 Office of State Revenue
NSW Treasury
Client No: 1846988 2372
Duty: N/A Trans No: 441625
Asst details: Cox

MINING LEASE
MINING ACT 1992

NO 1628

DATED 24 February 2009

THE MINISTER FOR MINERAL
RESOURCES

OF THE STATE

OF NEW SOUTH WALES

TO

Moolarben Coal Mines Pty Limited
ACN 108 601 672

MINING ACT 1992

MINING LEASE

THIS DEED made the **twenty-fourth** day of **February** Two thousand and **nine** in pursuance of the provisions of the Mining Act 1992 (hereinafter called "the Act") BETWEEN **IAN MACDONALD, MLC, MINISTER FOR MINERAL RESOURCES** of the State of New South Wales (hereinafter called "the Minister" which expression shall where the context admits or requires include the successors in office of the Minister and the person acting as such Minister for the time being) AND **Moolarben Coal Mines Pty Limited ACN 108 601 672** (which with its successors and transferees is hereinafter called "the lease holder") of **Level 14, 213 Miller Street, North Sydney, New South Wales, 2060**.

WHEREAS

- (a) in conformity with the Act application was made for a mining lease over the lands hereinafter described; and
- (b) all conditions and things required to be done and performed before granting a mining lease under the Act have been done and performed NOW THIS DEED WITNESSETH that in consideration of the observance and performance of the covenants contained in this Deed and the payment of royalty by the lease holder, the Minister in pursuance of the provisions of the Act DOES HEREBY demise and lease to the lease holder ALL THAT piece or parcel of land containing by admeasurement **260.5** hectares as shown on Plan No. **M27142**, more particularly described and delineated in the plan attached for the purpose of prospecting and mining for **coal**.

TO HOLD the said land together with any appurtenances thereon subject to:

- (a) such rights and interests as may be lawfully subsisting therein or which may be reserved by the Act at the date of this Deed; and
- (b) such conditions, provisos and stipulations as are contained in this Deed UNTO the lease holder from and including the date of this Deed for the term of **twenty-one years** for the purpose as stated and for no other purpose.

1. THAT in this lease except insofar as the context otherwise indicates or requires:
 - (a) any reference to an Act includes that Act and any Act amending or in substitution for the same; "Director-General" means the person for the time being holding office or acting as Director-General, Department of Primary Industries; the word "mine" has the meaning assigned to it by the Act; words importing the singular number shall include the plural, the masculine gender the feminine or neuter gender and vice versa; and
 - (b) any covenant on the part of two or more persons shall be deemed to bind them jointly and severally.
2. THAT the lease holder shall during the said term pay to the Minister in Sydney in respect of all such minerals as stated, recovered from the land hereby demised, royalty at the rate or rates prescribed by the Act and the Regulations thereunder at the time the minerals are recovered, or at the rate or rates fixed by the Minister from time to time during the term of this demise in exercise of the power in that behalf conferred upon him by the Act.
3. THAT the lease holder shall at all times during the term of this lease keep and preserve the said mine from all avoidable injury or damage and also the levels, drifts, shafts, watercourses, roadways, works, erections and fixtures therein and thereon in good repair and condition and in such state and condition shall on the expiration or sooner determination of the said term or any renewal thereof deliver possession of the land and the premises hereby demised to the Minister or other persons authorised to receive possession thereof.
4. THAT the conditions and provisions set forth in the Schedule of Mining Lease Conditions 2008 herein and numbered: **1-23 (inclusive), 25-27 (inclusive) and 29-31 (inclusive)** are embodied and incorporated within this Deed as conditions and provisions of the lease hereby granted AND that the lease holder shall observe fulfil and perform the same. Condition Nos. 2-8 inclusive, and 17- 23 (inclusive) are identified as conditions relating to environmental management for the purposes of Sections 125(3) and 374A of the Mining Act 1992.

PROVIDED always and it is hereby declared as follows:

- (a) THAT this lease is granted subject to amendment as provided under Section 79 of the Act.
- (b) THAT if the lease holder at any time during the term of this demise -
 - (i) fails to fulfil or contravenes the covenants and conditions herein contained; or

- (ii) fails to comply with any provision of the Act or the Regulations with which the lease holder is required to comply; or
- (iii) fails to comply with the requirements of any agreement or assessment in relation to the payment of compensation,

this lease may be cancelled by the Minister by instrument in writing and the cancellation shall have effect from and including the date on which notice of the cancellation is served on the lease holder or on such later date as is specified in the notice; and any liability incurred by the lease holder before the cancellation took effect shall not be affected.

- (c) THAT no implied covenant for title or for quiet enjoyment shall be contained herein.
- (d) THAT all the conditions and provisions contained in the Mining Act 1992 and the Regulations thereunder, the *Mine Health & Safety Act 2004*, the *Mine Health and Safety Regulation 2007*, or, *Coal Mine Health & Safety Regulation 2006*, or any other law hereafter to be passed or prescribed shall be incorporated within this Deed as conditions and provisions of the lease granted. The lease holder hereby covenants to observe, fulfil and perform the same.
- (e) THAT such of the provisions and conditions declared and contained in this Deed as requiring anything to be done or not to be done by the lease holder, shall be read and construed as covenants by the lease holder with the Minister which are to be observed and performed.

IN WITNESS WHEREOF the parties hereto have executed this Deed the day and year first abovewritten.

SIGNED AND DELIVERED
BY

Moolarben Coal Mines Pty Limited
ACN 108 601 672



in the presence of

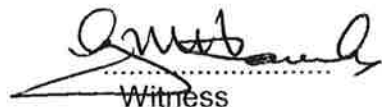


Witness

SIGNED AND DELIVERED
BY Hon Ian Macdonald MLC
Minister for Mineral Resources



in the presence of



Witness

MINING LEASE CONDITIONS 2008

1. Notice to Landholders

Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.

If there are ten or more landholders affected, 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 lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.

2. Environmental Harm

The leaseholder shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of the development.

