MALABAR

MAXWELL UNDERGROUND MINE

PUBLIC SAFETY MANAGEMENT PLAN

WHYNOT SEAM PANELS 2 - 5

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1 INTRODUCTION

1.1 Background

Maxwell Ventures (Management) Pty Ltd (Maxwell), a wholly owned subsidiary of Malabar Resources Limited (Malabar) owns and operates the Maxwell Underground Mine (the site). The site is located in the Upper Hunter Valley of New South Wales (NSW), east-southeast of Denman and south-southwest of Muswellbrook. The site is approved to extract a maximum of 8 million tonnes of run-of-mine coal per year over a period of 26 years. The site boundary is shown in **Figure 1**.

Construction of the site commenced in May 2022 and first workings in the Whynot Seam commenced in March 2023.

The site consists of the following areas:

- Underground area comprising the area of underground mining operations and the mine entry area (MEA) to support underground mining and coal handling activities and provide for personnel and materials access;
- Maxwell Infrastructure (formerly Drayton Mine) comprising previous open cut mining areas, existing coal handling and preparation plant (CHPP), train load-out facilities and rail loop, Antiene rail spur and other infrastructure and services; and
- Transport and services corridor between the MEA and Maxwell Infrastructure comprising the site access road, covered overland conveyor (to be constructed), power supply and other ancillary infrastructure and services.

The area within and surrounding the site, which has previously been known as Mt Arthur South, Saddlers Creek and Drayton South, has long been identified as having a significant in-situ coal resource. Prospecting for coal commenced in the late 1940's, with exploration intensifying during the 1960's and 1970s. Open cut coal extraction and mining activities commenced at Maxwell Infrastructure in 1983 and ceased in October 2016. The previous open cut mining area is currently in the rehabilitation phase of the mine operations.

The development consent for State Significant Development 9526 (SSD 9526) was granted on 22 December 2020 under clause 8A of the *State Environmental Planning Policy (State and Regional Development) 2011* and section 4.5(a) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The development consent was modified on 19 November 2021 (Maxwell MOD1) to allow for the repositioning of infrastructure primarily at the MEA and realignment of a section of the site access road. The development consent was further modified (Maxwell MOD2) on 19 October 2022 to allow for the following:

- 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.
- Other minor works and ancillary infrastructure components (e.g. access road and ancillary water management infrastructure for the repositioned ventilation shaft site).

Another modification was made to the development consent (Maxwell MOD3) on 22 September 2025 to allow for the transfer of tailings from Mt Arthur Coal to the Maxwell UG Mine East Void, and tailings and coarse rejects from the Maxwell CHPP to the North Void.

Development Consent DA 106-04-00 for the existing rail loop and Antiene Rail Spur was granted on 2 November 2000 under Section 76(A)9 and 80 of the EP&A Act and is still current. DA 106-04-00 was modified on 18 September 2023 (Antiene MOD1) to align with the approved operating life of the site (i.e. until 2047).

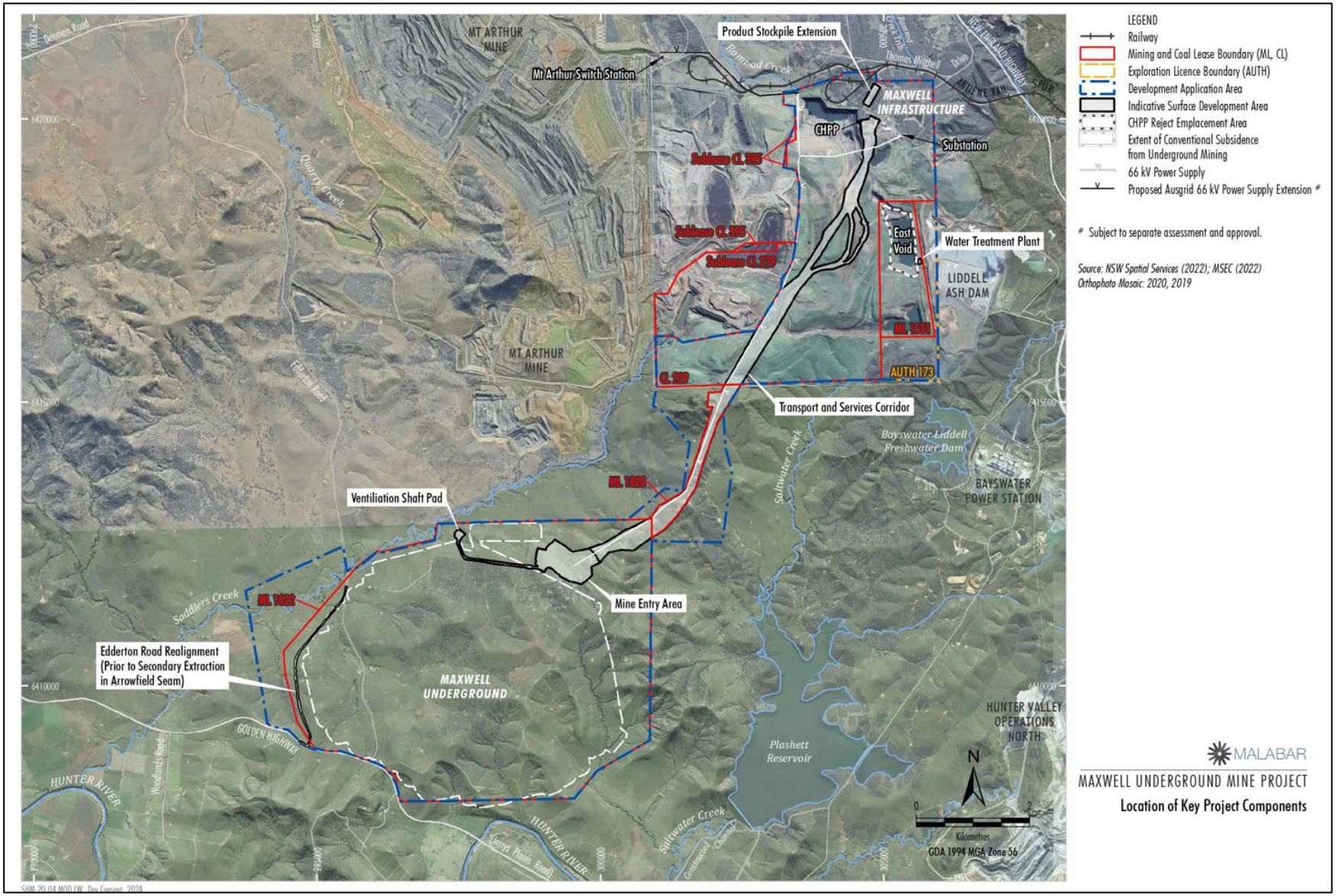

Figure 1. Maxwell Underground Mine

1.2 Purpose and Scope

The purpose of this Public Safety Management Plan (PSMP) is to detail the statutory requirements and to outline the controls to be implemented to manage public safety due to potential subsidence impacts at the site from secondary extraction in Whynot Seam Panels 2 to 5. This PSMP is one of a series of Environmental Management Plans that together form the Environmental Management System for the site.

