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MASTER DEED

Date: 28 May 1999

Victor Perry on behalf
of the Wonnarua People

Powercoal Pty Ltd
ACN 052 533 070

NSW Aboriginal Land Council

Clayton Utz
Lawyers
No. 1 O'Connell Street
Sydney NSW 2000

Native Title Unit
NSW Aboriginal Land Council
33 Argyle Street
Parramatta NSW 2150

MASTER DEED

DEED made on

28 May

1999

BETWEEN

VICTOR PERRY of 14 Kent Street, Singleton NSW 2330 on behalf of
THE WONNARUA PEOPLE

AND

POWERCOAL PTY LTD ACN 052 533 070 of 244 Pacific Highway,
Charlestown NSW 2290 ("Powercoal")

AND

NSW ABORIGINAL LAND COUNCIL of 33 Argyle Street, Parramatta
NSW 2150 ("NSWALC")

RECITALS

- A. Powercoal has applied for an extension lease (the "Newstan Extension Lease") in respect of the Newstan Colliery as shown shaded in grey on the map attached hereto as Schedule 1 (the "Application Area").
- B. The Wonnarua People maintain that in accordance with Aboriginal tradition and custom they have a continuing connection with the central and upper Hunter Valley area of New South Wales, which includes the Application Area.
- C. Victor Perry on behalf of the Wonnarua People has lodged a native title claim (reference NC 98/6) in respect of the Application Area. That claim was registered on 20 March 1998 and accepted on 1 September 1998 but has not yet passed the threshold test under the Native Title Act 1993 as amended.
- D. NSWALC is the representative Aboriginal/Torres Strait Islander body for New South Wales pursuant to section 202(1) of the NTA for the purpose of assisting and representing Aboriginal people in New South Wales with regard to any native title rights or interests held or asserted by such Aboriginal people.
- E. A notice pursuant to section 29 of the NTA has been issued in respect of the Mining Lease Application, a copy of which notice is attached as Schedule 2 to this Deed.
- F. Powercoal seeks secure title to enable it to carry out exploration and Mining Operations within the Area of Interest.
- G. Powercoal strongly supports the principles of reconciliation and the right of self determination of Aboriginal peoples.
- H. Victor Perry, as registered native title claimant on behalf of the Wonnarua People, has agreed to enter into an agreement with Powercoal and the State of New South Wales pursuant to section 31(1)(b) of the NTA, the form of which agreement is as set out in Schedule 3 to this Deed.
- I. Powercoal and the Wonnarua People wish to enter into an agreement which shall define the ongoing relationship between them in respect of the Area of Interest.

Schedule 1

I.S.G. CO-ORDINATES
ZONE 56/1

Cnr	East	North	Cnr	East	North
1	350358	1348749	37	355045	1348490
2	350586	1348864	38	355023	1348505
3	350556	1348923	39	355005	1348513
4	350838	1349172	40	354991	1348517
5	351096	1349399	41	354976	1348520
6	351250	1349534	42	354945	1348516
7	351326	1349970	43	354913	1348520
8	351351	1349957	44	354878	1348527
9	351354	1349978	45	354875	1348527
10	351423	1350378	46	355170	1347921
11	351438	1350376	47	355369	1347287
12	351530	1350910	48	355598	1347300
13	351801	1350864	49	355607	1347288
14	351821	1350861	50	355590	1347261
15	351952	1351597	51	355596	1347228
16	352390	1351520	52	355613	1347213
17	352455	1351859	53	355637	1347204
18	352510	1351960	54	355652	1347206
19	352540	1352078	55	355645	1347162
20	352580	1352295	56	355734	1347147
21	352613	1352391	57	355789	1345582
22	352602	1352408	58	355044	1339589
23	352656	1352447	59	350369	1340145
24	352758	1352465	60	350173	1340169
25	352758	1352465	61	347590	1340629
26	352985	1352550	62	346744	1341156
27	353807	1350829	63	345606	1343469
28	353848	1351045	64	345000	1344750
29	354086	1351006	65	347365	1347344
30	354679	1350902	66	348476	1348454
31	354418	1349456	67	349085	1349193
32	354786	1349393	68	349145	1349193
33	354792	1349425	69	349262	1348992
34	355211	1349352	70	349582	1348358
35	355067	1348501	71	349747	1348441
36	355063	1348472	72	350156	1348647

