

Section 7.13

APPLICATION FOR

No I

SURFACE AREA FOR MINING LEASE 4750

Please Print Clearly

1. Full name of principal applicant Principal applicant : ● will be served with any notices required to be given
● need not hold the highest percentage of interest

Tick one box

Mr Mrs Miss/Ms Company

Surname or company name

B.H.P. MITSUI COAL PTY LTD

Christian or given names

ACN 009 713 875

2. Postal address for service of notice and phone/contact number

BRISBANE OFFICE

G.P.O. BOX 1389

BRISBANE QLD

Postcode
4001

Phone No.
(07) 226 0600

Fax No.
(07) 229 4594

3. Full name of applicants and percentage interest including principal applicant

Surname or company name	Christian or given names	%
B.H.P. MITSUI COAL PTY LTD		100
Total percentage		100

OFFICE USE ONLY

Q 200-00 EPA

Received at EMERALD

By [Redacted]

10:30 am/pm

17/10/95

Title-097

Date

File Applications 1

PRESCRIBED FEE

Amount paid \$ 106-10

Receipt no. EM2001627

Initials [Redacted]

Entered on MTDB

Initials

1 of 08

Sch 4p4 (6)
Personal Information

4. Date and time land marked out This application to be lodged within 7 days of marking out.

Date	Time	am/
11 / 10 / 95	10:00	

Markings on all posts
BHPMC P/L 11/10/95

To be marked on all posts

Applicant's initials and surname or company initials; date (One applicant should there be more than one)

5. Indicate which of the following you hold over the area applied for in this application

Mining Lease Prospecting Permit(s)	Tick <input checked="" type="checkbox"/>	Number(s) 4750
Exploration Permit(s)	Mineral <input type="checkbox"/> Coal <input type="checkbox"/>	
Mineral Development Licence(s)	<input type="checkbox"/>	

6. Indicate if the land applied for is situated within an Exploration Permit or Mineral Development Licence in which no interest is held and written permission of the holder is attached

Exploration Permit	Tick Mineral <input type="checkbox"/> Coal <input type="checkbox"/>	Number(s)
Mineral Development Licence	<input type="checkbox"/>	

7. Area TOTAL AREA OF ML 4750

11,390	hectares
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8. Surface Area

If Nil, state the number of the adjoining mining lease held by you which will enable you to carry out the purposes for which this lease is applied for

Whole	Tick <input type="checkbox"/>	
Nil	<input type="checkbox"/>	
Part	<input checked="" type="checkbox"/>	4,340 hectares

Specify the purpose for which the surface area is to be used

WINNING AND PROCESSING COAL

9. Term sought and give reasons.

APPROXIMATELY FOUR (4) YEARS TO EXPIRE 31-07-99	Years
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THE TERM SELECTED IS TO MATCH THE TERM EXISTING FOR ML 4750

10. Description of boundaries of land applied for; surface area(s) and access

SEE STATEMENT 27

11. Give reasons why the mining lease should be granted over the area and shape described herein

N/A

ATTACH SCHEDULE IF INSUFFICIENT SPACE IN 12 AND 13

12. Describe all parcels of land the whole or part of which are the subject of this application and indicate which parcels are within the boundaries of the surface area applied for

Description of Parcels of Land	Owner's Name and Address	Tick if Surface Area
GHFL 30/3882 LOT 3 ON WHS 16 & LOT 4 ON WHS 118	MARK F. S. HOWARD	<input checked="" type="checkbox"/>
PARISH OF KEMMIS COUNTY OF WODEHOUSE	SPRING CREEK ROAD NEBO OLD 4742	<input type="checkbox"/>
LOT 8 ON WHS 557	JOHN J. & MICHAEL G. BORG	<input checked="" type="checkbox"/>
PARISH OF KEMMIS COUNTY OF WODEHOUSE	"HARRYBRANDT" NEBO OLD 4742	<input type="checkbox"/>

13. Describe all parcels of land the whole or part over which access is required

Description of Parcels of Land	Owner's Name and Address
N/A	

14. Specify the current use of the parcels of land described in 12 and 13

LOW INTENSITY GRAZING

15. Specify if any of the land is subject to erosion control works

Location of Erosion Control Works	Nature of Works
	NONE KNOWN

16. State the general locality of the area of the application

APPROXIMATELY 20 km WEST OF NEBO

17. Lease name

KEMMIS-WALKER

18. Project name (if any)

SOUTH WALKER CREEK

19. Local Authority(ies)

NEBO

20. Specify Minerals/purpose for which the mining lease is sought (Do not use symbols)

Cannot include Minerals that are not specified in pre-requisite Prospecting Permit, Exploration Permit or Mineral Development Licence

COAL	

RTI/DL RELEASE - DNR/M

21. A mining lease shall not be granted over the surface of land of an owner that is

(a) within 100 metres laterally of -

(i) a dwelling-house, or other building of the owner (not of a temporary nature) on that land principally used for accomodation of persons or used for the conduct of business;

or

(ii) a building (not of a temporary nature) on that land currently used for community, sporting or recreational activities or as a place of worship;

or

(b) within 50 metres laterally of -

(i) a principal stockyard or a dam, bore or artesian well of the owner of that land or other artificial water storage of that owner connected to a supply of water;

or

(ii) a cemetery or burial place,

except with the written consent of the owner of that land.

Indicate if there are any improvements within the boundaries of the surface area applied for or within 100 metres laterally of the boundaries

Yes

No

If 'no' go to 22

If 'yes' identify any improvements including consents (if any) consistent with (a) and (b) above

NONE KNOWN

22. A mining lease shall not be granted over the surface of land that is a Reserve except with

(a) the consent in writing of the owner of the Reserve; or

(b) the consent of the Governor in Council

Indicate if consent has been given

Yes

consent is attached

No

N/A

If 'no', please specify what action has been taken to obtain the necessary consent

RTI/DL RELEASE - DNRM

23. The following statements in support of this application are attached specifying:

- the financial and technical resources of the applicant
- an outline of the proposed mining programme, method of operation or other use proposed
- proposals for any infrastructure requirements that will or may be necessary to enable the mining programme to proceed
- proposals for protecting the environment
- proposals for progressive and final rehabilitation

Tick

24. The following must accompany this application

- proof of
 - identity of applicant
 - minimum age of 18 years has been attained if applicant is not a company Tick
- sketch map or other graphic representation acceptable to the Mining Registrar setting out the boundaries of the land the subject of the application including surface area, and the land proposed to be used as access and similar plan or representation setting out any mining claim, mineral development licence or mining lease (or application for the grant of same) wholly within the land sought
- prescribed application fee
- consent in writing of each person who is a holder of an exploration permit, mineral development licence in respect of the subject land and is not an applicant for this mining lease N/A
- consent in writing of the owner of a reserve (if any) N/A
- additional copies of the application requested by the Mining Registrar

25. Remarks (if any)

26. To be personally lodged at the office of the Mining Registrar by the applicant or a person authorised in writing on behalf of the applicant(s)

sch4p4(6) Personal information

Signature of Applicant/Authorised Person



17 / 10 / 96

Date

I/We, the applicant(s), authorise

ALAN THOMPSON
 of ENVIRONMENTAL AND LICENSING PROFESSIONALS PTY LTD

to lodge the application and to make any alterations, changes or corrections to this form as may be necessary in respect of any matter which may arise or be revealed by the processing of this application at the time of lodgement

Signed by the said

B.H.P. MITSUI COAL PTY LTD

A. THOMPSON

AUTHORISED AGENT - SEE LETTER OF AUTHORISATION

27. STATEMENT OF LOCATION AND DESCRIPTION OF LAND

Specify means of determining bearings Magnetic (taken with a compass) True

Datum Post situated on a bearing of for a distance of metres
from
Fully describe this reference point so that it can be accurately located

ATTACH SCHEDULE IF INSUFFICIENT SPACE

Description of boundaries of land applied for
Commencing from the Datum Post located at the corner.
Thence bounded by lines

Bearing	Distance	Bearing	Distance
<input type="text"/>	<input type="text"/> metres, thence	<input type="text"/>	<input type="text"/> metres, thence
<input type="text"/>	<input type="text"/> metres, thence	<input type="text"/>	<input type="text"/> metres, thence
<input type="text"/>	<input type="text"/> metres, thence	<input type="text"/>	<input type="text"/> metres, thence
<input type="text"/>	<input type="text"/> metres, thence	<input type="text"/>	<input type="text"/> metres, thence
<input type="text"/>	<input type="text"/> metres, thence	<input type="text"/>	<input type="text"/> metres

back to the point of commencement

Description of boundaries of Surface Area applied for (to be completed if not whole or nil)
Commencing from the Datum Post
on a bearing of for metres to corner
Thence bounded by lines SEE ANNEXURE "A"

Bearing	Distance	Bearing	Distance
<input type="text"/>	<input type="text"/> metres, thence	<input type="text"/>	<input type="text"/> metres, thence
<input type="text"/>	<input type="text"/> metres, thence	<input type="text"/>	<input type="text"/> metres, thence
<input type="text"/>	<input type="text"/> metres, thence	<input type="text"/>	<input type="text"/> metres, thence
<input type="text"/>	<input type="text"/> metres, thence	<input type="text"/>	<input type="text"/> metres

back to the point of commencement

Description of Proposed Access from a point outside the boundary of the mining lease to the land the subject of the lease

Commencing at

FROM THE ROAD RESERVE ABUTTING THE WESTERN BOUNDARY OF THE SURFACE AREA

Thence along the centreline

Bearing		Distance		Bearing		Distance	
	for		metres, thence		for		metres, thence
	for		metres, thence		for		metres, thence
	for		metres, thence		for		metres, thence
	for		metres, thence		for		metres, thence
	for		metres, thence		for		metres, thence
	for		metres, thence		for		metres

to the terminal point of access which is

Width of Access

Metres

Description of datum post or commencement point of any mining claim, mineral development licence or mining lease (or application for same) wholly within the boundaries of the land applied for to the commencement point of this application

From the commencement point/datum post of

		Bearing		Distance	
MC/MDL/ML			for		metres
MC/MDL/ML			for		metres
MC/MDL/ML			for		metres
MC/MDL/ML			for		metres

ANNEXURE "A"

SURFACE AREA ML 4750 KEMMIS-WALKER

DESCRIPTION OF BOUNDARIES OF SURFACE AREA APPLIED FOR

Commencing from the Datum Post on a bearing of $155^{\circ}51'00''$ for a distance of 2,999.57 metres, and thence on a bearing of $172^{\circ}51'20''$ for a distance of 4,000.1 metres and thence on a bearing of $142^{\circ}51'00''$ for a distance of 1,999.16 metres and thence on a bearing of $172^{\circ}50'50''$ for a distance of 1,000 metres and thence on a bearing of $137^{\circ}51'00''$ for a distance of 2,283.06 metres and thence on a bearing of $122^{\circ}50'40''$ for a distance of 7,357.52 metres and thence on a bearing of $102^{\circ}53'00''$ for a distance of 61.91 metres to the point of commencement of the surface area of ML 4750 Kemmis-Walker

The surface area is bounded by lines on a bearing of $102^{\circ}53'00''$ for a distance of 4,438.09 metres along the ML boundary and thence on a bearing of $140^{\circ}53'00''$ for a distance of 8,033.08 metres along the ML boundary and thence on a bearing of $202^{\circ}36'00''$ for a distance of 2,484 metres along the ML boundary and thence on a bearing of $262^{\circ}56'30''$ for a distance of 2,000 metres along the ML boundary and thence on a bearing of $352^{\circ}56'40''$ for a distance of 2,331.024 metres to a point on the southern boundary of Lot 4 on WHS118 and thence on a bearing of $270^{\circ}00'05''$ for a distance of 3,526.764 metres along the southern boundary of Lot 4 on WHS118 and thence on a bearing of $352^{\circ}56'40''$ for a distance of 3,436.56 metres along the ML boundary and thence on a bearing of $289^{\circ}57'40''$ for a distance of 2,361.76 metres along the ML boundary to a point on the eastern boundary of a road reserve, and thence on a bearing of $00^{\circ}00'10''$ for a distance of 3,233.01 metres along the eastern boundary of road reserve back to the point of commencement of the surface area.

All bearings are magnetic.

Surface area: 4,340 hectares

SURFACE AREA ML 4750 KEMMIS-WALKER

SECTION 23

FINANCIAL AND TECHNICAL RESOURCES

The Applicant is of sound financial standing. BHP Mitsui Coal Pty Ltd has substantial technical resources and back-up available to it in connection with its other mining interests.

For further details with respect to this Section please see the accompanying Environmental Management Overview Strategy (EMOS).

RTI DL RELEASE - DNRM

DEPARTMENT OF MINES AND ENERGY

Part 7
Form No. 1A
Queensland
Mineral Resources Act 1989
Section 275

" No 2 "

MINING LEASE NO. 4750 APPLICATION FOR ADDITIONAL SURFACE AREA

Please print clearly in ink and use block letters.

APPLICANT DETAILS

1. Full name of one applicant, nominated by all applicants, upon whom any correspondence or notice is to be served. (As for Mining Lease)

TICK ONE BOX

Mr Mrs Miss/Ms Company

Surname or Company Name	BHP Mitsui Coal Pty Ltd (A.C.N. 009 713 875)		
Given Name/s			
2. Postal address of nominated applicant for service of notice and phone/fax number	c/- The Manager, Legal and Land Department, BHP Coal Pty Ltd		
	Level 13, 123 Eagle Street		
	Brisbane	Postcode:	4000
	Phone No:	(07) 3226 0600	Fax Number: (07) 3229 9556

3. Full name of applicant/s and percentage interest (including nominated applicant).

Surname or company name	A.C.N.	Given Name/s	%
BHP Mitsui Coal Pty Ltd	009 713 875		100
(If insufficient space please attach list			Total percentage
			100

OFFICE USE ONLY

RECEIVED AT	<i>EMERALD</i>	PRESCRIBED FEE		ENTERED ON REGISTER	
BY		Amount paid	\$ <i>311.30</i>	Initials	
TIME	<i>12.50</i> am/pm	Receipt No.	<i>EM-074210</i>	Date	<i>5/4/00</i>
DATE	<i>5/4/00</i>	Initials			

APPLICATION DETAILS

4. What was the date and time the land was marked out?	Date	Not applicable	Time	am/pm
5. Surface Area applied for	692.012 hectare			
Why is surface area required? eg. mining, dams, treatment plant, spoil heaps, conveyors etc.				
Mining for coal and gaseous hydrocarbons.				
6. What are the reasons for the area and shape of the land applied for?				
The application area is required for the north-west expansion of South Walker Creek's opencut mining works. The size of the application area is the minimum area required to work the balance of the reserve in that part of the mine which it is economic to mine by opencut method.				

BACKGROUND LAND DETAILS

7. Provide:

(i) a description of all parcels of land including easements the whole or part of which are the subject of this application;

(ii) the landowner's name and address for each parcel of land

Description of Parcel of Land	Owner's Name and Address	Surface Area
Lot/Plan No.: Lot 1 on WHS16 Tenure: Grazing Homestead Perpetual Lease 30/4043 Parish: Kemmis County: Wodehouse Current Usage: Grazing	Name: Raymond John Baulch Address: C/- Mulgrave Nebo Qld 4742 Postcode:	Whole <input type="checkbox"/> Part <input checked="" type="checkbox"/>
Lot/Plan No.: Road abutting Lot 3 and 1 on WHS16 Tenure: Road Reserve Parish: Kemmis County: Wodehouse Current Usage: Road Reserve	Name: Nebo Shire Council Address: PO Box 21 Nebo Qld 4742 Postcode:	Whole <input type="checkbox"/> Part <input checked="" type="checkbox"/>
Lot/Plan No.: Tenure: Parish: County: Current Usage:	Name: Address: Postcode:	Whole <input type="checkbox"/> Part <input type="checkbox"/>

(If insufficient space please attach list)

8. Provide:
 (i) a description of all parcels of land including easements the whole or part of over which access is required; and
 (ii) the landowner's name and address for each parcel of land.
 (If it is the same parcels of land as above, state 'as above')

Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.: See Annexure "C" Tenure: Parish: County: Current Usage:	Name: Postcode: 4000

Description of Parcel of Land	Owner's Name and Address
I Plan No.: Tenure: Parish: County: Current Usage:	Name: Address: Postcode:

COMPENSATION AGREEMENT DETAILS

9. Is a compensation agreement required?

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If No Go to Question 15
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10. Why is compensation not required.
 eg. Applicant is owner of land (proof of ownership is required to be lodged).

EXCLUSION ZONES

11. Are there any improvements as referred to in Section 238(2) within the boundaries of the surface area applied for?

YES <input checked="" type="checkbox"/>	Go to Question 12 and 13	NO <input type="checkbox"/>	Go to Question 15
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12. What are those improvements?

Hutwell Bore

13. Do you have the written consent of the owner/s of the land containing these improvements to the land being included in the surface area of the lease?

YES <input checked="" type="checkbox"/>	Go to Question 15	NO <input type="checkbox"/>	Go to Question 14
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14. Do you intend to seek the consent of the land owner?

YES <input type="checkbox"/>	Read below	NO <input type="checkbox"/>
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Written consent must be lodged with the Mining Registrar no later than the last date set for lodgement of objections.

RESERVE LAND

15. Is this application over the surface of land that is a Reserve?

YES <input checked="" type="checkbox"/>	Read Below	NO	Go to 17
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Written consent of the owner/s of the Reserve must be lodged with the Mining Registrar.

16. What action has been taken to obtain the written consent?

The applicant has sought the consent of the owner.

SURFACE AREA CONNECTION AND DESCRIPTION

17. Describe the connection from a Corner Post of this application to the initial corner of the surface area. (All bearings are to be magnetic and the description should indicate any abutments).
eg. at a bearing of 90° 00' for a distance of 100 metres to the SW corner of the surface area.

Commencing from the Corner Post in the	See Annexure "B"	corner of this application
at a bearing		for a distance of
of		metres,
to		thence
at a bearing		for a distance of
of		metres,
to		thence
at a bearing		for a distance of
of		metres,
to		thence
at a bearing		for a distance of
of		metres,
to		thence

to the initial corner of the surface area. (If insufficient space please attach list).

Describe the surface area of the land applied for. (All bearings to be magnetic and clockwise and the description should indicate any abutments).
eg. at a bearing of 90° 00' for a distance of 100 metres to the SW corner of the surface area.

Commencing from the initial corner of the surface area

at a bearing		for a distance of		metres,
of				thence
to				
at a bearing		for a distance of		metres,
of				thence
to				
at a bearing		for a distance of		metres,
of				thence
to				
at a bearing		for a distance of		metres,
of				thence
to				
at a bearing		for a distance of		metres,
of				thence
to				

back to the point of commencement. (If insufficient space please attach list).

ACCESS

18. Is access to this application via a dedicated road that is within or abutting the surface area?

YES

Read Below

NO

Go to Question 19

What is the description of the dedicated road to be used for access?

eg. Barkly Highway

UNNAMED ROAD between Lot 1 and 3 on N/HS 16

Go to Question 20.

19. Describe the proposed access.

What is the width of the access required?

Metres

What is the description of the start point?

eg. At a point on the Mt Mulligan Road 2.15km NE of the Sandy Creek crossing.

Access will be afforded to the application area from the adjacent Lot 1 on SP107309, which is held by Bistrotel Pty Ltd, and land included in the existing surface area under ML 4750 and the existing surface area under ML 70131, which is held by the applicant.

