MAXWELL UNDERGROUND MINE

EPBC 2018/8287

ANNUAL COMPLIANCE REPORT 2025

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1 REPORT DETAILS

Table 1. Annual Compliance Report 2025 Details

EPBC number	2018/8287
Project Name	Maxwell Coal Mine
Approval Holder and ACN	Maxwell Ventures (Management) Pty Ltd ACN: 002 028 257
Approved Action	To develop and operate an underground mining operation and utilise the existing Maxwell Infrastructure in the upper Hunter Valley, New South Wales [See EPBC Act referral 2018/8287 and variation requests dated 14 June 2019 and 14 December 2021].
Location of the Project	Hunter Valley, NSW
Authorised Reporting Officer	Rob Hayes General Manager
Dates for the reporting period	1 January 2025 to 31 December 2025
Date of preparation of the report	12 March 2026

2 INTRODUCTION

Maxwell Ventures (Management) Pty Ltd (Maxwell), a wholly owned subsidiary of Malabar Resources Limited (Malabar) owns and operates the Maxwell Underground Mine (Maxwell UG Mine). The site is located in the Upper Hunter Valley of New South Wales, 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 seams targeted have the capacity to produce a high proportion of metallurgical coal for steel-making and other metals.

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, 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, an overland conveyor, power supply and other ancillary infrastructure and services.

This annual compliance report has been prepared to address Condition 17 of EPBC Approval 2018/8287 (as varied) issued under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) held by Maxwell.

Names and contact details of the key personnel who are responsible for environmental management at the site are provided in **Table 2** below.

Table 2. Site Contacts

Name	Role	Contact details
Rob Hayes	General Manager	(02) 6542 0283 rhayes@malabarresources.com.au
Donna Tiananga	Environment, Community and Approvals Manager	(02) 6542 0283 dtiananga@malabarresources.com.au
Alex Newton	Environment and Approvals Coordinator	(02) 6542 0283 anewton@malabarresources.com.au
Teagan Rutter	Community Officer	(02) 6542 0283 trutter@malabarresources.com.au

3 DETAILS OF CURRENT ACTIVITIES

The Maxwell UG Mine is approved to use the following underground mining methods:

- underground bord and pillar mining with partial pillar extraction in the Whynot Seam; and
- underground longwall extraction in the Woodlands Hill Seam, Arrowfield Seam and Bowfield Seam.

Substantial existing infrastructure at the Maxwell Infrastructure site is used for the handling, processing and transportation of coal. This includes the existing CHPP, train load-out facilities and other infrastructure and services including water management infrastructure, administration buildings and workshops.

Construction of the Maxwell UG Mine 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.

Construction and installation of the mine water reticulation system.
First workings in the Whynot Seam continued during the reporting period. First workings commenced in the Woodlands Hill Seam during the reporting period. Secondary workings in both seams are expected to commence during the next reporting period.

4 COMPLIANCE TABLE

In accordance with Condition 17 of EPBC Approval 2018/8287 **Table 3** provides a statement of compliance against the approval conditions (including any variations to the conditions).

Table 3. Statement of Compliance

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
Part A – Conditions specific to the action. Water Resources The objective of conditions 1 to 9 is to minimise the impacts of the action on a water resource.			
1	The approval holder must ensure there is no adverse effect on the function of a water resource as a result of the action. The approval holder must achieve and maintain the performance measures required by condition B40 and C1 of the State development consent and demonstrate, with evidence, in each compliance report, whether these performance measures have been achieved, and if so, are being maintained.	Non-Compliant	On 4 April 2025, the Department of Climate Change, Energy, the Environment and Water (Department) commenced a compliance audit of the Maxwell Underground Mine. The audit found that Maxwell was not compliant with Condition 1. As noted in the letter to the Department (dated 19 November 2025), provided in **Attachment 1**, remedial actions to address the non-compliance have been completed. Further details regarding the non-compliance as required by the Annual Compliance Report Guidelines (Guidelines) (November 2023) are included in **Table 4**.
2	For the protection of water resources, the approval holder must comply with conditions B27, B28, B35, B36, B37, B38, B39, B40, B41, B42, B43 and B44 and Part B and C1, C2, C8 and C10 of Part C of the State development consent (to the extent the conditions in Part C relate to a water resource).	Non-Compliant	On 4 April 2025, the Department commenced a compliance audit of the Maxwell Underground Mine. The audit found that Maxwell was not compliant with Condition 2. As noted in the letter to the Department (dated 19 November 2025), provided in **Attachment 1**, remedial actions to address the non-compliance have been completed. Further details

