

Donna McLaughlin  
 HSEC Manager  
 Maxwell Ventures (Management) Pty Ltd

8/1/2025

**Subject: Maxwell Underground Coal Mine – Approval of Extraction Plan for Whynot Seams Panels 2 to 5**

Dear Ms McLaughlin

I refer to the Maxwell Underground Coal Mine Extraction Plan for the Whynot Seam Panels 2 to 5 (Document Reference Number MXC\_MP\_EC\_20, dated November 2024), which has been prepared in accordance with condition C8 of Schedule 2 of SSD 9526.

The Department has carefully reviewed the Extraction Plan (including its various sub-plans) and is satisfied that it addresses the relevant requirements of the development consent (see Attachment 1). The Department notes that revisions have been made to Maxwell’s Water Management Plan and Biodiversity Management Plan during the development of the Extraction Plan. The Department has reviewed the revised management plans and is satisfied that they meet the relevant conditions of SSD 9526.

Accordingly, the Planning Secretary approves the Extraction Plan (including its various sub-plans) and management plan documents listed in **Table 1** below.

**Table 1 | Approved Extraction Plan Documents**

Document Name	Document No./Version/Date
Maxwell Underground Mine – Whynot Seam Panels 2-5 Extraction Plan – Main Text	Document No.: MXC_MP_EC_20 Dated November 2024
Water Management Plan	Document No.: MXC_MP_EC_08 Version 4, Review 0, Effective date: 26/08/2024
Land Management Plan – Whynot Seam Panels 2-5	Document No.: MXC_MP_EC_24 Version 1, Review 0 Effective date: 14/06/2024
Biodiversity Management Plan	Document No.: MXC_MP_EC_09 Version 5, Review 1 Effective date: 15/08/2024
Heritage Management Plan	Document No.: MXC_MP_EC_03 Version 1, Review 2 Effective date: 31/07/2024
Built Features Management Plan – Whynot Seam Panels 2-5	Document No.: MXC_MP_EC_25 Version 1, Review 0 Effective date: 14/06/2024
Public Safety Management Plan – Whynot Seam Panel 2-5	Document No.: MXC_MP_EC_21 Version 1, Review 0

Document Name	Document No./Version/Date
	Effective date: 14/06/2024
Subsidence Monitoring Program – Whynot Seam Panels 2-5	Document No.: MXC_MP_EC_22 Version 1, Review 0 Effective date: 14/06/2024
Coal Resource Recovery Plan – Whynot Seam Panels 2-5	Document No.: MXC_MP_EC_23 Version 1, Review 0 Effective date: 18/11/2024

You are reminded that if there are any inconsistencies between the approved plans listed above and the conditions of consent, the conditions prevail. Please ensure you make the documents publicly available on the project website at the earliest convenience.

Should you wish to discuss the matter further, please contact Kristy Anderson on 02 4927 3221 or via email at [kristy.anderson@dpie.nsw.gov.au](mailto:kristy.anderson@dpie.nsw.gov.au).

Yours sincerely



**Stephen O'Donoghue**  
**Director**  
**Resource Assessments**  
As nominee of the Planning Secretary

## ATTACHMENT A

### Department's Consideration of the Whynot Seam Panels 2 to 5 Extraction Plan

#### 1. Statutory Context

The Maxwell Underground Mine (Maxwell Mine) is approved for bord and pillar and longwall mining under development consent SSD 9526. The project is owned and operated by Maxwell Ventures (Management) Pty Ltd (Maxwell), a wholly owned subsidiary of Malabar Resources Limited (Malabar).

The Maxwell Mine involves extraction of coal from four seams within the Wittingham Coal Measures. At least 75% of extracted coal will be coking (metallurgical) coal, with the remaining extracted coal being thermal coal.

SSD 9526 has been modified twice. Modification 1 (MOD 1) was approved on 19 November 2021, to allow for the repositioning of infrastructure primarily at the mine entry area and the realignment of a section of the site access road. Modification 2 (MOD 2) was approved on 19 October 2022, to allow for:

- re-orientation of the longwall panels in the Woodlands Hill, Arrowfield and Bowfield seams resulting in a minor increase in the approved underground mining extent;
- reduction in the width of some of the longwall panels in the Woodlands Hill Seam;
- repositioning of the upcast ventilation shaft site and associated infrastructure; and
- other minor works and ancillary infrastructure components (e.g. access road and ancillary water management infrastructure for the repositioned ventilation shaft site).

The above modifications did not change the layout of the panels in the Whynot Seam, the panel layout remains as approved in the environmental impact statement (EIS). Nineteen bord and pillar panels are approved in the Whynot Seam (WNP 1 to 19).

#### 2. Extraction Plan Application Area (Panels 2 to 5)

The Extraction Plan applies to bord and pillar Panels 2 to 5 in the Whynot seam within ML 1822 (See **Figure 1**).

