



WHITEHAVEN COAL

ASX ANNOUNCEMENT

10 JUNE 2014

MAULES CREEK LEGAL PROCEEDINGS

Whitehaven Coal Limited (ASX: WHC) has today been served with a Summons relating to the Maules Creek Coal Project (Project). The Summons has been filed in the NSW Land and Environment Court by the NSW Environmental Defenders Office (EDO) on behalf of the Maules Creek Community Council, a group that is opposed to the Project.

The Summons is seeking orders to restrain the carrying out of clearance activities in the open-cut pit, box-cut and overburden emplacement areas (Mining Area) of the Project 'until the late Summer of 2014/2015'. It does not impact upon the infrastructure construction activities for the Project.

Whitehaven will be vigorously defending the proceedings on the basis that its clearance activities in the Mining Area are being conducted in accordance with a Biodiversity Management Plan (BMP) approved by the Director General of the NSW Department of Planning & Environment on 14 May 2014. This approval authorises the carrying out of clearance activities in the Mining Area through to the end of June and a recommencement of these operations in November 2014.

The approved BMP regulates the manner and sequencing of tree clearing in the already approved Mining Area and contains specific protocols to mitigate the impacts of clearing on fauna which Whitehaven is adhering to under the guidance of a team of experts. The NSW Government has conducted two audits of these protocols at Maules Creek, one as recently as last week. Whitehaven understands both audits concluded that these protocols are being appropriately applied.

The NSW EDO has acted in two proceedings against Maules Creeks' Federal Approval in the Federal Court, both of which were dismissed with orders that its client pay the costs of Whitehaven and the Federal Minister for the Environment. Whitehaven has not received payment of these costs.

Construction and clearance activities for the Project are both on schedule for first coal to be railed in March 2015.

The Project is providing employment and other strategic benefits to the local community as well as the obvious industry growth for the State of New South Wales. The Project was approved only after fulfilling the highest and contemporary environmental standards applied by relevant State and Federal authorities.

FOR FURTHER INFORMATION, PLEASE CONTACT:

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