



Your ref:

Our ref:

Enquiries: Paul Byrnes

PREVENTION NOTICE

Section 73A of the *Environmental Protection Act 1986*

Person(s) to whom this notice is given
(being the occupier of the Premises below)

HBJ Minerals Pty Ltd
ACN 127026519
LEVEL 2, 45 STIRLING HIGHWAY
NEDLANDS
WA 6009

("the Occupier")

Premises to which this notice relates ("the Premises")

HBJ Minerals Pty Ltd, Jubilee Operations, Lot 48 on Plan 226304.

(The Dioro South Kalgoorlie Mine Site)

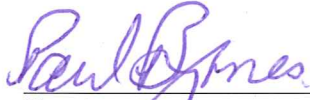
Reason for which this notice is given

This notice is given to the Person because I, Paul Byrnes, an authorized person and inspector *under the Environmental Protection Act 1986*, reasonably suspect that a condition of pollution is likely to arise.

Requirements of this notice

1. You are hereby required upon receipt of this notice to prevent the condition of pollution arising at and beyond the Premises.
2. I consider the following actions to be appropriate to achieve the result required by paragraph 1 of this notice:
 - (a) The person shall not allow contaminated water from the mine site to enter the natural creek line via the culverts that are currently open under the haul road.
 - (b) The person shall ensure that a minimum freeboard of 300 mm is maintained at the "Duck Pond" storage dam at all times.
 - (c) The person shall undertake earthworks to immediately repair damaged bunding preventing contaminated water from the "Duck Pond" onto the old haul road and possibly the environment.

This notice is given by Paul Stanley Byrnes, Authorised Person and Inspector under ss. 87 and 88 of the *Environmental Protection Act 1986* and approved by the A/Director of the Environmental Regulation Division under delegated authority.



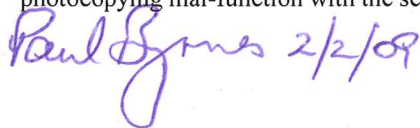
Signature
Paul Byrnes
Authorised Person and Inspector

Date:
Friday, 30 January 2009

Attach:

Note of 2 February 2009.

This page was recreated from electronic records and signed again on 2 February 2009 because of a photocopying mal-function with the second page of the issued Prevention Notice dated 30 January 2009.



IMPORTANT NOTE: A PERSON WHO IS BOUND BY THIS NOTICE AND WHO DOES NOT COMPLY WITH A REQUIREMENT OF THIS NOTICE WITHOUT REASONABLE EXCUSE COMMITS AN OFFENCE (S.73B(6) AND (7)).

A PERSON WHO IS AGGRIEVED BY A REQUIREMENT CONTAINED IN THIS NOTICE MAY, WITHIN 21 DAYS AFTER BEING GIVEN THIS NOTICE, IN ACCORDANCE WITH PART 7, DIVISION 2 OF THE ACT, LODGE WITH THE MINISTER AN APPEAL IN WRITING SETTING OUT THE GROUNDS OF THAT APPEAL (S.103(1)).

ANY OTHER PERSON WHO DISAGREES WITH A REQUIREMENT CONTAINED IN THIS NOTICE MAY WITHIN 21 DAYS OF THE MAKING OF THAT REQUIREMENT LODGE WITH THE MINISTER FOR THE ENVIRONMENT AN APPEAL IN WRITING SETTING OUT THE GROUNDS OF THAT APPEAL (S.103(2)).

PENDING THE DETERMINATION OF AN APPEAL REFERRED TO ABOVE THE RELEVANT REQUIREMENTS CONTAINED IN THIS NOTICE CONTINUE TO HAVE EFFECT (S.103(3)).