infrastructure from Bengalla's approved expansion area was always intended under each mine's relevant approvals and will allow operations at both mines to continue unimpeded.

The continued operation of both mines will generate significant employment opportunities and economic benefits for the local community and the State of New South Wales.

For more information please contact:

- **Bengalla** : Mr Cam Halfpenny, Chief Executive Officer : 02-6542-9789
- **MACH Energy** : Mr Scott Winter, Managing Director : 07-3493 3600

Bengalla Mining Company Pty Limited [ABN. 32 053 909 470] : Operator of the Bengalla Mine, Muswellbrook, NSW (for and on behalf of the Bengalla Joint Venture, an unincorporated joint venture between: New Hope Bengalla Pty Ltd ABN 33 607 197 811 (40%) Wesfarmers Bengalla Limited ABN 28 008 744 278 (40%), Taipower Bengalla Pty Limited ABN 18 075 407 617 (10%) and Mitsui Bengalla Investment Pty Limited ABN 14 056 823 780 (10%))

MACH Energy Australia Pty Ltd [ABN 34 608 495 441]: Owner of the Mount Pleasant Operation, Muswellbrook, NSW.