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
			regarding the non-compliance as required by the Guidelines are included in **Table 4**.
3	The approval holder must provide the Department with the final version of the Water Management Plan required by condition B42 of the State development consent within 2 business days of its approval by the NSW Planning Secretary.	Compliant	On 8 January 2025, Maxwell provided the Department (via email) with the final version of the Water Management Plan (v4) within two business days of its approval by the NSW Planning Secretary (8 January 2025). A copy of the email is provided in **Attachment 2**. A copy of v4 of the Water Management Plan is provided at **Attachment 3**. On 29 September 2025, Maxwell provided the Department (via email) with the final version of the Water Management Plan (v5) within two business days of its approval by the NSW Planning Secretary (26 September 2025). A copy of the email is provided in **Attachment 4**. A copy of v5 of the Water Management Plan is provided in **Attachment 5**.
4	The approval holder must notify the Department in writing of any proposed changes to the to the Water Management Plan within 2 business days of formally proposing such a change or becoming aware of a proposal to revise the Water Management Plan. If the NSW Planning Secretary approves a revised version of the Water Management Plan, the approval holder must provide the Department with the approved revised Water Management Plan within 2 business days of becoming aware of its approval by the NSW Planning Secretary.	Compliant	On 6 June 2025, Maxwell notified the Department (via email) of proposed changes to the Water Management Plan as triggered by the development and submission of the Woodlands Hill Longwalls 1 to 4 Extraction Plan. A copy of the email is provided in **Attachment 6**. The approved revised version of the Water Management Plan was provided to the Department within two business days of approval by the NSW Planning Secretary (see response to Condition 3 above).

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
5	In addition to the Groundwater Management Plan monitoring requirements specified in condition B42 of the State development consent, the approval holder must: a. Establish and maintain a network of groundwater monitoring bores across the Development Application Area designed to detect changes in groundwater levels. These monitoring bores must be installed prior to the commencement of the action. b. Monitor groundwater levels in each bore (required under condition 5.a.) at least once every 3-months, starting within one week from the commencement of the action and continue until the completion of the action; and c. Publish on the website all groundwater monitoring data from all bores, updated at least once every 3 months to add the most recent readings and maintain the data on the website until the completion of the action. The monitoring data must include hydrographs for all monitoring bores and explain what the data means in relation to the groundwater performance measures specified in the State development consent.	Non-Compliant	a. The Water Management Plan provides details of the network of groundwater monitoring bores across the Development Application Area which are designed to detect changes in groundwater levels. On 4 April 2025, the Department commenced a compliance audit of the Maxwell Underground Mine. The audit found that Maxwell was not compliant with Condition 5. As noted in the letter to the Department (dated 19 November 2025), provided in **Attachment 1**, two bores were installed prior to the commencement of the action and further bores were added after the commencement of the action and prior to second workings commencing in accordance with the recommended groundwater monitoring program prepared by HydroSimulations. Further details regarding the non-compliance as required by the Guidelines are included in **Table 4**. b. Groundwater levels in each bore are monitored at least once every 3 months, in accordance with the Water Management Plan. Groundwater monitoring data from all bores, updated at least once every 3 months, is published on the Malabar Resources website in the form of Quarterly Environmental Monitoring Data Reports. Reports include hydrographs for all monitoring bores and an explanation of what the data means in relation to the

