



VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Werris Creek Life of Mine Extension Project (EPBC No 2010/5571)

This decision to vary a condition of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Person to whom the approval is granted	Whitehaven Coal Ltd ACN 124 425 396
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Approved action	To extend existing open cut mining operations and associated infrastructure at the Werris Creek Coal mine, near Werris Creek New South Wales [see EPBC Act Referral 2010/5571].
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Variation

Variation of conditions of approval	The variation is: Delete condition 1 attached to the approval dated 21 December 2011 and substitute the condition specified below.
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Note: All other conditions including the definitions and Appendices attached to the approval dated 21 December 2011 remain unchanged.

Date of effect	This variation has effect on the date the instrument is signed
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Person authorised to make decision

name and position	Shane Gaddes Assistant Secretary Compliance and Enforcement Branch
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Signature

S. Gaddes

Date of decision

10 June 2014

Conditions attached to the approval

1. To offset the impact to the White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community foraging habitat of the Regent Honeyeater and Swift Parrot the person taking the action must register a legally binding conservation mechanism over the Werris Creek Life of mine (LOM) Extension Project Biodiversity Offset Strategy (BOS) sites identified in the map at [Appendix 1](#) and an additional area of at least 74 hectares of White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community (together, the Offset Areas). The mechanism/s must provide enduring protection for the Offset Areas and must be registered by 21 December 2014.

Written notification of registration must be provided to the **department** within 2 weeks of registration of the Offset Areas.