

20 January 2008

Director-General
C/- Manager, Critical Infrastructure and Special Projects
Major Project Assessments
Department of Planning
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Patricia Cabezas

RE: OUTCOME OF COMPLIANCE TRACKING PROGRAM REVIEW

A review of the NCIG Coal Export Terminal Compliance Tracking Program was undertaken by Blake Dawson in accordance with Condition 5.1a) of Development Consent (06_0009) for the Construction and operation of a coal export terminal, Newcastle:

- 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:
- a) provisions for periodic review of the compliance status of the project against the requirements of this approval;

This review was undertaken to validate the compliance status of the project against the requirements of the approval, to enable commencement of the Early Construction Phase Works on the proposed coal export terminal site. The outcome of the reviewers' assessment of the Compliance Tracking Program is as follows:

In conclusion, I am satisfied that NCIG will be in compliance with the relevant conditions of Project Approval (06_009) if it proceeds with its intention to commence the Early Construction Phase Works next week.

On this basis the Early Construction Phase Works will commence on the proposed coal export terminal site.

Yours faithfully



Nathan Juchau
NCIG HSEC Manager