In accordance with Schedule 2, Part C, Condition C9 of SSD 9526, Maxwell will not undertake second workings in the Whynot Seam until the relevant Extraction Plan is approved by the Planning Secretary. Maxwell will implement the Extraction Plan as approved by the Planning Secretary and further extraction plans will be prepared to the satisfaction of the Planning Secretary prior to any second workings in the Woodlands, Arrowfield and Bowfield Seams.

This PSMP has been prepared in accordance with Schedule 2, Part C, Condition C8(g)(ivv) of SSD 9526 as a component of the Whynot Seam Panels 2 to 5 Extraction Plan. In addition to the SSD 9526 requirements, this PSMP has been prepared in accordance with the Department of Planning and Environment (DPE; now known as the Department of Planning, Housing and Infrastructure [DPHI]) (2022) *Extraction Plan Guideline*.

1.3 Objectives

The objectives of this PSMP are to:

- Detail all relevant statutory requirements to be met;
- Identify potential public safety impacts;
- Describe the performance measures and detail the controls and monitoring to be implemented;
- Detail the procedure for reporting exceedances and incidents to relevant stakeholders; and
- Manage complaints in a timely and effective manner.

2 PLANNING

2.1 Regulatory Requirements

This PSMP describes the management of public safety to meet relevant statutory requirements within SSD 9526. The various conditions that relate to public safety and where they are addressed in this document are detailed in **Appendix 1**.

2.2 Maxwell EIS and Supporting Document Commitments

A subsidence assessment was undertaken for the Maxwell Underground Project Environmental Impact Statement (Maxwell EIS) (published on 14 August 2019) and included subsidence predictions for proposed underground mining operations including the maximum predicted surface effects for mining in the Whynot Seam. Commitments in the Maxwell EIS and supporting documents that relate to public safety, and where they are addressed in this document, are detailed in **Appendix 2**.

A further subsidence assessment was undertaken for Maxwell MOD2 (published 23 June 2022). Since MOD2 was approved, the indicative arrangement of the Whynot Seam panels has undergone some minor changes following further mine planning investigations. These changes were assessed and presented as part of the Whynot Seam Panels 2-5 Extraction Plan.

2.3 Preparation and Consultation

Schedule 2, Part C, Condition C8(a) of SSD 9526, requires that the Extraction Plan be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary.

Maxwell has engaged the specialists listed in **Table 1** and Maxwell personnel listed in **Table 2** to assist with the preparation of the Whynot Seam Panels 2-5 Extraction Plan and associated management plans. A copy of the endorsement by the Planning Secretary is included in **Appendix 3**.

In accordance with Schedule 2, Part C, Condition C8(g)(vii) of Development Consent SSD 9526, this PSMP has been prepared in consultation with the Resources Regulator. Outcomes of the consultation are presented in **Appendix 4**.

In accordance with Schedule 2, Part C, Condition C13 of SSD 9526, Maxwell will pay all reasonable costs incurred by the Department to engage a suitably qualified, experienced and independent person/s to review the adequacy of any aspect of an Extraction Plan.

Table 1. Specialist engaged to prepare the Whynot Seam Panels 2-5 Extraction Plan.

Specialist	Role
James Barbato - Mine Subsidence Engineering Consultants Pty Ltd (MSEC)	Preparation and/or review of relevant subsidence components, including predictions of subsidence effects and assessment of subsidence impacts, Subsidence Monitoring Program, Built Features Management Plan and Land Management Plan
Greg Roads - WRM Water & Environment Pty Ltd	Preparation and/or review of surface water components of the Water Management Plan
Noel Merrick - HydroAlgorithmics Pty Ltd	Preparation and/or review of groundwater components of the Water Management Plan
Dr Colin Driscoll - Hunter ECO Pty Ltd	Preparation and/or review of relevant flora and fauna components of the Biodiversity Management Plan
Geordie Oakes - AECOM Australia Pty Ltd	Preparation and/or review of Aboriginal cultural heritage components of the Heritage Management Plan
Josh Peters - Resource Strategies Pty Ltd	Preparation and/or review of overall Extraction Plan documentation including management plans

Table 2. Maxwell Team Members preparing the Whynot Seam Panels 2-5 Extraction Plan.

Maxwell Team Member	Role
Peter Sergeant - Registered Mine Surveyor	Preparation and sign-off of graphical plans required in accordance with the *Extraction Plan Guideline* (DPE, 2022).
Tim Britten - Technical Services Superintendent	Preparation of Coal Resource Recovery Plan and Subsidence Monitoring Program. Responsible for review, sign-off and implementation of the Extraction Plan.
Donna McLaughlin - Health, Safety, Environment & Community Manager	Preparation of the Biodiversity Management Plan, Heritage Management Plan, Land Management Plan, Water Management Plan, Built Features Management Plan, Public Safety Management Plan, Coal Resource Recovery Plan and Subsidence Monitoring Program. Responsible for review, sign-off and implementation of the Extraction Plan.

Maxwell Team Member	Role
James Johnson - General Manager	Review of the Biodiversity Management Plan, Heritage Management Plan, Land Management Plan, Water Management Plan, Built Features Management Plan, Public Safety Management Plan, Coal Resource Recovery Plan and Subsidence Monitoring Program. Responsible for review, sign-off and implementation of the Extraction Plan.

3 IMPLEMENTATION

3.1 Context

The land within 600 metres (m) of Whynot Seam Panels 2 to 5 is wholly owned and managed by Maxwell and therefore accessibility to the general public is restricted. Features in the vicinity of Whynot Seam Panels 2 to 5 include vehicular tracks, farm dams and groundwater boreholes. There are no occupied building structures located within 600 m of Whynot Seam Panels 2 to 5. However, a disused farming shed is located adjacent to Panel 2 outside of the 26.5 degree angle of draw

There are no wide-spread areas identified as steep slopes within the Whynot Seam Panels 2 to 5 26.5 degree angle of draw (MSEC 2024). The natural grades of the hills in the vicinity of Panels 2 to 5 are typically less than those used to define steep slopes. However, there are isolated areas of steep slopes near the bases of the hills associated with the banks of the drainage lines (MSEC 2024).

