NSW GOVERNMENT

Resources Regulator

ARR0001687

MAXWELL UNDERGROUND COAL MINE ANNUAL REHABILITATION REPORT

Wednesday 1 January 2025 to Wednesday 31 December 2025

Summary table

Detail	
Mine	Maxwell Underground Coal Mine
Reference	ARR0001687
Annual report period commencement date	Wednesday 1 January 2025
Annual report period end date	Wednesday 31 December 2025
Forward program	FWP0001587
Mining leases	CL 395 (1973), ML 1820 (1992), ML 1531 (1992), CL 229 (1973), ML 1822 (1992)
Lease holder(s)	Maxwell Ventures (Management) Pty Ltd
Contact	Donna Tiananga
Date of submission	Thursday 26 March 2026
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Important

The department may make the information in your program and any supporting information available for inspection by members of the public, including by publication on its website or by displaying the information at any of its offices. If you consider any part of your program to be confidential, please communicate this to the department via the message function on this submission within the Resources Regulator Portal.

Mine Details

Project description

Maxwell Ventures (Management) Pty Ltd, a wholly owned subsidiary of Malabar Resources Limited owns and operates the Maxwell UG Mine. The site is located in the Upper Hunter Valley of NSW, south-southwest of Muswellbrook and is approved to extract a maximum of 8Mt of ROM coal per year over a period of 26 years. Development Consent (SSD9526) for the site was originally granted on 22 December 2020. The site consists of an underground area comprising the area of underground mining and the 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, CHPP, train load-out facilities and rail loop, Antiene rail spur and other infrastructure and services; and a transport and services corridor between the MEA and Maxwell Infrastructure comprising the site access road, an overland conveyor, power supply and other ancillary infrastructure and services.

Life of mine

21 years

Current development consents, leases and licences

Development consents granted under the *Environmental Planning and Assessment Act 1979*

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Authorisations covering the mining area granted under the *Mining Act 1992*

CL 395 (1973), ML 1820 (1992), ML 1531 (1992), CL 229 (1973), ML 1822 (1992)

Any other approvals, licences, or authorities issued by government agencies that are relevant to the progress of mining operation and rehabilitation activities

EPBC 2018/8287 DA 106-04-00 EPL1323

Summary of the scope and/or purpose of the new applications or modifications to existing approvals (if applicable)

SSD9526 was modified during the reporting period as part of the Joint Tailings and Rejects Management Project, with neighbouring Mt Arthur Coal (MAC) Mine. The modification included: • Construction and use of an aboveground tailings transfer pipeline (from MAC) and across land previously disturbed by the Drayton Open Cut Mine to the Maxwell East Void. • Construction and use of an aboveground return water pipeline adjacent to the Maxwell East Void tailings transfer pipeline (to return water to MAC). • Construction and use of an aboveground tailings and coarse rejects transfer pipeline from the Maxwell Underground Mine coal handling and preparation plant to the Maxwell North Void. • Receipt of approximately 5.7 Mt of tailings (up to a maximum of 6.6 Mt) from MAC and storage within the Maxwell East Void. • Deposition of tailings and coarse rejects in the Maxwell North Void.

Changes to land ownership and land use

No changes during the reporting period.

Surface disturbance and rehabilitation activities during the reporting period

Surface disturbance and rehabilitation activities that were conducted and an analysis of the progress against the rehabilitation schedule

During the reporting period, an extension of the ROM pad for the development of UG operations resulted in a 4.1ha reduction to the total mine rehabilitation area. No new disturbance occurred. Rock material removed from UG and during the construction of the reclaim tunnel was reused as construction fill at the MEA (reported as rock/overburden). Construction continued during the reporting period including the following key activities: * Finalisation of the installation of the upcast ventilation shaft; * Construction of the Woodland underground drift conveyor system; * Ongoing installation of the water treatment plant to technical completion; * Ongoing construction of the mine overland conveyor system; * Commencement of earthworks for the installation of the MEA temporary conveyor system and reclaim tunnel; and * Construction and installation of the mine water reticulation system. Maintenance activities also continued during the reporting period including: * Maintenance of the permanent access road, * Maintenance of existing LV access tracks for access to infrastructure and voids * Ongoing routine inspections and maintenance of the CHPP, TLO and Antiene Rail Line. An additional 1.8ha of woodland rehabilitation was established along the access road, adjacent to the Southern Offset Area. Approximately 3000 cubic metres of topsoil was placed on the area. These works were generally in accordance with the activities identified in the Forward Program FWP0001587.

Rehabilitation planning activities that were conducted, including any specialist studies

Progress report was provided to the Resources Regulator in July 2025 relating to NTCE011420. This included a memo from WSP who conducted a review of the as-built modifications undertaken to the drains. On 23 July 2025, a TAP was conducted at the Maxwell UG Mine. An action plan was developed to address the recommendations. A copy of the action plan is attached to this ARR. Topsoil samples were collected 12 monitoring sites and analysed in accordance with the RMP. The pasture rehabilitation topsoil analysis indicates that

results are generally in line with indicative guidelines and reference sites. The calcium-magnesium ratio was slightly low, the carbon-nitrogen ratio was slightly high and the micronutrient levels are high however, these results are unlikely to restrict the growth of vegetation and are similar to previous year's results. The vegetation at these sites is in good condition with no evidence of impact from soil quality and no erosion recorded. The woodland rehabilitation sites were generally in line with indicative guidelines, with slightly low organic matter, low calcium/magnesium ratio and slightly elevated sulfur levels. It was identified that the alkaline soils may be contributing to the slow growth of tree and shrub vegetation due to less availability of micronutrients to plants in alkaline soils. Increased organic matter over time and water cycling will neutralise the acidity of the soil.