3. Mining Operations Plan

- (a) Mining operations must not be carried out otherwise than in accordance with:
a Mining Operations Plan (MOP) which has been approved by the Director-General of the Department of Primary Industries.
- (b) The MOP must:
- i) identify areas that will be disturbed by mining operations;
 - ii) detail the staging of specific mining operations;
 - iii) identify how the mine will be managed to allow mine closure;
 - iv) identify how mining operations will be carried out on site in order to prevent and or minimise harm to the environment;
 - v) reflect 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 lease; and
 - vi) have regard to any relevant guidelines adopted by the Director-General.
- (c) The leaseholder may apply to the Director-General to amend an approved MOP at any time.
- (d) It is not a breach of this condition if:
- i) the operations constituting the breach were necessary to comply with a lawful order or direction given under the *Mining Act 1992*, the *Environmental Planning and Assessment Act 1979*, *Protection of the Environment Operations Act 1997* or the *Occupational Health and Safety Act 2000*; and

- ii) the Director-General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.
- (e) A MOP ceases to have affect 7 years after date of approval or other such period as identified by the Director-General. An approved amendment to the MOP under condition 5 does not constitute an approval for the purpose of this paragraph unless otherwise identified by the Director-General.

4. Environment Management Reporting

The lease holder must lodge Environmental Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.

5. The EMR must:

- a) report against compliance with the MOP;
 - b) report on progress in respect of rehabilitation completion criteria;
 - c) report on the extent of compliance with regulatory requirements; and
 - d) have regard to any relevant guidelines adopted by the Director-General;
6. Additional environmental reports may be required on specific surface disturbing operations or environmental incidents from time to time as directed in writing by the Director-General and must be lodged as instructed.

7. Rehabilitation

Disturbed land must be rehabilitated to a sustainable/agreed end land use to the satisfaction of the Director-General.

8. Subsidence Management

- (a) The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface.
- (b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc), and pillar extractions, and are otherwise defined by the *Applications for Subsidence Management Approvals guidelines (EDG17)*
- (c) The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the *Mine Health & Safety Act 2004*, or the document *New Subsidence Management Plan Approval Process – Transitional Provisions (EDP09)*.
- (d) Subsidence Management Plans are to be prepared in accordance with the *Guideline for Applications for Subsidence Management Approvals*.
- (e) Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under Condition 3 and will be subject to the Annual Environmental Management Report process as set out under Condition 4. The SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document *New Approval Process for Management of Coal Mining Subsidence - Policy*.

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9. Working Requirement

The lease holder must:

- (a) ensure that at least **11** competent people are efficiently employed on the lease area on each week day except Sunday or any week day that is a public holiday,

OR

- (b) expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than **\$192,500** per annum whilst the lease is in force.

The Minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed.

10. Control of Operations

- (a) If an Environmental Officer of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to:-
 - (i) cease working the lease; or
 - (ii) cease that part of the operation not complying with the Act or conditions; until in the opinion of the Environmental Officer the situation is rectified.
- (b) The lease holder must comply with any direction given. The Director-General may confirm, vary or revoke any such direction.
- (c) A direction referred to in this condition may be served on the Mine Manager.

11. Reports

The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date this lease has effect or at such other date as the Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following:

- (a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period;
- (b) Details of expenditure incurred in conducting that exploration;
- (c) A summary of all geological findings acquired through mining or development evaluation activities;
- (d) Particulars of exploration proposed to be conducted in the next twelve months period;
- (e) All plans, maps, sections and other data necessary to satisfactorily interpret the report.

12. Licence to Use Reports

- (a) The lease holder grants to the Minister, by way of a non-exclusive licence, the right in copyright to publish, print, adapt and reproduce all exploration reports lodged in any form and for the full duration of copyright.
- (b) The non-exclusive licence will operate as a consent for the purposes of section 365 of the Mining Act 1992.

13. Confidentiality

- (a) All exploration reports submitted in accordance with the conditions of this lease will be kept confidential while the lease is in force, except in cases where:
 - (i) the lease holder has agreed that specified reports may be made non-confidential.
 - (ii) reports deal with exploration conducted exclusively on areas that have ceased to be part of the lease.
- (b) Confidentiality will be continued beyond the termination of a lease where an application for a flow-on title was lodged during the currency of the lease. The confidentiality will last until that flow-on title or any subsequent flow-on title, has terminated.
- (c) The Director-General may extend the period of confidentiality.

14. Terms of the non-exclusive licence

The terms of the non-exclusive copyright licence granted under condition 12 are:

- (a) the Minister may sub-licence others to publish, print, adapt and reproduce but not on-licence reports.
- (b) the Minister and any sub-licensee will acknowledge the lease holder's and any identifiable consultant's ownership of copyright in any reproduction of the reports, including storage of reports onto an electronic database.
- (c) the lease holder does not warrant ownership of all copyright works in any report and, the lease holder will use best endeavours to identify those parts of the report for which the lease holder owns the copyright.
- (d) there is no royalty payable by the Minister for the licence.
- (e) if the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of a period of not less than three months notice.

15. Blasting

(a) Ground Vibration

The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment and Climate Change.

(b) Blast Overpressure

The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment and Climate Change.

16. Safety

Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be filled in or otherwise rendered safe to a standard acceptable to the Director-General.

17. Exploratory Drilling

- (a) At least twenty eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Water and Energy Regional Hydrologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.
- (b) If the lease holder drills exploratory drill holes he must satisfy the Director-General that:-
 - (i) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;
 - (ii) all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface;
 - (iii) all drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwaters;
 - (iv) if any drill hole meets natural or noxious gases it is plugged or sealed to prevent their escape;
 - (v) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers.
 - (vi) once any drill hole ceases to be used the hole must be sealed in accordance with Departmental guidelines. Alternatively, the hole must be sealed as instructed by the Director-General.
 - (vii) once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.

18. Prevention of Soil Erosion and Pollution

Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.

19. Transmission lines, Communication lines and Pipelines

Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions he may stipulate.