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
			groundwater performance measures specified in State Significant Development Consent 9526.
6	If, at any time until the end date of this approval: a. the approval holder detects an exceedance of any performance measures (including any trigger level), specified in the approved Groundwater Management Plan or Surface Water Management Plan required by condition B42 of the State development consent; and/or b. the groundwater model, including any updated version of the groundwater model required under condition B42 of the State development consent, predicts an exceedance of the groundwater performance criteria (including trigger levels), specified in the approved Groundwater Management Plan, the approval holder must notify the Department of the exceedance within 10 business days of detecting or predicting the exceedance.	Not applicable	No exceedances of any performance measures (including trigger levels) have occurred during the reporting period.
7	If the approval holder detects or predicts an exceedance as described in condition 6, the approval holder must publish on the website an Impact Response Plan that has been peer reviewed. Each Impact Response Plan must: a. be prepared by a suitably qualified water resources expert;	Not applicable	Not applicable

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
	b. describe all potential and actual impacts to water resources arising from the exceedance; c. include conceptual modelling, as well as a review of all historical monitoring data to determine the stress or response relationships for any potential GDEs and consideration of potential contributing activities; d. include local scale numerical modelling with consideration of potential contributing activities; e. derive a scientifically-robust rectification strategy based on multiple lines of evidence and field data to support the assessment of the environmental value of water resources (including the groundwater-dependence of any potential GDEs) within the predicted impact area; f. identify if any further investigations are required to be undertaken to determine the cause of, and/or corrective actions, for the exceedance; g. include the mitigation and management measures that the approval holder has taken and/or proposes to take to reverse the exceedance, including data demonstrating the effectiveness of the mitigation and management measures; h. provide justification for how the proposed mitigation and management measures will achieve and maintain the requirements of condition 1; and i. include a peer review, to be undertaken by an independent suitably qualified water resources expert, that including details of how the approval		

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
	holder has addressed any inadequacies raised in the peer review. The approval holder must publish the Impact Response Plan report within 3 months of the detection or prediction of an exceedance, unless an alternative timeframe is agreed to by the Minister. The approval holder must notify the Department within 2 business days of the report being published and retain the report on the website for the life of the approval.		
8	Where the Minister is not satisfied that the rectification strategy outlined in the Impact Response Plan will ensure condition 1 will be, or is likely to be, achieved and maintained, the Minister may direct the approval holder to undertake specific corrective action(s) to manage impacts to water resources.	Not applicable	Not applicable
9	The approval holder must not commence mining, other than first workings, of subsequent coal seams until the Impact Response Plan has been approved by the Minister. The approved Impact Response Plan must be implemented.	Not applicable	Not applicable
10	Listed threatened species and ecological communities The objective of conditions 10 to 11 is to minimise impacts and compensate for residual impacts of the action on	Compliant	At the end of the reporting period, Maxwell had cleared the following areas within the Development Application Area (no change to what was reported for 2023 and 2024):

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
	EPBC Act listed threatened species and ecological communities. Within the Development Application Area, the approval holder must not clear more than: a. 12.1 hectares of the Central Hunter Valley Eucalypt Forest and Woodland EPBC Act listed ecological community. b. 139 hectares of the White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland EPBC Act listed ecological community. c. 38.7 hectares of Pink-tailed Legless Lizard (*Aprasia parapulchella*) habitat. d. 157.1 hectares of Striped Legless lizard (*Delma impar*) habitat. e. 22.2 hectares of Regent Honeyeater (*Anthochaera phrygia*) habitat. f. 25 hectares of Swift Parrot (*Lathamus discolor*) habitat.		a) 5.8 hectares of the Central Hunter Valley Eucalypt Forest and Woodland EPBC Act listed ecological community. b) 91.2 hectares of the White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland EPBC Act listed ecological community. c) 20.1 hectares of Pink-tailed Legless Lizard (*Aprasia parapulchella*) habitat. d) 102.5 hectares of Striped Legless lizard (*Delma impar*) habitat. e) 14.1 hectares of Regent Honeyeater (*Anthochaera phrygia*) habitat. f) 17.1 hectares of Swift Parrot (*Lathamus discolor*) habitat.
11	The approval holder must comply with conditions B47, B48, B50, B50A, B51, B52, B53, B76, B77, B78, B79, B80, B81 and B82 of Part B and C1, C2, C3, C4 and C8 of Part C of the State development consent (to the extent these conditions relate to EPBC Act threatened species and ecological communities).	Compliant	All conditions listed were complied with during the reporting period. Maxwell makes the following comments: B47, B48 and B50A – All credits have been retired. B50 – Refer to the approved Biodiversity Management Plan and Rehabilitation Strategy published on the Malabar website.