The subsidence assessment undertaken for the Maxwell EIS found that there was negligible additional risk for public safety based on the subsidence consequences on key natural and built features (MSEC 2019). This finding was consistent with the subsidence assessment undertaken for the Whynot Seam Panels 2-5 Extraction Plan (MSEC 2024).

3.2 Mining Geometry

As detailed in the subsidence assessment (MSEC 2024), Panels 2 to 5 will each comprise seven roadways along their lengths and cut-throughs across their widths. The roadways and cut-throughs (i.e. first workings) will be approximately 6 m wide and 2.1 m high. In accordance with Schedule 2, Part C, Condition C7 of SSD 9526, the first workings are designed to remain stable and non-subsiding.

The pillars remaining between the first workings will be square with planar dimensions of 18 m by 18 m. The pillars will then be partially extracted (i.e. second workings) using several oblique lifts with plunges of approximately 12 m. The lifts will mine the full thickness of the Whynot Seam, leaving approximately 0.1 m coal in the floor and mining approximately 0.1 m of stone in the roof. The remaining coal (i.e. remnant pillars) will comprise a rectangular section with planar dimensions of approximately 18 m by 6.7 m.

The coal either side of each panel will be partially extracted using several oblique lifts with plunges of approximately 12 m. The partial extraction will extend a distance of approximately 11 m on either side of the two outside roadways of each panel. The overall widths of Panels 2 to 5 will be approximately 172 m and the widths of the barrier pillars between the panels will be 55 m.

3.3 Performance Measures

This PSMP has been developed to manage the potential risks to public safety from secondary workings in the Whynot Seam Panels 2 to 5. In accordance with Schedule 2, Part C, Condition C5 of SSD 9526, Maxwell must ensure that the development meets the performance measures in Table 10 of SSD 9526. The performance measure specified in SSD 9526 relevant to public safety is listed below in **Table 3**.

Table 3. Performance measures for Public Safety

Feature	Performance Measure
Public Safety	Negligible additional risk.

3.4 Predicted Subsidence Impacts

The subsidence predictions have been determined by MSEC using the Incremental Profile Method. This method has been calibrated using the available monitoring data from the NSW coalfields. The maximum predicted total subsidence effects due to mining of Panels 2 to 5 in the Whynot Seam are:

- 250 millimetres (mm) vertical subsidence;
- 5 mm/m tilt (i.e. 0.5 % or 1 in 200);
- 0.3 kilometers $(km)^{-1}$ hogging and 0.5 km^{-1} sagging curvature (i.e. minimum radius of curvature of 2 km); and
- strains typically between 3 mm/m and 5 mm/m (however localised and elevated strains can also occur due to non-conventional subsidence movements).

The maximum predicted subsidence based on the Extraction Plan Layout are less than the maximum predicted values based on the Maxwell EIS Layout. The surface area located within the limit of predicted vertical
subsidence (i.e. 20 mm subsidence contour) for Panels 2 to 5 is 161.3 hectares and it is less than the surface area based on based on the Maxwell EIS Layout. Predicted total subsidence contours are shown in **Figure 2**.

The surface area located within the limit of predicted vertical subsidence (i.e. 20 mm subsidence contour) for Panels 2 to 5 is considerably less than the surface area for the panels within the Whynot Seam based on the Maxwell EIS Layout. The surface cracking due to the mining of Panels 2 to 5 is expected to be typically between 10 mm and 30 mm but with localised and isolated cracking in the order of 50 mm or greater. The largest impacts are expected to occur above the panels and where the depths of cover are shallowest.

The maximum predicted total tilt, curvatures and strains for Panels 2 to 5 based on the Extraction Plan Layout are less than the maximum predicted values based on the Maxwell EIS Layout.

In addition to the conventional subsidence effects that have been predicted above and adjacent to Panels 2 to 5, it is also likely that far-field horizontal movements will be experienced outside Panels 2 to 5. The predicted far-field horizontal movements based on the Extraction Plan Layout are the same as the predicted movements based on the Maxwell EIS Layout (MSEC 2024).

The predicted far-field horizontal movements for Panels 2 to 5 are very small and could only be detected by precise surveys (MSEC 2024). Such movements tend to be bodily movements towards the panels and are accompanied by very low levels of strain, which are generally less than the order of survey tolerance (i.e. less than 0.3 mm/m) (MSEC 2024). The impacts of far-field horizontal movements on the natural and built features within the vicinity of Whynot Seam Panels 2 to 5 are not expected to be substantial (MSEC 2024).

The land above Whynot Seam Panels 2 to 5 is wholly owned by Maxwell and it is primarily used for cattle grazing, with portions of the land within the Maxwell Biodiversity Stewardship Area. Agricultural improvements include fences and farm dams. The main risk is the potential for mining induced surface cracking and deformations to injure cattle, leasees, workers (land management or environmental contractors) or unauthorised people accessing the area (for firewood or hunting).

3.5 Risk Assessment

In accordance with DPHI (2022) *Extraction Plan Guideline,* a risk assessment was undertaken to consider the environmental risks relevant to the Whynot Seam Panels 2 to 5 and predicted subsidence parameters and impact assessments for land within 600 m of Panels 2 to 5.

The suitably qualified and experienced experts endorsed by the Secretary of DPHI for the preparation of the Whynot Seam Panels 2 to 5 Extraction Plan participated in the risk assessment.

The risk assessment was held on 23 August 2023 and identified potential safety hazards to the public as part of the Extraction Plan processes for Panels 2 to 5.

A number of risk control and management measures were identified during the risk assessment. Monitoring of potential risks to public safety is described in **Section 4.1**. The management of risks to public safety is described in **Section 4.3**.

Maxwell considers all risk control measures and procedures to be feasible to manage all identified risks.

4 MEASUREMENT AND EVALUATION

4.1 Monitoring

The below monitoring program in **Table 4** will be implemented to monitor potential subsidence impacts in relation to public safety within 600 m of Whynot Seam Panels 2 to 5.

