

Monday, 6 February 2012

Director
Infrastructure Projects
NSW Department of Planning and Infrastructure
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Glenn Snow

Re: Outcome of Compliance Review – November 2011

A review of the compliance status of the NCIG Coal Export Terminal operational activities was initiated by environmental consultants MJM Environmental Pty Ltd in November 2011. This review focussed on the compliance of both Stage 2AA construction and Stage 1 operational activities of the NCIG Project against Project Approval 06_0009 and meets the requirements of Condition 5.1c), as outlined below.

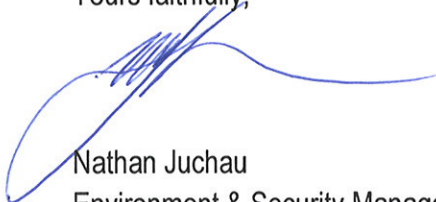
- 5.1 The Proponent shall develop and implement a **Compliance Tracking Program** to track compliance with the requirements of this approval. The Program shall include, but not necessarily limited to:
- c) a program for independent environmental auditing at least annually, or as otherwise agreed by the Director-General, in accordance with *ISO 19011:2002 – Guidelines for Quality and/ or Environmental Management Systems Auditing*;

The outcome of the MJM Environmental audit of the NCIG compliance status is as follows:

... NCIG was generally in compliance with the relevant conditions of Project Approval 06_0009.

On this basis NCIG continued operations of Stage 1 and construction of Stage 2AA of the NCIG Coal Export Terminal in accordance with the approved management plans, licences and permits.

Yours faithfully,



Nathan Juchau
Environment & Security Manager