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20. Fences, Gates

- (a) Activities on the lease must not interfere with or damage fences without the prior written approval of the owner thereof or the Minister and subject to any conditions the Minister may stipulate.
- (b) Gates within the lease area must be closed or left open in accordance with the requirements of the landholder.

21. Roads and Tracks

- (a) Operations must not affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may stipulate.
- (b) The lease holder must pay to the designated authority in control of the road (generally the local council or the Roads and Traffic Authority) the cost incurred in fixing any damage to roads caused by operations carried out under the lease, less any amount paid or payable from the Mine Subsidence Compensation Fund.

22. Access tracks must be kept to a minimum and be positioned so that they do not cause any unnecessary damage to the land. Temporary access tracks must be ripped, topsoiled and revegetated as soon as possible after they are no longer required for mining operations. The design and construction of access tracks must be in accordance with specifications fixed by the Department of Environment and Climate Change.

23. Trees and Timber

- (a) The lease holder must not fell trees, strip bark or cut timber on the lease without the consent of the landholder who is entitled to the use of the timber, or if such a landholder refuses consent or attaches unreasonable conditions to the consent, without the approval of a warden.
- (b) The lease holder must not cut, destroy, ringbark or remove any timber or other vegetative cover on the lease area except such as directly obstructs or prevents the carrying on of operations. Any clearing not authorised under the Mining Act 1992 must comply with the provisions of the *Native Vegetation Act 2003*.
- (c) The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.

25. Resource Recovery

- (a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, he may give notice in writing to the lease holder requiring the holder to recover such minerals.
- (b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.

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- (c) The lease holder must, when requested by the Director-General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.
- (d) The Director-General shall issue no such notice unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder.
- (e) The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the Minister shall refer it to a Warden for inquiry and report under Section 334 of the *Mining Act, 1992*.
- (f) After considering the Warden's report the Minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.

26. Indemnity

The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.

27. Security

- (a) A security in the sum of **\$50,000** must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under this lease. If the lease holder fails to fulfil any one or more of such obligations the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purpose of this clause the lease holder shall be deemed to have failed to fulfil the obligations of this lease if the lease holder fails to comply with any condition or provision hereof, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision hereof or of any provision of the Act or regulations made thereunder.
- (b) The lease holder must provide the security required by sub-clause (a) in one of the following forms:
 - (i) cash,
 - (ii) a security certificate in a form approved by the Minister and issued by an authorised deposit-taking institution.

29. 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 notification area of the **Moolarben Creek Dam** 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.

This sub-paragraph is complied with if:

- (i) 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).
 - (ii) the notifications referred to in clause (a) are accompanied by a description or plan of the area to be mined.
 - (iii) 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.
 - (iv) 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
 - (v) where the Dams Safety Committee has made recommendations the approval is in terms that are:
 - in accordance with those recommendations; or
 - where the Minister does not accept those recommendations or any of them - in accordance with a determination under sub-paragraph (ii) of this paragraph.
 - (vi) 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:
 - as determined by agreement between the Minister and the Minister administering the *Dams Safety Act 1978*; or
 - 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.

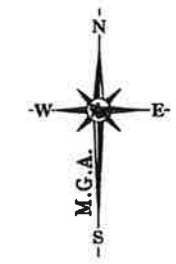
30. Suspension of Mining Operations

The holder of a consolidated mining lease may not suspend mining operations in the mining area other than in accordance with the consent of the Minister.

31. Cooperation Agreement

The lease holder must make every reasonable attempt, and be able to demonstrate their attempts, to enter into a cooperation agreement with the holder(s) of any overlapping petroleum 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.



NUMBER	EASTING	NORTHING
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78	762868.842	6428826.404
79	762707.949	6427940.823
80	763743.061	6427752.815

DIAGRAM
NOT TO SCALE

SEE RIGHT

COMBINED SCALE
FACTOR 1.000402
BY SURVEY

COMBINED SCALE
FACTOR 1.000402
BY SURVEY

COMBINED SCALE
FACTOR 1.000368
BY SURVEY

COMBINED SCALE
FACTOR 1.000368
BY SURVEY

SEE SHEET 2

SEE SHEET 3

SEE SHEET 4

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

MARK	M.G.A. CO-ORDINATES		ZONE	CLASSORDER
	EASTING	NORTHING		
PM 38155	761 203.300	6 426 116.825	55	C 3
PM 60748	763 876.670	6 426 387.812	55	C 3
PM 140996	759 122.307	6 424 989.282	55	C 3
TS 10698	760 942.080	6 422 386.975	55	B 2
SSM 160536	763 447.465	6 415 614.280	55	BY GNSS
SSM 160537	761 991.830	6 417 137.225	55	BY GNSS
SSM 160538	760 465.920	6 417 155.325	55	BY GNSS

