



# Proponent Response to Audit Findings – IEA 2025



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## 1.0 PURPOSE AND SCOPE

In August 2025 Newcastle Coal Infrastructure Group (NCIG) commenced its three-yearly Independent Environmental Audit (IEA). The audit covered the period from 1 January 2022 to 29 August 2025. This audit is completed to satisfy the requirements of Condition 5.2, Schedule 2 of the Project Approval (MP 06\_0009):

*5.2 The independent environmental audit referred to in condition 5.1c) shall:*

- (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary;*
- (b) include consultation with the relevant agencies;*
- (c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval, and any other relevant approvals and relevant EPL/s;*
- (d) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and*
- (e) recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.*


As approved by the Department of Planning, Housing and Infrastructure (DPHI), NCIG engaged Ken Holmes (Barnett & May) as the Lead Auditor to undertake the IEA. No technical specialists were required for this IEA as the Lead Auditor did not identify any significant environmental performance or compliance issue(s) during the site inspection or report preparation phase that required the commissioning of a technical expert to the audit team. This IEA was undertaken in accordance with the Department's Independent Audit Post Approval Requirements (2020) (IA PAR). As per the IA PAR, the audit scope was not required to include NCIG's Environmental Protection Licence (EPL 12693).

The findings of the IEA concluded that "NCIG has achieved a high level of compliance against the Conditions of Approval". The audit identified one non-compliant Condition against the Project Approval (PA 06\_0009), which was classified as low risk.

The Proponent Response to Audit Findings (this report) has been compiled to satisfy the requirements of the IA PAR. **Section 2** of this report provides NCIG's response to the audit findings and recommendations identified during the IEA.

## 2.0 PROPONENT RESPONSE TO AUDIT FINDINGS

Condition	Independent Audit Finding	Independent Audit Recommendation	NCIG Response	Proposed Due Date	
<b>Project Approval (MP 06_0009)</b>					
2.41	<p>Except as may be expressly provided under the provision of an Environment Protection Licence for the project, the Proponent shall comply with section 120 of the Protection of the Environment Operations Act 1997 which prohibits the pollution of waters.</p>	<p>Non-compliance (low risk level)</p> <p>Four discharge-to-water incidents were reported to the EPA during this audit period.</p> <p>Two of those events were classified as “pollution of water” incidents (refer to Section 7.1 below) and were related to uncontrolled discharges from the site into the Hunter River from one of its ship loaders.</p> <p>Two of the events were caused by prolonged heavy rainfall that overwhelmed the surface water management system and resulted in offsite discharges of stormwater from multiple locations. It is understood that those rainfall events exceeded the approved design criteria for the surface water management system. NCIG determined that the stormwater discharges had no material impact on the receiving waters.</p> <p>All of the incidents were investigated, and corrective and preventative actions implemented. It is noted that NCIG considered that the incidents did not result in material harm or were significant</p>	<p>All incidents were investigated, and appropriate corrective and preventative measures implemented. All incidents were appropriately reported to the EPA.</p> <p>There are no further recommendations.</p>	<p>As per the audit finding, all of the incidents were investigated, and corrective and preventative actions implemented.</p> <p>No further actions are required.</p>	N/A



	Condition	Independent Audit Finding	Independent Audit Recommendation	NCIG Response	Proposed Due Date
		<p>in nature therefore were not reported to DPHI at the time.</p> <p>All of these incidents were reported to the EPA in accordance with NCIG's Environmental Protection Licence obligations and in NCIG's Compliance Tracking Programs.</p>			