

## CERTIFICATION OF SUITABILITY FOR PUBLICATION

### COURT DETAILS

|             |                                                   |
|-------------|---------------------------------------------------|
| Court       | Supreme Court of New South Wales, Court of Appeal |
| Registry    | Sydney                                            |
| Case number | 2025/332019                                       |

### TITLE OF PROCEEDINGS

|            |                                                                 |
|------------|-----------------------------------------------------------------|
| Appellant  | <b>Glencore Coal Assets Australia Pty Ltd</b> , ACN 163 821 298 |
| Respondent | <b>Port of Newcastle Operations Pty Ltd</b> , ACN 165 332 990   |

### FILING DETAILS

|                            |                                                           |
|----------------------------|-----------------------------------------------------------|
| Filed for                  | <b>Glencore Coal Assets Australia Pty Ltd</b> , Appellant |
| Legal representative       | Dave Poddar, Quay Law Partners                            |
| Contact name and telephone | Dave Poddar, +61 422 800 415                              |
| Contact email              | dave@quaylaw.com                                          |

### CERTIFICATION

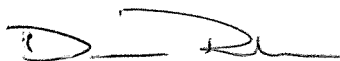
I, Dave Poddar, solicitor for the Appellant, certify pursuant to paragraphs 27 and 28 Practice Note SC CA 01 - Court of Appeal that:

- (a) The grounds of appeal in the Notice of Appeal filed 29 August 2025;
- (b) The Appellant's Submissions filed 29 September 2025; and
- (c) The Appellant's Submissions in Reply filed 31 October 2025,

are suitable for publication.

### SIGNATURE

**Signature of legal representative**



Date of signature **10 November 2025**