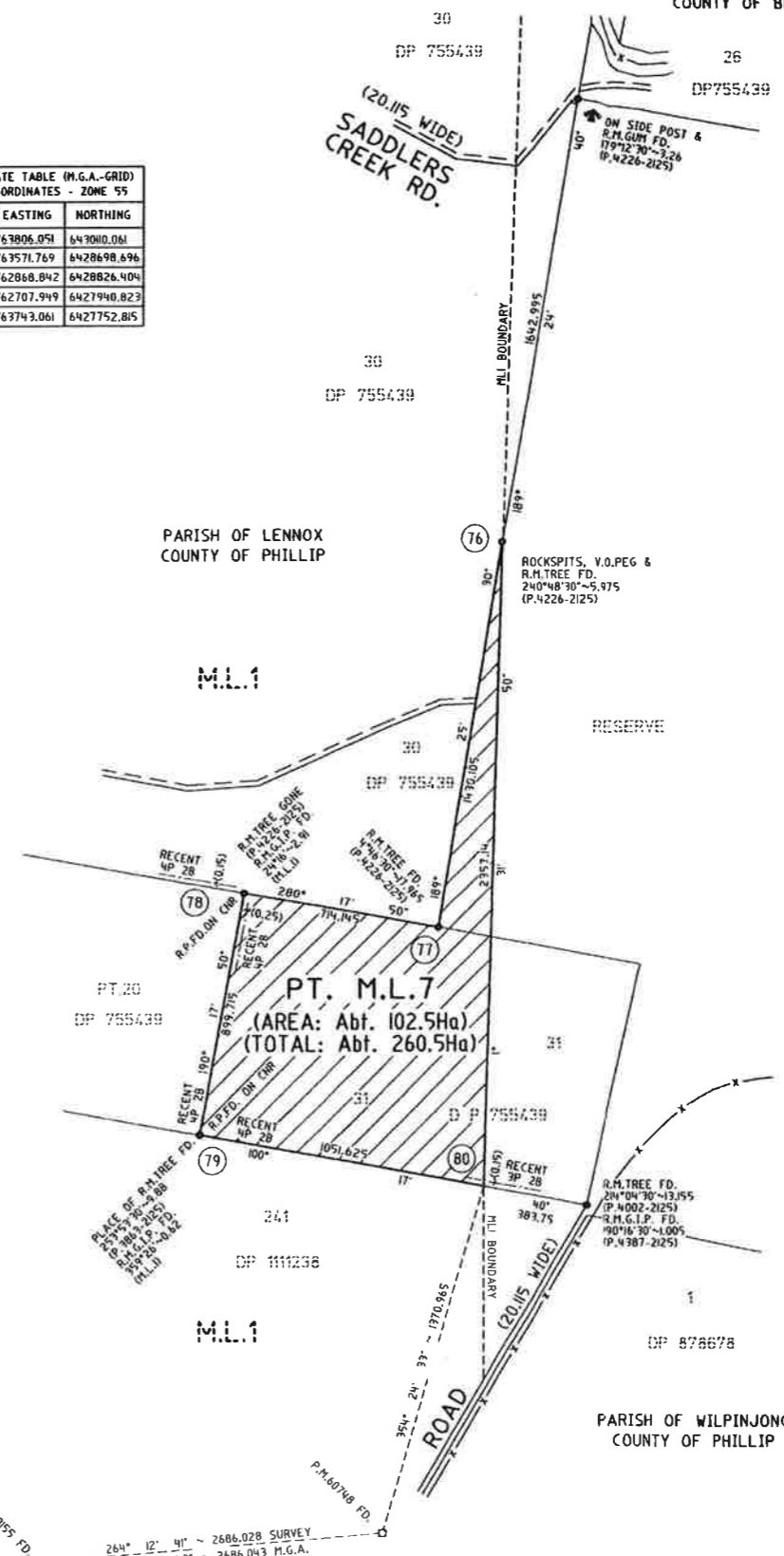
COMBINED SEA LEVEL & SCALE FACTOR = 1.000368 (SVY)
AND 1.000402 (SVY) TO THE NORTHERN SECTION AS SHOWN.

SOURCE: M.G.A. CO-ORDINATES ADOPTED FROM LAND
INFORMATION CENTRE ON 30TH DECEMBER 2008.

SEE LEFT

IMPORTANT NOTES:

- ALL BEARINGS AND DISTANCES ARE BY SURVEY, ON GROUND, UNLESS SHOWN OTHERWISE.
- SURVEY WITH RESPECT TO MINING LEASE BOUNDARY ONLY. OTHER BOUNDARIES HAVE BEEN ESTABLISHED FROM THE D.C.D.B. AND ARE FOR DIAGRAMMATIC PURPOSES ONLY.



PLAN OF PORTION ML7

PARISH: LENNOX & MOOLARBEN
COUNTY: PHILLIP
MAP SHEET No.8833-1-S, 8833-2-N
& 8833-3-N
REDUCTION RATIO 1:12,500

MINING LEASE APPLICATION No. 318
MINING DIVISION: ORANGE
APPLICANT: MOOLARBEN COAL
MINES PTY LIMITED
APPLICATION DATE: 14-04-2008

MINING LEASE No.1628 (Act 1992)
STATUS:
METHOD: OPEN CUT & UNDERGROUND

SURFACE EXCEPTION / DEPTH RESTRICTION

EMBRACES THE SURFACE AND SOIL BELOW THEREOF TO A DEPTH OF 900 METRES BELOW (AHD) AUSTRALIAN HEIGHT DATUM.

EMBRACES THE STRATUM FROM A DEPTH OF 20 METRES BELOW THE SURFACE TO A DEPTH OF 900 METRES BELOW (AHD) AUSTRALIAN HEIGHT DATUM.

NOTES:
SHEET 1 OF 4 SHEETS

Azimuth: X-Y
Plans used in the course of this survey

D.P.755439	P.3836.2125	M.L.J
D.P.878678	P.4000.2125	
D.P.111238	P.4226.2125	
	P.4387.2125	

I, Martin Alexander Burns
of Pegasus Technical 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 2006 and
the Surveyor General's Direction for Mining Surveys
and was completed on 15TH JANUARY 2008.

Signature : *[Signature]*
Surveyors Reference : 55214
Exemption No:

Survey Calcs : *[Signature]* 5-2-2009
Plan Investigated : *[Signature]* 5-2-2009
Plan Approved : *[Signature]* 5-2-2009
Paper No : 08-3425