What is the description of the end point? eg. southern boundary of the surface area.

Describe the access from the start point to the end point. (All bearings are to be magnetic). Commencing from the start point, thence along the centreline

of	at a bearing		for a distance of		metres, thence
of	at a bearing		for a distance of		metres, thence
of	at a bearing		for a distance of		metres, thence
of	at a bearing		for a distance of		metres, thence
of	at a bearing		for a distance of		metres, thence
of	at a bearing		for a distance of		metres, thence
of	at a bearing		for a distance of		metres, thence
of	at a bearing		for a distance of		metres,

to the end point. (If insufficient space please attach list).

SIGNATURES

20. To be personally lodged at the office of the Mining Registrar by the applicant/s or a person authorised in writing on behalf of the applicant/s.

Sch4p4(6) Personal information

Signature of Applicant/Authorised Person

5-4-00

Date

I/We, the applicant/s, authorise

Denny McCowan

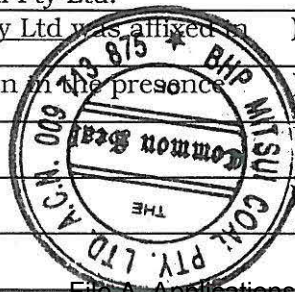
to lodge this application and to make any alterations, changes or corrections to this form as may be necessary in respect of any matter which may arise or be revealed by the processing of this application at the time of lodgement.

Signed by the said BHP Mitsui Coal Pty Ltd.

The Common Seal of BHP Mitsui Coal Pty Ltd was affixed in

accordance with its Articles of Association in the presence

of:



Director

Secretary

“A”
SKETCH PLAN

RTI DL RELEASE - DNRM

SURFACE AREA CONNECTION AND DESCRIPTION

All bearings are magnetic

Commencing from the initial corner of the subject Surface Area in the north-east corner. This corner being Station 13 on Department of Mines and Energy

Survey Plan No.36783

Thence on a bearing of 180° 02' 10" for a distance of 1643.39 metres to the south-east corner (coincident with the eastern boundary of the road reserve and the western boundary of existing ML 4750 Surface Area)

Thence on a bearing of 284° 41' for a distance of 312.87 metres

Thence on a bearing of 266° 47' 30" for a distance of 548.59 metres

Thence on a bearing of 276° 02' 20" for a distance of 459.39 metres

Thence on a bearing of 298° 35' 50" for a distance of 298.35 metres

Thence on a bearing of 325° 53' for a distance of 605.33 metres

Thence on a bearing of 295° 56' 20" for a distance of 269.72 metres

Thence on a bearing of 208° 34' 20" for a distance of 293.53 metres

Thence on a bearing of 298° 35' 10" for a distance of 1473.18 metres to the south-west corner of the surface area.

Thence on a bearing of 26° 49' for a distance of 2221.32 metres to the north-west corner of the surface area (the boundary of ML4750)

Thence on a bearing of 122° 52' 26" for a distance of 3005.18 metres along the boundary of ML4750 to the western boundary of the road reserve

Thence on a bearing of 102° 55' for a distance of 60.343 metres back to the point of commencement.

Area of Surface: 682.1 hectares

Area of road in Surface Area: 9.912 hectares

682.1
9.912

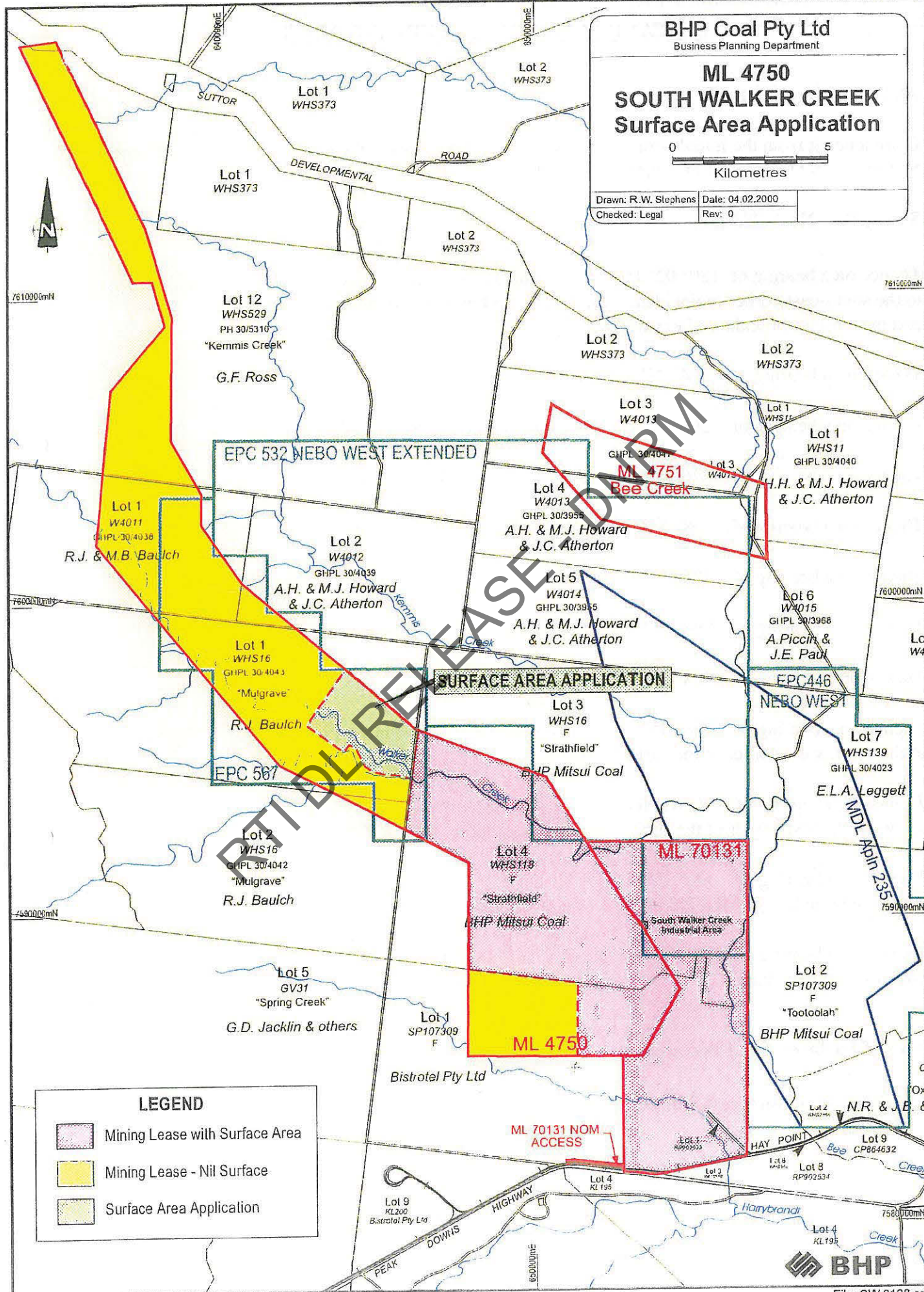
692.012

BHP Coal Pty Ltd
Business Planning Department

ML 4750 SOUTH WALKER CREEK Surface Area Application



Drawn: R.W. Stephens Date: 04.02.2000
Checked: Legal Rev: 0



OUTSIDE RELEASE DIRM

LEGEND

-  Mining Lease with Surface Area
-  Mining Lease - Nil Surface
-  Surface Area Application



File: SW-0108.cdr

*Deleted -
" See letter of 12/4/00 "*

Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.: Lot 1 on WHS16 Tenure: Grazing Homestead Perpetual Lease 30/4043 Parish: Kemmis County: Wodehouse Current Usage: Mining and associated activities	Name: Raymond John Baulch Address: C/- Mulgrave Nebo Qld 4742 Postcode: 4000
Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.: Lot 4 on WHS118 Tenure: Freehold Parish: Kemmis County: Wodehouse Current Usage: Mining and associated activities	Name: BHP Mitsui Coal Pty Ltd Address: Level 13, Riverside Centre 123 Eagle Street Brisbane Qld Postcode: 4000
Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.: Lot 3 on WHS16 Tenure: Freehold Parish: Kemmis County: Wodehouse Current Usage: Mining and associated activities	Name: BHP Mitsui Coal Pty Ltd Address: Level 13, Riverside Centre 123 Eagle Street Brisbane Qld Postcode: 4000
Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.: Lot 1 on SP107309 Tenure: Freehold Parish: Kemmis County: Wodehouse Current Usage: Mining and associated activities/Grazing	Name: Bistrotel Pty Ltd Address: Level 8 380 Queen Street Brisbane Qld Postcode: 4000

Description of Parcel of Land	Owner's Name and Address
<p>Lot/Plan No.: Lot 2 on SP107309</p> <p>Tenure: Freehold</p> <p>Parish: Kemmis</p> <p>County: Wodehouse</p> <p>Current Usage: Mining and associated activities</p>	<p>Name: BHP Mitsui Coal Pty Ltd</p> <p>Address: Level 13, Riverside Centre 123 Eagle Street Brisbane Qld</p> <p>Postcode: 4000</p>
Description of Parcel of Land	Owner's Name and Address
<p>Lot/Plan No.: Road abutting Lot 3 and Lot 1 on WHS16</p> <p>Tenure: Road Reserve</p> <p>Parish: Kemmis</p> <p>County: Wodehouse</p> <p>Current Usage:</p>	<p>Name: Nebo Shire Council</p> <p>Address: PO Box 21 Nebo Qld</p> <p>Postcode: 4742</p>

RTI DL RELEASE - DNRM

Statement of the Proposed Mining Program
in accordance with section 245(1)(o)(iii)(A) of the *Mineral Resources Act 1989*

Current mine plans for the South Walker Creek Mine propose extension of the current opencut workings into the application area within 3 months after the date of this application.

These operations will require:

- stripping of topsoil;
- drilling and blasting of overburden;
- stripping of spoil (both shovel/truck and dragline);
- extraction of coal; and
- progressive rehabilitation of the mine area.

A final void left at the end of mining may remain in the application area. The rehabilitation of the mine area will integrate any final void into the final landform.

RTI DL RELEASE - DNRM

**Statement of the Proposed Infrastructure Requirements
in accordance with section 245(1)(o)(iii)(B) of the *Mineral Resources Act 1989***

To allow progressive development of the opencut mining operations, infrastructure such as haul roads, powerlines, environmental dams, sediment dams, water reticulation pipelines and workshop and office will be extended into the application area.

RTI DL RELEASE - DNRM

**Statement of the Financial and Technical Resources of the Applicant
in accordance with section 245(1)(o)(iv) of the *Mineral Resources Act 1989***

The applicant, BHP Mitsui Coal Pty Ltd ("BHPMC") owns South Walker Creek and Riverside Mines in Central Queensland. South Walker Creek Mine is managed by BHP Coal Pty Ltd ("BHPC") on behalf of BHPMC and Riverside Mine is operated by BHPC on behalf of BHPMC.

The applicant is of sound financial standing.

South Walker Creek Mine has available the technical resources to staff on site and the business development and environmental services departments of Theiss Contractors Pty Ltd (current mine operator) and BHPC, consisting of professionals including engineers, geologists, surveyors and environmental scientists.

RTI DL RELEASE - DNRM

Environmental Management Overview Strategy
in accordance with section 245(1)(p) of the *Mineral Resources Act 1989*

The strategies for protecting the environment and managing environmental impacts on, and in the vicinity of, the application area, and the strategies for the progressive and final rehabilitation of the application area, will be as stated in the attached Environmental Management Overview Strategy ("EMOS") for South Walker Creek Mine (PJE 70089) dated March 2000.

RTI DL RELEASE - DNRM



DEPARTMENT OF MINES AND ENERGY

Form 7.1A
Version 2
Mineral Resources Act 1989
Section 275

MINING LEASE NO. 4750 APPLICATION FOR ADDITIONAL SURFACE AREA NO. 3

Please print clearly in ink and use block letters.

This form must be submitted with an application for the relevant environmental authority

APPLICANT DETAILS

1. Full name of one applicant, nominated by all applicants, upon whom any correspondence or notice is to be served. (As for Mining Lease)

TICK ONE BOX

Mr Mrs Miss/Ms Company

Surname or Company Name

BHP Mitsui Coal Pty Ltd (ACN 009 713 875)

Given Name/s

2. Postal address of nominated applicant for service of notice and phone/fax number

C/- Legal Department
BM Alliance Coal Operations Pty Ltd
GPO Box 1389

Brisbane Qld

Postcode: 4001

Phone No:

(07) 3226 0768

Fax Number:

(07) 3229 9556

3. Full name of applicant/s and percentage interest (including nominated applicant).

Surname or company name	A.C.N.	Given Name/s	%
BHP MITSUI COAL PTY LTD	009 713 875		100
(If insufficient space please attach list			Total percentage 100

OFFICE USE ONLY

RECEIVED AT	EMERALD	PRESCRIBED FEE	ENTERED ON REGISTER
BY	[Redacted]	Amount paid	Initials [Redacted]
TIME	3:40 am/pm	Receipt No.	Date
DATE	17/2/04	Initials	17/2/04

APPLICATION DETAILS

4. What was the date and time the land was marked out?	Date	Not applicable	Time	am/pm
5. Surface Area applied for	16.05 hectares			
Why is surface area required? eg. mining, dams, treatment plant, spoil heaps, conveyors etc.				
Open-cut mining for coal and gaseous hydrocarbons and associated purposes including creek diversion.				

6. What are the reasons for the area and shape of the land applied for?

The area to the north and east of the application area consists of Surface Area 2 within Mining Lease No. 4750. The application area is the minimum amount of area required for the diversion of Walker Creek from within the existing surface area in Mining Lease No. 4750. The application area will also be used for open-cut mining for the expansion of Northern Mulgrave Pit.

BACKGROUND LAND DETAILS

Provide:

(i) a description of all parcels of land including easements the whole or part of which are the subject of this application;

(ii) the landowner's name and address for each parcel of land.

Description of Parcel of Land	Owner's Name and Address	Surface Area
Lot/Plan No.: Lot 1 on WHS16 See Annexure B	Name: Raymond John Baulch See Annexure C	Whole <input type="checkbox"/>
Tenure: GHPL 30/4043	Address: "Mulgrave" Via Nebo Rd	Part <input checked="" type="checkbox"/>
Parish: Kemmis		See Annexure A
County: Wodehouse		
Current Usage: Grazing	Postcode: 4742	

Description of Parcel of Land	Owner's Name and Address	Surface Area
Lot/Plan No.:	Name:	Whole <input type="checkbox"/>
Tenure:	Address:	Part <input type="checkbox"/>
Parish:		
County:		
Current Usage:	Postcode:	

Description of Parcel of Land	Owner's Name and Address	Surface Area
Lot/Plan No.:	Name:	Whole <input type="checkbox"/>
Tenure:	Address:	Part <input type="checkbox"/>
Parish:		
County:		
Current Usage:	Postcode:	

(If insufficient space please attach list)

8. Provide:

(i) a description of all parcels of land including easements the whole or part of over which access is required; and

(ii) the landowner's name and address for each parcel of land.

(If it is the same parcels of land as above, state 'as above')

Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.: As above Tenure: Parish: County: Current Usage:	Name: Address: Postcode:
Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.: Tenure: Parish: County: Current Usage:	Name: Address: Postcode:
Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.: Tenure: Parish: County: Current Usage:	Name: Address: Postcode:

COMPENSATION AGREEMENT DETAILS

9. Is a compensation agreement required?

YES

NO

If No Go to Question 15

Compensation agreement has been entered with Raymond Baulch and will be filed with the Mining Registrar separately.

10. Why is compensation not required.
eg. Applicant is owner of land (proof of ownership is required to be lodged).

RTI/DL RELEASE - DNR/M

EXCLUSION ZONES

11. Are there any improvements as referred to in Section 238(2) within the boundaries of the surface area applied for?

YES

Go to Question 12 and 13

NO

Go to Question 15

12. What are those improvements?

13. Do you have the written consent of the owner/s of the land containing these improvements to the land being included in the surface area of the lease?

YES

Go to Question 15

NO

Go to Question 14

14. Do you intend to seek the consent of the land owner?

YES

Read below

NO

Written consent must be lodged with the Mining Registrar no later than the last date set for lodgement of objections.

RESERVE LAND

15. Is this application over the surface of land that is a Reserve?

YES

Read Below

NO

Go to 17

Written consent of the owner/s of the Reserve must be lodged with the Mining Registrar.

16. What action has been taken to obtain the written consent?

NATIVE TITLE

17. Is the area applied for entirely over extinguishing tenures?

YES
See
Annexure D

NO

18. If the area applied for includes at least some non-exclusive tenures -

a) is the land the subject of any ILUA?

YES

NO

(b) is the land within an approved opal or gem mining area?

YES

NO

is the application solely for infrastructure facilities associated with mining?

YES

NO

SURFACE AREA CONNECTION AND DESCRIPTION

19. Describe the connection from a Corner Post of this application to the initial corner of the surface area. (All bearings are to be magnetic and the description should indicate any abutments). eg. at a bearing of 90° 00' for a distance of 100 metres to the SW corner of the surface area.

Commencing from the Corner Post in the **SEE ANNEXURE E** corner of this application

at a bearing of _____ for a distance of _____ metres,

to _____ thence

at a bearing of _____ for a distance of _____ metres,

to _____ thence

at a bearing of _____ for a distance of _____ metres,

to _____ thence

at a bearing of _____ for a distance of _____ metres,

to the initial corner of the surface area. (If insufficient space please attach list).

Describe the surface area of the land applied for. (All bearings to be magnetic and clockwise and the description should indicate any abutments).
 eg. at a bearing of 90° 00' for a distance of 100 metres to the SW corner of the surface area.
 Commencing from the initial corner of the surface area

at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence
back to the point of commencement. (If insufficient space please attach list).				

ACCESS

20. Is access to this application via a dedicated road that is within or abutting the surface area?

YES

Read Below

NO

Go to Question 21

What is the description of the dedicated road to be used for access?
 eg. Barkly Highway

Go to Question 22.

21. Describe the proposed access.

The application area will be accessed from the existing surface area in ML4750.

What is the width of the access required? Not applicable metres

What is the description of the start point?
 eg. At a point on the Mt Mulligan Road 2.15km NE of the Sandy Creek crossing.

Not applicable

What is the description of the end point? eg. southern boundary of the surface area.

Not applicable

Describe the access from the start point to the end point. (All bearings are to be magnetic).
 Commencing from the start point, thence along the centreline

at a bearing of	Not applicable	for a distance of		metres, thence
at a bearing of		for a distance of		metres, thence
at a bearing of		for a distance of		metres, thence
at a bearing of		for a distance of		metres, thence
at a bearing of		for a distance of		metres, thence
at a bearing of		for a distance of		metres,
to the end point. (If insufficient space please attach list).				

SIGNATURES

22. To be personally lodged at the office of the Mining Registrar by the applicant/s or a person authorised in writing on behalf of the applicant/s.

sch4p4(6) Personal information

17-02-04

Signature of Applicant/Authorised Person

Date

I/We, the applicant/s, authorise

Dennis McCowan

to lodge this application and to make any alterations, changes or corrections to this form as may be necessary in respect of any matter which may arise or be revealed by the processing of this application at the time of lodgement.

