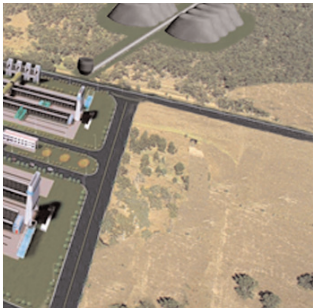
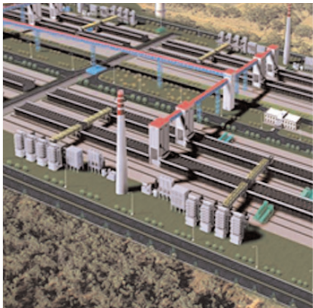


Appendix C EPBC Referral Decision



QUEENSLAND
COKE &
ENERGY



STANWELL
CORPORATION LIMITED

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Australian Government

Department of the Environment and Heritage

Mr Denis Wood
Queensland Coke and Energy Pty Ltd
Level 10
380 Queen Street
BRISBANE QLD 4000

Dear Mr Wood

**STANWELL CORPORATION LTD/ROCKHAMPTON/QLD/COKE PLANT & POWER STATION
PROJECT AT STANWELL ENERGY PARK
(EPBC Reference: 2005/1988)**

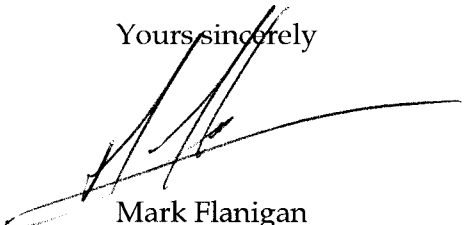
The above action was referred by Stanwell Corporation Ltd and Queensland Coke and Energy Pty Ltd, and received on 7 February 2005, for decision whether or not approval is needed under Chapter 4 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The referral documentation nominated Stanwell Corporation Ltd and Queensland Coke and Energy Pty Ltd as the companies proposing to undertake the action.

The referral has now been considered under the EPBC Act and I have decided that the action is not a controlled action. Approval is therefore not needed under Part 9 of the Act before the action can proceed.

Please note that this decision only relates to the potential for significant impact on the specific matters of *national* environmental significance protected by the Australian Government under the EPBC Act. There may be a need for separate State or Local Government environmental assessment and approval to address potential impacts on State, regional or local environmental values.

A copy of the document recording my decision is attached for your information. I have written separately to Stanwell Corporation Ltd to advise of my decision.

Yours sincerely



Mark Flanigan
Assistant Secretary
Policy and Compliance Branch

7 March 2005



Australian Government

Department of the Environment and Heritage

Ross Rolfe
Stanwell Corporation Ltd
Level 12
1 Eagle Street
BRISBANE QLD 4000

Dear Mr Rolfe

**STANWELL CORPORATION LTD/ROCKHAMPTON/QLD/COKE PLANT & POWER STATION
PROJECT AT STANWELL ENERGY PARK
(EPBC Reference: 2005/1988)**

The above action was referred by Stanwell Corporation Ltd and Queensland Coke and Energy Pty Ltd, and received on 7 February 2005, for decision whether or not approval is needed under Chapter 4 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The referral documentation nominated Stanwell Corporation Ltd and Queensland Coke and Energy Pty Ltd as the companies proposing to undertake the action.

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A copy of the document recording my decision is attached for your information. I have written separately to Queensland Coke and Energy Pty Ltd to advise of my decision.

Yours sincerely



Mark Flanigan
Assistant Secretary
Policy and Compliance Branch

7 March 2005

COMMONWEALTH OF AUSTRALIA

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

DECISION THAT ACTION IS NOT A CONTROLLED ACTION

I, MARK FLANIGAN, Assistant Secretary, Policy and Compliance Branch, Department of the Environment and Heritage, a delegate of the Minister for the Environment and Heritage for the purposes of section 75 of the *Environment Protection and Biodiversity Conservation Act 1999*, decide that the proposed action, set out in the Schedule, is not a controlled action.

SCHEDULE

The proposed action to construct and operate a coke plant and power station at the Stanwell Energy Park, located approximately 25km south west of Rockhampton, and as described in the referral received under the Act on 7 February 2005 (EPBC 2005/1988).

Dated this 7 day of MARCH 2005


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ASSISTANT SECRETARY
POLICY AND COMPLIANCE BRANCH
DEPARTMENT OF THE ENVIRONMENT AND HERITAGE