Overview of subsidence repair and/or remediation works undertaken

First workings in the Whynot Seam continued during the reporting period. Development (i.e. first workings) of the Woodlands Hill seam commenced in January 2025 and continued during the reporting period. All first workings are designed to remain stable for the life of the mine. Therefore, no subsidence repair or remediation works were undertaken during the annual reporting period.

Overview of rehabilitation management and maintenance activities

Two tree planting programs were undertaken during autumn and spring. The programs targeted a total of 11 ha of existing mine rehabilitation within the conceptual woodland corridor. Species consistent with the Spotted Gum Ironbark Woodland, Red Gum Woodland and Yellow Box Woodland vegetation communities were planted. A total of 11,000 plants were installed using a growth promoting compound and a browsing deterrent applied directly to the plants to reduce impact of herbivores on plant success. Plants were watered at the time of planting and follow up watering occurred for several weeks following. Some bare areas of pasture rehabilitation were reseeded with a pasture mix during the reporting period with progress to be monitored during the next reporting period. Weed management activities were undertaken during the reporting period targeting areas of high infestations of weeds of national significance. Pest animals recorded in 2025 include hare, pig, eastern grey kangaroo, wild dog and European fox. Total pest animal numbers culled included 100 pigs, 45 rabbits/hares, two cats, one dog and one fox. A total of 24 eastern grey kangaroos were culled due to over-grazing and creation of dust beds under trees and shrubs being recorded in the rehabilitation areas. A total of 132 baits were laid during the Autumn 2024 baiting program, with 23 per cent taken by target species. A total of 132 baits were laid during

the Spring program, with 18 per cent taken by target species.

Details of any rehabilitation actions taken as required by any letters, notices or directions issued by government agencies, including the Resources Regulator

Following on from last years ARR, a PIP (focussed on whether rehabilitation is occurring as soon as reasonably practicable) was undertaken in October 2024. On 25 March 2025, Maxwell received the assessment finding letter. A follow up meeting was held with the Resources Regulator on 10 April 2025 to discuss the outcomes of the letter. Maxwell received an email 30 April 2025 requesting additional information on how spontaneous combustion is managed. The additional information was supplied to the Resources Regulator on 11 August 2025. On 7 July 2025, Maxwell provided a Progress Report relating to NTCE011420. The Progress Report confirmed actions/measures identified in the Assessment Report and improvements outlined in the 2024 Progress Report had been completed. On 23 July 2025, a TAP was conducted at the Maxwell UG Mine (focused on how revegetation is being undertaken to achieve sustainable rehabilitation outcomes). A letter was provided to Maxwell on 10 October 2025 detailing the findings of the TAP. An action plan was developed to address the recommendations and provided to the Resources Regulator on 4 December 2025. A copy of the action plan is attached to this ARR.

Details of any rehabilitation areas that have achieved the final land use

All areas of rehabilitation are currently within the ecosystem and land use establishment phase. This phase incorporates revegetated lands and habitat augmentation, focusing on species selection, presence and growth, together with weed and pest animal management. Whilst the rehabilitation is progressing, no areas of rehabilitation have been formally signed off as meeting the land use objectives and completion criteria.

Key production milestones

MATERIAL	UNIT	FWP0001587 YEAR1	THIS REPORT
Stripped topsoil (if applicable)	(m^3)	20,000	0
Rock/overburden	(m^3)	15,000	85,000
Ore	(Mt)	1.18	0.76
Reject material[1]	(Mt)	0.17	0.31
Product	(Mt)	0.71	0.42

[1]This includes coarse rejects, tailings and any other wastes resulting from beneficiation.

Disturbance and rehabilitation statistics

Current disturbance and rehabilitation progression

	ELEMENT	UNIT	THIS REPORT
A1	Total disturbance footprint - surface disturbance	(ha)	1,650.2
B	Total active disturbance	(ha)	813.85
C	Rehabilitation - land preparation	(ha)	0
D	Ecosystem and land use establishment	(ha)	836.35
E	Ecosystem and land use development	(ha)	0
F	Rehabilitation completion	(ha)	0

Rehabilitation key performance indicators (KPIs)

	ELEMENT	UNIT	THIS REPORT
G	New disturbance area	(ha)	0
H	New rehabilitation commenced during annual reporting period	(ha)	0
I	Established rehabilitation	(ha)	0
J	Annual rehabilitation to disturbance ratio	%	
K	Rehabilitated land to total mine footprint	%	0

Progressive achievement of established rehabilitation

	ELEMENT	UNIT	THIS REPORT
L	Established rehabilitation for agricultural final land uses	%	0
M	Established rehabilitation for native ecosystem final land uses	%	0
N	Established rehabilitation for other/non-vegetated final land uses	%	0

Variation to the rehabilitation schedule

Identify the components of the most recent forward program that were not achieved

No new areas of rehabilitation were forecast in the Forward Program. Rehabilitation activities forecast were primarily focused on enhancing existing areas of rehabilitation. Maxwell's overall disturbance was less than forecast. These works were generally in accordance with the activities identified in the Forward Program FWP0001587.