Signed by the said

BHP MITSUI COAL PTY LTD in accordance with section 127(1) of the Corporations Act 2001 (Cwth) by authority of its directors:

.....
Director
Name:

JILL BUCKLE

.....
Director/Secretary
Name:

S. Berkelmans

Full Name of all Applicants

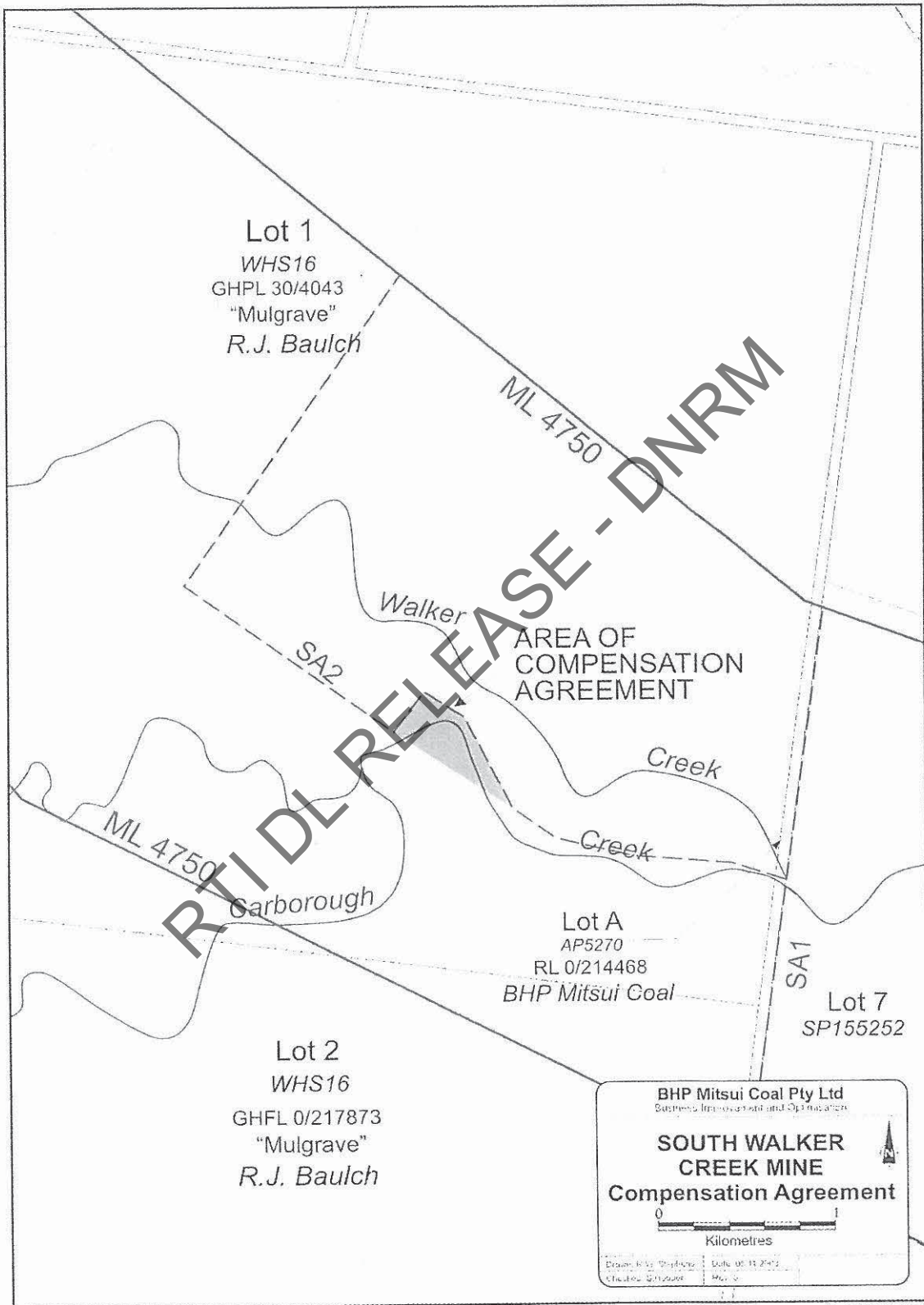
Signature of all Applicants

ANNEXURE "A"

SKETCH PLAN

RTI DL RELEASE - DNRM

SCHEDULE 2



File: SWC-0149.cdr

ANNEXURE "B"

PLAN – LOT 1 ON WHS16

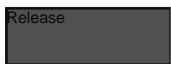
RTI DL RELEASE - DNRM

Release

ANNEXURE "C"

TITLE SEARCH - LOT 1 ON WHS16

RTI DL RELEASE - DNRM



STATE TENURE SEARCH

NATURAL RESOURCES & MINES, QUEENSLAND

Request No: 110086172
Search Date: 11/12/2003 11:37 am

Title Reference: 17650081
Date Created: 21/10/1995

DESCRIPTION OF LAND

Tenure Reference: GHPL 30/4043

LOT 1 CROWN PLAN WHS16
County of WODEHOUSE Parish of KEMMIS
Local Government: NEBO SHIRE

Area: 6338.996000 Ha. (SURVEYED)

Land Description

No Forestry Entitlement Area

Purpose for which granted:
No Purpose

TERM OF LEASE

Day of beginning of lease

Lease in perpetuity commencing on 01/07/1965

REGISTERED LESSEE

RAYMOND JOHN BAULCH

CONDITIONS

1175 Subject to the condition of occupation as defined by the Land Act.

The lessee shall, within a period of three (3) years from the commencement of the term of lease and to the satisfaction of the Minister, provide one additional permanent water improvement on the selection, in such a position to replace Blake's Spring Well.

INCUMBRANCES

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
05458405	NOTC INT RES	08/03/2002 12:06	CURRENT

DEPT OF MAIN ROADS, 510/3458

UNREGISTERED DEALINGS - NIL

ORIGINAL LEASE IN EXISTENCE - Yes

VERSION 1

Release

104

STATE TENURE SEARCH
NATURAL RESOURCES & MINES, QUEENSLAND

Request No: 110086172
Search Date: 11/12/2003 11:37 am

Title Reference: 17650081
Date Created: 21/10/1995

** End of State Tenure Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES & MINES) [2003]
Requested By: CITEC CONFIRM

RTI DL RELEASE - DNRM

ANNEXURE "D"

NATIVE TITLE SUBMISSION

Lot 1 on WHS16 is contained within GHPL 30/4043. GHPL 30/4043 was originally granted as a Grazing Homestead Lease under the *Land Act 1962* and commenced on 1 July 1965. The Grazing Homestead Lease was converted to a Grazing Homestead Perpetual Lease from 15 May 1984. A copy of the lease instrument is attached.

Under s20 of the *Native Title (Queensland) Act 1993* ("NTAQ"), a "previous exclusive possession" act under s23B(2) of the *Native Title Act 1993 (Cwth)* ("NTA") extinguishes native title. An act is a previous exclusive possession act if –

- (a) it is valid; and
- (b) it took place on or before 23 December 1996; and
- (c) it consists of the grant or vesting of, amongst other things –
 - (i) a Scheduled interest...

Clause 23(8) of Schedule 1 Part 3 of the NTA includes grazing homestead perpetual leases under the *Land Act 1962*.

As GHPL 30/4043 was granted under the *Land Act 1962* and was granted prior to 23 December 1996, it is submitted that native title has been extinguished over Lot 1.

RTI DL RELEASE - DNRM



DEPARTMENT OF MINES AND ENERGY

Form 7.1A
Version 2

Mineral Resources Act 1989
Section 275

MINING LEASE NO. 4750 APPLICATION FOR ADDITIONAL SURFACE AREA NO. 4

Please print clearly in ink and use block letters.

This form must be submitted with an application for the relevant environmental authority

APPLICANT DETAILS

1. Full name of one applicant, nominated by all applicants, upon whom any correspondence or notice is to be served. (As for Mining Lease)

TICK ONE BOX

Mr Mrs Miss/Ms Company

Surname or Company Name

BHP Mitsui Coal Pty Ltd (ACN 009 713 875)

Given Name/s

2. Postal address of nominated applicant for service of notice and phone/fax number

C/- Legal Department
BM Alliance Coal Operations Pty Ltd
GPO Box 1389

BRISBANE QLD

Postcode: 4001

Phone No.

(07) 3226 0768

Fax Number:

(07) 3229 9556

3. Full name of applicant/s and percentage interest (including nominated applicant).

Surname or company name	A.C.N.	Given Name/s	%
BHP MITSUI COAL PTY LTD	009 713 875		100
(If insufficient space please attach list)			Total percentage
			100

OFFICE USE ONLY

RECEIVED AT	<i>EMERALD</i>	PRESCRIBED FEE		ENTERED ON REGISTER	
BY	<i>[Signature]</i>	Amount paid	\$ <i>120-70</i>	Initials	<i>[Redacted]</i>
TIME	<i>1.30</i> am/pm	Receipt No.	<i>EM</i>	Date	<i>26/10/04</i>
DATE	<i>26/10/04</i>	Initials	<i>[Redacted]</i>		

APPLICATION DETAILS

4. What was the date and time the land was marked out?	Date	Not applicable	Time	am/pm
5. Surface Area applied for	1,972 hectares			
Why is surface area required? eg. mining, dams, treatment plant, spoil heaps, conveyors etc.				
Open-cut mining for coal and gaseous hydrocarbons and associated purposes including haul roads, access roads, power lines, spoil heaps and water management.				
6. What are the reasons for the area and shape of the land applied for?				
The application area is required for the further expansion of Northern Mulgrave Pit. The area borders on Surface Areas 1, 2 and 3 within Mining Lease No. 4750.				

BACKGROUND LAND DETAILS

7. Provide:
- (i) a description of all parcels of land including easements the whole or part of which are the subject of this application;
- (ii) the landowner's name and address for each parcel of land

Description of Parcel of Land	Owner's Name and Address	Surface Area
Lot/Plan No.: Lot 1 on WHS16 See Annexure B (survey plan) <i>New Lot 3</i>	Name: Raymond John Baulch See Annexure C (title search)	Whole <input type="checkbox"/>
Tenure: GHPL 30/4043 <i>SP 102563</i>	Address: "Mulgrave" via NEBO QLD	Part <input checked="" type="checkbox"/>
Parish: Kemmis <i>GHPL 6/231699</i>		See Annexure A (Location Plan)
County: Wodehouse		
Current Usage: Grazing	Postcode: 4742	
Description of Parcel of Land	Owner's Name and Address	Surface Area
Lot/Plan No.: Lot 2 on WHS16 See Annexure D (survey plan)	Name: Raymond John Baulch See Annexure E (title search)	Whole <input type="checkbox"/>
Tenure: GHFL 0/217873	Address: "Mulgrave" via NEBO QLD	Part <input checked="" type="checkbox"/>
Parish: Kemmis		See Annexure A (Location Plan)
County: Wodehouse		
Current Usage: Grazing	Postcode: 4742	
Description of Parcel of Land	Owner's Name and Address	Surface Area
Lot/Plan No.:	Name:	Whole <input type="checkbox"/>
Tenure:	Address:	Part <input type="checkbox"/>
Parish:		
County:		
Current Usage:	Postcode:	
Description of Parcel of Land	Owner's Name and Address	Surface Area

Lot/Plan No.:	Name:	Whole <input type="checkbox"/>
Tenure:	Address:	Part <input type="checkbox"/>
Parish: County:		
Current Usage:	Postcode:	

(If insufficient space please attach list)

8. Provide:
 (i) a description of all parcels of land including easements the whole or part of over which access is required; and
 (ii) the landowner's name and address for each parcel of land.
 (If it is the same parcels of land as above, state 'as above')

Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.:	Name:
Tenure:	Address:
Parish: County:	
Current Usage:	Postcode:
Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.:	Name:
Tenure:	Address:
Parish: County:	
Current Usage:	Postcode:
Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.:	Name:
Tenure:	Address:
Parish: County:	
Current Usage:	Postcode:
Description of Parcel of Land	Owner's Name and Address
Lot/Plan No.:	Name:
Tenure:	Address:
Parish: County:	
Current Usage:	Postcode:

RTI DL RELEASE - DNRM

COMPENSATION AGREEMENT DETAILS

9. Is a compensation agreement required?

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If No Go to Question 15
---	-----------------------------	-------------------------

- Compensation agreement has been entered with Raymond Baulch for Lot 1 on WHS16 and Lot 2 on WHS16 and will be filed with the Mining Registrar separately.

10. Why is compensation not required.
 eg. Applicant is owner of land (proof of ownership is required to be lodged).

EXCLUSION ZONES

11. Are there any improvements as referred to in Section 238(2) within the boundaries of the surface area applied for?

YES

Go to Question 12 and 13

NO

Go to Question 15

12. What are those improvements?

Principal Stockyards, 3 water bores and 1dam.

13. Do you have the written consent of the owner/s of the land containing these improvements to the land being included in the surface area of the lease?

YES

Go to Question 15

NO

Go to Question 14

Refer Compensation Agreement

14. Do you intend to seek the consent of the land owner?

YES

Read below

NO

Written consent must be lodged with the Mining Registrar no later than the last date set for lodgement of objections.

RESERVE LAND

15. Is this application over the surface of land that is a Reserve?

YES

Read Below

NO

Go to 17

Written consent of the owner/s of the Reserve must be lodged with the Mining Registrar.

16. What action has been taken to obtain the written consent?

NATIVE TITLE

17. Is the area applied for entirely over extinguishing tenures?

YES

NO

See
Annexure F

18. If the area applied for includes at least some non-exclusive tenures -

a) is the land the subject of any ILUA?

YES

NO

(b) is the land within an approved opal or gem mining area?

YES

NO

is the application solely for infrastructure facilities associated with mining?

YES

NO

SURFACE AREA CONNECTION AND DESCRIPTION

19. Describe the connection from a Corner Post of this application to the initial corner of the surface area. (All bearings are to be magnetic and the description should indicate any abutments).
eg. at a bearing of 90° 00' for a distance of 100 metres to the SW corner of the surface area.

Commencing from the Corner Post in the

SEE ANNEXURE G

corner of this application

at a bearing of

for a distance of

metres,

to

thence

at a bearing of

for a distance of

metres,

to

thence

at a bearing of

for a distance of

metres,

to

thence

at a bearing of

for a distance of

metres,

to the initial corner of the surface area. (If insufficient space please attach list).

Describe the surface area of the land applied for. (All bearings to be magnetic and clockwise and the description should indicate any abutments).
 eg. at a bearing of 90° 00' for a distance of 100 metres to the SW corner of the surface area.
 Commencing from the initial corner of the surface area

at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence
at a bearing of		for a distance of		metres,
to				thence

back to the point of commencement. (If insufficient space please attach list)

ACCESS

20. Is access to this application via a dedicated road that is within or abutting the surface area?

YES

Read Below

NO

Go to Question 21

What is the description of the dedicated road to be used for access?

eg. Barkly Highway

Kemmis Creek Road

Go to Question 22.

21. Describe the proposed access.

What is the width of the access required?

metres

What is the description of the start point?

eg. At a point on the Mt Mulligan Road 2.15km NE of the Sandy Creek crossing.

What is the description of the end point? eg. southern boundary of the surface area.

Describe the access from the start point to the end point. (All bearings are to be magnetic).
 Commencing from the start point, thence along the centreline

at a bearing of		for a distance of		metres, thence
at a bearing of		for a distance of		metres, thence
at a bearing of		for a distance of		metres, thence
at a bearing of		for a distance of		metres, thence
at a bearing of		for a distance of		metres, thence
at a bearing of		for a distance of		metres,

to the end point. (If insufficient space please attach list).

SIGNATURES

22. To be personally lodged at the office of the Mining Registrar by the applicant/s or a person authorised in writing on behalf of the applicant/s.

sch4p4(6) Personal information
[Redacted]

26-10-04

Signature of Applicant/Authorised Person

Date

I/We, the applicant/s, authorise

Denny McCowan

to lodge this application and to make any alterations, changes or corrections to this form as may be necessary in respect of any matter which may arise or be revealed by the processing of this application at the time of lodgement.

Signed by the said

BHP MITSUI COAL PTY LTD in accordance with section 127(1) of the Corporations Act 2001 (Cwth) by authority of its directors:

Director
Name:

JILL BUCKLE

Director/Secretary
Name:

S. Berkelman

Full Name of all Applicants

Signature of all Applicants

MINING LEASE No. 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.4

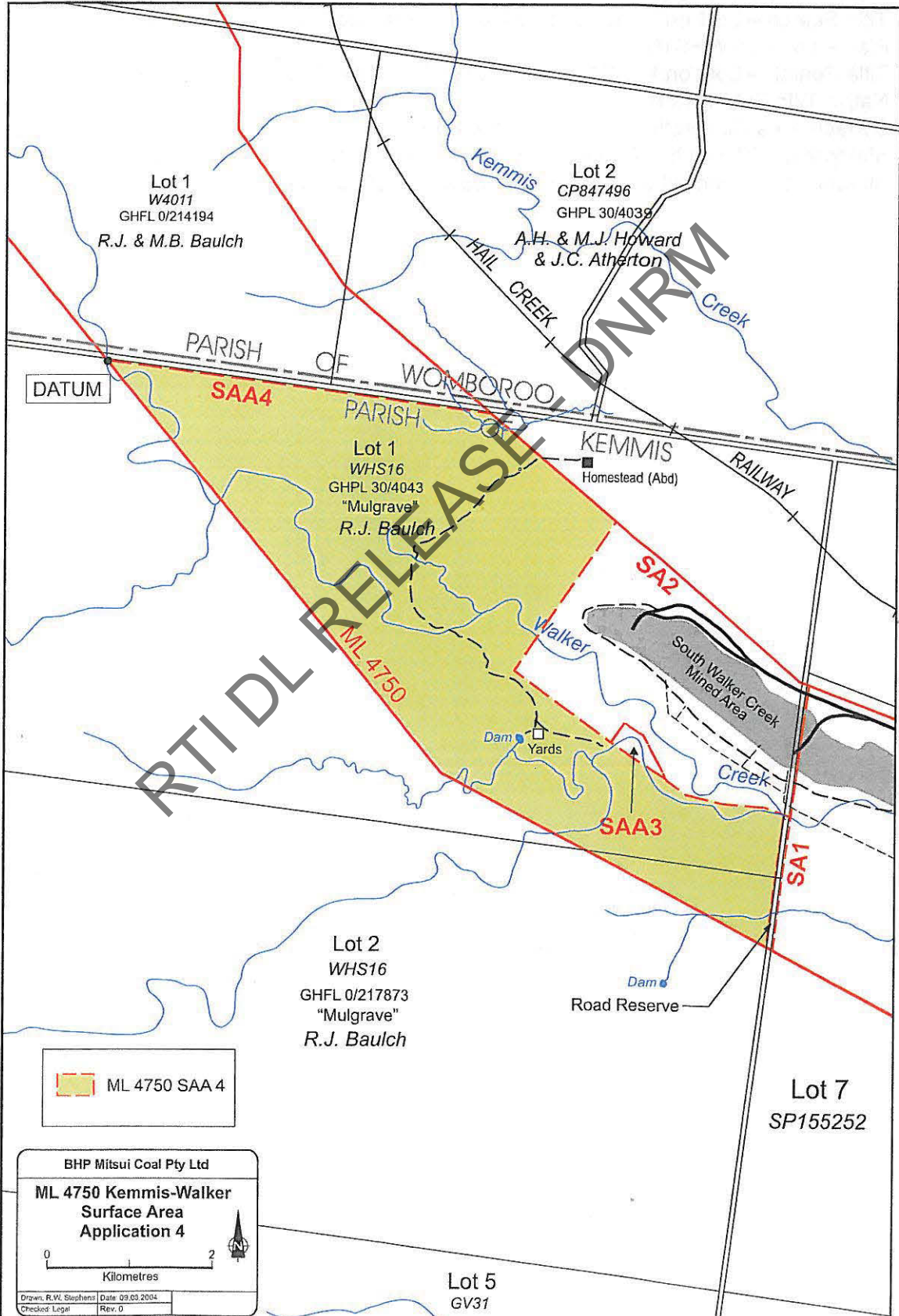
LIST OF ANNEXURES

- A. Location Plan
- B. Plan – Lot 1 on WHS16
- C. Title Search – Lot1 on WHS16 including previous Title Document 30/4043
- D. Plan – Lot 2 on WHS16
- E. Title Search – Lot2 on WHS16 including previous Title Document 30/4042
- F. Native Title Submission
- G. Surface Area Connection and Description
- H. Statement Outlining the Mining Program and Infrastructure Requirements
- I. Statement of Financial and Technical Resources of the Applicant