Table 4. Public safety monitoring program

Component	Type	Frequency	Responsibility
Pre-Mining			
Visual inspection of fences within 600 m of Whynot Seam Panels 2 to 5	Initial condition assessment	Prior to secondary extraction of Panels 2 to 5.	Mine Surveyor and/or Land and Property Coordinator
Visual inspection of warning signs	Initial condition assessment	Prior to secondary extraction of Panels 2 to 5.	Mine Engineer and/or Land and Property Coordinator
During Mining			
Subsidence monitoring as per the Subsidence Monitoring Program	Monitoring includes centrelines and crosslines	During secondary extraction in accordance with the Subsidence Monitoring Program.	Mine Surveyor
Visual inspection of fences	Condition assessment	Prior to secondary extraction within 100 m of any active fences (i.e. fences being used to hold stock or prevent public access) and undertaken at 50 m intervals until the active mining face is 100 m past the fence.	Mine Surveyor and/or Land and Property Coordinator
Visual inspection of warning signs	Condition assessment	Monthly inspections to review condition and placement.	Mine Engineer and/or Land and Property Coordinator

Component	Type	Frequency	Responsibility
Post-Mining			
Visual inspection of fences	Final condition assessment	Following completion of secondary extraction.	Mine Surveyor and/or Land and Property Coordinator
Visual inspection of warning signs	Final condition assessment	Following completion of secondary extraction.	Mine Engineer and/or Land and Property Coordinator

4.2 Subsidence Impact Register

Details of any subsidence impacts observed in relation to public safety will be recorded in the Subsidence Impact Register. The Subsidence Impact Register will be maintained as an electronic spreadsheet on the mine site.

4.3 Management Measures

A number of potential management measures are available to mitigate and or remediate potential risks to public safety resulting secondary extraction of Whynot Seam Panels 2 to 5. These measures are detailed in **Table 5** below.

Table 5. Public safety management measures

Management Measure	Frequency	Responsibility
Pre-Mining		
Permanent fencing to restricted access to general public.	Ongoing	Mine Manager
Signage to advise of restricted access to mining areas.	Ongoing	Mine Manager
Maxwell induction required for all visitors and workers accessing mining lease areas.	Ongoing	Environment, Community and Approvals (EC&A) Manager
Notification to lessees of areas planned for mining.	Prior to secondary extraction	EC&A Manager
During Mining		
Maintenance of permanent fencing to restricted access to general public.	Ongoing	Mine Manager
Maintenace of signage to advise of restricted access to mining areas.	Ongoing	Mine Manager
Maintenance of existing access tracks.	Ongoing	Mine Manager
Remediation of surface cracking.	As required	Mine Manager
Maxwell induction required for all visitors and workers accessing mining lease areas.	Ongoing	EC&A Manager
Notification to lessees of any areas where active subsidence is present.	As required	EC&A Manager
Exclusion of cattle from areas where surface cracking presents a reasonable risk to people and or livestock.	As required	EC&A Manager

Management Measure	Frequency	Responsibility
Post-Mining		
Repair and/or removal of redundant fences.	Following completion of secondary extraction.	Mine Manager
Review of warning sign placement and removal if no longer required.	Following completion of secondary extraction.	Mine Manager

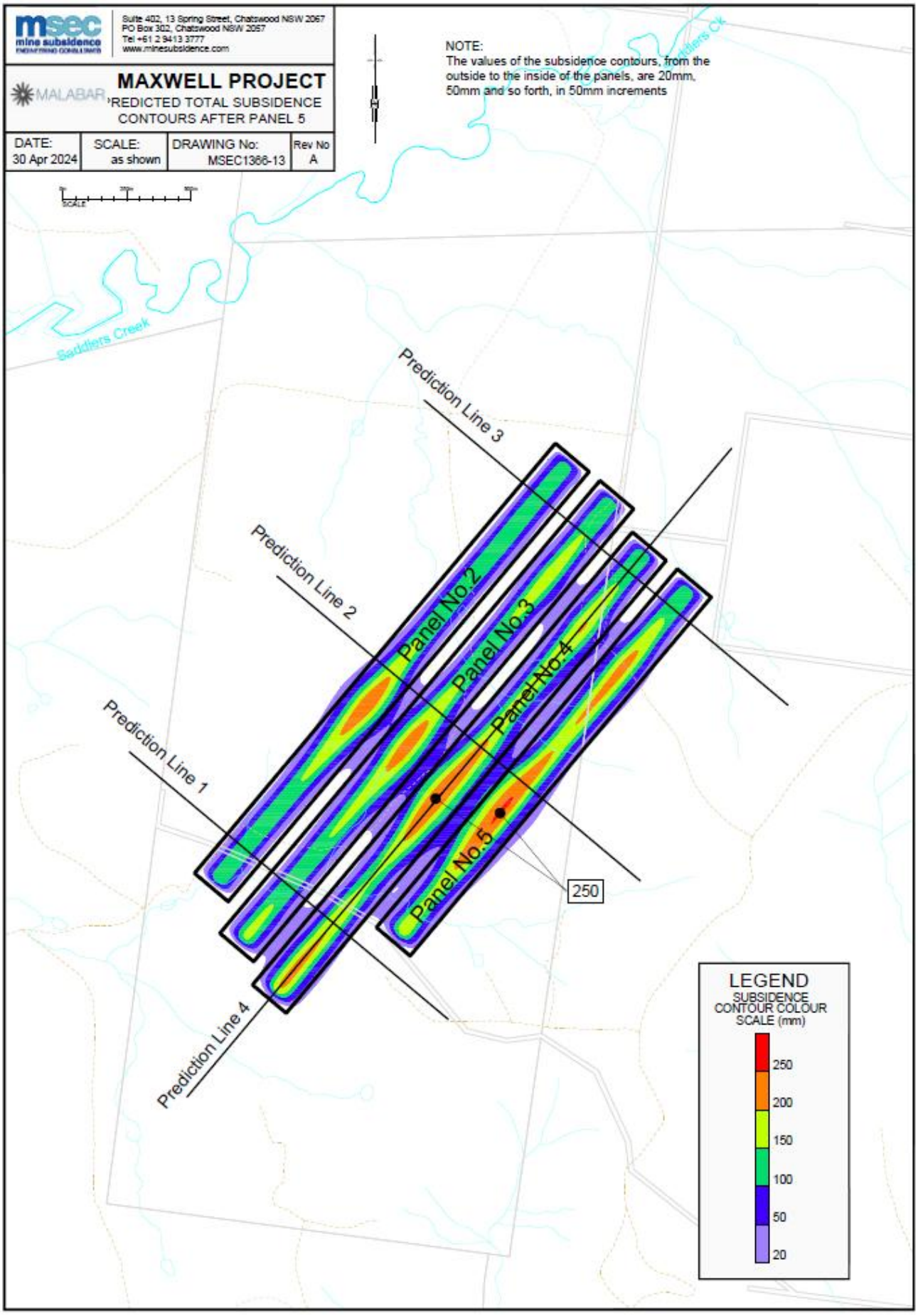

Figure 2. Predicted total subsidence for Whynot Seam Panels 2 to 5

4.4 Trigger Action Response Plan

A Trigger Action Response Plan (TARP) detailing performance criterion for public safety, based on response actions in the subsidence assessment, is presented in **Table 6**.