Key factors that delayed progressive rehabilitation

NIL

Outline actions that will be included in the forward program and carried out to minimise disturbance and undertake progressive rehabilitation as far as reasonably practical

NIL

Rehabilitation monitoring and research findings

Rehabilitation monitoring

The rehabilitation monitoring carried out in the annual reporting period

The monitoring program includes topsoil analysis, land and soil capability assessment, feed sample analysis, landform stability monitoring, post rainfall inspections, spontaneous combustion inspections, walkover inspections and flora and fauna monitoring. Flora monitoring was undertaken at 13 sites including reference and representative rehabilitation sites (six woodland rehabilitation sites and four pasture rehabilitation sites) and three reference sites established in remnant woodland vegetation (i.e. not disturbed by mining). BAM vegetation sampling was used, which allows for direct comparison of results to the Bionet Vegetation Information System database. BAM determines scores based on Compositional, Structural and Functional attributes values for each site entered into the online BAM Calculator. The calculator references the data against the target Plant Community Type (PCT) and provides a Vegetation Integrity Score which indicates the difference between the sites attribute scores with those of the target PCT. A score of 100 for an Integrity Score indicates that a site has achieved the benchmark conditions determined for the target PCT. Fauna monitoring was undertaken at two reference sites and one rehabilitation site. Currently, fauna monitoring is undertaken at rehabilitation site 10d. Methods undertaken include: * Diurnal Bird Survey * Herpetological Survey * Nocturnal Survey * Remote Camera Survey * Micro-bat Echolocation Recording * Pest Animal Monitoring An annual rapid walkover inspection was undertaken at each rehabilitation monitoring site. For each site, a review of recent aerial photography was undertaken to assist in targeting areas for the on-ground walkover inspection. The aerial photography review targets vegetation cover, erosion and sediment control and any potential impacts to the rehabilitation. The on-ground assessment targets general health of the vegetation, establishment of target species, weed cover, impacts from pest animals and erosion and sediment control. Topsoil sampling was undertaken at the 13 flora monitoring sites. Topsoil samples were taken at ten metre intervals along the 50 m plot transect line of each monitoring sites, resulting in five samples per site. An agricultural soil analysis was undertaken by EAL (Southern Cross University). Along with regular inspections conducted as part of

the general site activities, formal monthly spontaneous combustion inspections were undertaken. A thermal imaging camera is utilised to assist the identification of areas where ground surface temperatures are above background levels. In addition, an annual aerial survey using a fixed wing aircraft fitted with infrared detection was used to identify the presence of hot spots on a site-wide basis.

Status of performance against rehabilitation objectives and rehabilitation completion criteria

The monitoring program that has been implemented

Rehabilitation objectives for the site are provided in the RMP and describe the outcomes required to achieve the post-mining land use. The rehabilitation objectives are consistent with the rehabilitation objectives outlined in Schedule 2, Condition B76 of SSD 9526 and apply to the entire site. Maxwell received feedback from the Resources Regulator in July 2024 on the Final Landform and Rehabilitation Plan (FLRP) and Rehabilitation Objectives Statement (ROBJ) for the Maxwell UG Mine. Following further discussions with the Resources Regulator, Maxwell amended the FLRP and ROBJ and these were approved in November 2024. During the TAP, in July 2025, the Resources Regulator recommended the development of completion criteria to confirm the performance indices and associated benchmark to be achieved for rehabilitation across the mine. This recommendation was included in the associated action plan, noting that Maxwell recognises the benefit in developing the completion criteria early on and commits to working with the Resources Regulator over the next 12 months to develop draft completion criteria (noting this timing is indicative only as the process for developing completion criteria may take some time due to additional research, monitoring and stakeholder consultation, as required). Once completion criteria are developed, a review of phase progression will be undertaken.

Are all rehabilitation areas in Landform Establishment phase or higher represented in the monitoring program to assess performance against the rehabilitation objectives and approved or, if not yet approved rehabilitation completion criteria and final landform and rehabilitation plan?

Yes

Year rehabilitation areas will be included as part of the monitoring program

An appraisal of whether rehabilitation is moving towards achieving the proposed rehabilitation objectives, approved or, if not yet approved, rehabilitation completion criteria and final landform and rehabilitation plan as soon as reasonably practicable.

The pasture rehabilitation areas are progressing well towards a sustainable agricultural area. Removal of livestock from the area is resulting in a dominance of single species in some areas however this is likely to reduce once grazing commences. The woodland rehabilitation sites monitored during the reporting period are slowly progressing towards target vegetation types with significant improvements in function score for all rehabilitation sites. Poor cover of native groundcover vegetation and slow development of native structure is resulting in current poor results. Current strategies to improve composition and structure include annual autumn and spring plantings and additions of native nutrient tablets for juvenile tree and shrub species.

