



**ELECTRICITY INDUSTRY ACT 2000
VARIATION OF AN ELECTRICITY GENERATION AND SALE LICENCE**

**Diapur Wind Farm Pty Ltd
ACN 604 213 309**

RECORD OF DECISION

4 December 2023

SUMMARY

Pursuant to the provisions of section 29(1) of the Electricity Industry Act 2000 (Vic) (Industry Act) the Essential Services Commission (the commission) has varied the licence of Diapur Wind Farm Pty Ltd (ACN 604 213 309) (Diapur Wind Farm) to generate and sell electricity in Victoria. The variation includes general updates to the licence including clauses with respect to revocation, variation, change of control, compliance with regulatory instruments and review.

BACKGROUND

On 1 September 2021, Diapur Wind Farm was first granted an electricity generation licence by the commission.

On 11 July 2023, Diapur Wind Farm requested the commission vary its licence to include the sale of electricity generated at the licensed generation facility through the wholesale electricity market. Further changes to generally update the licence, including clauses with respect to change of control, compliance with regulatory instruments and review, were also proposed by the commission.

On 18 October 2023, Diapur Wind Farm requested the commission vary its licence to change its address for service of notices pursuant to clause 2 of the licence.

On 16 November 2023, Diapur Wind Farm agreed to the commission varying its licence to change the address for service of notices pursuant to clause 2 of the licence, to include the sale of electricity generated at the licensed generation facility through the wholesale market, and further changes to generally update the licence.

CONSIDERATION OF THE VARIATION REQUEST APPLICATION

Section 29(1)(b) of the Industry Act provides that a licence may be varied by agreement between the commission and the licensee.

DECISION

In accordance with section 29(1)(b) of the Industry Act and having regard to the commission's objectives under the Essential Services Commission Act 2001 and the Industry Act, the delegate of the commission has decided to vary the licence by agreement with Diapur Wind Farm to include the sale of electricity generated at the licensed generation facility through the wholesale electricity market and to generally update the license including clauses with respect to change of control, compliance with regulatory instruments and review.

**THE COMMON SEAL
of the ESSENTIAL
SERVICES COMMISSION**
was affixed pursuant to the
authority of the Commission
on 6 December 2023

A handwritten signature in blue ink, appearing to be "Kate Symons".

Kate Symons
Chairperson