M27142

DIAGRAM A
SCALE 1:4,000

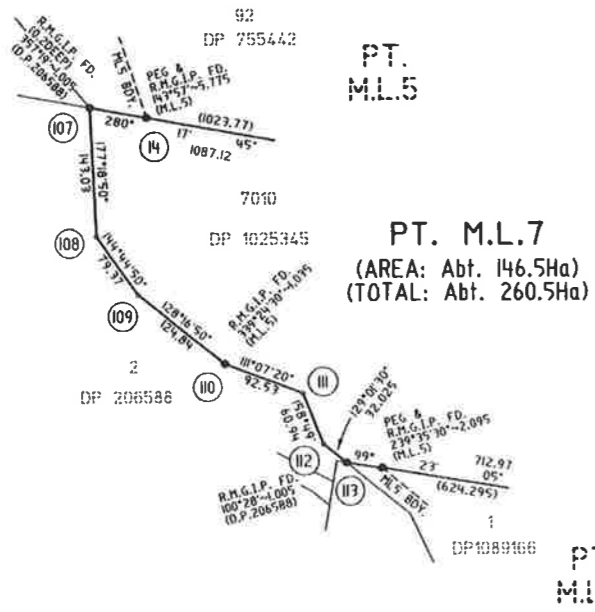


DIAGRAM B
NOT TO SCALE

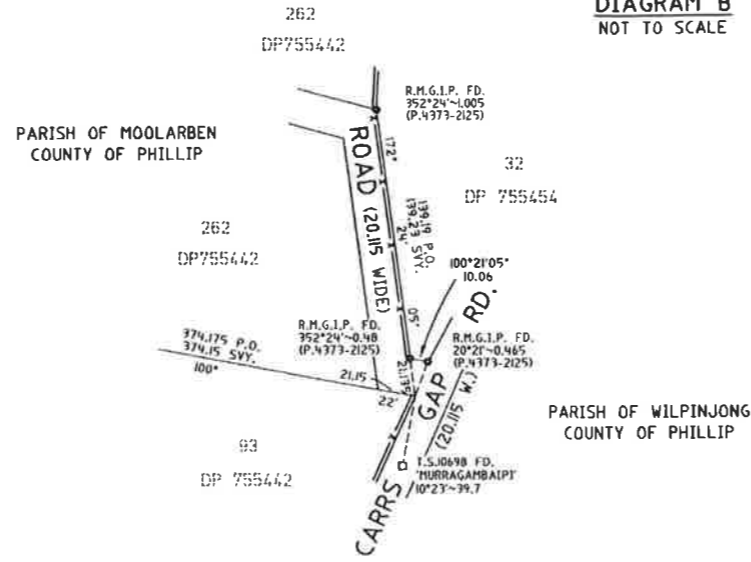
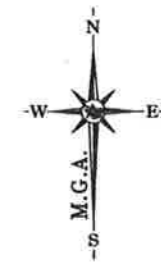
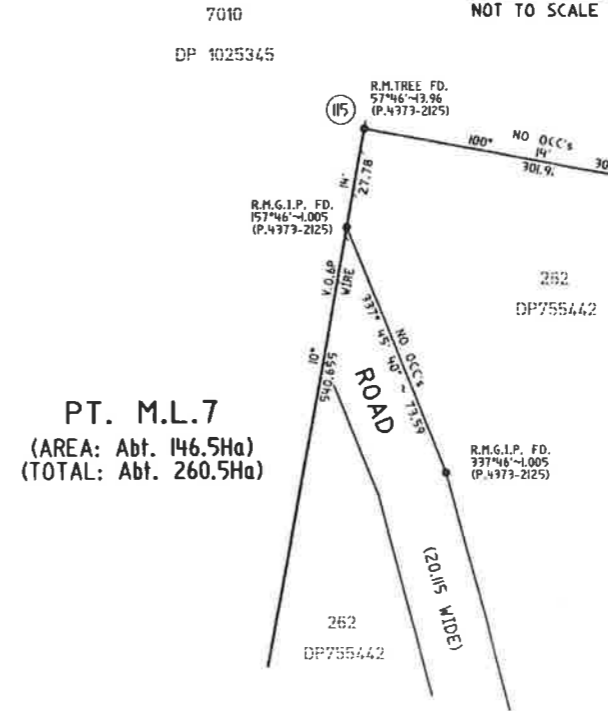


DIAGRAM C
NOT TO SCALE



G.P.S. OBSERVATIONS WERE USED TO DERIVE PARTS OF THIS SURVEY

PLAN OF PORTION ML7
PARISH: LENNOX & MOOLARBEN
COUNTY: PHILLIP
MAP SHEET No.8833-1-S, 8833-2-N & 8833-3-N
REDUCTION RATIO 1:8,000

MINING LEASE APPLICATION No. 318
MINING DIVISION: ORANGE
APPLICANT: MOOLARBEN COAL MINES PTY LIMITED
APPLICATION DATE: 14-04-2008

MINING LEASE No.1628 (Act 1992)
STATUS:
METHOD: OPEN CUT & UNDERGROUND

SURFACE EXCEPTION / DEPTH RESTRICTION

EMBRACES THE SURFACE AND SOIL BELOW THEREOF TO A DEPTH OF 900 METRES BELOW (AHD) AUSTRALIAN HEIGHT DATUM.

EMBRACES THE STRATUM FROM A DEPTH OF 20 METRES BELOW THE SURFACE TO A DEPTH OF 900 METRES BELOW (AHD) AUSTRALIAN HEIGHT DATUM.

NOTES:

SHEET 2 OF 4 SHEETS

Azimuth: X-Y
Plans used in the course of this survey

D.P.206588	P.3821.2125	M.L.5
D.P.258998	P.3864.2125	
D.P.639148	P.4373.2125	
D.P.755442	P.4424.2125	
	P.4512.2125	

I. Martin Alexander Burns
of Pegasus Technical 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 2006 and
the Surveyor General's Direction for Mining Surveys
and was completed on 15TH JANUARY 2008.

Signature: *[Signature]*
Surveyors Reference: 05214
Exemption No:

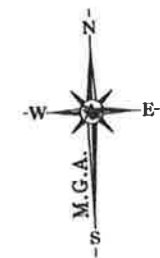
Survey Calcs: *[Signature]* 5-2-2009
Plan Investigated: *[Signature]* 5-2-2009
Plan Approved: *[Signature]* 5-2-2009
Paper No: 08-3425