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
			B51, B52 and B53 – Refer to the approved Biodiversity Management Plan published on the Malabar website. B76, B77, B78 and B82 – Refer to the Rehabilitation Management Plan published on the Malabar website. B79, B80 and B81 – Refer to the approved Rehabilitation Strategy published on the Malabar website. C1, C2, C3, C4 and C8 – Refer to the approved Extraction Plans published on the Malabar website.
Part B – Administrative Conditions			
12	Notification of date of commencement of the action The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	Compliant	Maxwell letter dated 20 May 2022 provides notification to the Department of the date of commencement of the action (i.e. the action commenced on 16 May 2022).
13	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.	Not applicable	Not applicable
14	Compliance records	Compliant	Maxwell maintains accurate and complete compliance records.

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
	The approval holder must maintain accurate and complete compliance records.		
15	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request. Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.	Compliant	On 18 September 2025, the Department requested information as part of the compliance audit of the Maxwell Underground Mine. The information was requested by the 15 October 2025. Maxwell provided a response via email to the Department on 14 October 2025. A copy of the response is provided in **Attachment 7**.
16	Submission and publication of plans The approval holder must: a. submit plans electronically to the Department for approval by the Minister; b. unless otherwise agreed to in writing by the Minister; i. publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised action management plan is submitted to the Minister or the Department, unless otherwise agreed to in writing by the Minister; ii. publish the Water Management Plan on the website within 20 business days of the date the plan is approved by the NSW Planning Secretary	Compliant	a. On 8 January 2025, Maxwell provided the Department (via email) with the approved revised Water Management Plan (v4) within two business days of its approval by the NSW Planning Secretary (8 January 2025). A copy of v4 of the Water Management Plan is provided in **Attachment 3**. On 29 September 2025, Maxwell provided the Department (via email) with the approved revised Water Management Plan (v5) within two business days of its approval by the NSW Planning Secretary (26 September 2025). A copy of v5 of the Water Management Plan is provided in **Attachment 5**. b.

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
	iii. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and iv. keep plans published on the website until the end date of this approval.		i. All management plans are published on the Malabar website within 20 business days of the date the plan is approved by the Minister or the NSW Planning Secretary. ii. The Water Management Plan (v4) was published on the Malabar website on 13 January 2025. The Water Management Plan (v5) was published on the Malabar Resources website on 2 October 2025. These dates are within 20 business days of the date the plan was approved by the NSW Planning Secretary. iii. No sensitive ecological data. iv. All plans required are present on the website.
17	Annual compliance reporting The approval holder must prepare a compliance report addressing compliance with each of the conditions of this approval, including implementation of any management plans and strategies from the State development consent that are referred to in this approval, every calendar year, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must: a. publish each compliance report on a website within 3 months following the relevant 12 month period;	Compliant	a. The Annual Compliance Report for calendar year 2025 will be published on the Malabar website by no later than 31 March 2025. b. An email compliant with paragraph (b) will be emailed to the Department within 5 business days of the publication of the Annual Compliance Report. c. All compliance reports are retained on the Malabar website. d. No sensitive ecological data.

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
	b. notify the Department by email that a compliance report has been published on the website and provide the website's link for the compliance report within five business days of the date of publication; c. keep all compliance reports publicly available on the website until this approval expires; d. exclude or redact sensitive ecological data from compliance reports published on the website; and e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. Note: Compliance reports may be published on the Department's website.		e. No sensitive ecological data.
18	Reporting non-compliance The approval holder must notify the Department in writing of any: incident, or non-compliance with the conditions, or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify: a. any condition which is in breach; b. a short description of the incident and/or non-compliance; and c. the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event	Non-Compliant	On 4 April 2025, the Department commenced a compliance audit of the Maxwell Underground Mine. This involved a desktop audit of information available to the Department and an on-site inspection conducted on 4 June 2025. Departmental auditors were accompanied by compliance officers from the NSW Department of Planning, Housing and Infrastructure (DPHI). The audit found that the 2025 Independent Environmental Audit of the auditee's NSW State Significant Development Consent 9526 identified non-compliances with condition B40 and B44. Maxwell provided a letter to the Department (dated 19 November 2025), provided in **Attachment 1**, regarding the remedial actions to address the non-compliances. The non-compliances were