RTI DL RELEASE - DNRM

ANNEXURE 'A'
MINING LEASE No. 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.4

LOCATION PLAN

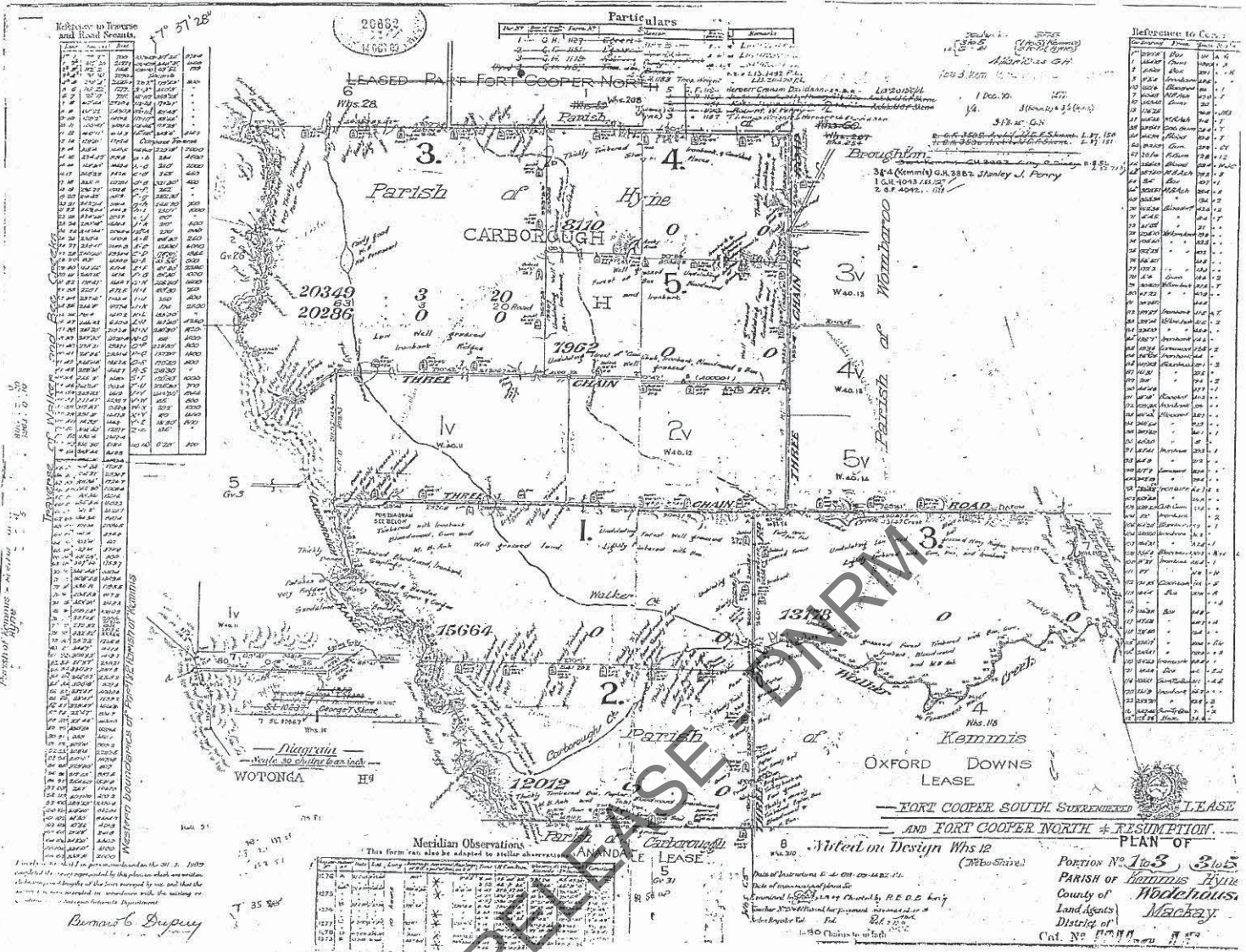


Release

ANNEXURE 'B'
MINING LEASE No. 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.4

PLAN – LOT 1 ON WHS16

RTI DL RELEASE - DNRM



RTI DL RELEASE ONPRM

ANNEXURE 'C'
MINING LEASE No. 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.4

TITLE SEARCH – LOT 1 ON WHS16
Including previous Title – 30/4043

RTI DL RELEASE - DNRM



STATE TENURE SEARCH

NATURAL RESOURCES & MINES, QUEENSLAND

Request No: 1050898
Search Date: 05/08/2004 11:38 am

Title Reference: 17650081
Date Created: 21/10/1995

DESCRIPTION OF LAND

Tenure Reference: GHPL 30/4043

LOT 1 CROWN PLAN WHS16
County of WODEHOUSE Parish of KEMMIS
Local Government: NEBO SHIRE

Area: 6338.996000 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:
No Purpose

TERM OF LEASE

Day of beginning of lease

Lease in perpetuity commencing on 01/07/1965

REGISTERED LESSEE

RAYMOND JOHN BAULCH

CONDITIONS

M175 Subject to the condition of Occupation as defined by the Land Act.

M76 The lessee shall, within a period of three (3) years from the commencement of the term of lease and to the satisfaction of the Minister, provide one additional permanent water improvement on the selection, in such a position to replace Blake's Spring Well.

ENCUMBRANCES

ADMINISTRATIVE ADVICES

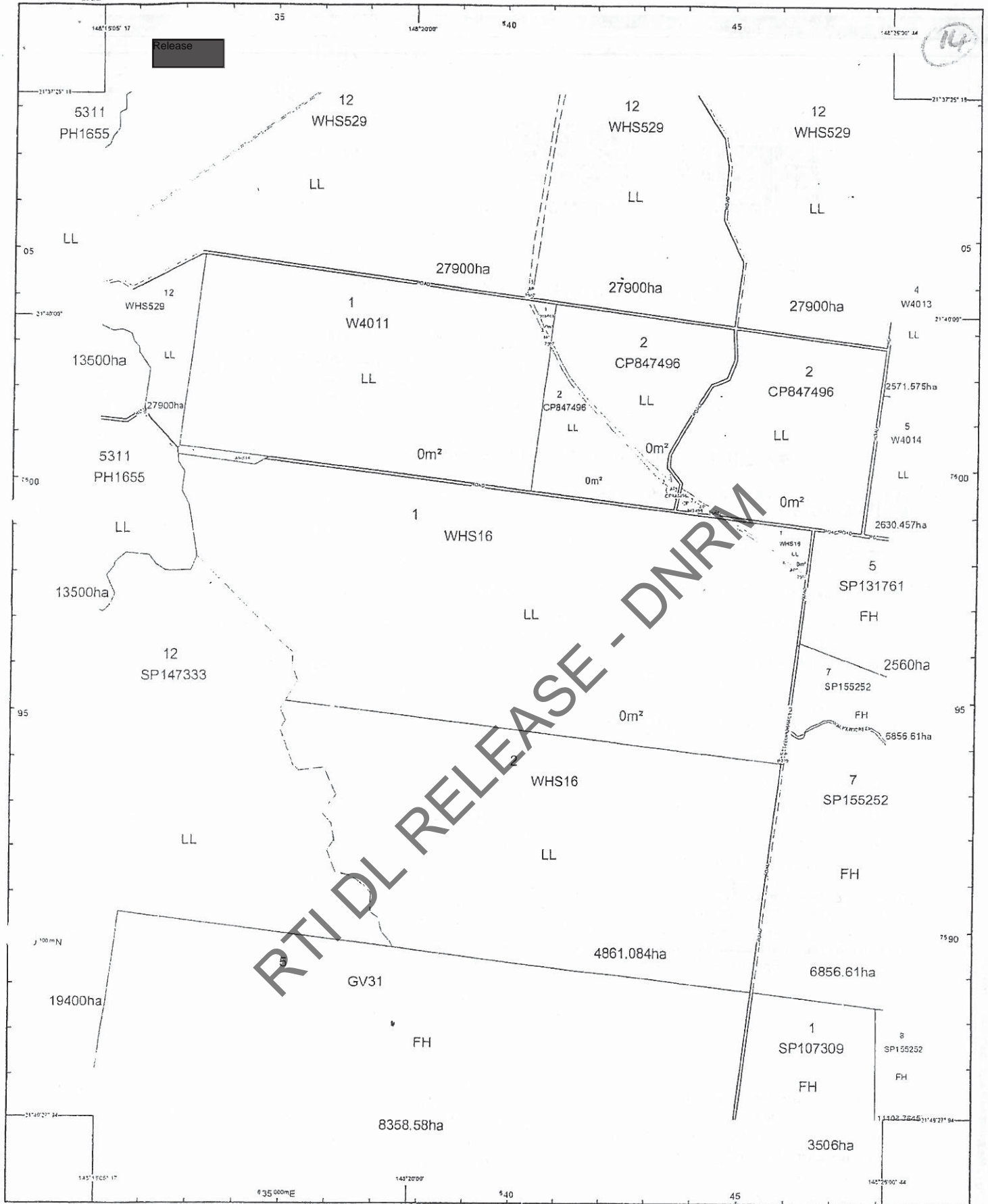
Dealing	Type	Lodgement Date	Status
705458405	NOTC INT RES	08/03/2002 12:06	CURRENT

DEPT OF MAIN ROADS, 510/3458

UNREGISTERED DEALINGS - NIL

ORIGINAL LEASE IN EXISTENCE - Yes

VERSION 1



STANDARD MAP NUMBER
8554-13224

MAP SHOWS POSITION & NEAREST LOCALITY

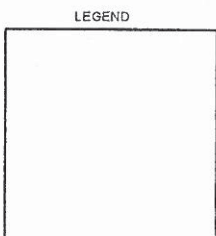


SUBJECT PARCEL DESCRIPTION	
DCDB	11WNS19
L3/Plan	0m ²
Area/Volume	LANDS LEASE
Tenure	NEBO SHRE
Local Government	KEMMIS
Locality	KEMMIS
Parish	WIDEHOUSE
County	51191927
Parcel Segment	

CLIENT SERVICE STANDARDS

PRINTED (ddmmyyyy) 5/5/2004
(Important Notice: The information hereon is NOT an OFFICIAL RECORD and its ACCURACY is NOT GUARANTEED)

DCDB 04/05/2004
(Lots with an area less than 10000 Square metres are not shown)
For symbology see the DLIN Abbreviations Sheet



SmartMap

An External Product of the Basic Land Information Network. Based upon an extraction from the Digital Cadastral Data Base



Queensland Government
Natural Resources and Mines
(c) The State of Queensland
Department of Natural Resources & Mines, 2004

Release

65/1327

VOL. 7650 FOL. 81

15

Part VI

VOL: S 7650 FOL: 81



17650081



QUEENSLAND

HOMESTEAD

Grazing - HOMESTEAD - No. 4043

MACKAY District.

7650/81

Lease of Grazing under "The Land Acts, 1962 to 1965"

Elizabeth the Second, by the Grace of God, of the United Kingdom, Australia, and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith:

To All to whom these Presents shall come, Greeting:

Whereas, ARCHIBALD GEORGE FRANCIS SKENE

in Our State of Queensland, in pursuance of the provisions of "The Land Acts, 1962 to 1965"

referred to as "the said Acts", is now entitled to a Lease of the Land described in the Schedule

endorsed on these presents for the term of Thirty Years; at the yearly rent hereinafter mentioned, and with, under, and subject to the rights, powers, privileges, terms, conditions, provisions, exceptions, restrictions, reservations, and provisos in the said Acts, and hereinafter contained: NOW KNOW YE, that in consideration of the premises and of the rent hereby reserved and of the payment of the rent payable under the said Acts for the said Land

We, in pursuance of the said Acts, DO HEREBY, for Us, Our Heirs and Successors, Demise and Lease unto the said ARCHIBALD GEORGE FRANCIS SKENE

(hereinafter with his Successors in title designated "the Lessee"), and his lawful Assigns, ALL that parcel of Land described in the Schedule endorsed on these presents, TO HOLD the same unto the Lessee and his lawful Assigns, for and during the term of Thirty

Years, to be computed from the First day of July in the Year One thousand nine

hundred and sixty-five, with, under, and subject to the reservations hereinafter particularly mentioned, condition that: The lessee shall, within a period of three (3) years from the commencement of the term of lease and to the satisfaction of the Minister, provide one additional permanent water improvement on the selection, in such a position to replace Blake's Spring Well.

and to all other rights, powers, privileges, terms, conditions, provisions, exceptions, restrictions, reservations, and provisos referred to, contained, or prescribed in and by the said Acts, "The Mining on Private Land Acts, 1909 to 1965" and "The Petroleum Acts, 1923 to 1962," or any regulations made or which may hereafter be made under the aforesaid Acts or any of them: YIELDING and PAYING unto Us, Our Heirs and Successors, on or before the Thirty-first day of March in each and every year

during the first Ten Years of the said term, the yearly rent or sum of Two hundred and seventy-seven pounds

seven shillings and eight pence, and (subject to the provisions of the said Acts) in each and every year during each succeeding period of Ten Years, such yearly rent or sum as shall be determined by the Land Court, as the yearly rent for that period,

JUL-22-65 110081 0/SE DUTY STAMP E. CURIST 262 *** 2.6

Queensland Mining Duties COMMISSIONER

such payments to be made at the Office in Brisbane of the Department of Public Lands, or at any District Land Office, in Our said State, or at such other place as may from time to time be appointed by the Governor of Our said State in Council: PROVIDED ALWAYS AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, all Gold and Minerals (the term "Minerals" to have the same meaning as in "The Mining on Private Land Acts, 1909 to 1965"), on and below the surface of the said Land, and all Mines of Gold and Minerals, on and below the surface of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, and to such persons as shall from time to time be duly authorised by Us in that behalf during the term of the said Lease, the free right and privilege of access, including ingress, egress, and regress, into, upon, over, and out of the said Land, for the purpose of searching for or working Gold and Minerals, or any of them, or Mines of Gold and Minerals, or any of them, in any part of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, all Petroleum (the term "Petroleum" to have the same meaning as in "The Petroleum Acts, 1923 to 1962"), on or below the surface of the said Land: AND ALSO all rights of access for the purpose of searching for and for the operations of obtaining Petroleum in any part of the said Land: AND ALSO all rights of way for access and for pipe lines and other purposes requisite for obtaining and conveying Petroleum in the event of Petroleum being obtained in any part of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, all Helium found in association with Petroleum in any part of the said Land: AND WE DO FURTHER RESERVE the right of any person duly authorised in that behalf by the Governor of Our said State in Council at all times to go upon the said Land, or any part thereof, for any purpose whatsoever, or to make any survey, inspection, or examination of the same.

IN TESTIMONY WHEREOF, We have caused this Our Lease to be sealed with the Seal of Our said State. ~~Witness~~ Our Trusty and Well Beloved the Honourable SIR ALAN JAMES MANSFIELD, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Chief Justice of the State of Queensland, and Administrator of the Government of our said State.

~~WITNESS Our Trusty and Well beloved Sir HENRY ABEL SMITH, Colonel on the Retired List of the Corps of Household Cavalry, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Knight Commander of Our Royal Victorian Order, Companion of Our Distinguished Service Order, Governor in and over Our State of Queensland and its Dependencies, in the Commonwealth of Australia, at Government House, Brisbane, in Queensland, aforesaid,~~

this Fifteenth day of July,
in the fourteenth year of Our Reign and in the year of Our Lord
One thousand nine hundred and sixty- five

Alan Mansfield

RTI DI RELEASED FROM

7650-81

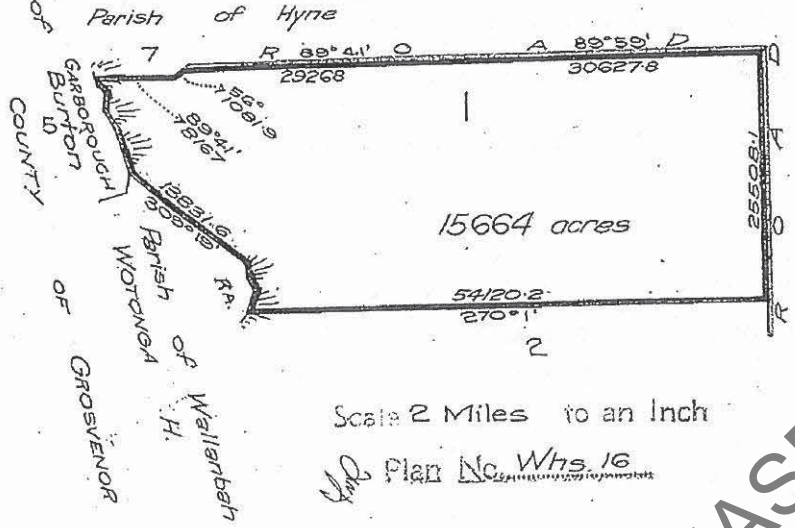
SCHEDULE

Register No. of Selection 4043 Mackay District

County Wodehouse Parish Kemrols

Portion One

Area Fifteen thousand six hundred and sixty-four acres



Lot 1 on Plan WHS 16

Scale 2 Miles to an Inch
Plan No. Whs. 16

RTI DL RELEASE - DNRM

7650-81

15

Transfers, Mortgages, Etc., Registered

Consequent upon the provisions of Sec. 11, "The Land Act Amendment Act of 1967" the term and current rental period of the within lease is extended for three (3) years.

