

# ASX ANNOUNCEMENT

25 November 2021

## Statement on NRAR proceedings

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Judgement was yesterday handed down in the NSW Land & Environment Court in the matter of Natural Resources Access Regulator (NRAR) v Maules Creek Coal Pty Ltd, a wholly-owned subsidiary of Whitehaven Coal Limited.

The proceedings related to the passive take of surface water from rainfall and rainfall runoff by the Maules Creek Mine between 2016 and 2019. Whitehaven pleaded guilty to the charge and has been fined \$200,000.

The judgement noted the offence was at the low end of the medium range of objective seriousness. Further:

- No adverse impact on other water users was established.
- There was no contention by NRAR that the passive take of water was intentional or premeditated.
- It was not established any material environmental harm arose from the passive take of water.

During an investigation spanning two years, NRAR comprehensively examined the water management at Maules Creek. Whitehaven has previously acknowledged shortcomings in the operation of some of its systems and has made significant progress to implement measures to improve clean water management at the mine.

### Investor contact

Sarah McNally  
+61 2 8222 1155, +61 477 999 238  
smcnally@whitehavencoal.com.au

### Media contact

Michael van Maanen  
+61 8222 1171, +61 412 500 351  
mvanmaanen@whitehavencoal.com.au

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