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
	the exact information cannot be provided, provide the best information available.		included in the Department's Compliance Audit Report (dated 3 December 2025).
19	The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying: a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future, b. the potential impacts of the incident or non-compliance; and c. the method and timing of any remedial action that will be undertaken by the approval holder.	Non-compliant	See response to Condition 18.
20	Independent audit The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister	Not applicable	Not applicable
21	For each independent audit, the approval holder must: a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;	Not applicable	Not applicable

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
	b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.		
22	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	Not applicable	Not applicable
23	Completion of the action The approval holder must comply with condition A6 in Schedule 2 of the State development consent.	Not applicable	Condition has not yet been triggered.
24	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	Not applicable	Condition has not yet been triggered.
25	Changes to State development consent The approval holder must notify the Department in writing of any proposed change to the State development consent that may relate to protected matters within 2 business days of formally proposing a change or and within 5 business days becoming aware of any proposed change.	Compliant	On 6 March 2025, Maxwell emailed the Department notifying that a scoping letter had been submitted to DPHI for the Maxwell Underground Mine Modification 3 – Joint Tailings and Rejects Management Project. A copy of the email is provided in **Attachment 8**.

Condition Number	Condition	Is the project compliant with this condition?	Evidence/ Comments
26	The approval holder must notify the Department in writing of any change to the State development consent conditions that may relate to protected matters, within 10 business days of a change to conditions being finalised.	Compliant	On 23 September 2025, Maxwell emailed the Department advising that the Maxwell Underground Mine Modification 3 – Joint Tailings and Rejects Management Project had been approved on 22 September 2025. A copy of the email is provided in **Attachment 9**.

5 CORRECTING NON-COMPLIANCES

A. Current Reporting Period

A summary detailing the corrective measures for each non-compliance is provided in the tables below.

Table 4. Non-compliance with Condition 1

Was the Department notified of the non-compliance (if so, when, how and to who)	No
Relevant condition number	Condition 1
Who detected the non-compliance	The Department
When was the non-compliance detected	It was detected during a compliance audit of the Maxwell Underground Mine (Compliance Audit Report dated 3 December 2025).
How the non-compliance was/will be corrected	Action 1 - A review of the hydrocarbon storage at the site was undertaken to ensure all containers were stored within 110 per cent capacity as per the Australian Standard 1940. Action 2 - Implemented appropriate signage and delivered training on the storage of hydrocarbons.
Description of the non-compliance	The 2025 Independent Environmental Audit (IEA) of the auditee's NSW development consent (SSD-9526) identified non-compliance with condition B40, as referred to in Condition 1 of the EPBC approval. There were several issues related to storage containers being outside the required bunded areas. All remedial actions recommended in the IEA have been completed.
Who was/is responsible for correcting the non-compliance	Action 1 - Alex Newton – Environment and Approvals Coordinator Action 2 - Mark McLaughlin – Warehouse and Inventory Supervisor
Date when corrective measures were/will be commenced and or completed	Action 1 - November 2025 Action 2 - November 2025
What measures have been/will be undertaken to avoid recurrence	In addition to the actions listed above, regular inspections will be undertaken of the hydrocarbon storage area.

