



VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Boco Rock Wind Farm Project EPBC Ref 2009/4905

This decision to vary a condition of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Person to whom the approval is granted Boco Rock Wind Farm Pty Ltd, south west of Nimmitabel, NSW
ACN137 886 750

Approved action The construction and operation of a wind farm comprising up to 122 wind turbines, approximately 6km south west of Nimmitabel and 30km north of Bombala, as described in the referral documentation received on 20 May 2009, the Environmental Assessment Report dated November 2009, the Preferred Project Report and Response to Submissions dated May 2010.

Variation

Variation of conditions of approval The variation is:

Delete condition 2 attached to the approval dated 29 September 2010 and subsequent variations to condition 2 dated 17 May 2011 and 9 August 2012 respectively and substitute the condition specified below.

Insert a definition of "construction" as specified below.

Note: All other conditions including the definitions in the approval dated 29 September 2010 remain unchanged.

Date of effect This variation has effect on the date the instrument is signed

Person authorised to make decision

name and position Shane Gaddes
A/g Assistant Secretary
Compliance and Enforcement Branch

Signature S. Gaddes

Date of decision 12 November 2012



Condition attached to the approval

2. Within 12 months of any **Construction** commencing, the person undertaking the action must secure the **Offset Package** including long term protection and management of the relevant **Offset Sites** and provide the **Offset Package** to the **Minister** for his approval.

Definition attached to the approval

Construction: includes all preparatory works required to be undertaken including clearing vegetation, the erection of any on-site temporary structures and the use of heavy equipment for the purpose of breaking the ground for buildings or infrastructure but excludes geotechnical investigations (including the drilling of boreholes or the excavation of test pits).

The construction and operation of a wind farm comprising up to 122 wind turbines, approximately 6km south west of Nimmitabel and 30km north of Bompaia, as described in the referral documentation received on 20 May 2009, the Environmental Assessment Report dated November 2008, the Referral Project Report and Response to Submissions dated May 2010.

Variation
Variation of conditions of approval

The variation is:
Delete condition 2 attached to the approval dated 29 September 2010 and subsequent variations to condition 2 dated 17 May 2011 and 9 August 2012 respectively and substitute the condition specified below.

Insert a definition of "construction" as specified below.

Note: All other conditions including the definitions in the approval dated 29 September 2010 remain unchanged.

Date of effect: This variation has effect on the date the instrument is signed.

Person authorised to make decision

name and position
Shane Gaddes
A/E Assistant Secretary
Compliance and Enforcement Branch

Signature: *[Handwritten Signature]*

Date of decision: 12 November 2012