Table 6. Trigger action response plan

Status	Trigger	Action	Response
Normal	Subsidence impacts less than modelled predictions	Implement monitoring program and assess impacts.	No response required.
Level 1	Subsidence impacts approaching modelled predictions and or performance measure is likely to be exceeded.	Implement management measures in **Table 5** of the PSMP. Engage specialist to review subsidence predictions and actual impacts.	Update relevant management plans and monitoring programs.
Level 2	Subsidence impacts greater than modelled predictions and or performance measure has been exceeded.	Continue to implement management measures in **Table 5** of the PSMP. Resurvey of subsidence monitoring lines. Engage specialist to conduct investigation: • review subsidence predictions and actual impacts; • identify contributing factors; and • identify recommendations to minimise impacts. Prepare remedial plan with contingency measures.	Report incident and or exceedance of the performance measure to relevant authorities. Update relevant management plans and monitoring programs to include remedial plan. Revise mine plan (if required). Implement relevant management plans and monitoring programs. Review effectiveness post incident.

4.5 Incident and Non-Compliance Notification

An incident is defined in SSD 9526 as an occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance.

In accordance with Schedule 2, Condition E9 of Development Consent SSD 9526, Maxwell must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:

(a) date, time and location;

(b) brief description of what occurred and why it has been classified as an incident;

(c) a description of what immediate steps were taken in relation to the incident; and

(d) identifying a contact person for further communication regarding the incident.

Maxwell shall provide the DPHI with a subsequent incident report in accordance with Appendix 7 of Development Consent SSD-9526.

A *Pollution and Incident Response Management Plan* (PIRMP) is maintained in accordance with the requirements of the Part 5.7A of the POEO Act and Chapter 7, Part 3A of the *Protection of the*

Environment Operations (General) *Regulation 2009*. Any pollution incident that causes actual or potential material harm will be reported to the relevant agencies immediately after it is identified, as described in the PIRMP. A copy of the PIRMP is located on Malabar's website.

In accordance with Schedule 2, Part E, Condition E10 of SSD 9526 and Schedule 2, Part B, Condition C6 of DA 106-04-00, Maxwell shall notify DPHI within seven days of becoming aware of a non-compliance. The notification shall be in writing via the Department's Major Projects Website and identify the development (including the development application number and name), set out the condition of SSD 9526 that the Project is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken, and when, to address the non-compliance. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

4.6 Adaptive Management and Contingency Plan

In accordance with Schedule 2, Part E, Condition E4 of SSD 9526 and Schedule 2, Part B, Condition C2 of DA 106-04-00, where any exceedance of performance measures has occurred, Maxwell shall, at the earliest opportunity:

- Take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;
- Consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and
- Implement reasonable remediation measures as directed by the Planning Secretary.

In accordance with Schedule 2, Part E, Condition E5 (f) of SSD 9526, the following contingency plan is used to manage any unpredicted impacts and their consequences, and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible:

- Review the unpredicted impact with consideration of any relevant activities and monitoring data;
- Identify the most likely source of the unpredicted impact;
- Review the existing process and current controls; and
- Implement appropriate mitigation measures.

4.7 Complaints Handling

The site maintains a 24-hour community hotline (1800 653 960) for any issues or enquiries. In addition to the community hotline, the site can also be contacted by emailing info@malabarresources.com.au.

In accordance with Schedule 2 Condition B12(e)(iv) and Condition E5(h)(ii) of Development Consent SSD 9526, if a complaint or enquiry is received, it is investigated as soon as reasonably practicable and managed in accordance with Maxwell's *Community Complaints and Enquiries Procedure*. Details such as complainant name, contact details, nature of concern, date, time and method of receival are recorded. While details of the enquiry vary depending on the nature and source of the enquiry, the following actions may result:

- Confirmation of whether the complainant would like the matter raised as a complaint or an enquiry.
- Identify further details which may assist in determining the cause of the complaint.
- Carry out an inspection of the site or conduct an assessment of monitoring results to identify the source.
- Identify if there is an exceedance or non-compliance with any consent or licence condition.
- Identify, where necessary and practical, methods to manage the source of the complaint and minimise the chance of a recurrence or the potential to generate further complaints.

All enquiries and/or complaints are recorded in an enquiries database. A summary of complaints is presented to the CCC and included in the Annual Review and EPL Annual Return. A community complaints register is also available on the Malabar website.

5 AUDIT, REVIEW AND IMPROVEMENT

5.1 Review Schedule

The suitability of this plan will be reviewed in accordance with Schedule 2, Part E, Condition E7 of SSD 9526 and Schedule 2, Part C, Condition C3 of DA 106-04-00, that is within three months of:

- the submission of an incident notification under condition E9/C5;
- the submission of an Annual Review under condition E11;
- the submission of an Independent Environmental Audit under condition E13/C7;
- the approval of any modification of the conditions of SSD 9526 or DA 106-04-00; or
- notification of a change in development phase under condition A13.

In accordance with Schedule 2, Part E, Condition E8 of SSD 9526 and Schedule 2, Part C, Condition C4 of DA 106-04-00, if necessary, to improve the environmental performance of the site, cater for a modification or comply with a direction, this plan will be revised. The revised plan will be submitted to DPHI for approval within six weeks of the review.

5.2 Reporting

In accordance with Schedule 2, Part E, Condition E11 of SSD 9526, by the end of March in each year after the commencement of the development, or other timeframe agreed by the Planning Secretary, an Annual Review report will be submitted to DPHI. The Annual Review will include the following:

- A description of the development that was carried out in the previous calendar year and the development proposed to be carried out over the current calendar year.
- A comprehensive review of monitoring results and complaints over the previous calendar year.
- A description of non-compliances which occurred in the previous calendar year and actions that were (or are being) taken to rectify the non-compliance and avoid reoccurrence.
- Evaluation of the effectiveness of management measures.
- Trends in monitoring data and any discrepancies between predicted and actual impacts.
- Measures to be implemented over the next calendar year to improve the environmental performance of the development.

In accordance with Schedule 2, Part E, Condition E12 of SSD 9526 copies of the Annual Review shall be submitted to Muswellbrook Shire Council and made available to the CCC and any interested person upon request.

In accordance with Schedule 2, Part E, Condition E17(a) of SSD 9526, the Annual Review will be publicly available on the Malabar website.

