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**BROCKMAN**  
**BROCKMAN MINING LIMITED**  
**布萊克萬礦業有限公司\***  
*(incorporated in Bermuda with limited liability)*  
**(SEHK Stock Code: 159)**  
**(ASX Stock Code: BCK)**

**ERA APPROVES RAIL ACCESS NEGOTIATIONS TO PROCEED**

Brockman Iron Pty Ltd (**Brockman Iron**), a wholly owned subsidiary of Brockman Mining Limited (**Company**), has been advised that the Western Australian Economic Regulation Authority (**ERA**) has given its approval for negotiations to proceed regarding Brockman Iron's Access Proposal (**Access Proposal**) lodged with The Pilbara Infrastructure Pty Ltd (**TPI**) on 15 May 2013 pursuant to section 8 (1) of the Western Australian Railways (**Access**) Code 2000 (**Code**) to gain access to part of the below-rail infrastructure owned by TPI, a subsidiary of Fortescue Metals Group.

On 23 May TPI made an application under section 10(1) of the Code to the ERA requiring its approval in order for negotiations to proceed as it considered Brockman Iron's Access Proposal would involve the provision of access to railway infrastructure to an extent that may in effect preclude other entities from access to that infrastructure. Brockman responded with a proposal that the provision of section 10 does not apply to this circumstance which was made public by the ERA on 22 July 2013. ([www.erawa.gov.au](http://www.erawa.gov.au))

The ERA's has now given its approval for negotiations to proceed. In accordance with the statutory timeframe under the Code, Brockman now anticipates the ERA's publication of the Floor and Ceiling determination within the 30 days of this Section 10 determination.

Brockman Iron is currently preparing its submission to satisfy the Railway Owner's request regarding the section 14 and 15 criteria under the Code relating to Brockman Iron's managerial and financial capability and the availability of spare capacity required by the Railway Owner. Brockman Iron will request TPI's confirmation under section 19(1) of the Code of its readiness to begin negotiations following the lodgment of the section 14 and 15 materials. In the absence of that confirmation Brockman Iron will seek a final determination of these matters following the appointment of an independent commercial arbitrator by the ERA.

\* *For identification purpose only*

## **BACKGROUND**

Brockman Mining announced on 15 May 2013 that its subsidiary Brockman Iron submitted an Access Proposal to TPI, a subsidiary of Fortescue Metals Group. The Access Rights sought as part of the Access Proposal are to TPI's railway infrastructure (TPI Mainline) from approximately the 219 km point from Port Hedland on the TPI Mainline, from which point Brockman will construct a rail spur to its Marillana Iron Ore Project (Marillana), to approximately the 23 km point from Port Hedland on the TPI Mainline (a total distance of approximately 196 km), from which point Brockman will construct a rail spur to connect with the proposed North West Infrastructure (NWI) port facilities in Port Hedland. Brockman is seeking Access Rights to allow it to haul up to 20 Mtpa of hematite iron ore product from Marillana to Port Hedland, for a term of up to 20 years commencing in 2016.

By order of the board of directors of  
**Brockman Mining Limited**  
**Chan Kam Kwan, Jason**  
*Company Secretary*

Hong Kong, 14 August 2013

*As at the date of this announcement, the board of directors of the Company comprises Mr. Kwai Sze Hoi (Chairman), Mr. Liu Zhengui (Vice Chairman), Mr. Warren Talbot Beckwith and Mr. Ross Stewart Norgard as non-executive directors; Mr. Luk Kin Peter Joseph (Chief Executive Officer) and Mr. Chan Kam Kwan, Jason (Company Secretary) as executive directors; and Mr. Lau Kwok Kuen, Eddie, Mr. Uwe Henke Von Parpart, and Mr. Yip Kwok Cheung, Danny as independent non-executive directors.*

## **FURTHER INFORMATION**

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