Appraisal description

Rehabilitation is moving towards achieving the final land use as soon as reasonably practicable.

Rehabilitation monitoring program findings

Ecological monitoring was undertaken during November and December 2025. Results indicate that the woodland rehabilitation sites had a VI score from between 5 and 26, with the older sites providing a higher value due to a developing canopy and litter cover. Compared to the average score of rehabilitation sites from 2021 to 2023 of 14.6 and average score of reference sites from 2021 to 2025 of 57. The rehabilitated woodland sites showed significantly lower values to the reference sites, as expected in rehabilitation in Ecosystem Establishment Phase. Pasture rehabilitation sites are progressing well towards closure criteria. No direct impact as a result of mining activities was observed. Recommendations to continue weed and pest control were provided for woodland and pasture rehabilitation sites and grazing livestock is recommended for pasture sites. Fauna monitoring occurred at three sites (two reference sites and one rehabilitation site) to measure the occurrence of terrestrial vertebrate animals, including bird, mammal, reptile and amphibian species. A total of 67 fauna species were recorded during the 2025 monitoring program, including 41 bird species, 21 mammal species, five reptile species and two amphibian species. A total of four threatened species were recorded. Comparison of the

average number of fauna species data showed a general stability to slight increase in fauna species abundance in 2025, with no direct impact as a result of mining activities observed.

Performance issues and their causes including identification of any knowledge gaps that must be addressed

Maxwell has taken on many legacy issues from previous mining activities, which has added to the complicated nature of rehabilitation establishment at the site. The main contributing factors for slow development of woodland rehabilitation has been the abundance of exotic perennial grass species and alkaline subsoil. The exotic pasture species are generally assisting the development of the pasture rehabilitation however the development of native species in woodland rehabilitation is being impacted. The strategy to mitigate this is to continue the autumn and spring plantings to develop a canopy cover to reduce the dominance of exotic grass species. Native groundcover species are likely to colonise naturally from the existing cover, and the additional of native groundcover, through translocation and/or seeding, will occur where required. The alkaline subsoil does not show to be impacting the pasture rehabilitation however the high alkalinity is reducing the availability of nutrients for native tree and shrub species resulting in slow growth. The strategy to mitigate this in the short term is to install targeted native nutrient tablets at each juvenile tree and shrub to assist in the availability of nutrients. In the long term, the development and decomposition of a leaf litter cover and cycling of water over several years will neutralise the pH. All sites monitored during the reporting period provided evidence of High Threat Exotic species and require continued weed control.

Outcomes of rehabilitation research and trials

RRT NUMBER	PROJECT/TRIAL NAME	OBJECTIVE OF TRIAL/PROJECT	METHODOLOGY	EXPECTED DATE OF COMPLETION	STATUS	ON TRACK?
RRT0001049	**Native Grass Trial**	A native grassland establishment trial was undertaken at the Maxwell Infrastructure site during 2013. The trial involved seeding a small area with locally collected grassland species.	The trial was monitored throughout 2013 and determined to be unsuccessful due to poor germination. The area was re-inspected during 2018 and is now showing to be dominated by native grasses, particularly Lobed Bluegrass (Bothriochloa biloba) and Queensland Bluegrass. Given the success of the trial, Queensland Bluegrass was added into the existing pasture mix during 2018 and applied to a 24 hectare parcel of land that was rehabilitated.	31 Dec 2028	Ongoing	Yes
RRT0001050	**Cattle Grazing Trial**	In November 2018, Maxwell commenced a cattle grazing trial on a parcel of pasture mine rehabilitation.	The trial involved bringing 50 head of cattle onto site to graze an area of 141 hectares, of which approximately 53 hectares was mine site rehabilitation. The trial aims to demonstrate that Maxwell can create a post mining landscape that is compatible with the surrounding landscape and capable of sustaining a productive land use. The grazing area was expanded to include two additional rehabilitation paddocks	31 Dec 2028	Ongoing	Yes

			in 2019. The trial will continue as Maxwell works towards relinquishment.			

Outcomes of completed trials and research

N/A

Attachment 1 - Reporting Definitions

REPORTING CATEGORY		DEFINITION
A1	**Total disturbance footprint - surface disturbance**	All areas within a mining lease that either have at some point in time or continue to pose a rehabilitation liability due to surface disturbance activities. The total disturbance footprint is the sum of the total active disturbance, decommissioning, landform establishment, growth medium development, ecosystem and land use establishment, ecosystem and land use development and rehabilitation completion (see definitions below). Underground mining operations should not include the footprint of underground mining areas/subsidence management areas in the total disturbance footprint.
A2	**Underground Mining Area**	Underground mining operations areas/subsidence management areas.
B	**Total active disturbance**	Includes on-lease exploration areas, stripped areas ahead of mining, infrastructure areas, water management infrastructure, sewage treatment facilities, topsoil stockpile areas, access tracks and haul roads, active mining areas, waste rock emplacements (active/unshaped/in or out-of-pit), tailings dams (active/unshaped/uncapped) and temporary stabilised areas (e.g. areas sown with temporary cover crops for dust mitigation and temporary rehabilitation).
C	**Rehabilitation - land preparation**	Includes the sum of all disturbed land within a mining lease that have commenced any, or all, of