J. Kelly
Exec Secretary, Land Administration Commission

Pursuant to Section 61 of the Land Act Amendment Act 1984 converted to Grazing Homestead Perpetual Lease from 15.5.1984

B. Kelly
Registrar of Dealings

IN terms of Regulation 41A (1) of the Land Regulations, the description of the Land comprised in the within lease is amended to lot 1 on plan W175 16

J. Williams
Registrar of Dealings

Raymond John Boulch

..... 15

..... now the registered lessees
of the withindescribed holding
TRANSFER No. *K8708816*
PRODUCED *11 Dec 1991*
REGISTERED 24 JAN 1992

W. Cusack
REGISTRAR OF FILES

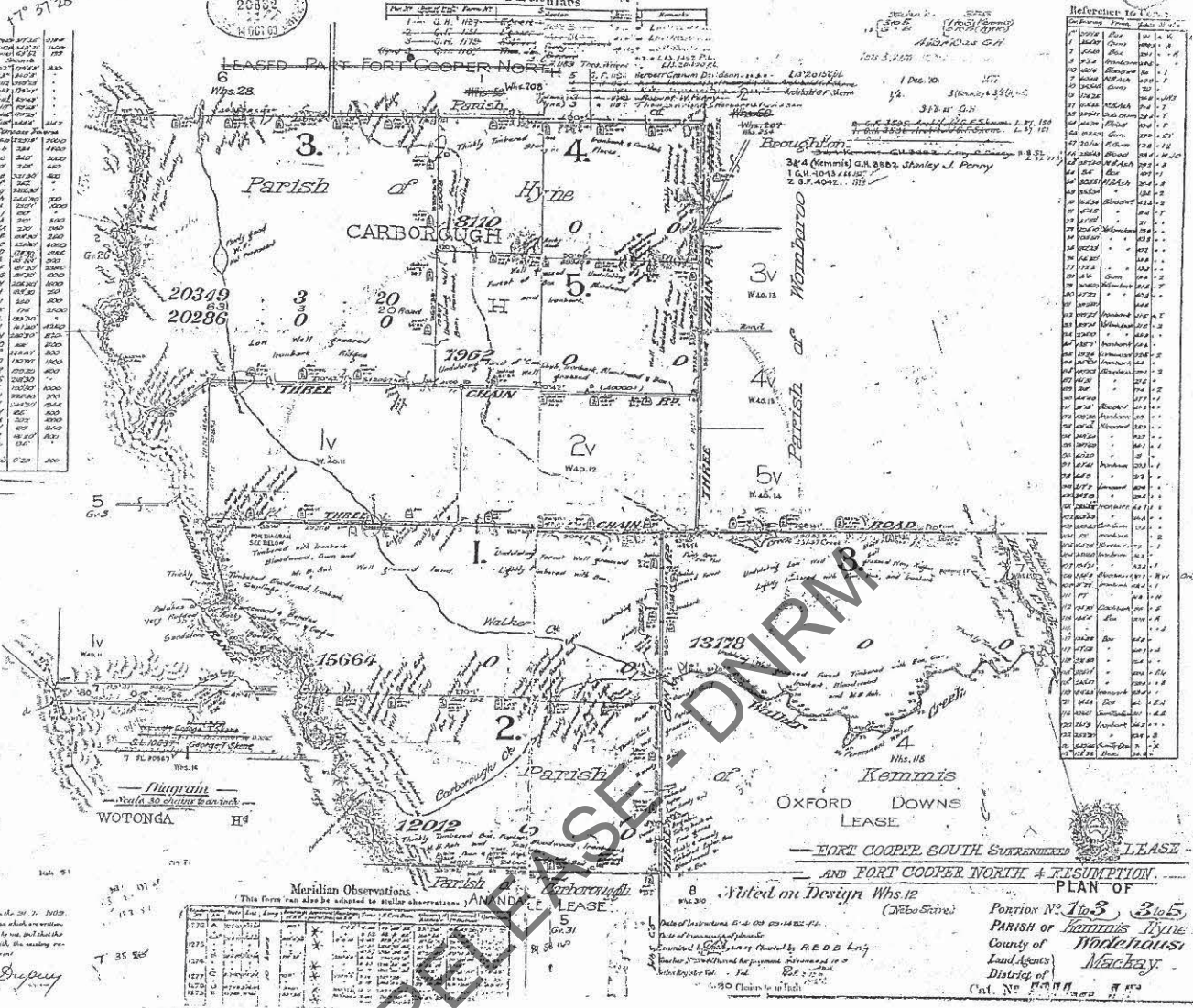
RTI DL RELEASE - DNRM

ANNEXURE 'D'
MINING LEASE No. 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.4

PLAN - LOT 2 ON WHS16

RTI DL RELEASE - DNRM

Reference to Traverse and Field Notes.



Frontier Highway - section 14 - 1957

Western Boundaries of Parish of Kemmis

I hereby certify that the plan is a true and correct copy of the original plan as shown to me by the person in whose name the same is registered, and that the same is a true and correct copy of the original plan as shown to me by the person in whose name the same is registered.

Bernard G. Duprey

Meridian Observations

This form can also be adapted to stellar observations.

Station	Time of day	Time of year	Time of day	Time of year	Time of day	Time of year
1271	12.30	1957	12.30	1957	12.30	1957
1272	12.30	1957	12.30	1957	12.30	1957
1273	12.30	1957	12.30	1957	12.30	1957
1274	12.30	1957	12.30	1957	12.30	1957
1275	12.30	1957	12.30	1957	12.30	1957

Plotted on Design Whs 12 (2760 Series)

Portion No 1 to 3, 3 to 5
 Parish of Kemmis
 County of Wodehouse
 Land Agents Mackay

Cat. No. 10000

ANNEXURE 'E'
MINING LEASE No. 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.4

TITLE SEARCH – LOT 2 ON WHS16
Including previous Title – 30/4042

RTI DL RELEASE - DNRM



QUEENSLAND
GOVERNMENT

22

Release

STATE TENURE SEARCH

NATURAL RESOURCES & MINES, QUEENSLAND

Request No: 1050898
Search Date: 05/08/2004 11:38 am

Title Reference: 40034174
Date Created: 30/08/2002

Previous Title: 17650080

DESCRIPTION OF LAND

Tenure Reference: GHFL 0/217873

LOT 2 CROWN PLAN WHS16
County of WODEHOUSE Parish of KEMMIS
Local Government: NEBO SHIRE

Area: 4861.084000 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:
No Purpose

TERM OF LEASE

Term and day of beginning of lease and purchase price

Term: 30 years commencing on 05/06/2002

Purchase Price: \$291665.04

REGISTERED LESSEE

RAYMOND JOHN BAULCH

CONDITIONS

Nil

ENCUMBRANCES

1. AMENDMENT OF CONDITIONS No 706532191 16/04/2003 at 08:50
THE FOLLOWING CONDITION HAS BEEN INSERTED
A62
(1) THE LESSEE MUST USE THE LEASED LAND FOR GRAZING
PURPOSES ONLY AND IN CONJUNCTION WITH THE
MANAGEMENT AGREEMENT BETWEEN QUEENSLAND PARKS &
WILDLIFE SERVICES (QPWS) AND THE LESSEE, EXECUTED
31/5/2002.
(2) THIS LEASE MAY BE FORFEITED IF NOT USED FOR THE
PURPOSES STATED ABOVE.

RTI DL RELEASE - DNRM



QUEENSLAND GOVERNMENT

STATE TENURE SEARCH

NATURAL RESOURCES & MINES, QUEENSLAND

Request No: 1050898

Search Date: 05/08/2004 11:38 am

Title Reference: 40034174

Date Created: 30/08/2002

ENCUMBRANCES (Continued)

- (3) THE ANNUAL FREEHOLDING INSTALMENT MUST BE PAID IN ACCORDANCE WITH THE LAND ACT 1994. NOTE: THE LEASE CAN ALSO BE PAID OUT IN ADVANCE AT ANY TIME.
- (4) THE PARTIES ACKNOWLEDGE THAT GST MAY BE PAYABLE IN RESPECT OF A SUPPLY MADE UNDER THIS LEASE. WHERE GST BECOMES PAYABLE IN RESPECT OF A SUPPLY MADE UNDER THIS LEASE, THE STATE (LESSOR) MAY RECOVER THE GST FROM THE LESSEE BY INCREASING THE CONSIDERATION PAYABLE BY THE LESSEE TO THE STATE BY AN AMOUNT EQUAL TO THAT WHICH THE STATE IS OBLIGED TO REMIT TO THE COMMONWEALTH AS GST ON THE SUPPLY AND THAT AMOUNT MAY BE RECOVERED FROM THE LESSEE AS PART OF THE MONEY PAYABLE TO THE STATE UNDER THIS LEASE. THE STATE WILL UPON REQUEST BY THE LESSEE, ISSUE TO THE LESSEE A VALID GST TAX INVOICE IN RESPECT OF ANY TAXABLE SUPPLY MADE UNDER THIS LEASE. (NOTE: FOR THE PURPOSES OF THIS CONDITION "GST" MEANS THE GOODS & SERVICES TAX WHICH RESULTS FROM THE ENACTMENT OF A NEW TAX SYSTEM (GOODS AND SERVICES TAX) ACT 1999 AND THE RELATED ACTS WHICH CONSTITUTE THE COMMONWEALTH TAXATION REFORM (AS AMENDED FROM TIME TO TIME)).
- (5) THE LESSEE MUST CONTROL PEST PLANTS AND ANIMALS, ON THE LEASED LAND, IN ACCORDANCE WITH THE RURAL LANDS PROTECTION ACT 1985 AND THE LOCAL LAWS AND REQUIREMENTS OF THE NEBO SHIRE COUNCIL.
- (6) THE LESSEE HAS A RESPONSIBILITY FOR A DUTY OF CARE, TO TAKE ALL REASONABLE AND PRACTICABLE MEASURES TO SUSTAINABLY MANAGE THE LEASED LAND BY CONSERVING THE PHYSICAL, BIOLOGICAL, PRODUCTIVE AND CULTURAL VALUES, EITHER ON THE LEASED LAND OR IN AREAS AFFECTED BY THE MANAGEMENT OF THE LEASED LAND.
- (7) THE LESSEE INDEMNIFIES AND AGREES TO KEEP INDEMNIFIED THE STATE OF QUEENSLAND, CROWN INSTRUMENTALITIES, LOCAL GOVERNMENT AND OTHER STATUTORY BODIES (THE INDEMNIFIED) AGAINST ALL ACTIONS, SUITS, PROCEEDINGS, CLAIMS, DEMANDS, COSTS, LOSSES, DAMAGES AND EXPENSES (CLAIM) ARISING OUT OF OR IN ANY WAY CONNECTED TO OR RESULTING FROM THE STATE OF QUEENSLAND GRANTING THIS LEASE TO THE LESSEE AND WHICH IS CONNECTED TO OR RESULTING FROM THE LESSEE'S USE AND OCCUPATION OF THE LEASED LAND (ALL REFERRED TO AS THE INDEMNIFIED ACTS OR OMISSIONS) SAVE TO THE EXTENT THAT THE CLAIM ARISES AS A RESULT OF ANY NEGLIGENT ACT OR OMISSION OF THE STATE OF QUEENSLAND. THE LESSEE HEREBY RELEASES AND DISCHARGES THE INDEMNIFIED FROM ANY CLAIM RELATING THE THE INDEMNIFIED ACTS OR OMISSIONS WHICH MAY BE MADE AGAINST THE INDEMNIFIED.



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STATE TENURE SEARCH

NATURAL RESOURCES & MINES, QUEENSLAND

Request No: 1050898

Search Date: 05/08/2004 11:38 am

Title Reference: 40034174

Date Created: 30/08/2002

ENCUMBRANCES (Continued)

- (8) THE LESSEE MUST ENSURE THAT THE USE AND DEVELOPMENT OF THE LEASED LAND CONFORMS TO THE PLANNING SCHEME, LOCAL LAWS AND REQUIREMENTS OF THE NEBO SHIRE COUNCIL, BINDING ON THE LESSEE.
- (9) THE LESSEE MUST GIVE THE MINISTER ADMINISTERING THE LAND ACT 1994, INFORMATION ABOUT THE LEASE, WHEN REQUESTED.
- (10) THE LESSEE MUST NOT DESTROY ANY TREES ON THE LEASED LAND, UNLESS IN ACCORDANCE WITH THE VEGETATION MANAGEMENT ACT 1999.
- (11) NO COMPENSATION FOR IMPROVEMENTS OR DEVELOPMENTAL WORK IS PAYABLE BY THE STATE AT THE FORFEITURE OR SURRENDER OF THE LEASE, BUT THE LESSEE HAS THE RIGHT TO REMOVE THE LESSEES MOVEABLE IMPROVEMENTS WITHIN A PERIOD OF THREE (3) MONTHS FROM THE FORFEITURE OR SURRENDER OF THE LEASE, PROVIDED ALL MONEY DUE BY THE LESSEE TO THE STATE ON ANY ACCOUNT WHATSOEVER HAS BEEN PAID, OR BE REQUIRED TO REMOVE THOSE IMPROVEMENTS AS SPECIFIED IN ANY FURTHER CONDITION OF LEASE.
- (12) THIS LEASE IS SUBJECT TO THE LAND ACT 1994 AND THE VEGETATION MANAGEMENT ACT 1999 AND ALL OTHER RELEVANT STATE AND COMMONWEALTH ACTS.

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

ORIGINAL LEASE IN EXISTENCE - No

Caution - Charges do not necessarily appear in order of priority

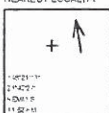
** End of State Tenure Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES & MINES) [2004]
Requested By: External Supervisor



STANDARD MAP NUMBER
8554-13224

MAP WINDOW POSITION &
NEAREST LOCALITY



13-097

SUBJECT PARCEL DESCRIPTION

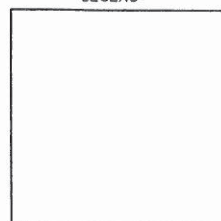
DCDB	1/WHS16
Lot/Plan	0m ²
Area/Volume	LANDS LEASE
Tenure	NEBO SHIRE
Local Government	KEMMIS
Locality	KEMMIS
Parish	WODEHOUSE
County	5/1/1927
Parcel/Segment	

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 5/5/2004
(Important Notice: The information
herein is NOT an OFFICIAL RECORD and
its ACCURACY is NOT GUARANTEED)
DCDB 04/05/2004
(Lots with an area less than 40000
square metres are not shown)
For symbology see the BLIN Abbreviations
Sheet

File A_Applications 1

LEGEND



SmartMap

An External Product of the
Basic Land Information Network
Based upon an extraction from the
Digital Cadastral Data Base



Queensland
Government

Natural Resources
and
62 of 98

(c) The State of Queensland
Department of Natural Resources & Mines, 2004



Grazing Farm No. 30/4042

26

Mackay District.

7659/80.

Lease of Grazing FARM under "The Land Acts, 1962 to 1965"

Elizabeth the Second, by the Grace of God, of the United Kingdom, Australia, and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith:—

To All to whom these Presents shall come, Greeting:

Whereas, ARCHIBALD GEORGE FRANCIS SKENE

in Our State of Queensland, in pursuance of the provisions of "The Land Acts, 1962 to 1965,"

hereinafter referred to as "the said Acts"), is now entitled to a Lease of the Land described in the Schedule

endorsed on these presents for the term of Thirty Years, at the yearly rent hereinafter mentioned, and with, under, and subject to the rights, powers, privileges, terms, conditions, provisions, exceptions, restrictions, reservations, and provisoes in the said Acts, and hereinafter contained: NOW KNOW YE, that in consideration of the premises and of the rent hereby reserved and of the payment of the rent payable

under the said Acts for the said Land.

WE, in pursuance of the said Acts, DO HEREBY, for Us, Our Heirs and Successors, Demise and Lease unto the said ARCHIBALD GEORGE FRANCIS SKENE

(hereinafter with his Successors in title designated "the Lessee"), and his lawful Assigns, ALL that parcel of Land described in the Schedule endorsed on these presents, To HOLD the same unto the Lessee

and his lawful Assigns, for and during the term of Thirty

Years, to be computed from the First day of July in the Year One thousand nine

hundred and sixty-five with, under, and subject to the reservations hereinafter particularly mentioned, subject to the condition of Occupation as defined by the said Acts.

RTI DL RELEASED DRAFT

Ag
Sd

and to all other rights, powers, privileges, terms, conditions, provisions, exceptions, restrictions, reservations, and provisoes referred to, contained, or prescribed in and by the said Acts, "The Mining on Private Land Acts, 1909 to 1965," and "The Petroleum Acts, 1923 to 1962," or any regulations made or which may hereafter be made under the aforesaid Acts or any of them: YIELDING and PAYING unto Us, Our Heirs and Successors, on or before the Thirty-first day of March in each and every year during the first Ten Years of the said term, the yearly rent or sum of One hundred and fifty pounds

three shillings, and (subject to the provisions of the said Act), in each and every year during each succeeding period of Ten Years, such yearly rent or sum as shall be determined by the Land Court, as the yearly rent for that period,

DUTY STAMP
226 AUG-17-65 133162 D/SE 1000 A DUPLST 20£***. 2.6

Queensland Stamp Office
Commissioner

27

such payments to be made at the Office in Brisbane of the Department of Public Lands, or at any District Land Office, in Our said State, or at such other place as may from time to time be appointed by the Governor of Our said State in Council: PROVIDED ALWAYS AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, all Gold and Minerals (the term "Minerals" to have the same meaning as in "The Mining on Private Land Acts, 1909 to 1965"), on and below the surface of the said Land, and all Mines of Gold and Minerals, on and below the surface of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, and to such persons as shall from time to time be duly authorised by Us in that behalf during the term of the said Lease, the free right and privilege of access, including ingress, egress, and regress, into, upon, over, and out of the said Land, for the purpose of searching for or working Gold and Minerals, or any of them, or Mines of Gold and Minerals, or any of them, in any part of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, all Petroleum (the term "Petroleum" to have the same meaning as in "The Petroleum Acts, 1923 to 1962"), on or below the surface of the said Land: AND ALSO all rights of access for the purpose of searching for and for the operations of obtaining Petroleum in any part of the said Land: AND ALSO all rights of way for access and for pipe lines and other purposes requisite for obtaining and conveying Petroleum in the event of Petroleum being obtained in any part of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, all Helium found in association with Petroleum in any part of the said Land: AND WE DO FURTHER RESERVE the right of any person duly authorised in that behalf by the Governor of Our said State in Council at all times to go upon the said Land, or any part thereof, for any purpose whatsoever, or to make any survey, inspection, or examination of the same.

IN TESTIMONY WHEREOF, We have caused this Our Lease to be sealed with the Seal of Our said State. ~~Witness~~ Our Trusty and Well Beloved the Honourable SIR ALAN JAMES MANSFIELD, Knight

Commander of Our Most Distinguished Order of Saint Michael and Saint George, Chief Justice of the State of Queensland, and Administrator of the Government of our said State.

~~WITNESS Our Trusty and Well-beloved Sir HENRY ABEL SMITH, Colonel~~

~~on the Retired List of the Corps of Household Cavalry, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Knight Commander of Our Royal Victorian Order, Companion of Our Distinguished Service Order, Governor in and over Our State of Queensland and its Dependencies, in the Commonwealth of Australia, at Government House, Brisbane, in Queensland, aforesaid,~~

this 14th day of August

in the fourteenth year of Our Reign and in the year of Our Lord

One thousand nine hundred and sixty-five.

Handwritten signature

RTI DL RELEASED ON 07/11/2014

SCHEDULE

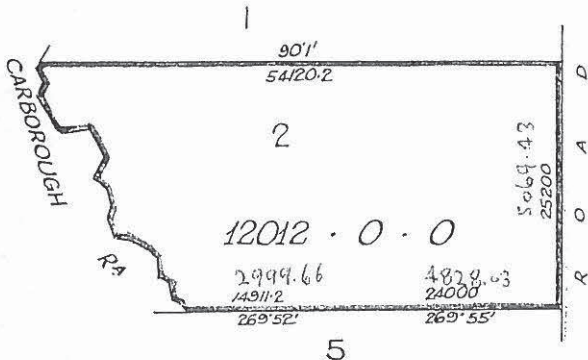
28

Register No. of Selection 4042 Mackay District

County Wodehouse Parish Kennis

Portion Two

Area Twelve thousand and twelve acres.



Lot 2 on Plan V/115 16

Parish of Carborough

160 s ...

Whs. 16

RTI DL RELEASE - DNRM

Transfers, Mortgages, Etc., Registered

Consequent upon the provisions of the Land Act Amendment Act of 1967 the term and current rental period of the within lease is extended for three (3) years.

