



VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Boco Rock Wind Farm, south west of Nimmitabel, NSW 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
ACN: 137 886 750

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 3 attached to the approval dated 29 September 2010 and substitute the condition specified below.

Note: All other conditions including the definitions in the approval dated 29 September 2010 and subsequent variations dated 17 May 2011, 9 August 2012 and 12 November 2012 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 March 2013



Condition 3 attached to the approval

In order to minimise potential impacts on the **EPBC Act** listed Grassland Earless Dragon and Striped Legless Lizard, in accordance with the NSW Director General's Assessment Report and approval conditions (June 2010) and the Statement of Commitments contained in the Preferred Project Report and Response to Submissions (May 2010), the person undertaking the action must ensure that **Works** are not undertaken at the Springfield and Sherwins turbine clusters during the breeding season (1 November to 31 January) for these species, unless otherwise authorised in the CEMP approved by the Minister under Condition 4 of this approval.

Back-Rock Wind Farm Pty Ltd
ACN 137 886 750

The construction and operation of a wind farm comprising up to 122 wind turbines, approximately 8km south west of Nimmitabel and 20km north of Rompsa, as described in the referral documentation received on 30 May 2009, the Environmental Assessment Report dated November 2009, the Preferred Project Report and Response to Submissions dated May 2010

The variation is

Detail condition 3 attached to the approval dated 29 September 2010 and substitute the condition specified below

Note: All other conditions including the definitions in the approval dated 29 September 2010 and subsequent variations dated 17 May 2011, 3 August 2012 and 12 November 2012 remain unchanged.

This variation has effect on the date the instrument is signed

Person authorised to make decision

Name and position
Share Leades
Eg Assistant Secretary
Compliance and Enforcement Branch

Date of effect
12 March 2013