5.3 Auditing

In accordance with Schedule 2, Part E, Condition E13 of SSD 9526 and Schedule 2, Part C, Condition C7 of DA 106-04-00, within one year of commencement of development under SSD 9526 and within one year of approval of Antiene MOD1, and every three years after, unless the Planning Secretary directs otherwise, Maxwell will commission and pay the full cost of an Independent Environmental Audit of the development. The audit shall:

(a) be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary;

(b) be conducted by a suitably qualified, experienced and independent team of experts (including any expert in field/s specified by the Planning Secretary) whose appointment has been endorsed by the Planning Secretary;

(c) be carried out in consultation with the relevant agencies and the CCC;

(d) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals);

(e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent;

(f) recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and

(g) be conducted and reported to the satisfaction of the Planning Secretary.

In accordance with Schedule 2, Part E, Condition E14 of SSD 9526 and Schedule 2, Part C, Condition C8 of DA 106-04-00, within three months of commencing an Independent Environmental Audit, or other timeframe agreed by the Planning Secretary. Maxwell shall submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations shall be implemented to the satisfaction of the Planning Secretary.

5.4 Access to Information

In accordance with Schedule 2, Part E, Condition E17 of SSD 9526 and Schedule 2, Part C, Condition C11 of DA 106-04-00, before the commencement of construction and within 3 months of the approval of Antiene MOD1 until the completion of all rehabilitation required under SSD 9526 and DA 106-04-00, Maxwell will make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of SSD 9526) that are relevant to this plan publicly available on Malabar's website:

- this PSMP;
- the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
- minutes of CCC meetings;
- regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of the consent;
- a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of the consent, or any approved plans and programs;
- a summary of the current phase and progress of the development;
- contact details to enquire about the development or to make a complaint;
- a complaints register, updated monthly;
- the Annual Reviews of the development; and
- audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report.

This information shall be kept up to date, to the satisfaction of the Planning Secretary.

5.5 Records Management

All data is maintained in accordance with the Environmental Management Strategy and maintained on the premises for a period of at least four years.

5.6 Continuous Improvement

Feedback from the monitoring results and any complaints will be used to assess impacts and determine where improvements or mitigation measures are required. These measures will be reported on in the Annual Review.

5.7 Document Review History

A summary of the document history is outlined in **Table 7**.

Table 7. Document Revision Status

Issue	Issue Date	Review Team	Details of Change / Communication
1	June 2024	Donna McLaughlin James Johnson	Document prepared for the Whynot Seam Panels 2-5 Extraction Plan.
2	December 2025	Donna Tiananga Trescinda Brown	Update following approval of modification 3 of SSD9526.

6 INFORMATION, TRAINING AND INSTRUCTION

6.1 Competent Persons

Suitably qualified, competent and experienced persons shall be involved in the design, planning and implementation of this plan and related procedures.

6.2 Training

Training is provided to all employees and contractors through the general induction and site familiarisation process. From time to time, workforce communication and toolbox talks allow for discussion of the objectives and requirements of this and any other relevant management plans.

7 RESPONSIBILITIES

Responsibilities associated with this management plan are outlined **Table 8**.

Table 8. Responsibilities

Position	Responsibilities
General Manager	• Provide adequate resources for the implementation of this SMP.
Underground Mine Manager	• Ensure this SMP is implemented.
EC&A Manager	• Notify regulatory authorities and affected stakeholders of incidents in accordance with this program. • Maintain the Subsidence Impact Register. • Coordinate periodic reviews of this PSMP. • Facilitate training in accordance with this Plan.
Mine Surveyor	• Undertake all monitoring in accordance with this SMP and ensure data is adequately checked, processed and recorded.
Mine Engineer	• Undertake relevant monitoring and implementation of management measures. • Maintain the Subsidence Impact Register. • Take actions to rectify any public safety issues identified.
Environmental Coordinator	• Coordinate investigations of incidents or complaints. • Coordinate the management of records and reporting of data
Training Coordinator	• Facilitate training in accordance with this Plan. • Maintain training records.
All Personnel	• Undertake works in accordance with the objectives and principles of this Plan. • Report any incidents and exceedances.

8 DOCUMENT INFORMATION

8.1 References

Department of Planning, Housing and Infrastructure (2022) Extraction Plan Guideline

Mine Subsidence Engineering Consultants (2022) - Maxwell Underground Mine Project: Modification Application – Subsidence Assessment

Mine Subsidence Engineering Consultants (2024) - Maxwell Underground Mine Project: Extraction Plan Application – Subsidence Assessment

Maxwell - Community Complaints and Enquiries Procedure

Maxwell - Pollution Incident Response Plan

State Significant Development Consent 9526

8.2 Definitions and Abbreviations

Term	Definition
Antiene MOD1	Drayton Rail Loop and Antiene Rail Spur (DA 106-04-00) Modification 1
CCC	Community Consultative Committee
CHPP	Coal Handling and Preparation Plant
DA	Development Approval
DPE	NSW Department of Planning and Environment (now NSW Department of Planning, Housing and Infrastructure)
DPHI	NSW Department of Planning, Housing and Infrastructure
EIS	Environmental Impact Statement
EP&A	Environmental Planning and Assessment
Maxwell MOD1	Maxwell Underground Project (SSD 9526) Modification 1
Maxwell MOD2	Maxwell Underground Project (SSD 9526) Modification 2
Maxwell MOD3	Maxwell Underground Project (SSD 9526) Modification 3
MEA	Mine Entry Area
NSW	New South Wales
PA	Project Approval
PIRMP	Pollution Incident Response Management Plan
PSMP	Public Safety Management Plan
SSD	State Significant Development
SMS	Short message service
Toolbox Talk	A forum where information is presented to the crews

APPENDIX 1 – REGULATORY REQUIREMENTS

State Significant Development Consent 9526

Clause	Requirement	Section of Plan
E5	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:	
	(a) a summary of relevant background or baseline data;	**Section 3**
	(b) details of:	
	(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);	**2.1**
	(ii) any relevant limits or performance measures and criteria; and	**Section 4**
	(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;	**Section 4**
	(c) any relevant commitments or recommendations identified in the document/s listed in condition A2(c);	**Appendix 1**
	(d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;	**Section 4**
	(e) a program to monitor and report on the:	
	(i) impacts and environmental performance of the development; and	**Section 4**
	(ii) effectiveness of the management measures set out pursuant to condition E5(d);	
	(f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;	**Section 4**
	(g) a program to investigate and implement ways to improve the environmental performance of the development over time;	**Section 4**
	(h) a protocol for managing and reporting any:	
	(i) incident, non-compliance or exceedance of any impact assessment criterion or performance criterion;	**4.5 and 5.2**
	(ii) complaint; or	**4.7 and 5.2**
	(iii) failure to comply with other statutory requirements;	**4.5 and 5.2**
	(i) public sources of information and data to assist stakeholders in understanding environmental impacts of the development; and	**5.4**
	(j) a protocol for periodic review of the plan.	**5.1**
	Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*	
E6	The Applicant must ensure that management plans prepared for the development are consistent with the conditions of this consent and any EPL issued for the site.	**Appendix 1**
E7	**Revision of Strategies, Plans and Programs** Within three months of: (i) the submission of an incident report under condition E9; (ii) the submission of an Annual Review under condition E11;	**5.1**