REPORTING CATEGORY		DEFINITION
		the following phases of rehabilitation - decommissioning, landform establishment and growth medium development. Refer to the glossary of terms in this document for the definition of these phases of rehabilitation.
D	**Ecosystem and land use establishment**	Includes the area which has been seeded/planted with the target vegetation species for the intended final land use. However, vegetation has not matured to a stage where it can be demonstrated that it will be sustainable for the long term and or require only a maintenance regime consistent with target reference/analogue sites. Typically, rehabilitation areas would be in this phase for at least two years (and usually more) before rehabilitation can be classified as being in the ecosystem and land use development phase. This phase does not apply to infrastructure areas that are being retained as part of final land use for the site.
E	**Ecosystem and Land Use Development**	Rehabilitation has matured to a level where target revegetation outcomes are on a trajectory towards meeting the final rehabilitation objectives and rehabilitation completion criteria (as verified by monitoring). This phase includes infrastructure areas that are to be retained for an approved post mining land use, following completion of all necessary measures to render the infrastructure fit for this purpose (for example structural integrity).

REPORTING CATEGORY		DEFINITION
F	**Rehabilitation Completion**	The Resources Regulator has determined in writing that the mining area has achieved the approved rehabilitation objectives and approved rehabilitation completion criteria and final landform and rehabilitation plan following the submission of Form: *Rehabilitation completion and/or review of rehabilitation cost estimate and/or notification of mine or petroleum site closure.*
G	**New active disturbance area**	The area of any new active disturbance that has been created during the annual reporting period (definition A1 in Table 5).
H	**New rehabilitation commenced during annual reporting period**	The sum of any new rehabilitation commenced in the annual reporting period. These areas may be in the rehabilitation land preparation phase or the ecosystem & land use establishment phase (definitions C and D in Table 5).
I	**Established rehabilitation (hectares)**	The total area of land that is verified to be within either the ecosystem and land use development phase or the rehabilitation completion phase (definitions E & F in Table 5).
J	**Annual rehabilitation to disturbance ratio**	The rehabilitation to disturbance ratio (H/G) indicates how many hectares of new rehabilitation are undertaken for each hectare of land disturbed during the year. A ratio of 1/1 indicates that the area of new rehabilitation and disturbance in that year are the same.
K	**% Rehabilitated land to total mine footprint**	The proportion of the total mine footprint (area of land that has been disturbed by past or present surface disturbance activities) that has established rehabilitation (I/A1 x 100). For open cut mining, the proportion of the total mine footprint verified to be "established rehabilitation" should substantially increase as an operation progresses towards mine closure.

REPORTING CATEGORY		DEFINITION
L	**Established rehabilitation for agricultural final land uses (hectares)**	The percentage of total area of land that is verified to be within either the ecosystem and land use development phase or the rehabilitation completion phase (definitions E & F in Table 5) that have been returned to an agricultural final land use.
M	**Established rehabilitation for native ecosystem final land uses (hectares)**	The percentage of total area of land that is verified to be within either the ecosystem and land use development phase or rehabilitation completion phase (definitions E & F in Table 5) that have been returned to native ecosystem final land use.
N	**Established rehabilitation for other/non-vegetated final land uses (hectares)**	The percentage of total area of land that is verified to be within either the ecosystem and land use development phase or the rehabilitation completion phase (definitions E & F in Table 5) that have been returned to other/non-vegetated final land use.

Attachment 2 - Definitions

WORD	DEFINITION
Active	In the context of rehabilitation, land associated with mining domains is considered 'active' for the period following disturbance until the commencement of rehabilitation.
Active mining phase of rehabilitation	In the context of rehabilitation, the active mining phase of rehabilitation constitutes the rehabilitation activities undertaken during mining operations such as salvaging and managing soil resources, salvaging habitat resources, and native seed collection. This phase also includes management actions taken during operations to manage risks to rehabilitation and enhance rehabilitation outcomes such as selective handling of waste rock and management of tailings emplacements.
Analogue site	In the context of rehabilitation, an analogue site is a 'reference site' that represents an example of the defining characteristics (such as vegetation composition and structure or agricultural productivity) of the final land use. Characteristics of analogue sites can be assessed to develop the rehabilitation objectives and completion criteria for final land use domains.
Annual rehabilitation report and forward program	As described in the Mining Regulation 2016.
Annual reporting period	As defined in the Mining Regulation 2016.
Closure	A whole-of-mine-life process, which typically culminates in the relinquishment of the mining lease. It includes decommissioning and rehabilitation to achieve the approved final land use(s).

