

06 Sept 2021

**Joe Fittell**  
**Department of Planning, Industry & Environment**

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Dear Mr Fittell

### **Maxwell Underground – MOD 1 – Muswellbrook Shire Council Comment**

I refer to the Modification Report, prepared by Malabar (Proponent), for the Maxwell Underground coal mine - SSD-9526. Council appreciates the opportunity for comment.

The Modification comprise the following components:

- repositioning of the underground portal;
- realignment of the proposed access road at the Maxwell Infrastructure site to utilise an existing haul road and minimise impacts to existing mine rehabilitation areas;
- repositioning of an approved clean water diversion for the mine entry area;
- repositioning of the water treatment facility from the mine entry area to the Maxwell Infrastructure; and
- other minor works and ancillary infrastructure components within existing/approved surface development areas.

Council's submission is as follows:

#### **1.0 Biodiversity**

It is noted that there will be some direct impacts on endemic and derived vegetation as a result of the minor increase in the Surface Development Area. Adherence to the NSW Biodiversity Offset Scheme is required.

The change to the mine access road to avoid existing mine rehabilitation areas is supported.

#### **2.0 Water Management**

Relocation of the water treatment facility to the Maxwell Infrastructure area will require the construction of new pipelines to return water to the MEA, and new power infrastructure from, it is assumed, the existing administration building located on the Maxwell Mine Infrastructure site. No detail is provided making it difficult to assess potential impacts.

All works need to occur in a manner that does not increase the risk of erosion, particularly in rehabilitated areas of the site where soil profiles are relatively 'unconsolidated' and highly mixed and as a result prone to being highly dispersible.

Thank you for the opportunity to comment on the Maxwell Underground Mine – MOD 1.

Regards



**Sharon Pope**  
**Executive Manager Environmental and Planning Services**