Clause	Requirement	Section of Plan
	(iii) the submission of an Independent Environmental Audit under condition E13; (iv) the approval of any modification of the conditions of this consent (unless the conditions require otherwise); or (v) notification of a change in development phase under condition A13; The suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.	
E8	If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.	**5.1**
E9	The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including: (a) date, time and location; (b) brief description of what occurred and why it has been classified as an incident; (c) a description of what immediate steps were taken in relation to the incident; and (d) identifying a contact person for further communication regarding the incident.	**4.5**
E9A	The Applicant must provide the Department with a subsequent incident report in accordance with Appendix 7 (Incident Notification and Reporting Requirements).	**4.5**
E10	Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non- compliance. The notification must be in writing via the Department's Major Projects Website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken, and when, to address the non-compliance. Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	**4.5**
E13	Within one year of commencement of development under this consent, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must: (a) be led by a suitably qualified, experienced and independent auditor whose appointment has been endorsed by the Planning Secretary; (b) be conducted by a suitably qualified, experienced and independent team of experts (including any expert in field/s specified by the Planning Secretary) whose appointment has been endorsed by the Planning Secretary; (c) be carried out in consultation with the relevant agencies and the CCC; (d) assess the environmental performance of the development and whether	**5.3**

Clause	Requirement	Section of Plan
	it is complying with the relevant requirements in this consent, water licences and mining leases for the development (including any assessment, strategy, plan or program required under these approvals); (e) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this consent; (f) recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned approvals and this consent; and (g) be conducted and reported to the satisfaction of the Planning Secretary.	
E14	Within three months of commencing an Independent Environmental Audit, or other timeframe agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.	**5.3**
E17	Before the commencement of construction until the completion of all rehabilitation required under this consent, the Applicant must: (a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website: (i) the documents referred to in condition A2(c) of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; (v) minutes of CCC meetings; (vi) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; (vii) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (viii) a summary of the current phase and progress of the development; (ix) contact details to enquire about the development or to make a complaint; (x) a complaints register, updated monthly; (xi) the Annual Reviews of the development; (xii) audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report; (xiii) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.	**5.4**
C2	Measurement and monitoring of compliance with performance measures and performance indicators in this consent is to be undertaken using generally accepted methods that are appropriate to the environment and circumstances in which the feature or characteristic is located. These methods are to be fully described in the relevant management plans and monitoring programs. In the	**Section 4**

<table>
<tr><th>Clause</th><th>Requirement</th><th>Section of Plan</th></tr>
<tr><td></td><td>event of a dispute over the appropriateness of proposed methods, the Planning Secretary will be the final arbiter.</td><td></td></tr>
<tr><td>C5</td><td>The Applicant must ensure that the development meets the performance measures in Table 10.

Table 10: Subsidence impact performance measures – built features.
<table><tr><th>Feature</th><th>Performance Measures</th></tr><tr><td colspan="2">Key Public Infrastructure</td></tr><tr><td>• Edderton Road (including associated culverts and drainage structures)
• Electricity transmission and distribution lines, poles and towers within the Subsidence Area</td><td>• Always safe and serviceable
• Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired at the cost of the Applicant</td></tr><tr><td>• Golden Highway (including the Edderton Road intersection and the Bowmans Crossing Bridge)
• All other public infrastructure (including electricity infrastructure located outside the Subsidence Area)</td><td>• Negligible subsidence impacts
• Always safe and serviceable
• Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired at the cost of the Applicant</td></tr><tr><td colspan="2">Other Built Features</td></tr><tr><td>• Privately-owned residences
• Other privately-owned built features and improvements, including farm dams, swimming pools, tennis courts, roads, tracks and fences</td><td>• Negligible subsidence impacts
• Always safe
• Serviceability should be maintained wherever practicable
• Loss of serviceability must be fully compensated
• Damage must be fully repairable, and must be fully repaired or else replaced or fully compensated</td></tr><tr><td colspan="2">Public safety</td></tr><tr><td>• Public Safety</td><td>• Negligible additional risk.</td></tr></table>Notes:
• These performance measures apply to all mining taking place after the date of this consent.
• The Applicant is required to define more detailed performance measures in the Built Features Management Plans or Public Safety Management Plan (see condition C8).
• Requirements regarding safety or serviceability do not prevent preventative or mitigatory actions being taken prior to or during mining.
• Requirements under this condition may be met by measures undertaken in undertaken in accordance with the Coal Mine Subsidence Compensation Act 2017.</td><td>3.3</td></tr>
<tr><td>C7</td><td>The Applicant may carry out first workings within the underground mining area of the approved mine plan, other than in accordance with an approved Extraction Plan, provided that the Resources Regulator is satisfied that the first workings are designed to remain stable and non-subsiding in the long term, except insofar as they may be impacted by approved second workings.

Note: The intent of this condition is to ensure that first workings are built to geotechnical and engineering standards sufficient to ensure long term stability, with negligible direct subsidence impacts.</td><td>3.2</td></tr>
<tr><td>C8</td><td>The Applicant must prepare an Extraction Plan for all second workings on the site of the development to the satisfaction of the Planning Secretary. Each Extraction Plan must:

(a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;

(b) be prepared in consultation with the Resources Regulator, DPE Water and SANSW;

(c) include detailed plans of existing and proposed first and second workings and overlying surface features, including any applicable adaptive management measures;</td><td>2.3