29

[Signature]
Exp. Secretary, Land Administration
Commission

Pursuant to Section 61 of the Land Act Amendment Act 1984 converted to Grazing Homestead Perpetual Lease from 15.5.1984

[Signature]
Registrar of Dealings

IN terms of Regulation 41A (1) of the Land Regulations, the description of the Land comprised in the within lease is amended to lot 2 on plan WHS 16

[Signature]
Registrar of Dealings

Raymond John Boulch

..... now the registered lessees
of the within described holding

TRANSFER No. *K8708816*
PRODUCED *11 Dec 1991*
REGISTERED 24 JAN 1992

[Signature]
REGISTRAR OF TITLES

RTI DL RELEASE - DNRM

ANNEXURE 'F'
MINING LEASE No. 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.4

NATIVE TITLE SUBMISSION

Lot 1 on WHS16

"Lot 1 on WHS16 is contained within GHPL 30/4043. GHPL 30/4043 was originally granted as a Grazing Homestead Lease under the *Land Act 1962* and commenced on 1 July 1965. The Grazing Homestead Lease was converted to a Grazing Homestead Perpetual Lease from 15 May 1984. Refer to Annexure 'C' for current title search and previous title document 30/4043.

Under s20 of the *Native Title (Queensland) Act 1993* ("NTAQ"), a "previous exclusive possession" act under s23B(2) of the *Native Title Act 1993 (Cwth)* ("NTA") extinguishes native title. An act is a previous exclusive possession act if –

- (a) it is valid; and
- (b) it took place on or before 23 December 1996; and
- (c) it consists of the grant or vesting of, amongst other things –
 - (i) a Scheduled interest...

Clause 23(8) of Schedule 1 Part 3 of the NTA includes grazing homestead perpetual leases under the *Land Act 1962*.

As GHPL 30/4043 was granted under the *Land Act 1962* and was granted prior to 23 December 1996, it is submitted that native title has been extinguished over Lot 1."

Lot 2 on WHS16

"Lot 2 on WHS16 is contained within GHFL 0/217873. GHFL 0/217873 was granted on 6 June 2002 for a term of 30 years to expire on 6 June 2032. GHFL 0/217873 was previously a Grazing Farm 30/4042. The Grazing Farm Lease was converted to a Grazing Homestead Perpetual Lease from 15 May 1984. Refer to Annexure 'E' for current title search and previous title document 30/4042

Under s20 of the *Native Title (Queensland) Act 1993* ("NTAQ"), a "previous exclusive possession" act under s23B(2) of the *Native Title Act 1993 (Cwth)* ("NTA") extinguishes native title. An act is a previous exclusive possession act if –

- (d) it is valid; and
- (e) it took place on or before 23 December 1996; and
- (f) it consists of the grant or vesting of, amongst other things –
 - (i) a Scheduled interest...

Clause 22(3) of Schedule 1 Part 3 of the NTA includes grazing homestead freeholding leases under the *Land Act 1962*.

As GHPL 30/4042 was granted under the *Land Act 1962* and was granted prior to 23 December 1996, it is submitted that native title has been extinguished over Lot 2."

ANNEXURE 'G'
MINING LEASE No. 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.4

SURFACE AREA CONNECTION AND DESCRIPTION

Surface Area 4 in ML4750

The reference point is the intersection point of the Western boundary of ML4750 with the road abutting the Northern boundary of Lot 1 on WHS16 (station 17 on MP40216)
 The reference point and the Datum Point are the same point.

Commencing at the Datum Point

Thence by a line bearing $88^{\circ}16'25''$ for a distance of 2788.75m
 abutting the Northern boundary of Lot 1 on WHS16

Thence by a line bearing $88^{\circ}36'05''$ for a distance of 1920.31m
 abutting the Northern boundary of Lot 1 on WHS16

Thence by a line bearing $121^{\circ}28'05''$ for a distance of 2043.96m
 abutting the boundary of ML4750 to the North-west corner of SA2

Thence by a line bearing $205^{\circ}24'40''$ for a distance of 2221.32m
 abutting the Western boundary of SA2

Thence by a line bearing $117^{\circ}10'50''$ for a distance of 1473.18m
 abutting the Southern boundary of SA2

Thence by a line bearing $115^{\circ}10'$ for a distance of 807.8m
 abutting the Southern boundary of SA3

Thence by a line bearing $117^{\circ}11'30''$ for a distance of 298.35m
 abutting the Southern boundary of SA2

Thence by a line bearing $94^{\circ}38'$ for a distance of 459.39m
 abutting the Southern boundary of SA2

Thence by a line bearing $85^{\circ}23'10''$ for a distance of 548.59m
 abutting the Southern boundary of SA2

Thence by a line bearing $103^{\circ}16'40''$ for a distance of 250.49m
 abutting the Southern boundary of SA2 to the western boundary of road reserve

Thence by a line bearing $178^{\circ}37'35''$ for a distance of 1583.48m
 abutting the Western boundary of road reserve to the boundary of ML4750

Thence by a line bearing $288^{\circ}35'05''$ for a distance of 4474.04m
 abutting the boundary of ML4750

Thence by a line bearing $311^{\circ}35'15''$ for a distance of 6484.12m
 abutting the boundary of ML4750, back to the point of commencement.

Area 1972ha

Bearings are magnetic – add $9^{\circ}0'$ for MGA
 Parish of Kemmis County of Wodehouse

ANNEXURE 'H'
MINING LEASE No. 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.4

**STATEMENT OUTLINING THE MINING PROGRAM
AND INFRASTRUCTURE REQUIREMENTS**

(In accordance with section 245(1)(o)(iii) of the *Mineral Resources Act 1989*)

Proposed Mining Program

The area is required for the extension of Northern Mulgrave Pit in Mining Lease 4750.

These operations will require:

- Exploration drilling;
- Stripping of topsoil;
- Drilling and blasting of overburden;
- Stripping of spoil (both shovel/truck and dragline);
- Extraction of coal; and
- Rehabilitation, which will be performed in accordance with the South Walker Creek Mine "Mine Life Plan".

A final void left at the end of mining may remain in the application area. The rehabilitation of the mine area will integrate any final void into the final landform and follow our Environmental Management Overview Strategy as appropriate.

Timing: From the current long term plan, developed for South Walker Creek it is anticipated to start development in this area in the year 2020. Exploration of this area will be on going from the current status and development of the area may occur earlier if reserves are favourable or market conditions change

Proposals for Infrastructure

Infrastructure that would be anticipated for the progressive development of this area in the longer term would include:

- 66KV High voltage reticulation
- Access infrastructure including access road and haul roads
- Water retention dams for the purpose of sediment traps from surface run off
- Pit water storage areas
- Highwall drainage channels for pit water retention and management

ANNEXURE 'I'
MINING LEASE No. 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.4

STATEMENT OF THE FINANCIAL AND TECHNICAL RESOURCES OF THE APPLICANT
(In accordance with section 245(1)(o)(iv) of the *Mineral Resources Act* 1989 (Q))

The applicant owns the South Walker Creek and Riverside mines.

The mines are operated by BM Alliance Coal Operations Pty Ltd (ABN 67 096 412 752) ("BMA") on behalf of BHP Mitsui Coal Pty Ltd.

The applicant is of sound financial standing. BMA is jointly owned in equal shares by BHP Billiton Limited and Mitsubishi Development Pty Ltd.

South Walker Creek Mine has available the technical resources of staff on site and the business development and environmental services departments of BMA, consisting of professionals including engineers, geologists, surveyors and environmental scientists.

RTI DL RELEASE - DNR/M

APPLICATION FOR ADDITIONAL SURFACE AREA

Section 275
Mineral Resources Act 1989
Form Number MRA-18 Version Number 1

OFFICIAL USE ONLY	
ML No.	
PART A	
Received AT <i>EMERL</i>	Received BY <small>sch4p4(6) Personal information</small>
DATE <i>12/6/07</i>	TIME <i>1:50</i> AM/PM
PART B	
Document accepted as an application for a Mining Lease in accordance with section 81 of the <i>Mineral Resources Regulation 2003</i>	
Mining Registrar (SIGNATURE)	<i>[Redacted Signature]</i>
DATE <i>12/6/07</i>	
FEE Paid <i>\$133.50</i>	RECEIPT no. <i>EM192267</i>
PART C	
ENTERED on register by (SIGNATURE)	<i>[Redacted Signature]</i>
DATE <i>12/6/07</i>	

The Queensland Government introduced Information Standard 42 - Information Privacy to establish a framework for the responsible collection and handling of personal information in the Queensland government public sector. Please refer to the section at the end of this form entitled "Privacy Statement" which provides details about why the personal information on this form is being collected and how it will be handled.

The completed original of this application and any attachments, must be submitted with the prescribed fee at the Office of the Mining Registrar for the mining district in which the land is situated.

The document submitted must first be accepted by the Mining Registrar as an application for a mining claim under the provisions of section 81 of the *Mineral Resources Regulation 2003* before registration.

Please print clearly in ink and use block letters.

All prescribed forms under the *Mineral Resources Act 1989* are available through the internet on www.nrm.qld.gov.au.

1. APPLICANT DETAILS

Mining Registrar (SIGNATURE)	Company Name/Surname	1.1	BHP MITSUI COAL PTY LTD
DATE <i>12/6/07</i>	Given Name(s)	1.2	
FEE Paid <i>\$133.50</i>	ACN (if company)	1.3	009 713 875
RECEIPT no. <i>EM192267</i>	Percentage	1.4	100 %
PART C	Company Name/Surname	1.1	
ENTERED on register by (SIGNATURE)	Given Name(s)	1.2	
DATE <i>12/6/07</i>	ACN (if company)	1.3	
	Percentage	1.4	%
	Company Name/Surname	1.1	
	Given Name(s)	1.2	
	ACN (if company)	1.3	
	Percentage	1.4	%
	Company Name/Surname	1.1	
	Given Name(s)	1.2	
	ACN (if company)	1.3	
	Percentage	1.4	%

GUIDE FOR APPLICANTS

Question 1.1
Specify company name or surname of applicant.

Question 1.2
Specify given name(s) of applicant.

Question 1.3
If a company, what is the Australian Company Number (ACN)?

Question 1.4
Specify the percentage of interest to be held by each applicant.

GUIDE FOR APPLICANTS

Question 1.5

The total interest must equal 100%. If you are entering these details online, right click the '0' and select 'Update Field'.

Question 1.6

One person must be shown as the nominated applicant, upon whom any notice may be served on behalf of the applicant(s).

Question 1.7

Specify the address of the nominated applicant.

Question 1.8

Specify the phone number of the nominated applicant.

Question 1.9

Specify the fax number of the nominated applicant.

Question 1.10

Specify the email address of the nominated applicant.

Question 2

Before you apply for a mining lease you must mark out the boundary of the land, even if the surface of the land is not going to be included in your application. For the manner of marking out the land, refer to section 241 of the *Mineral Resources Act 1989*.

Once marked out, you have five business days in which to lodge your application.

It is not necessary to mark out the boundary of the surface area if part only of the surface is going to be included in your application. However the boundary of the surface area must be described by measuring the distance on the ground and by taking compass bearings. The description must be related to a boundary post by accurately measured distances and compass bearings.

Question 3

Compliance with the native title provisions of the *Commonwealth Native Title Act 1993* is not necessary on land where native title is taken to have been extinguished (i.e. "exclusive" land tenures).

However, if you wish to include in your application land that may be subject to Native Title (i.e. "non-exclusive" land tenures), you must comply with the relevant Native Title procedure irrespective as to whether or not a native title claim has been lodged over the area).

Company Name/Surname	1.1					
Given Name(s)	1.2					
ACN (if company)	1.3		Percentage	1.4	%	
			Total Percentage	1.5	100	%
Nominated Person	1.6	Robert Hodge				
Address	1.7	GPO Box 1389 BRISBANE QLD 4001				
Phone Number	1.8	(07)	3226 0444			
Fax Number	1.9	(07)	3229 2333			
E-mail	1.10	robert.j.hodge@bmacoal.com				

2. APPLICATION DETAILS

What is the date (2.1) and time (2.2) the land was marked out?

2.1	N/A		
2.2	N/A		<input type="checkbox"/> AM <input type="checkbox"/> PM

Surface Area applied for	2.3	9.58	ha
--------------------------	-----	------	----

Why is surface area required?

2.4	To allow for down-dip mining of the South Walker Creek coal resources to the south-west of the Central Pit.		
-----	---	--	--

What are the reasons for the area and shape of the land applied for?

2.5	The area applied for covers a section of two road licences (road reserve) held by the applicant on the eastern boundary of SAA4 and the western boundary of SA1. This will provide complete surface area coverage between SA1 and SAA4.		
-----	---	--	--

3. NATIVE TITLE

Is the area applied for entirely over extinguishing tenures?

3.1	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	If YES, finished. If NO, go to Question 3.2.
-----	-----	-------------------------------------	----	--------------------------	---

GUIDE FOR APPLICANTS

If the area applied for includes at least some non-exclusive tenures, is the land the subject of any Indigenous Land Use Agreements (ILUAS)?

3.2	YES <input type="checkbox"/>	NO <input type="checkbox"/>
-----	------------------------------	-----------------------------

Is the land within an approved opal or gem mining area?

3.3	YES <input type="checkbox"/>	NO <input type="checkbox"/>
-----	------------------------------	-----------------------------

Is the application solely for infrastructure facilities associated with mining?

3.4	YES <input type="checkbox"/>	NO <input type="checkbox"/>
-----	------------------------------	-----------------------------

Question 4

The *Mineral Resources Act 1989* prescribes certain types of land as "restricted land". This land is only available if the owner of the land where the relevant permanent building, or feature is situated, consents in writing to your application. If consents are not lodged, such areas will automatically be excluded from the surface area of your mining lease.

- Restricted Land (category A)**
Means land within 100m laterally of a permanent building used –
- (a) mainly as accommodation or for business purposes; or
 - (b) for community, sporting or recreational purposes or as a place of worship.

- Restricted Land (category B)**
Means land within 500m laterally of any of the following features –
- (a) a principal stockyard;
 - (b) a bore or artesian well;
 - (c) a dam;
 - (d) another artificial water storage connected to a water supply; or
 - (e) a cemetery or burial place.

4. RESTRICTED LAND

Are there any improvements as referred to in section 238(2) within the boundaries of the surface area applied for?

4.1	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If YES, go to Question 4.2 and continue. If NO, Question 5.
-----	------------------------------	--	--

What are those improvements?

4.2	
-----	--

Do you have the written consent of the owner(s) of the land containing these improvements to the land being included in the surface area of the lease?

4.3	YES <input type="checkbox"/>	NO <input type="checkbox"/>	If YES, go to Question 5. If NO, go to Question 4.4.
-----	------------------------------	-----------------------------	---

Do you intend to seek the consent of the land owner?

4.4	YES <input type="checkbox"/>	NO <input type="checkbox"/>
-----	------------------------------	-----------------------------

If YES, written consent must be lodged with the Mining Registrar no later than the last date set for lodgement of objections.

5. RESERVE LAND

Is the application over the surface of the land that is a reserve?

5.1	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
-----	---	-----------------------------

What action has been taken to obtain the written consent?

5.2	Compensation/consent agreement is being negotiated with the Nebo Shire Council.
-----	---

Question 5.1

Indicate whether the mining lease is over land that is a reserve as defined in the *Mineral Resources Act 1989*.

Question 5.2

If you are unable to obtain the written views of the owner of the reserve despite efforts to do so, the Land and Resources Tribunal has the power to make a recommendation to the Minister as to whether the Governor in Council should consent to the grant of the mining lease over the surface of the reserve subject of certain conditions.

GUIDE FOR APPLICANTS

Question 6

Please provide a description of all parcels of land, including easements, the whole or part of which are covered by your application. It is necessary to provide the landowner's name and address for each parcel of land. You can obtain this information from an NRM&W service centre.

You are also required to provide details of which parcels of land are within the boundaries of the surface area being applied for.

Question 6.1

Insert Lot Number of land on plan registered in Titles Office.

Question 6.2

Insert Registered Plan Number for lot.

Question 6.3

Insert Land Tenure Type, e.g. Freehold, special lease, pastoral holding etc.

Question 6.4

What is the land currently used for?

Question 6.5

Name of the owner of the land.

Question 6.6

Address of the owner of the land.

Please attach separate list if insufficient space.

Question 6.7

Please note whether the surface area covers whole or part of the Land Tenure.

6. BACKGROUND LAND TENURE DETAILS

Provide:

- a description of all parcels of land including easements the whole or part of which are the subject of this application;
- the landowner's name and address for each parcel of land.

Lot Number 6.1 **A** Plan Number 6.2 **AP5270**

Land Tenure Type 6.3 **Road Licence - RL 0/214468**

Current Usage 6.4 **Industrial (namely Coal mining and associated purposes)**

Owner's Name 6.5 **BHP MITSUI COAL PTY LTD**

Owner's Address 6.6 **GPO Box 1389
BRISBANE QLD 4001**

Surface Area 6.7 Whole Part

Lot Number 6.1 **A** Plan Number 6.2 **AP11159**

Land Tenure Type 6.3 **Road Licence - RL 0/231103**

Current Usage 6.4 **Industrial (namely mining purposes)**

Owner's Name 6.5 **BHP MITSUI COAL PTY LTD**

Owner's Address 6.6 **GPO Box 1389
BRISBANE QLD 4001**

Surface Area 6.7 Whole Part

Lot Number 6.1 **-** Plan Number 6.2 **-**

Land Tenure Type 6.3 **Road Reserve**

Current Usage 6.4 **Temporarily closed road**

Owner's Name 6.5 **Nebo Shire Council**

Owner's Address 6.6 **PO Box 21
NEBO QLD 4742**

Surface Area 6.7 Whole Part

GUIDE FOR APPLICANTS

Question 6.8

Insert Lot Number of land on plan registered in Titles Office.

Question 6.9

Insert Registered Plan Number for lot.

Question 6.10

Insert Land Tenure Type, e.g. Freehold, special lease, pastoral holder etc.

Question 6.11

What is the land currently used for?

Question 6.12

Name of the owner of the land.

Question 6.13

Address of the owner of the land.

Provide:

(a) a description of all parcels of land including easements the whole or part of over which access is required; and

(b) the landowner's name and address for each parcel of land.

Lot Number	6.8	7	Plan Number	6.9	SP155252
Land Tenure Type	6.10	Freehold			
Current Usage	6.11	Mining of coal and grazing			
Owner's Name	6.12	BHP MITSUI COAL PTY LTD			
Owner's Address	6.13	GPO Box 1389 BRISBANE QLD 4001			

Lot Number	6.8		Plan Number	6.9	
Land Tenure Type	6.10				
Current Usage	6.11				
Owner's Name	6.12				
Owner's Address	6.13				

Question 7.1

A mining lease cannot be granted unless compensation has been agreed to by the miner and the relevant owner of the land or determined by the Land and Resources Tribunal. Access land is also subject to the compensation requirements of the Act.

Any compensation agreement must be signed by all parties, stamped by the Office of State Revenue and filed with the Mining Registrar.

Question 7.2

Compensation is not required if the background land tenure is "Unallocated State Land" or is owned by the applicant. If the applicant is the owner, proof of ownership is required to be lodged with the application.

7. COMPENSATION AGREEMENT DETAILS

Is a compensation agreement required?

7.1	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If YES, go to Question 8.1. If NO, go to Question 7.2.
-----	---	-----------------------------	---

Why is a compensation agreement not required?

