

31 March 2025

The Hon Tanya Plibersek MP  
Minister for the Environment and Water  
Department of Climate Change, Energy, The  
Environment and Water  
PO Box 6022  
Canberra ACT 2600

By Email: [REDACTED]

Dear Minister

## **Change of Proponent – EPBC Act referral 2023/09723 – Blackwater Mine North Extension Project**

### **Introduction**

On 21 August 2024, Whitehaven Blackwater Pty Ltd (ACN 672 142 997) (**Whitehaven**) and its subsidiary, South Blackwater Coal Pty Ltd (ACN 011 026 154) (**SBC**) (among others), entered into separate sale and purchase agreements with NS Blackwater Pty Limited (ACN 678 199 589) (**Nippon Steel**), an entity wholly owned by Nippon Steel Corporation, and JFE Steel Australia (BW) Pty Ltd (ACN 679 858 416) (**JFE**), an entity wholly owned by JFE Steel Corporation, under which Whitehaven and SBC will sell:

- a twenty percent (20%) interest in the Blackwater mine to Nippon Steel; and
- a ten percent (10%) interest in the Blackwater mine to JFE,

(each a **Blackwater Selldown**).

Completion of each Blackwater Selldown occurred on **31 March 2025**. Accordingly, the Blackwater mine is now owned by Whitehaven, Nippon Steel and JFE (each a **Blackwater Joint Venture Participant**) as participants in an unincorporated joint venture (the **Blackwater Joint Venture**) pursuant to which:

- Blackwater Operations Pty Ltd (ACN 672 151 941) (**Blackwater Operations**) is appointed to manage the Blackwater Joint Venture; and
- the ownership interests in the Blackwater Joint Venture is as follows:
  - Whitehaven: 70%
  - Nippon Steel: 20%
  - JFE: 10%

### **Request for Ministerial consent to change of person proposing to take an action**

In accordance with section 156F(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**), please be advised that:

- Whitehaven no longer proposes to take the action that is the subject of the EPBC Act referral described in the table below: and
- Blackwater Operations (in its capacity as agent for and on behalf of the Blackwater Joint Venture Participants and manager of the Blackwater Joint Venture), proposes to take the action instead.

<b>EPBC Act referral</b>	2023/09723
<b>Brief description</b>	Blackwater Mine, North Extension Project
<b>Location of the action</b>	Blackwater Mine, Ardurad Road, Blackwater, QLD 4717
<b>Person who originally proposed the action</b>	Whitehaven Blackwater Pty Ltd ACN 672 142 997 ABN 66 672 142 997
<b>Person who now proposes to take the action</b>	Blackwater Operations Pty Ltd in its capacity as agent for and on behalf of the Blackwater Joint Venture Participants and manager of the Blackwater Joint Venture ACN 672 151 941 ABN 89 672 151 941

Blackwater Operations (in its capacity as agent for and on behalf of the Blackwater Joint Venture Participants and manager of the Blackwater Joint Venture) consents to be being the designated proponent (responsible for the assessment process) and also the proponent proposing to take the action (future approval holder if the project is approved).

Whitehaven, as the person which originally proposed to take the action, declares that Whitehaven was not exempt from paying the prescribed fee, nor was the prescribed fee waived, in respect of Whitehaven's referral of the action. Blackwater Operations, as the person now proposing to take the action, declares that it is not exempt from paying, and does not intend to apply for a waiver of all or any part of, the prescribed fees in relation to the assessment of the impacts of the action.

Whitehaven and Blackwater Operations' contact details are as follows:

Address: [REDACTED]  
Email: [REDACTED]  
Attention: [REDACTED]

We would be grateful to receive your response to this request as soon as possible.

Please do not hesitate to contact us should you require any further information.

Your sincerely

[REDACTED]

[REDACTED]  
Manager Approvals  
Blackwater Operations Pty Ltd & Whitehaven Blackwater Pty Ltd