

8 July 2021

MAXWELL VENTURES (MANAGEMENT) PTY LTD

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Wayne Jones

Team Leader – Post Approval
Energy, Industry and Compliance | Planning and Assessment
Department of Planning, Industry & Environment
GPO Box 32
Sydney NSW 2001

Submitted via the Major Projects Website

Dear Wayne,

Re: Maxwell Community Consultative Committee

In accordance with Schedule 2, Condition A20 of the Development Consent for State Significant Development (SSD) 9526, Maxwell Ventures (Management) Pty Ltd (Maxwell) a wholly owned subsidiary of Malabar Resources (Malabar) is seeking to establish the Community Consultation Committee (CCC) (hereafter referred to as the Maxwell CCC) for the Maxwell Underground Coal Mine Project.

In establishing the Maxwell CCC, Maxwell is seeking approval from Department of Planning, Industry and Environment (DPIE) for Lisa Andrews to be appointed as the Independent Chairperson. Maxwell understands that Lisa is already listed in the pool of suitable candidates established by DPIE. Lisa is also the independent minute taker for the Spur Hill Underground CCC, a ministerial committee established for Exploration Licence 7429 and as such is familiar with Malabar and the Maxwell Underground Coal Mine Project. Maxwell has discussed this opportunity with Lisa and understand that she is supportive of this request.

Malabar currently operates the following CCC's that are of relevance to this letter:

- Maxwell Infrastructure CCC for the Maxwell Infrastructure site (formerly Drayton Mine)
- Spur Hill CCC for the Spur Hill Underground (Exploration Licence 7429).

The Maxwell Infrastructure CCC also participates in the Antiene CCC, a joint CCC with BHP's Mt Arthur Coal focussing on the Antiene Rail Spur.

We have discussed the requirement to establish a Maxwell CCC with both existing Maxwell Infrastructure and Spur Hill CCC's and there is interest by Malabar and respective CCC members to form one combined CCC. The members representing both these CCC's have a long-standing history with Malabar and our associated projects.

The Maxwell Infrastructure and Spur Hill CCC members held a combined extraordinary meeting on 9 June 2021 and discussed the possibility of merging both committees with all members responding positively to the merger. A copy of the minutes from this meeting can

be found on the Malabar website at:

https://malabarresources.com.au/images/Draft_Minutes_Spur_Hill_-_Maxwell_Project_-_Spur_Hill_combined_CCC_9_June_2021.pdf. Since this meeting, The Hon John Barilaro MP has provided his support of merging the Maxwell Infrastructure and Spur Hill CCC. A copy of this correspondence is provided in Attachment 1.

The combining of the Maxwell Infrastructure and Spur Hill CCC will provide several benefits for the members including:

- Streamlining of information provided to the local community;
- Access to consistent information across all Malabar Projects; and
- Greater insight into Malabar's long-term strategy in the area.

Subsequently, Maxwell is seeking approval from DPIE to combine the Maxwell Infrastructure and the Spur Hill CCC's to form the Maxwell CCC under Schedule 2, Condition A20 of the Development Consent for SSD 9526. The CCC would be operated in accordance with DPIE's *Community Consultative Committee Guidelines: State Significant Projects (2019)*.

Maxwell would ask that all existing members have the opportunity to maintain their position on the committee (if they choose to do so). Maxwell would like to note that Coolmore and Woodlands thoroughbred studs were invited and attended the meeting on 9 June 2021. Maxwell believes the existing members combined with the studs provides an adequate representation from the local community.

Please do not hesitate to contact myself on 02 6542 0298 if you require any further information or would like to discuss an aspect of this letter.

Yours sincerely,



Donna McLaughlin
Health, Safety, Environment and Community Manager
Malabar Resources

Attachment 1



The Hon. John Barilaro MP
Deputy Premier
Minister for Regional New South Wales
Minister for Industry and Trade

Ms Margaret MacDonald-Hill
Independent Chair
PO Box 273
BELMONT NSW 2280
mmacdonald-hill@bigpond.com

Dear Ms MacDonald-Hill

Thank you for your letter of 18 June 2021 about the proposed merger of the Spur Hill Coal Project Community Consultative Committee (CCC) and the Maxwell Infrastructure CCC. I am pleased that the Spur Hill CCC has resulted in well-established rapport between the community representatives and Malabar Resources.

In considering your request, I note that:

- Malabar Resources is the operator of the Spur Hill Coal Project, the Maxwell Infrastructure Site and the Maxwell Underground Project which are adjacent or nearby one another.
- Development consent for the Maxwell Underground Project requires the establishment of a CCC, which may be combined with the existing Maxwell Infrastructure CCC.
- Both committees have members in common.
- Malabar Resources supports the combining of the committees.
- The combining of the Spur Hill CCC with the Maxwell Infrastructure CCC has the general support of both committees.
- The combining of the committees is consistent with the Department of Regional NSW's Exploration Code of Practice: Community Consultation and the Department of Planning, Industry and Environment's (DPIE) Community Consultative Committee Guideline for State Significant Projects (Guideline).

I support the combining of the two committees. Whilst my preference is that the existing Spur Hill CCC members are given the opportunity to be members on the combined committee, it is ultimately a decision for DPIE as the combined committee will function in accordance with DPIE's Guideline. I also note your recommendation that Lisa Andrews would be an appropriate chairperson of the combined committee. This would also be a decision for DPIE.

I would appreciate if you could please thank each member of the Spur Hill CCC for their time and commitment. I would also like to thank you for the invaluable support and direction that you have provided the Spur Hill CCC and Government through your leadership and active participation as the Chair of the Spur Hill CCC.

If you have any questions, please contact Mrs Emma Prince, Manager Regulatory Conformance at Mining, Exploration and Geoscience at emma.prince@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Barilaro'.

The Hon. John Barilaro MP
Deputy Premier
Minister for Regional New South Wales
Minister for Industry and Trade