7.2	Compensation/consent agreement is being negotiated with the Nebo Shire Council.
-----	---

GUIDE FOR APPLICANTS

Question 8.1 to 8.7

All bearings are to be magnetic and the description should indicate any abutments, e.g. at a bearing of 90° 00' for a distance of 100 metres to the SW corner of the surface area.

Please attach separate list if insufficient space.

8. SURFACE AREA CONNECTION AND DESCRIPTION

Describe the connection from a Corner Post of this application to the initial corner of the surface area.

Commencing from the Corner Post

8.1	See
-----	-----

 corner of this application

at a bearing of

8.2	ATTACHMENT "E"
-----	----------------

 for a distance of

8.3	
-----	--

 metres, to

8.4	
-----	--

 then

at a bearing of

8.2	
-----	--

 for a distance of

8.3	
-----	--

 metres, to

8.4	
-----	--

 then

at a bearing of

8.2	
-----	--

 for a distance of

8.3	
-----	--

 metres, to

8.4	
-----	--

 then

at a bearing of

8.2	
-----	--

 for a distance of

8.3	
-----	--

 metres, to the initial corner of the surface area.

Describe the Surface Area of the land being applied for.

Commencing from the initial corner of the surface area

8.5	SEE ATTACHMENT "E"
-----	--------------------

at a bearing of

8.6	
-----	--

 for a distance of

8.7	
-----	--

 metres, to

8.8	
-----	--

 then

at a bearing of

8.6	
-----	--

 for a distance of

8.7	
-----	--

 metres, to

8.8	
-----	--

 then

at a bearing of

8.6	
-----	--

 for a distance of

8.7	
-----	--

 metres, back to the point of commencement.

9. ACCESS LAND DETAILS

Is access to this mining lease via a dedicated road that is within or abutting the mining lease area?

9.1	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, go to Question 9.2. If NO, go to Question 9.3.
-----	---	---

Question 9

Please provide a description of all parcels of land, including easements, the whole or part of which is required for access to the mining lease. It is necessary to provide the landowner's name and address for each parcel of land covered by the proposed access.

Please attach list if insufficient space. You can obtain this information from an NRMW service centre.

Question 9.1

If you answered YES, complete Question 9.2.

GUIDE FOR APPLICANTS

Question 9.2

Upon answering Question 9.2, go to Question 9.8.

What is the description of the dedicated road to be used for access?

9.2	
-----	--

Question 9.3

Insert the width of the access required in metres.

What is the description of the access?

Width of Access required

9.3	
-----	--

 metres.

Question 9.4

Insert the description of the start point, e.g. At a point on the Mt Mulligan Road 2.15km NE of the Sandy Creek crossing at co-ordinates.....

What is the description of the start point?

9.4	At a common point on the road licence (RL 0/214468) that intersects with the northern area of land applied for near Carborough Creek.
-----	---

Question 9.5

Insert the description of the end point, e.g. The Southern boundary of the mining claim.

What is the description of the end point?

9.5	Same as above.
-----	----------------

Question 9.6

Enter the compass bearings taken along the centreline of the access. All bearings are to be magnetic.

Describe the access from the start point to the end point. Commencing from the start point, thence along the centreline.

At a bearing of

9.6	
-----	--

 for a distance of

Question 9.7

Enter the distance, in metres, of the access route on the compass bearing.

9.7	
-----	--

 metres, thence

at a bearing of

9.6	
-----	--

 for a distance of

9.7	
-----	--

 metres, thence

at a bearing of

9.6	
-----	--

 for a distance of

9.7	
-----	--

 metres, thence

at a bearing of

9.6	
-----	--

 for a distance of

9.7	
-----	--

 metres, thence

at a bearing of

9.6	
-----	--

 for a distance of

9.7	
-----	--

 metres, thence to the end point.

GUIDE FOR APPLICANTS

Question 10.1

Enter the name of place where the application was signed, the day of the month, the month and the year when the form is signed.

Question 10.2

Insert the full name of the applicant(s).

Question 10.3

Signature of applicant(s).

Question 10.4

Insert full name of Witness.

Question 10.5

Signature of Witness.

Execution of Documents by an Agent

If an agent or the holder of a power of attorney is signing a document, required to be lodged by an Act, on behalf of another, the agent or holder of the power of attorney must produce current, written evidence of their authority to act at the time of lodgement.

All of the holders of the tenure MUST execute the appointment of agent or the power of attorney for the appointment or power of attorney to be effective. A company signing an appointment of agent or power of attorney must do so in accordance with the corporation law and/or the articles of association of the company.

Question 11.1

Tick the appropriate boxes to indicate compliance.

10. SIGNATURES AND ENDORSEMENTS

We solemnly sincerely and truly affirm and declare that the information provided in this form is true and correct. We make this solemn declaration by virtue of the provisions of the *Oaths Act 1867*.

10.1	Signed at BRISBANE this <u>17th</u> day of MAY, 20 07	
10.2		10.3
10.2		10.3
10.2		10.3
10.2		10.3
10.2		10.3
10.4		10.5

Full name and title of Applicant(s) Signature

Full name of Witness Signature of Witness

11. ACCOMPANIMENTS

The following must accompany this form:

11.1	Tick
<ul style="list-style-type: none"> Completed Application for an Environmental Authority (Mining Activities) 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> (If your application is for a coal or oil shale mining lease) Completed MRA-16 Additional Information for Coal or Oil Shale Mining Lease Application Form 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> A statement: <ul style="list-style-type: none"> Outlining the mining program proposed, outlining its method of operation, and providing an indication of when operations are expected to start or, if a mining program is not proposed, outlining the use proposed for the land and providing an indication of when the proposed use is to start. (Note: This information is not required if, under part 7AA, your application includes a proposed development plan that complies with the initial development plan requirements); and Of proposals for infrastructure requirements necessary to enable the mining program to proceed, or additional activities to be carried on to work out the infrastructure requirements. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>

<ul style="list-style-type: none"> • A statement, acceptable to the Mining Registrar and separate from the state mentioned above, detailing the applicant's financial and technical resources. 	<input type="checkbox"/>
<ul style="list-style-type: none"> • Sketch map(s) or other graphic representation acceptable to the Mining Registrar setting out: <ul style="list-style-type: none"> ○ the boundaries of the land the subject of this application; ○ the proposed access; and ○ any Mining Claim, Mineral Development Licence or Mining Lease (or application for grant of same) wholly within the land sought. 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • Proof of identity of the Applicant's: <ul style="list-style-type: none"> ○ Individual- Driver's Licence, passport, birth certificate ○ Company- Certificate of Registration 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • The prescribed application fee 	<input checked="" type="checkbox"/>

12. PRIVACY STATEMENT

The Queensland Government introduced Information Standard 42 - Information Privacy to establish a framework for the responsible collection and handling of personal information in the Queensland government public sector.

The Department of Natural Resources, Mines and Water is collecting the information on this form to process your application for a mining claim. This is required by section 61 of the *Mineral Resources Act 1989* (the Act).

The Department is required to facilitate and regulate the carrying out of responsible mining activities and the development of a safe, efficient and viable mining industry in Queensland under the Act.

The Department maintains a Register under section 387 of the Act. This register contains information collected from a variety of sources, including application forms submitted under the Act. The particulars to be recorded in the register are prescribed in Part 11 of the *Mineral Resources Regulation 2003* (the Regulations).

Under section 68 of the Regulations, the public can inspect the Register between the hours of 8.30 am and 4.30 pm on business days, and anyone may take extracts from the register and acquire, upon payment of the prescribed fee, a copy of all or part of a notice, document or information held in the register. Information contained in the register includes (but is not limited to):

- the mining tenement number;
- the full name of the holder/s of the mining tenement;
- the annual rent for the mining tenement; and
- any permitted dealings relating to the mining tenement that are approved by the Minister.

Information collected on this form, whether or not it is contained in the Register, may be provided to other Queensland Government Agencies, where such disclosure is necessary for the effective management of the mineral resources and industry in Queensland. These agencies may include the Environmental Protection Agency, the Department of Primary Industries and Fisheries and the Department of Energy.

Where information provided is commercial in confidence, it will be treated as confidential and not included in the Register or be disclosed outside the agency unless the Department is legally required to do so.

For more information on Information Privacy, please contact the Privacy Contact Officer for the Department of Natural Resources, Mines and Water on (07) 389 63705.

BHP MITSUI COAL PTY LTD



ATTACHMENTS

**ADDITIONAL SURFACE AREA APPLICATION NO.5
ML 4750 – KEMMIS WALKER
SOUTH WALKER CREEK**

RTI/DI RELEASE DNRM

MINING LEASE NO 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.5

ATTACHMENTS

ATTACHMENT	DESCRIPTION
A	Applicant.
B	Native Title
C	Background Land Tenure
D	Compensation Agreement Details
E	Location Description and External Boundary Description.
F	Sketch map(s) or other graphic representation acceptable to the Mining Registrar setting out:
G	Accompaniments Contents List.
H	Completed Application for an Environmental Authority (Mining Activities)
J	Completed MRA-16 Additional Information for Coal or Oil Shale Mining Lease Application Form
K	Proposals for infrastructure requirements necessary to enable the mining program to proceed, or additional activities to be carried on to work out the infrastructure requirements.
L	A statement, separate from the above, detailing the applicant's financial and technical resources.
M	Proof of identity of the Applicant's
N	Prescribed application fee.
O	Signatures and Endorsements.

NB: Refer IDP for details of statement as required below.

A statement:

- Outlining the mining program proposed, outlining its method of operation, and providing an indication of when operations are expected to start or, if a mining program is not proposed, outlining the use proposed for the land and providing an indication of when the proposed use is to start. **(NB. Not required if your application is for coal or oil shale as this information is to be included in the initial Development Plan for the lease);** and

ATTACHMENT 'A'

MINING LEASE NO 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.5

1. APPLICANTS DETAILS

COMPANY NAME	ACN NO	PERCENTAGE (%)
BHP Mitsui Coal Pty Ltd	009 713 875	100.00
TOTAL PERCENTAGE		100.00

RTI DL RELEASE - DNRM

Release

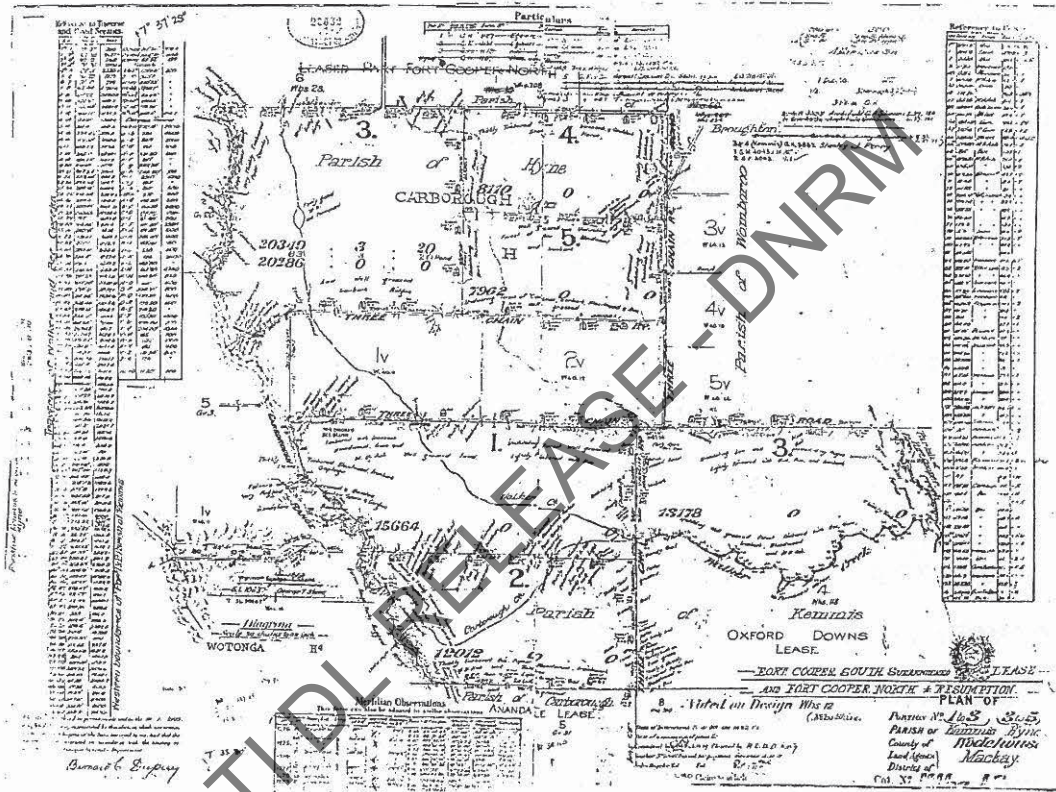
ATTACHMENT 'B'

MINING LEASE NO 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.5

4. NATIVE TITLE

Road Reserve – It is assumed that Native Title no longer exists as the Road Reserve ("road three chains wide") is shown on Crown Plan WHS16 (dated 1909) – see attachment.

Whs. 16.



Release

ATTACHMENT 'C'

MINING LEASE NO 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.5

7. BACKGROUND LAND TENURE DETAILS

CURRENT STATE TENURE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 118773765
Search Date: 18/04/2007 12:46
Title Reference: 40026034
Date Created: 17/08/2000

DESCRIPTION OF LAND

Tenure Reference: **RL 0/214468**

LOT A CROWN PLAN AP5270

County of WODEHOUSE Parish of KEMMIS
Local Government: NEBO SHIRE

Area: 15.500000 Ha. (ABOUT)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:
INDUSTRIAL

COMMENCEMENT DATE

Commencement Date: 20/06/2000

REGISTERED LICENSEE

BHP MITSUI COAL PTY. LTD. A.C.N. 009 713 875

CONDITIONS

A46 (1) The licensee shall use the licensed area for industrial purposes, namely coal mining and associated purposes.

(2) In the event of the licensee ceasing to use the licensed area as provided for in Condition A46 clause (1) above, the licence may be forfeited or cancelled.

(3) The annual rent shall be paid yearly in advance and shall be determined in accordance with the provisions of the Land Act 1994.

(4) The licensee shall pay the cost of any required survey.

- (5) The licensee must keep any noxious plants, on the licensed area, under control.
- (6) The licensee has the responsibility for a duty of care for the licensed area.
- (7) The licensee shall ensure that the use and development of the licensed area conforms to the Town Planning Scheme By-Laws and requirements of the Nebo Shire Council.
- (8) The licensee must give the Minister administering the Land Act 1994, the information the Minister administering the Land Act 1994 asks for about the licence.
- (9) The licensee shall not destroy any trees on the licensed area unless in accordance with a tree clearing permit under the provisions of the Land Act 1994 or the provisions relating to the clearing for routine management purposes as prescribed in the Land Regulation 1995. (NOTE:- Routine Management provisions of the Land Act do not apply on leases over State Forests and Timber Reserves)
- (10) No compensation for improvements or developmental work shall be payable by the State at the cancellation or surrender of the licence but the licensee shall either have the right to remove all moveable improvements within a period of three (3) months from the cancellation or surrender of the licence, provided all moneys due by the licensee to the State on any account whatsoever have been paid, or be required to remove those improvements as specified in any further condition of licence.
- A47 (1) The licensee shall allow any person authorised under the Forestry Act 1959 access to the licensed area for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the licensed area.
- (2) Except as hereinafter provided the licensee shall not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the licensed area without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements of a permit, licence, agreement or contract granted or made under the Forestry Act 1959.
- B40 1.1 For the purposes of this condition:
- "GST" means the goods and services tax which results from the enactment of A New Tax System (Goods and Services Tax) Act 1999 and the related Acts which constitute the Commonwealth taxation reform (as amended from time to time).
- 1.2 The Parties acknowledge that GST may be payable in respect of a supply made under this licence.
- 1.3 Where GST becomes payable in respect of a supply made under this licence, the State (lessor) may recover the GST from the licensee by increasing the consideration payable by the licensee to the State by an amount equal to that which the State is obliged to remit to the Commonwealth as GST on the supply, and that amount may be recovered from the licensee as part of the monies payable

to the State under this licence.

- 1.4 The State shall upon request by the licensee, issue to the licensee a valid GST tax invoice in respect of any taxable supply made under this licence.

C340 The licence shall be cancelled after giving the licensee reasonable notice in writing in accordance with the provisions of the Land Act 1994.

H119 The licensee has an obligation to replace the subject road to an alternate route if and when the need is determined by the Nebo Shire Council.

157 The licensee indemnifies and agrees to keep the State of Queensland, Crown Instrumentalities, local governments and other statutory bodies indemnified against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses arising out of or in any way connected to or resulting from the State of Queensland granting this licence to the licensee and which is connected to or resulting from the licensees' use and occupation of the leased land including all such actions, suits, proceedings, claims, demands, costs, losses, damages and expenses arising out of or in any way connected to or resulting from a breach of any of the conditions of the licence by the licensee.

L81 The licensee shall not effect any structural improvements other than boundary fencing on the licensed area.