WORD	DEFINITION
Decommissioning	The process of removing mining infrastructure and removing contaminants and hazardous materials.
Decommissioning Phase of Rehabilitation	Activities associated with the removal of mining infrastructure and removal and/or remediation of contaminants and hazardous materials. In the context of the rehabilitation management plan this phase of rehabilitation may also include studies and assessments associated with decommissioning and demolition of infrastructure or works carried out to make safe or 'fit for purpose' built infrastructure to be retained for future use(s) following lease relinquishment.
Department	Department of Primary Industries and Regional Development.
Disturbance	See Surface Disturbance.
Disturbance area	An area that has been disturbed and that requires rehabilitation. This may include areas such as on-licence exploration areas, stripped areas ahead of mining, infrastructure areas, water management infrastructure, sewage treatment facilities, topsoil stockpile areas, access tracks and haul roads, active mining areas, waste emplacements (active/unshaped/in or out-of-pit), tailings dams (active/unshaped/uncapped), and areas requiring rehabilitation that are temporarily stabilised (i.e. managed to minimise dust generation and/or erosion).
Domain	An area (or areas) of the land that has been disturbed by mining and has a specific operational use (mining domain) or specific final land use (final land use domain). Land within a domain typically has similar geochemical and/or geophysical characteristics and therefore requires specific rehabilitation

WORD	DEFINITION
	activities to achieve the associated final land use.
Ecosystem and Land Use Development	This phase of rehabilitation consists of the activities to manage maturing rehabilitation areas on a trajectory to achieving the approved rehabilitation objectives and completion criteria. For vegetated land uses this phase may include processes to develop characteristics of functional self-sustaining ecosystems, such as nutrient recycling, vegetation flowering and reproduction, and increasing habitat complexity, and development of a productive, self-sustaining soil profile. This phase of rehabilitation may include specific vegetation management strategies and maintenance such as tree thinning, supplementary plantings and weed management.
Ecosystem and Land Use Establishment	This phase of rehabilitation consists of the processes to establish the approved final land use following construction of the final landform. For vegetated land uses this rehabilitation phase includes establishing the desired vegetation community and implementing land management activities such as weed control. This phase of rehabilitation may also include habitat augmentation such as installation of nest boxes.
Exploration	Has the same meaning as that term under the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.
Final landform and rehabilitation plan	As defined in the Mining Regulation 2016.

WORD	DEFINITION
Final land use	As defined in the Mining Regulation 2016.
Form and way	Means the form and way approved by the Secretary. Approved form and way documents are available on the department's website.
Growth Medium Development	This phase of rehabilitation consists of activities required to establish the physical, chemical and biological components of the substrate required to establish the desired vegetation community (including short lived pioneer species). This phase may include spreading the prepared landform with topsoil and/or subsoil and/or soil substitutes, applying soil ameliorants to enhance the physical, chemical and biological characteristics of the growth media, and actions to minimise loss of growth media due to erosion.
Habitat	Has the same meaning as that term under the Biodiversity Conservation Act 2016 and the Fisheries Management Act 1994 (as relevant).
Indicator	An attribute of the biophysical environment (e.g. pH, topsoil depth, biomass) that can be used to approximate the progression of a biophysical process. It can be measured and audited to demonstrate (and track) the progress of an aspect of rehabilitation towards a desired completion criterion (i.e. defined end point). It may be aligned to an established protocol and used to evaluate changes in a system.
Land	As defined in the Mining Act 1992.

WORD	DEFINITION
Landform Establishment	This phase of rehabilitation consists of the processes and activities required to construct the final landform. In addition to profiling the surface of rehabilitation areas to the approved final landform profile this phase may include works to construct surface water drainage features, encapsulate problematic materials such as tailings, and prepare a substrate with the desired physical and chemical characteristics (e.g. rock raking or ameliorating sodic materials).
Large mine	As defined in the Mining Regulation 2016.
Lease holder	The holder of a mining lease.
Life of mine	The timeframe of how long a mine is approved to mine, from commencement to closure.
Mine rehabilitation portal	Means the Resources Regulator's online portal that lease holders must use (via a registered account) to: ▪ upload rehabilitation geographical information system (GIS) spatial data ▪ develop rehabilitation GIS spatial data (using online tracing functions) ▪ generate rehabilitation plans and rehabilitation statistics using the map viewer and Rehabilitation Key Performance Indicator functionalities. Data submitted to the mine rehabilitation portal is collated in a centralised geodatabase for use by

WORD	DEFINITION
	the Resources Regulator to regulate rehabilitation performance of lease holders.
Mining area	As defined in the Mining Act 1992.
Mining domain	A land management unit with a discrete operational function (e.g. overburden emplacement), and therefore similar geophysical characteristics, that will require specific rehabilitation treatments to achieve the final land use(s).
Mining land	As defined in the Mining Act 1992.
Native vegetation	Has the same meaning as that term under section 60B of the Local Land Services Act 2013.
Overburden	Material overlying coal or a mineral deposit.
Performance indicator	An attribute of the biophysical environment (for example pH, slope, topsoil depth, biomass) that can be used to demonstrate achievement of a rehabilitation objective. It can be measured and audited to demonstrate (and track) the progress of an aspect of rehabilitation towards a desired completion criterion, that is, a defined end point. It may be aligned to an established protocol and used to evaluate changes in a system.
Phases of rehabilitation	The stages and sequences of actions required to rehabilitate disturbed land to achieve the final land use. The phases of rehabilitation are:

WORD	DEFINITION
	▪ active mining ▪ decommissioning ▪ landform Establishment ▪ growth medium development ▪ landform Establishment ▪ ecosystem and land use establishment ▪ ecosystem and land use development
Progressive rehabilitation	The progress of rehabilitation towards achieving the approved rehabilitation completion criteria. This may be described in terms of domains, phases, performance indicators and rehabilitation completion criteria.
Rehabilitation Completion	The final phase of rehabilitation when a rehabilitation area has achieved the approved rehabilitation objectives and rehabilitation completion criteria for the final land use. Rehabilitation areas may be classified as complete when the Resources Regulator has determined in writing that the relevant rehabilitation obligations have been fulfilled following submission of *Form ESF2 Rehabilitation completion and/or review of rehabilitation cost estimate application* by the lease holder.
Rehabilitation Completion criteria	As defined in the Mining Regulation 2016.
Rehabilitation cost estimate	As defined in the Mining Regulation 2016.

WORD	DEFINITION
Rehabilitation management plan	As defined in the Mining Regulation 2016.
Rehabilitation objectives	As defined in the Mining Regulation 2016.
Rehabilitation risk assessment	As defined in the Mining Regulation 2016.
Rehabilitation schedule	The defined timeframes for progressive rehabilitation set out in the forward program.
Relevant stakeholders	Means any persons or bodies who may be affected by the mining operations, including rehabilitation, carried out on the lease land, and includes: ▪ the relevant development consent authority ▪ the local council ▪ the relevant landholder(s) ▪ community consultative committee (if required under the development consent) or equivalent consultative group ▪ affected land holder(s) ▪ government agencies relevant to the final land use ▪ affected infrastructure authorities (electricity, telecommunications, water, pipeline, road, rail authorities) ▪ local Aboriginal communities, and ▪ any other person or body determined by the Minister to be a relevant stakeholder in relation to

WORD	DEFINITION
	a mining lease.
Risk	The effect of uncertainty on objectives. It is measured in terms of consequences and likelihood (AS/NZS ISO 31000:2009).
Secretary	The Secretary of the department.
Security deposit	An amount that a mining lease holder is required to provide and maintain under a mining lease condition, to secure funding for the fulfilment of obligations under the lease (including obligations that may arise in the future).
Surface disturbance	Includes activities that disturb the surface of the mining area, including mining operations, ancillary mining activities and exploration.
Tailings	A combination of the fine-grained solid material remaining after the recoverable metals and minerals have been extracted from the mined ore, and any process water[2].
Waste	Has the same meaning as that term under the *Protection of the Environment Operations Act 1997*.

[2]Commonwealth of Australia (DITR), 2007. Tailings Management.

Attachment 3 - Rehabilitation Complaints

DATE	COMPLAINANT	COMPLAINT DETAILS	RESPONSE DETAILS	STATUS OF RESPONSE	DATE RESPONSE COMPLETED (IF APPLICABLE)

Attachment 4 - Stakeholder consultation

DATE	STAKEHOLDER	CONSULTATION ACTIVITIES AND FORMS	MATTERS SUBJECT TO CONSULTATION	ACTIONS TAKEN
27 Aug 2025	Department of Planning, Housing and Infrastructure	Site inspection	Site inspection of construction activities, surface operations, rehabilitation and the Maxwell Solar Farm area.	No actions identified.
18 Nov 2025	Department of Planning, Housing and Infrastructure	Site inspection	Site inspection of construction activities, UG operations and rehabilitation.	No actions identified.
4 Jun 2025	Department of Climate Change, Energy, the Environment and Water (Federal)	Compliance audit	Audit of all conditions including protection of water resources and listed threatened species and communities.	Maxwell provided a response to the draft audit findings. The audit report was finalised and is available on the Malabar Resources website.
22 Dec 2022	Resources Regulator	Section 240 Notice - NTCE0011420	Maxwell was issued with a notice under Section 240 of the Mining Act 1992 to engage a suitably qualified expert to undertake an assessment that sets out the design of modifications to the rehabilitated landform and surface water management structures on the rehabilitated landform to address the instability and erosion risks. The notice also included further directions	An Assessment Report to address Direction 1 of the Section 240 Notice was submitted to the Resource Regulators in May 2023. The rehabilitation risk assessment was reviewed and the RMP and Forward Program were updated, and a rehabilitation report was prepared (to address Directions 2, 3, 4 and 5 respectively). Remedial works were undertaken to erosion scours and rock