CO-ORDINATE TABLE (M.G.A.-GRID) M.G.A. CO-ORDINATES - ZONE 55			CO-ORDINATE TABLE (M.G.A.-GRID) M.G.A. CO-ORDINATES - ZONE 55		
NUMBER	EASTING	NORTHING	NUMBER	EASTING	NORTHING
4	75929.040	6423028.827	10	75895.743	6423045.817
6	759745.209	6422926.990	11	75904.087	642382.461
7	759777.804	6422838.294	12	759064.86	642305.617
10	760306.426	6422543.923	13	759089.005	6423035.444
14	758867.532	642349.622	14	760560.241	6422497.193
103	76047.898	642349.380	15	760664.266	6427056.794
104	76090.874	6423888.409	16	760958.472	6427007.093
105	759999.996	6423922.957	17	76026.869	6423382.676
106	759875.189	6423236.582	177	759792.698	6422919.141
107	758805.177	6423430.948	188	759933.393	6422791.744
108	75888.882	6423288.025	199	759964.952	6422672.933
109	758857.710	6423223.86	200	76000.662	6422594.317

LINE TABLE (GROUND DIST.)		
LINE No.	BEARING	DISTANCE
L4	309° 46' 45"	203.73
L14	342° 08' 35"	289.865
L15	350° 49' 35"	261.175
L44	203° 04' 45"	323.025
L45	216° 21' 25"	342.98
L46	261° 15' 30"	94.955P.O.
	261° 15' 30"	94.955SVY.
L102	10° 14' 00"	18.55P.O.
	10° 12' 50"	18.55SVY.
L103	190° 26' 20"	82.175
L104	127° 18' 20"	195.535
L105	160° 01' 20"	92.335
L106	120° 26' 30"	76.19
L107	100° 21' 20"	280.23



M27142

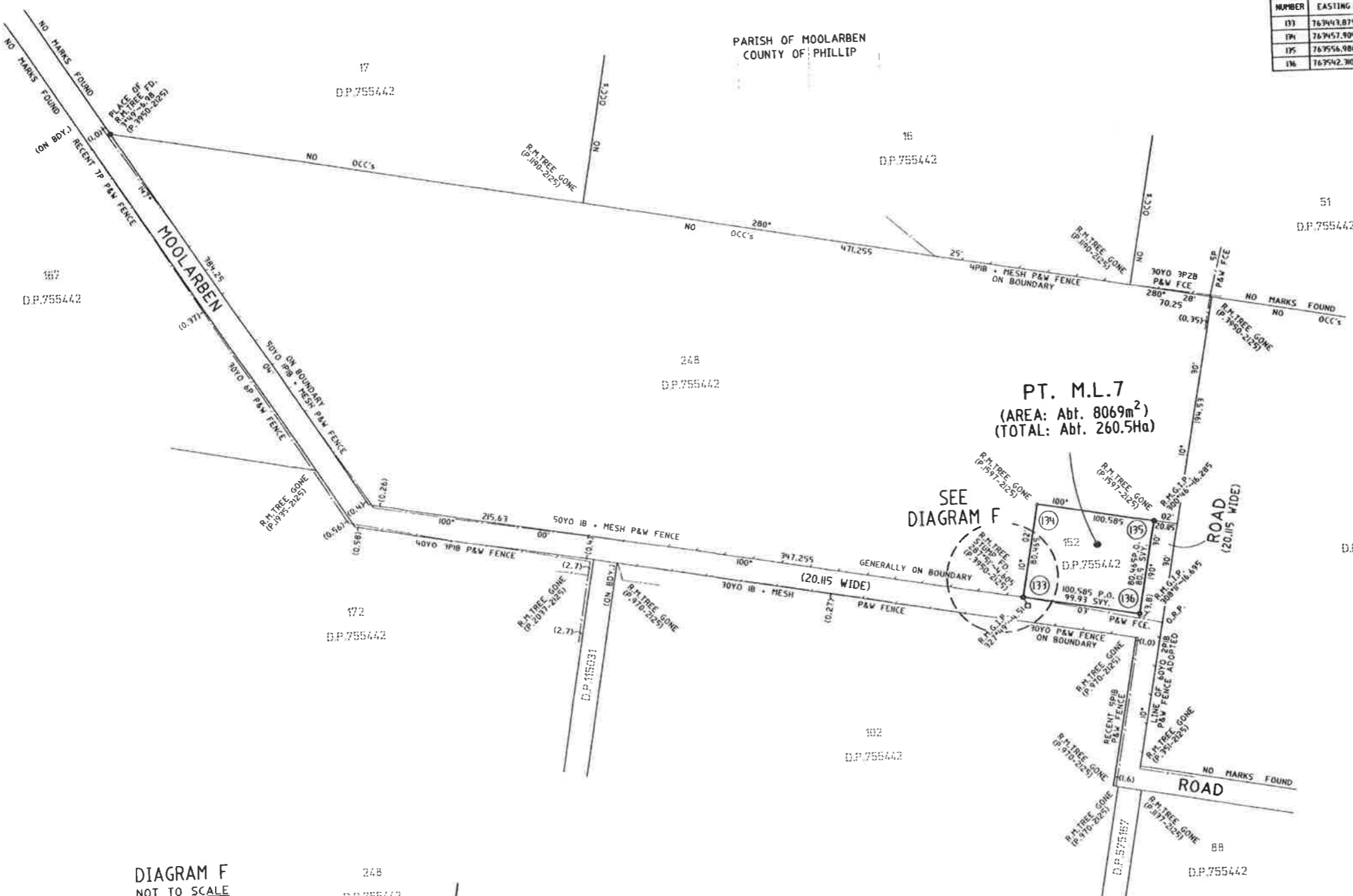


CO-ORDINATE TABLE (M.G.A.-GRID)
M.G.A. CO-ORDINATES - ZONE 55

NUMBER	EASTING	NORTHING
133	763443.879	645621.678
134	763457.904	645700.943
135	763556.986	645683.113
136	763542.300	645604.233

G.P.S. OBSERVATIONS WERE USED TO DERIVE PARTS OF THIS SURVEY

PARISH OF MOOLARBEN
COUNTY OF PHILLIP



PLAN OF PORTION ML7
 PARISH: LENNOX & MOOLARBEN
 COUNTY: PHILLIP
 MAP SHEET No.8833-1-S, 8833-2-N & 8833-3-N
 REDUCTION RATIO 1:2,000
 MINING LEASE APPLICATION No. 318
 MINING DIVISION: ORANGE
 APPLICANT: MOOLARBEN COAL MINES PTY LIMITED
 APPLICATION DATE: 14-04-2008
 MINING LEASE No.1628 (Act 1992)
 STATUS:
 METHOD: OPEN CUT & UNDERGROUND
 SURFACE EXCEPTION / DEPTH RESTRICTION