ENDORSEMENTS

1. COVENANT No 708522273 21/03/2005 at 14:05
restricts dealings over
LOT 7 ON SP155252 AND
LOT A ON AP5270

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

ORIGINAL LEASE IN EXISTENCE - No

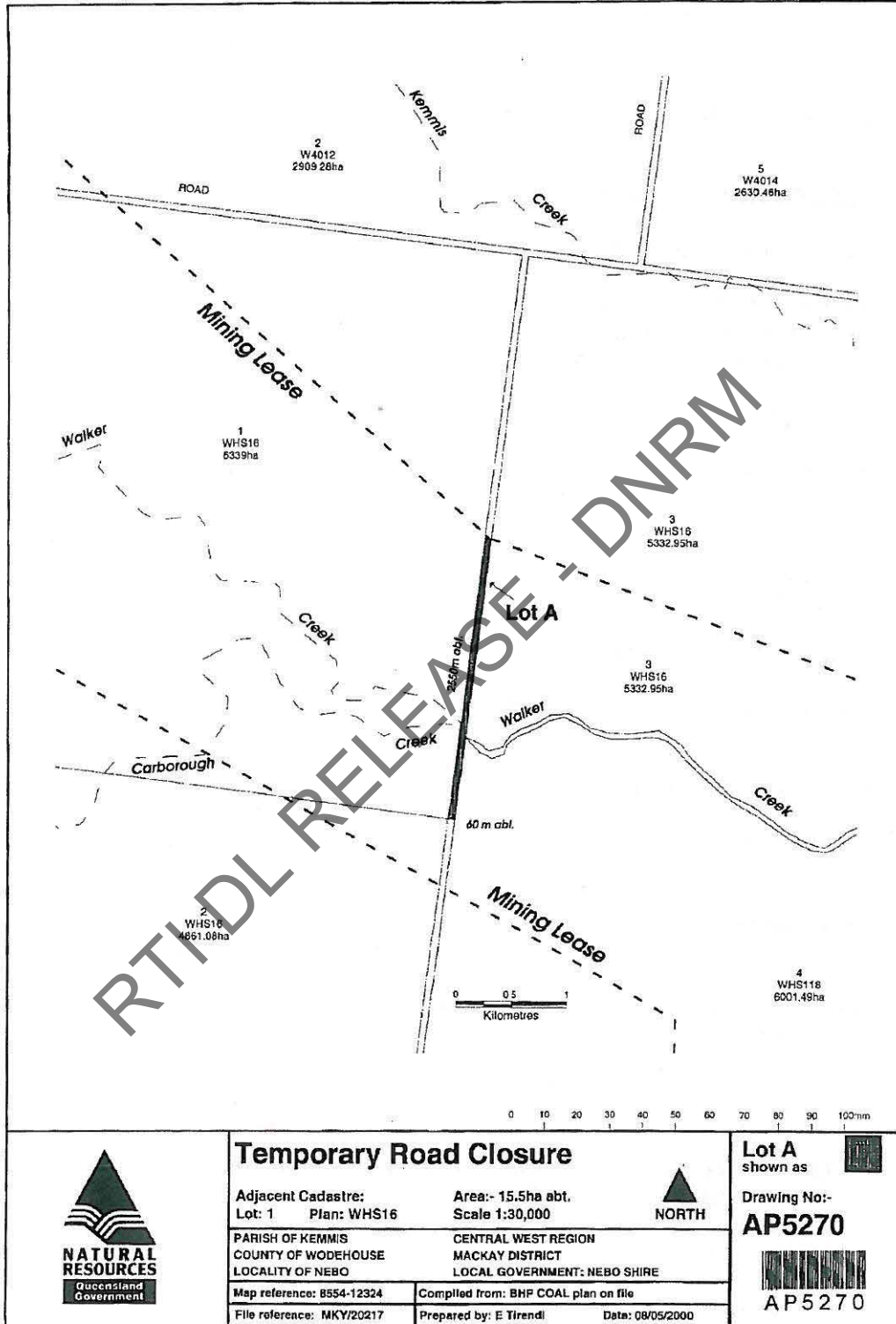
Caution - Charges do not necessarily appear in order of priority

** End of Current State Tenure Search **

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DRAWING – LOT A ON AP5270

AP5270 V0 Page 1 of 1 ©NRM land&nr Not to Scale



Temporary Road Closure

Adjacent Cadastre: Lot: 1 Plan: WHS16 Area:- 15.5ha abt. Scale 1:30,000

PARISH OF KEMMIS COUNTY OF WODEHOUSE LOCALITY OF NEBO

CENTRAL WEST REGION MACKAY DISTRICT LOCAL GOVERNMENT: NEBO SHIRE

Map reference: 8554-12324 File reference: MKY/20217

Compiled from: BHP COAL plan on file Prepared by: E Tirendi

NORTH

Date: 08/05/2000

Lot A shown as

Drawing No:- **AP5270**

AP5270

CURRENT STATE TENURE SEARCH
NATURAL RESOURCES AND WATER, QUEENSLAND

Request No: 118773731
Search Date: 18/04/2007 12:44

Title Reference: 40053241
Date Created: 18/01/2007

DESCRIPTION OF LAND

Tenure Reference: **RL 0/231103**

LOT A CROWN PLAN AP11159

County of WODEHOUSE Parish of KEMMIS
Local Government: NEBO SHIRE

Area: 3.740000 Ha. (ABOUT)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:
INDUSTRIAL

COMMENCEMENT DATE

Commencement Date: 18/12/2006

REGISTERED LICENSEE

BHP MITSUI COAL PTY. LTD. A.C.N. 009 713 875

CONDITIONS

- A80 (1) The licensee must use the licence area for industrial purposes namely mining purposes .
- (2) This licence may be cancelled if not used for the purpose stated above.
- (3) The licence may be cancelled after giving the licensee reasonable notice in writing, in accordance with the Land Act 1994.
- (4) The annual rent must be paid in accordance with the Land Act 1994.
- (5) The Parties acknowledge that GST may be payable in respect of a supply made under this licence. Where GST becomes payable in respect of a supply made under this licence, the State (lessor) may recover the GST from the licensee by increasing the consideration payable by the licensee to the State by an amount equal to that which the State is obliged to remit to

BHP MITSUI COAL PTY LTD

the Commonwealth as GST on the supply and that amount may be recovered from the licensee as part of the money payable to the State under this licence. The State will upon request by the licensee, issue to the licensee a valid GST tax invoice in respect of any taxable supply made under this licence. (NOTE: For the purpose of this condition "GST" means the goods and services tax which results from the enactment of A New Tax System (Goods and Services Tax) Act 1999 and the related Acts which constitute the Commonwealth Taxation Reform (as amended from time to time)).

- (6) The licensee must pay the cost of any required survey or re-survey of the licence area.
- (7) The licensee must control pest plants and animals, on the licence area, in accordance with the Land Protection (Pest and Stock Route Management) Act 2002 and the Local Laws and requirements of the Nebo Shire Council.
- (8) The licensee has the responsibility for a duty of care, to take all reasonable and practicable measures to sustainably manage the licence area by conserving the physical, biological, productive and cultural values, either on the licence area or in areas affected by the management of the licence area.
- (9) The licensee must ensure that the use and development of the licence area conforms to the Planning Scheme, Local Laws and requirements of the Nebo Shire Council, binding on the licensee.
- (10) The licensee must give the Minister administering the Land Act 1994, information about the licence, when requested.
- (11) The licensee must not clear any vegetation on the licence area, unless in accordance with the Integrated Planning Act 1997.
- (12) The licensee must not effect any permanent structural improvements other than boundary fences on the licence area.
- (13) No compensation for improvements or developmental work is payable by the State at the cancellation or surrender of the licence, but the licensee has the right to remove the licensee's moveable improvements within a period of three (3) months from the cancellation or surrender of the licence, provided all money due by the licensee to the State on any account whatsoever has been paid or be required to remove those improvements as specified in any further condition of licence.
- (14) This licence is subject to the Land Act 1994 and all other relevant State and Commonwealth Acts.

- A89 (1) The licensee must allow any person authorised under the Forestry Act 1959 access to the licensed area for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the licensed area.
- (2) Except as hereinafter provided the licensee must not interfere

with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the licensed area without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements or a permit, licence, agreement or contract granted or made under the Forestry Act 1959.

A90 Further to Condition A80, the licensee must remove all improvements and rehabilitate the area to the satisfaction of the Minister administering the Land Act 1994 from the date of expiry or forfeiture of the license.

A91 If the licensee fails to remove the improvements and rehabilitate the area as detailed in Condition A90 above, the Minister administering the Land Act 1994, can remove the improvements and rehabilitate the area and is hereby authorised to do whatever is necessary to effect the said removal and rehabilitation. The said Minister may recover from the licensee the total cost incurred in the said removal and rehabilitation.

C343 The licensee must from the commencement of the license and to the satisfaction of Nebo Shire Council and Natural Resources & Water, properly maintain and upkeep the licence area.

E17 The licensee must manage the licensed area in a manner that will protect the natural vegetation, as far as is consistent with the purpose of this license and the licensee must reinstate the land prior to the re-opening of the road.

H125 The lessee must, at all times during the currency of the lease, allow officers of the Environmental Protection Agency and the Department of Natural Resources Mines and Water, their employees and their servants, free and unrestricted access to, from and across the leased land.

H126 The licensee must, at all times during the currency of the license, allow Ergon Energy, its contractors, lawful representatives and employees free and unrestricted access to, from and across the licence area to access assets.

H126 The licensee must, at all times during the currency of the license, allow Telstra, its contractors, lawful representatives and employees free and unrestricted access to, from and across the licence area to access assets.

I66 The licensee indemnifies and agrees to keep indemnified the Minister administering the Land Act 1994, and the State of Queensland, and Nebo Shire Council, (the "Indemnified parties") against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses ("Claim") arising out of or in any way connected to or resulting from the granting of this license to the licensee or which is connected to or resulting from the licensees' use and occupation

Release

of the licensed area (all of which are referred to as "the indemnified acts or omissions") save to the extent that the Claim arises as a result of any negligent act or omission of the Indemnified parties, however, any negligent act or omission of one of the Indemnified parties does not negate the indemnity to any of the other Indemnified party/ies.

The licensee hereby releases and discharges the Indemnified parties from any claim relating to the indemnified acts or omissions which may be made against the Indemnified parties.

U46 The license is tied to Lot 7 on SP155252 and separate transfers are not allowed.

ENDORSEMENTS

- 1. COVENANT No 710276261 22/01/2007 at 16:15 restricts dealings over LOT A ON AP11159 AND LOT 7 ON SP155252

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

ORIGINAL LEASE IN EXISTENCE - No

Caution - Charges do not necessarily appear in order of priority

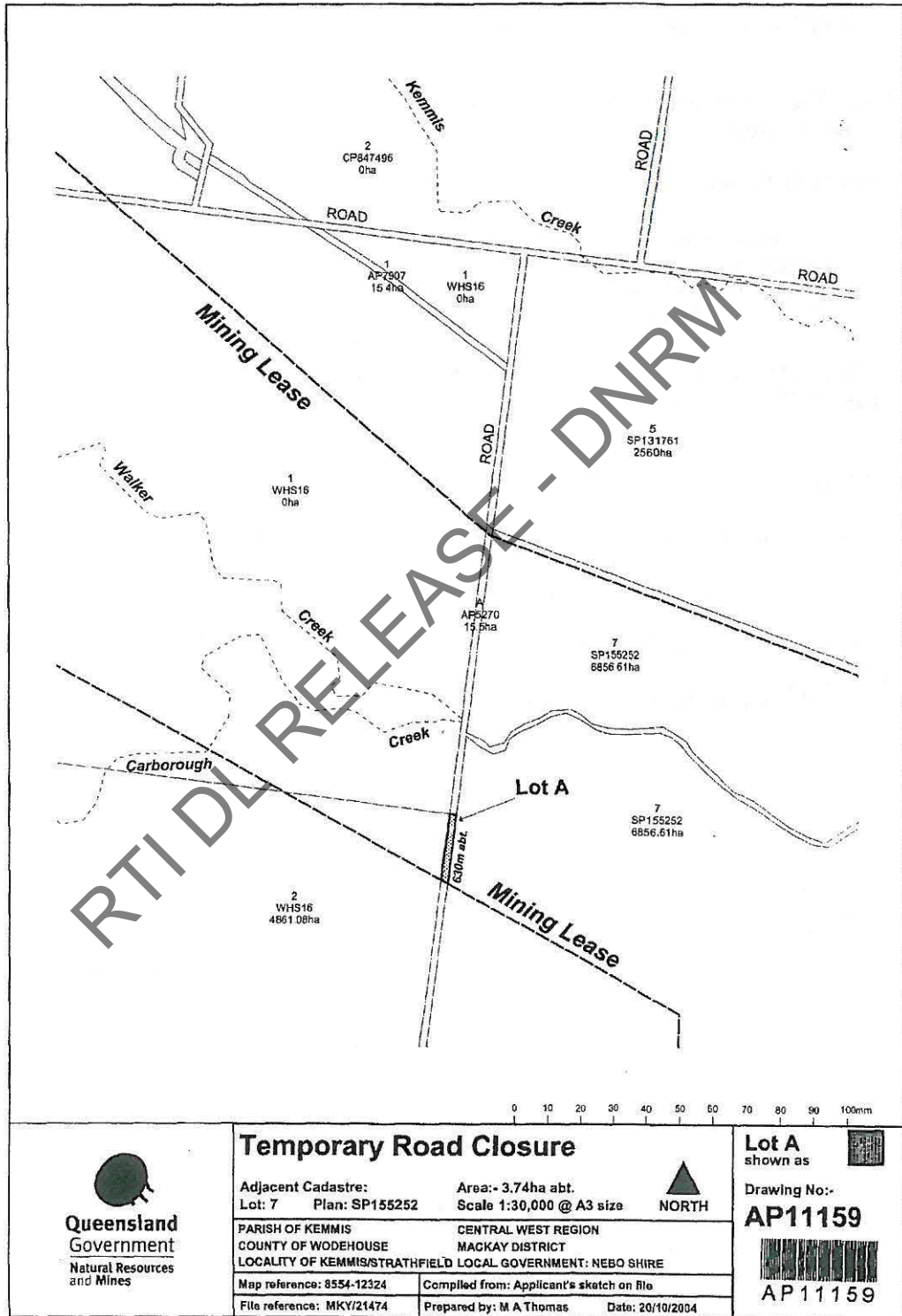
** End of Current State Tenure Search **

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DRAWING – LOT A ON AP11159

AP11159 V0 REGISTERED Page 1 of 1 Not To Scale



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ATTACHMENT 'D'

MINING LEASE NO 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.5

8. COMPENSATION / CONSENT AGREEMENTS

Refer compensation / consent agreements with:

- 1/. Nebo Shire Council

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ATTACHMENT 'E'

MINING LEASE NO 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.5

9. LOCATION DESCRIPTION
Metes and Bounds

The reference point for the Surface Area Application is located at a point coincident with reference point No. 12 on Survey Plan No. MP3678 and the south-west corner of Surface Area No.1 within ML 4750.

Commencing at the reference point:

1. thence on a bearing of **289°57'40"** for a distance of **64.21m** along the southern boundary of Mining Lease No. 4750 to the south-west corner of Road Licence 231103 (refer maps MP36783 and AP11159);
2. thence on a bearing of **007°37'50"** for a distance of **1,583.48m** along the western boundary of the Road Licences 231103 and 214468 and the eastern boundary of Surface Area Application No.4;
3. thence on a bearing of **112°16'40"** for a distance of **62.377m** to the eastern boundary of Road Licence 214468 and a corner point located on the boundary of Surface Area No.1 near the confluence of Carborough Creek and Walker Creek;
4. thence on a bearing of **187°37'50"** for a distance of **1,589.63m** along the eastern boundary of Road Licence 214468 and 231103 back to the point of commencement.

Area applied for equals: **9.58ha abt.**

Road Width: **60.35 abt**

Bearings are AMG55. Deduct 7°35'40" for magnetic bearings.

Parish of **Kemmis**

County of **Wodehouse**

Metes and bounds are approximate and are subject to survey.

Survey plans used to derive metes and bounds description are:

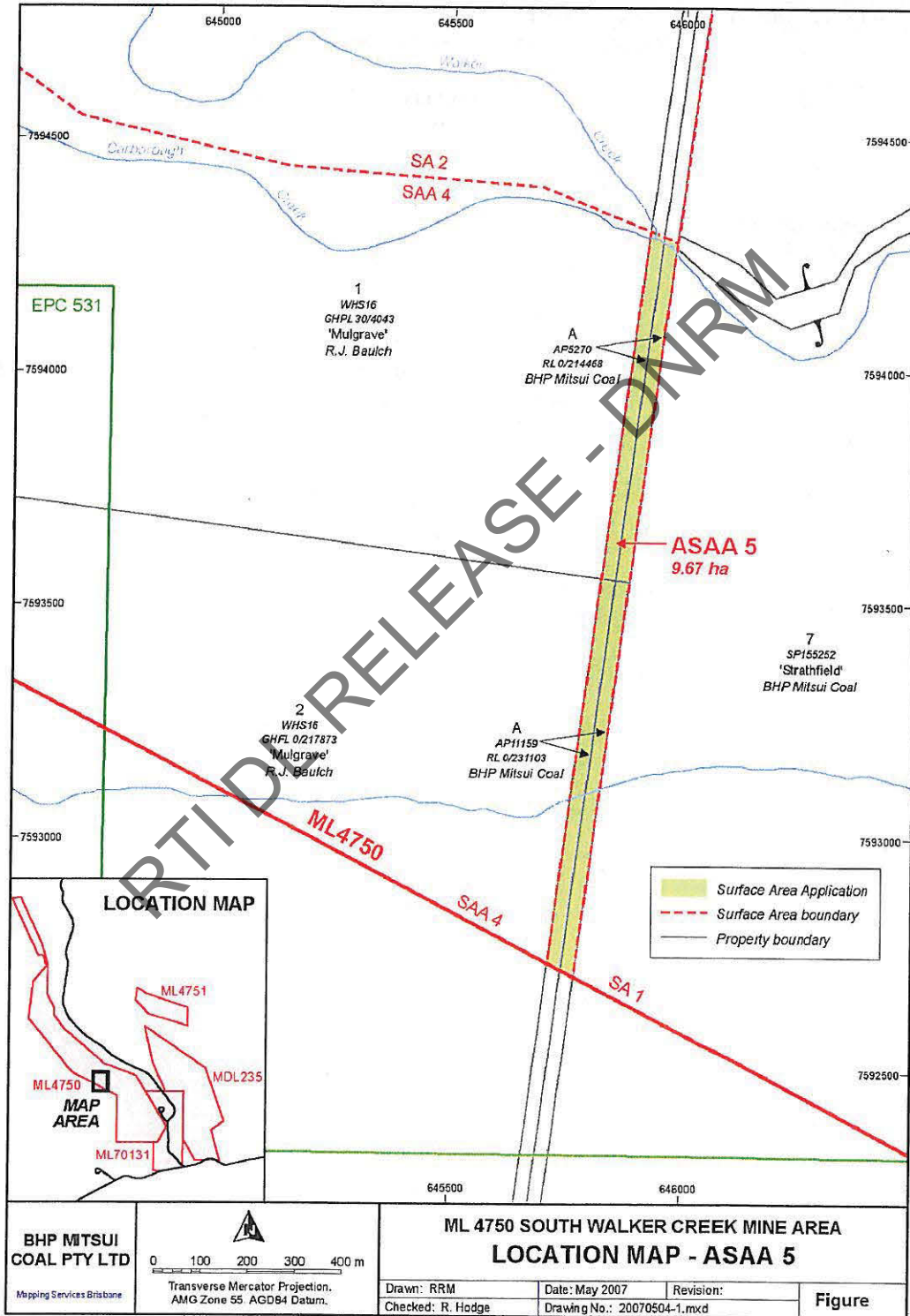
- MP40216 – Plan of ML 4750;
- Plan of Surface Area 4 in ML 4750 (recently lodged with the DME Chief Surveyor);
- MP36783 – Plan of Surface Area 1 of ML4750;
- MP37217 – Plan of Surface Area 2 of ML4750;
- SP131761; and
- SP155252

Release

ATTACHMENT 'F'

MINING LEASE NO 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.5

LOCATION DIAGRAM



ATTACHMENT 'G'

MINING LEASE NO 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.5

14. ACCOMPANIMENTS

ATTACHMENT	DESCRIPTION
'H'	Completed Application for an Environmental Authority (Mining Activities)
'J'	Completed MRA-16 Additional Information for Coal or Oil Shale Mining Lease Application Form
✓ Refer IDP for details.	<p>A statement:</p> <ul style="list-style-type: none"> • Outlining the mining program proposed, outlining its method of operation, and providing an indication of when operations are expected to start or, if a mining program is not proposed, outlining the use proposed for the land and providing an indication of when the proposed use is to start. (NB. Not required if your application is for coal or oil shale as this information is to be included in the initial Development Plan for the lease); and
'K'	<ul style="list-style-type: none"> • of proposals for infrastructure requirements necessary to enable the mining program to proceed, or additional activities to be carried on to work out the infrastructure requirements.
'L'	A statement, separate from the above, detailing the applicant's financial and technical resources.
'M'	<p>Proof of identity of the Applicant's</p> <ul style="list-style-type: none"> • Individual – Drivers' Licence, passport, birth certificate • Company – Certificate of Registration
'N'	Prescribed application fee.

Release

ATTACHMENT 'H'

MINING LEASE NO 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.5

14. ACCOMPANIMENTS

The Environmental Authority Amendment MIN200491607 (previously MIM 800069602) is attached.

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Release

ATTACHMENT 'J'

MINING LEASE NO 4750
APPLICATION FOR ADDITIONAL SURFACE AREA No.5

14. ACCOMPANIMENTS

Additional Information for Coal or Oil Shale Mining Lease Application Form

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