



WHITEHAVEN COAL

# ASX ANNOUNCEMENT

12 JUNE 2014

## MAULES CREEK CLEARANCE LITIGATION – UPDATE

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Whitehaven Coal (ASX:WHC) has today entered into a voluntary undertaking to conclude initial clearance operations at the approved Maules Creek Project, two weeks earlier than planned.

The voluntary undertaking comes as the NSW Land and Environment Court considers an application by NSW EDO contending that the Biodiversity Management Plan (BMP) for Maules Creek was invalidly approved by the NSW Department of Planning and the Environment (NSW DPE).

Following today's decision the company will immediately progress work to develop the box-cut and overburden emplacement areas in the Mining Area, which have already been cleared.

Whitehaven has been undertaking authorised clearance activities at Maules Creek in accordance with the BMP, which was approved by the Director General of NSW DPE on 14 May 2014.

Whitehaven is defending the litigation. The company understands that NSW DPE, which is a joint respondent in proceedings, will also be defending the litigation. The company expects a final determination on the matter by September.

Whitehaven CEO Paul Flynn said that today's negotiated outcome between parties is pragmatic and sensible under the circumstances.

"Voluntarily suspending clearance activity two weeks earlier than planned, considering the progress we have made to date, will not impact our progress overall and the Project remains on track for first coal in March 2015.

"This is a fully approved project and, sooner or later, even the EDO and its client must accept the inevitability of the outcome.

"We have negotiated in good faith with the EDO. Protestors at Maules Creek should show a bit of integrity themselves and stop engaging in unlawful trespass and protest activity at the site.

"The company will work toward recommencing clearance operations following the winter black out period, as planned, and continuing to deliver the significant economic boost Maules Creek is already providing to the Gunnedah Basin."

### FOR FURTHER INFORMATION, PLEASE CONTACT:

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