Table 5. Non-compliance with Condition 2

Was the Department notified of the non-compliance (if so, when, how and to who)	No
Relevant condition number	Condition 2
Who detected the non-compliance	The Department
When was the non-compliance detected	It was detected during a compliance audit of the Maxwell Underground Mine (Compliance Audit Report dated 3 December 2025).
How the non-compliance was/will be corrected	Action 1 - Minor erosion that runs into Sediment Dam 2 was repaired. Action 2 - Additional erosion and sediment controls in the area of the pad associated with the old access road near the overpass were completed.
Description of the non-compliance	The 2025 Independent Environmental Audit (IEA) of the auditee's NSW development consent (SSD-9526) identified non-compliance with condition B40 and B44. These non-compliances relate to hydrocarbon storage and the implementation of the Water Management Plan. Non-compliance was found specifically with Section 5.8 of the Surface Water Management Plan, for failure to report against EIS predictions and report trends in data in the Annual Review. The IEA made recommendations in response to findings of non-compliance with respect to sediment and erosion control measures, which have been completed.
Who was/is responsible for correcting the non-compliance	Action 1 - Barry Vercoe – Projects Coordinator Action 2 - Alex Newton – Environment and Approvals Coordinator
Date when corrective measures were/will be commenced and or completed	Action 1 - November 2025 Action 2 - May 2025
What measures have been/will be undertaken to avoid recurrence	In addition to the actions listed above, the next Annual Review will report against EIS predictions and report trends in surface water monitoring data.

Table 6. Non-compliance with Condition 5

Was the Department notified of the non-compliance (if so, when, how and to who)	No
Relevant condition number	Condition 5
Who detected the non-compliance	The Department
When was the non-compliance detected	It was detected during a compliance audit of the Maxwell Underground Mine (Compliance Audit Report dated 3 December 2025).
How the non-compliance was/will be corrected	No corrective action taken due to the nature of the non-compliance (explained below).
Description of the non-compliance	On 4 April 2025, the Department commenced a compliance audit of the Maxwell Underground Mine. On 18 September 2025, the department sent the auditee a Request for Information. On 14 October 2025, the auditee provided their response which informed the Department of an additional five monitoring bores that were installed after the action had commenced to increase the level of monitoring. These bores were in addition to two bores that were installed prior to the commencement of the action. The audit found that Maxwell was not compliant with Condition 5 as bores had been installed after the commencement of the action. As noted in the letter to the Department (dated 19 November 2025), further bores were added after the commencement of the action and prior to second workings commencing in accordance with the recommended groundwater monitoring program prepared by HydroSimulations.
Who was/is responsible for correcting the non-compliance	N/A
Date when corrective measures were/will be commenced and or completed	N/A
What measures have been/will be undertaken to avoid recurrence	Maxwell will be requesting a variation to Condition 5 so that additional bores can be added to the groundwater monitoring network.

B. Previous Reporting Period

There were no non-compliances for the previous reporting period.

6 NEW ENVIRONMENTAL RISKS

No new environmental risks were identified during the reporting period.

7 DOCUMENT REVIEW HISTORY

Table 7. Document revision status

Issue	Date	Completed By	Details
1	12 March 2026	Alex Newton Donna Tiananga Rob Hayes	Document prepared to comply has been prepared to address Condition 17 of EPBC Approval 2018/8287 (as varied) issued under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) held by Maxwell.

8 DECLARATION OF ACCURACY

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed:

Full name: Rob Hayes

Position: General Manager

Organisation: Maxwell Ventures (Management) Pty Ltd, ACN 002 028 257.

Date: 12 March 2026

Attached:

As required by the Definitions attached to approval for EPBC 2018/8287:

- Shapefiles of clearance of protected matters, or their habitat, undertaken within the reporting period.

Shapefile means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

There was no clearance of protected matters, or their habitat, undertaken within the reporting period.

Annex 1. Schedule of all plans prepared and in existence in relation to the conditions during the reporting period, as required by the *Definitions* attached to approval for EPBC 2018/8287.

Document title	Version #	Effective date	Inclusions	Comments
Water Management Plan	Version 4	08/01/2025	Appendix 1 – Site Water Balance and Salt Balance. Appendix 2 – Erosion and Sediment Control Plan. Appendix 3 – Surface Water Management Plan. Appendix 4 – Groundwater Management Plan.	Refer to Attachment 3
Water Management Plan	Version 5	26/09/2025	Appendix 1 – Site Water Balance and Salt Balance. Appendix 2 – Erosion and Sediment Control Plan. Appendix 3 – Surface Water Management Plan. Appendix 4 – Groundwater Management Plan.	Refer to Attachment 5