

ASX ANNOUNCEMENT

5 July 2022

Narrabri Stage 3 Legal Proceedings

Whitehaven Coal Limited (ASX:WHC) has been notified that a client of the Environmental Defenders Office (EDO), a pro-bono law firm, has commenced judicial review proceedings in the NSW Land and Environment Court in respect of the State Significant Development Consent (Consent) which was granted for the Narrabri Stage 3 Extension Project by the NSW Independent Planning Commission (IPC) on 1 April 2022.

The proceedings are seeking to invalidate the Consent on climate change related grounds. The EDO's client in the proceedings is the Bushfire Survivors for Climate Action Incorporated.

Whitehaven notes the following:

- The IPC, in approving the Stage 3 Extension Project, conducted a comprehensive assessment and evaluation process which included consideration of 1,775 submissions from relevant stakeholders. Roughly one-third of these submissions addressed the issue of climate change.
- The IPC panel comprised three experienced commissioners, being Professor O'Kane, Professor Fell and Professor Barlow. The panel was assisted at the public hearing and in its assessment process by an experienced senior counsel.
- In its Statement of Reasons for Decision, the IPC said it had considered all emissions associated with the Project (including Scope 3 emissions) in its assessment and determination.
- The IPC's reasons for finding that the Stage 3 Extension Project should be approved subject to stringent conditions of consent included that "GHG emissions for the Project have been adequately estimated and are permissible in context of the current climate change policy framework".

High quality thermal coal has an important role to play in providing energy security during the decarbonisation transition.

Whitehaven intends to vigorously defend the proceedings.

This announcement is authorised for release to the market by the CEO and Managing Director of Whitehaven Coal Limited.

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