2.3

Extraction Plan

Extraction Plan</td></tr>
</table>

Clause	Requirement	Section of Plan
	(d) include adequate consideration of mine roof and floor conditions, pillar width to height ratio, final pillar design dimensions and the long-term stability of pillars which has been undertaken in consultation with the Resources Regulator; (e) provide revised predictions of the potential subsidence effects, subsidence impacts and environmental consequences of the proposed mining covered by the Extraction Plan, incorporating any relevant information obtained since this consent; (f) describe in detail the performance indicators to be implemented to ensure compliance with the performance measures in Table 9 and Table 10, and manage or remediate any impacts and/or environmental consequences to meet the rehabilitation objectives in condition B76; (g) include a: …(vii) Public Safety Management Plan which has been prepared in consultation with the Resources Regulator, which ensures public safety and manages access on the site;	**Extraction Plan** **Extraction Plan** **This PSMP**
C9	The Applicant must not undertake second workings until the relevant Extraction Plan is approved by the Planning Secretary.	**1.2**
C10	The Applicant must implement the Extraction Plan as approved by the Planning Secretary.	**1.2**
C13	The Applicant must pay all reasonable costs incurred by the Department to engage a suitably qualified, experienced and independent person/s to review the adequacy of any aspect of an Extraction Plan.	**2.3**

APPENDIX 2 – MAXWELL EIS AND SUPPORTING DOCUMENT COMMITMENTS

<table>
<tr><th>Source</th><th>Details</th><th>Reference</th></tr>
<tr><td>EIS Section 6.3.4</td><td>
Table 6-4
Summary of Potential Subsidence Consequences
<table>
<tr><th>Surface Feature</th><th>Potential Subsidence Consequence</th></tr>
<tr><td>Hunter River and Saddlers Creek</td><td>Negligible environmental consequences (i.e. negligible diversion of flows or changes in the natural drainage behaviour of pools).</td></tr>
<tr><td>Groundwater</td><td>Minimal impact to bores in 'highly productive' aquifers.</td></tr>
<tr><td>BSAL</td><td>Negligible long-term or permanent impacts on agricultural productivity of BSAL (i.e. negligible impacts on soil fertility, effective rooting depth or soil drainage).</td></tr>
<tr><td>Cliffs</td><td>There are no cliffs within the extent of conventional subsidence.</td></tr>
<tr><td>Steep slopes</td><td>Minor environmental consequences (e.g. potential tension cracks or compression ridges).</td></tr>
<tr><td>Threatened species, threatened populations, or threatened ecological communities</td><td>Minor subsidence impacts, such as cracking of the land surface.
No significant environmental consequences to threatened species, threatened populations or threatened ecological communities.</td></tr>
<tr><td>Aboriginal heritage sites</td><td>Potential for disturbance of some open artefact sites as a result of surface cracking and/or subsidence remediation.</td></tr>
<tr><td>Buildings or structures of heritage significance</td><td>There are no items listed on local, regional, State or national historic registers within the extent of conventional subsidence.</td></tr>
<tr><td>Public roads</td><td>The Golden Highway and Edderton Road would remain safe and serviceable.</td></tr>
<tr><td>Power lines</td><td>Always safe. Serviceability would be maintained through the use of preventative measures (e.g. installation of guy ropes for power poles) or relocation of the power line.</td></tr>
<tr><td>Plashett Reservoir</td><td>Always safe and serviceable.</td></tr>
<tr><td>Houses and industrial premises</td><td>There are no houses or industrial premises within the extent of conventional subsidence.</td></tr>
<tr><td>Public safety</td><td>Negligible additional risk.</td></tr>
</table>
</td><td>3.3</td></tr>
<tr><td>EIS Section 6.3.5</td><td>Extraction Plans for the Project would include the following key component documents:
…Public Safety Management Plan…</td><td>This PSMP</td></tr>
</table>

APPENDIX 3 – PLANNING SECRETARY ENDORSEMENT

Department of Planning and Environment

Our ref: SSD-9526-PA-104

Donna McLaughlin
HSEC Manager
Maxwell Ventures (Management) Pty Ltd
Thomas Mitchell Drive
Muswellbrook NSW 2333

10/08/2023

Subject: Appointment of Suitably Qualified and Experienced Persons

Dear Ms McLaughlin

I refer to your request dated 4 August 2023 seeking the Planning Secretary's endorsement of the following persons as suitably qualified and experienced under Condition C8 of Schedule 2 of SSD-9526:

- Dr James Barbato (subsidence expert);
- Mr Greg Roads (surface water expert);
- Dr Noel Merrick (groundwater expert);
- Dr Colin Driscoll (biodiversity expert);
- Mr Geordie Oakes (Aboriginal cultural heritage expert);
- Mr Josh Peters (overall preparation and review of the Extraction Plan); and
- Ms Donna McLaughlin, Mr James Johnson, Mr Shane Pegg, Mr Tim Britten and Mr Peter Sergeant, Maxwell Mine personnel, would also be involved in the preparation of the Extraction Plan.

The Department has reviewed the nominations and information you have provided and is satisfied that the above persons are suitably qualified and experienced. Accordingly, I can advise that the Planning Secretary endorses the appointment of these persons to prepare the Extraction Plan for the Whynot Seam Panels 1 to 4 of the Maxwell Underground Coal Mine Project.

If you wish to discuss the matter further, please contact Joe Fittell on (02) 4908 8696.

Yours sincerely

Stephen O'Donoghue
Director
Resource Assessments

As nominee of the Planning Secretary

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150 www.dpie.nsw.gov.au 1
Locked Bag 5022, Parramatta NSW 2124

APPENDIX 4 – CONSULTATION

Raised By	Consultation Feedback	Outcome
Resources Regulator NSW	*The Resources Regulator has reviewed the request and based on the review of the document, the Resources Regulator advises that it has no specific comments regarding mine safety or mine rehabilitation matters in relation to the proposals.*	Noted.

APPENDIX 5 – PLANNING SECRETARY APPROVAL

Department of Planning, Housing and Infrastructure

Our ref: SSD-9526-PA-184

Alex Newton
Environmental Coordinator
Maxwell Ventures (Management) Pty Ltd
Via Major Projects Portal

25/02/2026

Subject: Update to Whynot Extraction Plan Panels 2 to 5 – Modification 3

Dear Mr Newton

I refer to the Whynot Extraction Plan which was updated following SSD-9526-Mod-3 as required by condition E7 of Schedule 2 of the consent for the Maxwell Underground Coal Mine Project (SSD-9526). The Department notes the updates are minor and administrative.

Accordingly, as nominee of the Planning Secretary, I approve the Whynot Panels 2 to 5 Extraction Plan (December 2025). The Department notes the Biodiversity Management Plan, Heritage Management Plan and Water Management Plan have been submitted separately to the Major Projects Portal for approval.

You are reminded that if there are any inconsistencies between the Plan and the conditions of approval, the conditions prevail.

Please ensure you make the document publicly available on the project website at the earliest convenience.

If you wish to discuss the matter further, please contact Jack Turner on 9995 5387.

Yours sincerely

Stephen O'Donoghue
Director
Resource Assessments

As nominee of the Planning Secretary

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