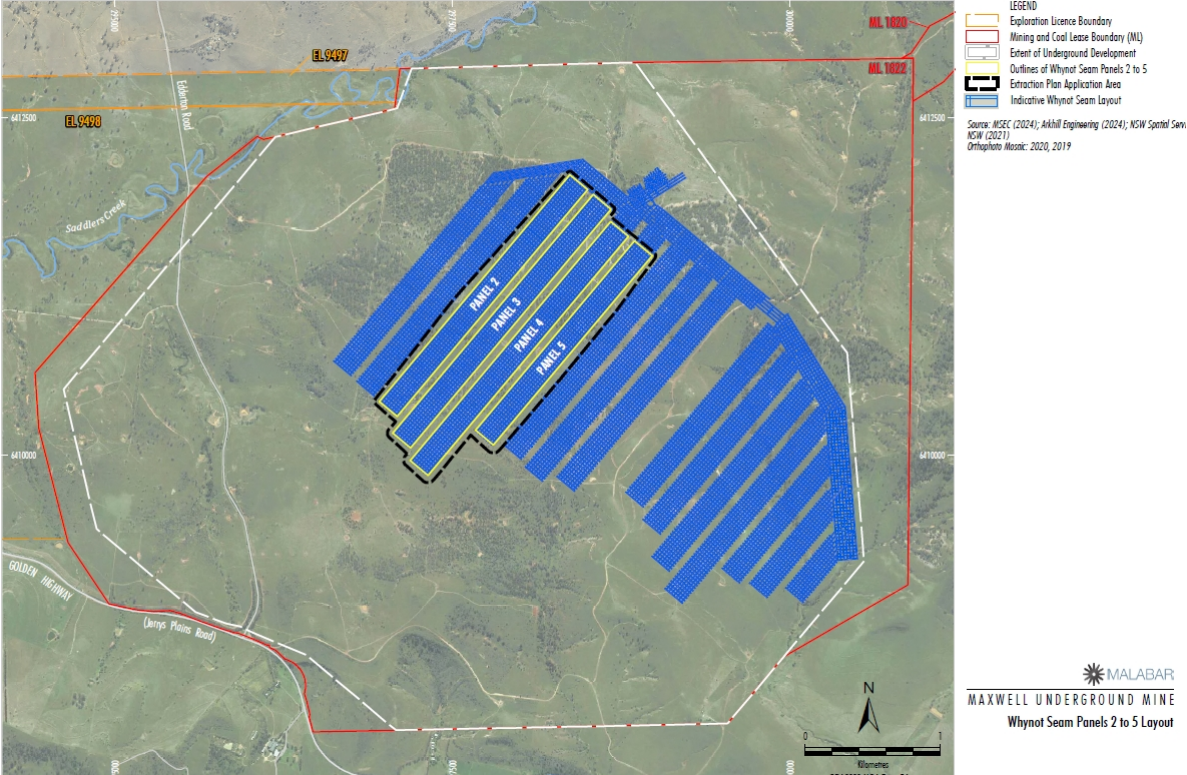


Figure 1 | Bord and pillar Panels 2 to 5 Extraction Plan Area

**3. Mining Schedule**

The Extraction Plan includes the first four panels of the current mine plan. Maxwell is currently undertaking first workings associated with the Maxwell Mine. Coal extraction in WNP2 is currently scheduled to commence in December 2024.

**4. Changes to Extraction Plan – Panels 2 to 5**

Since MOD 2 was approved in October 2022, mine planning investigations have further refined the layout of the Whynot Seam Panels 2 to 5. The overall panel widths have reduced from 185 m in MOD 2 to 172 m for the Extraction Plan. The overall panel lengths are less than the MOD 2 layout, except for Panel 2 which is 229 m longer. The barrier pillar widths remain the same at 55m.

# Department of Planning, Housing & Infrastructure

The extents of Panels 2 to 5 in the Extraction Plan are typically within the extents of the EIS panel layout. The north-eastern end of Panel 2 extends further than the EIS layout, however it is still located within the mining area extent adopted in the EIS.

The subsidence assessment titled '*Maxwell Underground Mine Project: Extraction Plan Application – Subsidence Assessment*' prepared by Mine Subsidence Engineering Consultants (Technical Report 1 of the Extraction Plan), incorporates the revised layout and concluded that the maximum predicted subsidence based on the Extraction Plan layout is less than the maximum predicted subsidence in the EIS. The surface area located within the limit of predicted vertical subsidence for Panels 2 to 5 is also less than the surface area approved in the EIS.