			to conduct a risk assessment, prepare a rehabilitation management plan, forward program and rehabilitation report.	structures.
17 Feb 2023	DPIE Water	Consultation on the preparation of the Maxwell UG Mine Rehabilitation Strategy.	A letter dated 17th February 2023 was provided to Maxwell with feedback on the draft Rehabilitation Strategy. A copy of the feedback can be found in Appendix 3 of the Rehabilitation Strategy.	The draft Rehabilitation Strategy was updated based on the feedback received.
20 Feb 2023	Resources Regulator	Consultation on the preparation of the Maxwell UG Mine Rehabilitation Strategy.	A letter dated 20th February 2023 was provided to Maxwell with feedback on the draft Rehabilitation Strategy. A copy of the feedback can be found in Appendix 3 of the Rehabilitation Strategy.	The draft Rehabilitation Strategy was updated based on the feedback received.
15 Jun 2022	Maxwell CCC	Quarterly CCC meetings held on 15 June 2022, 14 September 2022 and 7 December 2022.	Update on rehabilitation and land management activities undertaken on site provided to the Maxwell CCC on a quarterly basis. This includes tree planning within the woodland corridor, weed spraying and feral animal management.	No actions identified.
14 Mar 2023	Resources Regulator	Feedback on Rehabilitation Objectives Statement and Final Landform and Rehabilitation Plan.	Feedback on Rehabilitation Objectives Statement and Final Landform and Rehabilitation Plan.	Rehabilitation Objectives Statement were updated and submitted in April 2023. GIS data was updated in the Rehabilitation Portal.

13 Mar 2023	Muswellbrook Shire Council	Consultation on the preparation of the Maxwell UG Mine Rehabilitation Strategy.	A letter dated 13th March 2023 was provided to Maxwell with feedback on the draft Rehabilitation Strategy. A copy of the feedback can be found in Appendix 3 of the Rehabilitation Strategy.	The letter was included in Appendix 3 of the Rehabilitation Strategy and changes will be addressed in subsequent versions.
29 Jul 2022	Department of Planning and Environment (DPE)	Site visit with DPE.	Update on rehabilitation, grazing trial, nest box installation and land management activities. Site inspection undertaken.	No actions identified.
6 Sep 2023	Department of Planning, Housing and Infrastructure	Meeting and site visit.	Update on construction, access road and rehabilitation and land management activities.	No actions identified.
15 Mar 2023	Maxwell CCC	Quarterly CCC meetings.	Update on rehabilitation and land management activities undertaken on site provided to the Maxwell CCC on a quarterly basis. This includes tree planning within the woodland corridor, weed spraying, feral animal management, Section 240 Notice (NTCE0011420) and associated work and updates to relevant management plans. All meeting minutes (and presentations) are available on the Malabar Resources website.	No actions identified.
4 Aug 2023	Department of Planning, Housing and Infrastructure	Meeting and site visit.	Update on construction, access road and rehabilitation and land management activities.	No actions identified.
15 Feb 2022	Muswellbrook Shire Council (MSC)	Meeting with MSC.	Update on rehabilitation, grazing trial, nest box installation and land management activities.	No actions identified.

21 Jun 2022	Department of Planning and Environment (DPE)	Site visit with DPE.	Update on rehabilitation, grazing trial, nest box installation and land management activities. Site inspection undertaken.	No actions identified.
29 Oct 2024	Resources Regulator	Planned Inspection Program (PIP).	The PIP focussed on whether rehabilitation is occurring as soon as reasonably practicable after surface disturbance, as required by clause 5 in Schedule 8A of Mining Regulation 2016.	PIP was completed and no immediate actions were identified however Maxwell are awaiting the final inspection assessment finding letter.
13 Feb 2025	Maxwell CCC	Quarterly CCC meetings held on 13 February 2025, 8 May 2025, 14 August 2025 and 13 November 2025.	Update on rehabilitation and land management activities undertaken on site provided to the Maxwell CCC on a quarterly basis. All meeting minutes and presentations are available on the Malabar Resources website.	No actions identified.
25 Mar 2025	Resources Regulator	Assessment finding letter	Assessment finding letter issued to Maxwell for the site inspection carried out on 29 October 2024.	Follow up meeting set up with the Resources Regulator for 10 April 2025. Email received by Maxwell on 30 April 2025 requesting additional information on how spontaneous combustion is managed. Additional information supplied on 11 August 2025.
8 May 2025	Maxwell CCC	Presentation	MOD 3- Joint Tailings and Rejects Management Project.	No actions identified.
12 May 2025	Muswellbrook Shire Council	Briefing letter	MOD 3- Joint Tailings and Rejects Management Project.	No actions identified.

12 May 2025	Resources Regulator	Briefing letter	MOD 3- Joint Tailings and Rejects Management Project.	No actions identified.
7 Jul 2025	Resources Regulator	Progress report	Progress report provided relating to NTCE011420.	No actions identified.
23 Jul 2025	Resources Regulator	Targeted assessment program (TAP)	The TAP focused on how revegetation is being undertaken to achieve sustainable outcomes.	Letter provided to Maxwell on 10 October 2025 detailing the findings of the TAP (LETT0010277). An action plan was developed to address the recommendations as outlined in LETT0010277 and provided to the Resources Regulator on 4 December 2025.
18 Aug 2025	Resources Regulator	Consultation on MOD3.	MOD 3- Joint Tailings and Rejects Management Project.	No actions identified.
24 Dec 2025	Department of Planning, Housing and Infrastructure	Consultation on the Maxwell UG Mine Rehabilitation Strategy.	Rehabilitation Strategy updated after MOD3.	No actions identified.

Attachment 5 - Plans

Plan 1A attachment not provided.

Plan 1B attachment not provided.