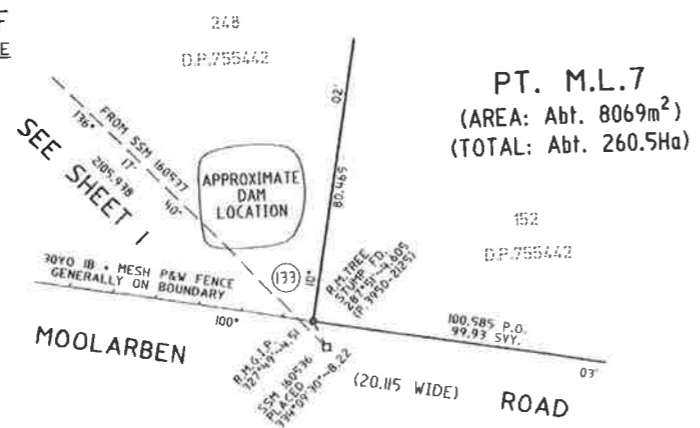
- EMBRACES THE SURFACE AND SOIL BELOW THEREOF TO A DEPTH OF 900 METRES BELOW (AHD) AUSTRALIAN HEIGHT DATUM.
- EMBRACES THE STRATUM FROM A DEPTH OF 20 METRES BELOW THE SURFACE TO A DEPTH OF 900 METRES BELOW (AHD) AUSTRALIAN HEIGHT DATUM.

NOTES:
 SHEET 4 OF 4 SHEETS
 Azimuth: X-Y
 Plans used in the course of this survey

D.P.115031	P.351-2125
D.P.575167	P.970-2125
D.P.624327	P.1137-2125
D.P.736630	P.1190-2125
D.P.755442	P.1597-2125
D.P.817487	P.1935-2125
	P.2037-2125
	P.3950-2125

I. Martin Alexander Burns
 of Pegasus Technical 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 2008 and
 the Surveyor General's Direction for Mining Surveys
 and was completed on 15TH JANUARY 2008.
 Signature: *[Signature]*
 Surveyors Reference: 56814
 Exemption No:
 Survey Calcs: *[Signature]* 5-2-2009
 Plan Investigated: *[Signature]* 5-2-2009
 Plan Approved: *[Signature]* 5-2-2009
 Paper No: 08-3425

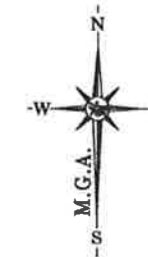
DIAGRAM F
NOT TO SCALE



NOTE:
 DAM SHOWN IS APPROXIMATE AND WAS TRACED FROM AN AERIAL PHOTOGRAPH.



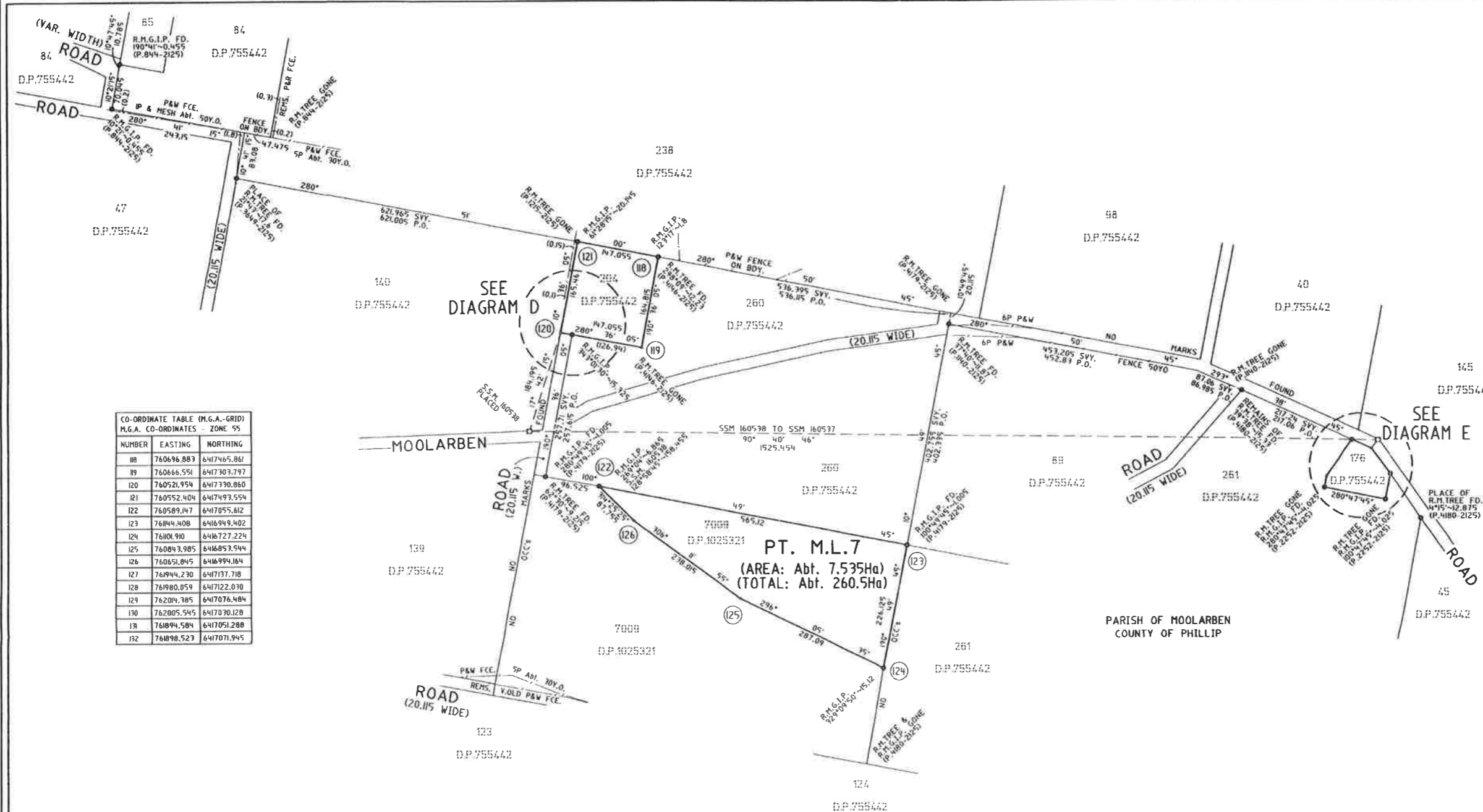
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G.P.S. OBSERVATIONS WERE USED TO DERIVE PARTS OF THIS SURVEY