Accordingly, the Department is satisfied that the refinements to the layout of Panels 2 to 5 will result in similar or reduced subsidence related impacts compared to what is currently approved. The Extraction Plan layout for Panels 2 to 5 is considered to be generally in accordance with the development consent SSD 9526 (as modified).

## 5. Extraction Plan Requirements

As required by condition C8 of Schedule 2 of the development consent SSD 9526, Maxwell submitted an Extraction Plan for approval, which must be approved by the Planning Secretary prior to the commencement of second workings in Panels 2 to 5.

The Department is satisfied that the Extraction Plan (including its various sub-plans) addresses the relevant requirements of the development consent.

## 6. Agency Consultation

The Extraction Plan has been revised to address comments provided by the Biodiversity Conservation and Science (BCS), Heritage NSW, DPHI Water, and Muswellbrook Shire Council.

The Department is satisfied that the revised Extraction Plan (including its various sub-plans) addresses the relevant comments made by agencies.

## 7. Subsidence Predictions

The subsidence predictions for Panels 2 to 5 are summarised below in **Table 2**.

The maximum predicted subsidence effects for Panels 2 to 5 are:

- 250 mm vertical subsidence;
- 5 mm/m tilt (i.e. 0.5 % or 1 in 200);
- 0.3 km<sup>-1</sup> hogging and 0.5 km<sup>-1</sup> sagging curvature (i.e. a minimum radius of curvature of 2 km); and

- strains typically between 3 mm/m and 5 mm/m.

The maximum vertical subsidence occurs where the hill crosses the middle of Panels 2 to 5, and the depth of cover are the greatest. While the layout of the panels has been refined since the EIS, the Department acknowledges that the maximum predicted subsidence effects, including vertical subsidence and tilt, are less than the predicted values based on the EIS layout.

**Table 2 | Maximum Predicted Subsidence for Panels 2 to 5**

Longwalls	Depth of Cover to the Whynot Seam (m)	Subsidence (mm)	Tilt (mm/m)	Hogging Curvature (km <sup>-1</sup> )	Sagging Curvature (km <sup>-1</sup> )
Panel 2	50 to 130	225	3	0.2	0.3
Panel 3		250	4	0.3	0.4
Panel 4		250	4	0.3	0.4
Panel 5		250	5	0.3	0.5

*Note: mm = millimetres; mm/m = millimetres per metre; km-1 = per kilometre.*

## 8. Mining and Resource Recovery Parameters for Panels 2 to 5

The overall coal recovery, including both first and second workings for Panels 2 to 5 is approximately 79%. The recovery for the four panels and barrier pillars, is approximately 60%.

## 9. Key Issues

The key issues identified in the assessment of MOD 2 are subsidence, water resources and biodiversity. For further information on the Department's assessment of these issues, refer to the 'Department's Assessment Report' under 'Determination' on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/projects/maxwell-underground-mine-mod2--mining-optimisation-modification>

The Department notes the environmental assessments in the EIS and MOD 2 identified that the subsidence impacts of the project are not predicted to affect any privately-owned residences, materially impact the Hunter River, Saddlers Creek or Saltwater Creek or compromise the land

## Department of Planning, Housing & Infrastructure

stability or soil capability of the existing underground mining area or surrounding agricultural lands. Predicted impacts to biodiversity were identified as relatively minor indirect impacts associated with subsidence and changes in surface water flows and biodiversity offsets have been identified to offset these impacts. The Department included subsidence impact performance measures in the development consent

The Department is satisfied that the Extraction Plan demonstrates that environmental impacts associated with the extraction of Panels 2 to 5 are within the range of impacts approved under SSD 9526 (as modified).

### **10. Conclusion**

The Extraction Plan and its component plans set out a range of impact avoidance, mitigation, monitoring, review, and adaptive management measures developed with consideration of feedback from agencies.

The Department has reviewed the Extraction Plan and its sub-plans as relevant to the Whynot Seam Panels 2 to 5. The Department notes that the Extraction Plan seeks approval for a slightly modified layout of Panels 2 to 5 compared to the layout presented in the EIS titled '*Maxwell Project – Environmental Impact Statement*'. The Department notes that the Panel 2 to 5 layout was not changed by MOD 1 or Mod 2.

The Department is satisfied that the revised layout would result in similar or less subsidence related impacts to those approved in the EIS and can be characterised as being “generally in accordance with” the EIS.

The Department is satisfied that the environmental impacts associated with the extraction of Panels 2 to 5 are within the range of impacts approved under SSD 9526 (as modified).

The Department is also satisfied that Maxwell has developed an Extraction Plan and range of component plans such that any unexpected impacts can be appropriately managed in accordance with the relevant requirements of SSD 9526 and other relevant approvals.

Accordingly, the Department considers that the Extraction Plan for Panels 2 to 5 (Document Reference Number MXC\_MP\_EC\_20 dated November 2024) should be approved.