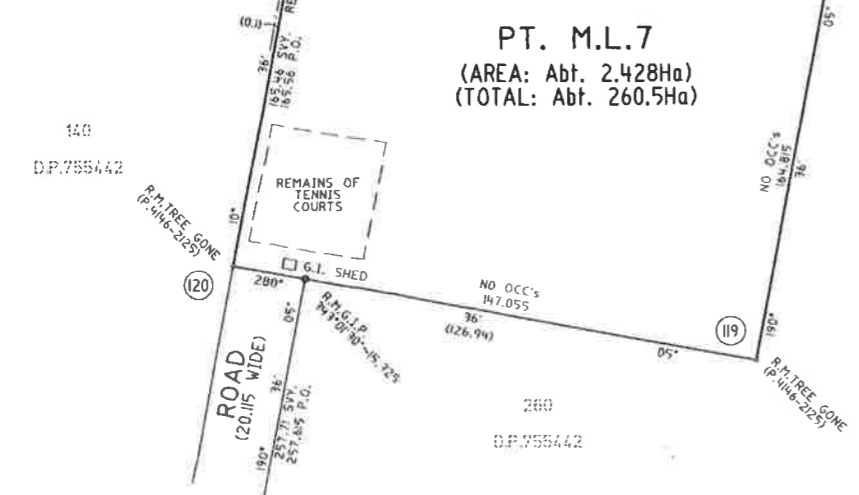
CO-ORDINATE TABLE (M.G.A.-GRID)
M.G.A. CO-ORDINATES - ZONE 55

NUMBER	EASTING	NORTHING
118	760696.883	6417465.861
119	760666.551	6417303.797
120	760521.954	6417330.860
121	760552.404	6417493.554
122	760589.147	6417055.612
123	761144.408	6416949.402
124	76101.910	6416727.224
125	760843.985	6416853.544
126	760851.845	6416994.184
127	761144.230	6417137.718
128	761180.059	6417122.030
129	76204.385	6417076.484
130	762005.545	6417030.128
131	761894.584	6417051.288
132	761898.523	6417071.945



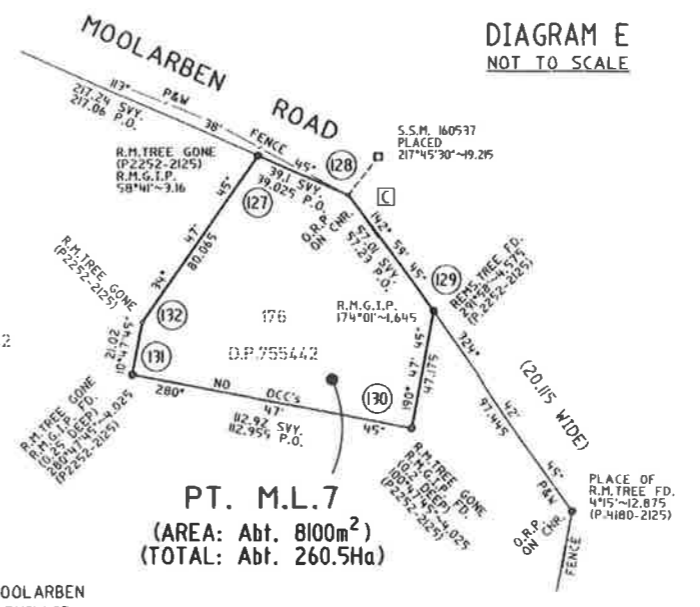
PARISH OF MOOLARBEN
COUNTY OF PHILLIP

DIAGRAM D
NOT TO SCALE



☐ APPROXIMATE LOCATION OF CONTOUR BANK

DIAGRAM E
NOT TO SCALE



PARISH OF MOOLARBEN
COUNTY OF PHILLIP

PLAN OF PORTION ML7
PARISH: LENNOX & MOOLARBEN
COUNTY: PHILLIP
MAP SHEET No.8833-1-S, 8833-2-N
& 8833-3-N
REDUCTION RATIO 1:4,000

MINING LEASE APPLICATION No. 318
MINING DIVISION: ORANGE
APPLICANT: MOOLARBEN COAL
MINES PTY LIMITED
APPLICATION DATE: 14-04-2008

MINING LEASE No.1628(Act 1992)
STATUS:
METHOD: OPEN CUT & UNDERGROUND

SURFACE EXCEPTION / DEPTH RESTRICTION

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EMBRACES THE STRATUM FROM A DEPTH OF 20 METRES BELOW THE SURFACE TO A DEPTH OF 900 METRES BELOW (AHD) AUSTRALIAN HEIGHT DATUM.

NOTES:

SHEET 3 OF 4 SHEETS

Azimuth: X-Y
Plans used in the course of this survey

D.P.755442	P.844-2125
D.P.1025321	P.1140-2125
	P.2252-2125
	P.3649-2125
	P.4146-2125
	P.4179-2125
	P.4180-2125

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Signature: *[Signature]*
Surveyors Reference: 5514
Exemption No:

Survey Calcs: *[Signature]* 5-2-2009
Plan Investigated: *[Signature]* 5-2-2009
Plan Approved: *[Signature]* 5-2-2009
Paper No: 08-3425



M27142