



Annual Compliance Report 2026

Valley of the Winds Wind Project EPBC 2020/8668



ACEN Australia

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Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Approval Holder:

ACEN Australia Pty Ltd

ABN:

616 856 672

Full name:

David Pollington

Position:

Managing Director

Signed:

Signed by:



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Date:

15 September 2026 | 2:04 PM AEST

Revision Control

Rev	Date	Prepared	Reviewed	Approved
1	15 September 2026	Patric Millar and Bonnie Barker	Megan Richardson and Eric Shegog	David Pollington

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1 Project Description

The Valley of the Winds Project (EPBC 2020/8668) is being developed by ACEN Australia Pty Ltd (ABN: 27 616 856 672). The Project is located within the Warrumbungle Local Government Area, close to the townships of Coolah and Leadville. The Action Area and Development Corridor are shown in **Figure 1** on the subsequent page.

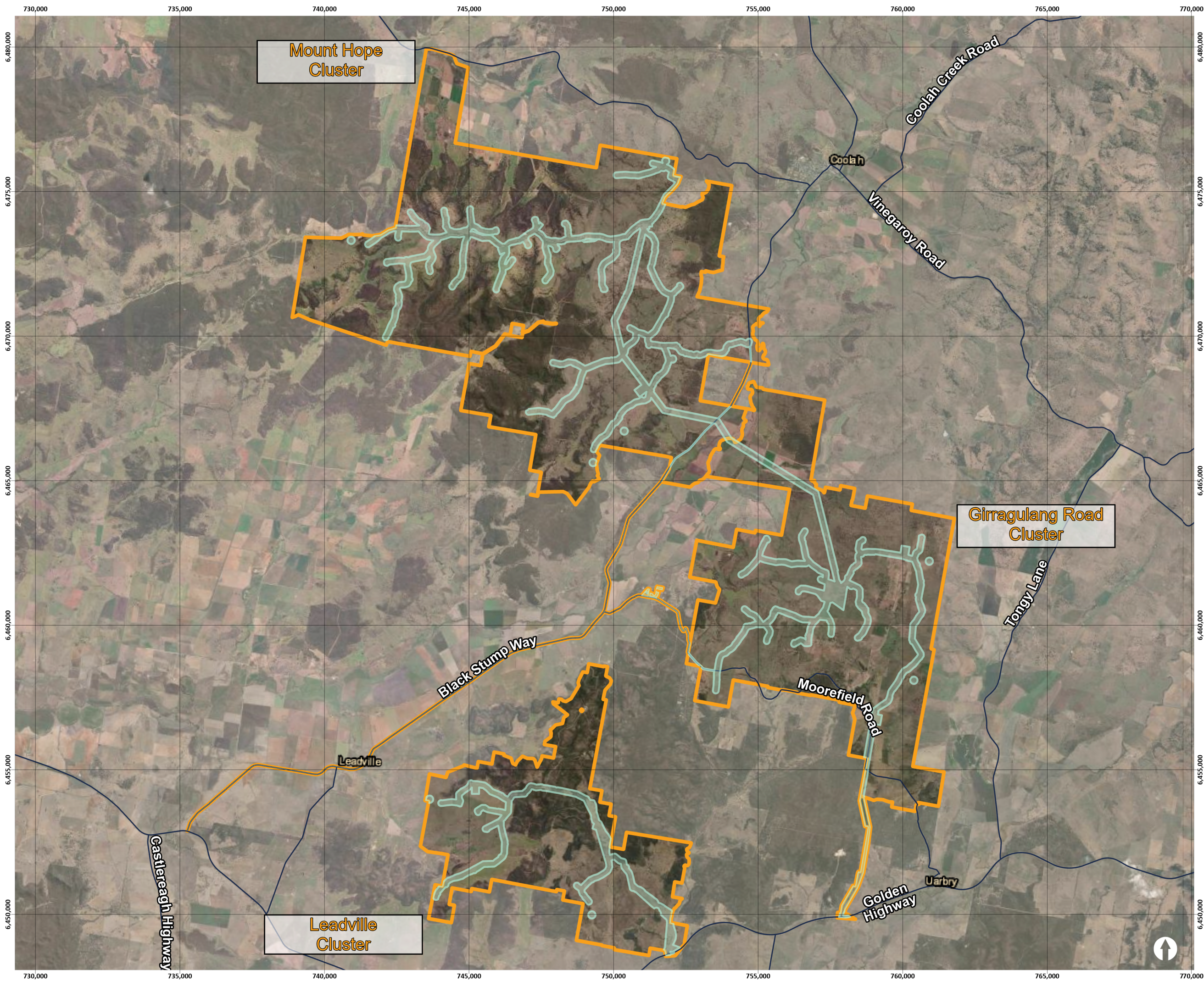
The approved Action allows for the construction, operation and maintenance of a wind farm with supporting infrastructure, including a high voltage transmission line, near Coolah, NSW.

The Project is located in the Central-West Orana Renewable Energy Zone (REZ), established by the NSW Government under the *Electricity Infrastructure Investment Act 2020* to support the State's transition to renewable energy and achieve net zero emissions by 2050.

The Project will deliver approximately 900 MW of renewable electricity into the National Energy Market (NEM) via two 330 kV transmission connection points. The associated transmission infrastructure will be delivered and operated by EnergyCo NSW through their appointed delivery partner ACERESZ, as part of the Central-West Orana REZ Transmission Network.

The Project obtained state approval under the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act) on 11 June 2025 (SSD-104961). The Action obtained Commonwealth approval under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 2nd September 2025, with conditions covered by EPBC 2020/8668.

The Action has not commenced.



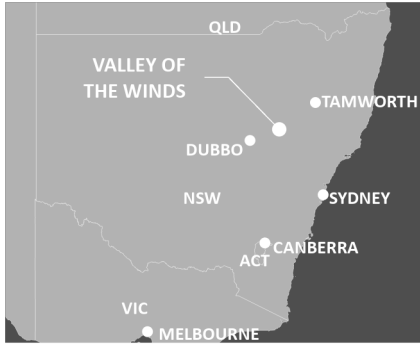
Legend

- Action Area
- Development Corridor
- Arterial Road

Notes

1. Project features shown are preliminary and subject to change.

Locality



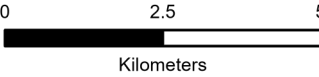
Project

Valley of the Winds
Renewable Energy from ACEN

Title

Valley of the Winds
EPBC 2020/8668
Figure 1

Drawing no. VOTW-P040 **Date** 1/09/2026



1:120,000 GDA2020 MGA Zone 55



2 Purpose of this Report

The purpose of this report is to document compliance with the conditions for the EPBC Approval 2020/8668. Details of compliance are provided, and where appropriate, the timing of the completion of activities is identified.

In accordance with Condition 13, the approval holder is required to prepare a compliance report for each Annual Compliance Report (ACR) period, and at the time of notification of completion of the Action.

The specific reporting requirements for EPBC Conditions 13 and 14, and how they are addressed in this ACR are detailed in **Section 5**.

3 Reporting Period

The ACR period means each subsequent 12-month period following the date of the approval decision until the expiry date of the approval, unless otherwise specified in writing by the Minister.

This Annual Compliance Report covers the period between 2nd of September 2025 to 1st September 2026.

4 Description of Activities

Activities undertaken during the reporting were limited to pre-construction, planning, procurement, technical assessment and project development activities, including:

1. Preliminary site investigations and technical assessments;
2. High-level design and project development activities;
3. Procurement and contract progression; and
4. Refinement of turbine micro-siting within approved project parameters.

These activities are pre-construction and do not constitute commencement of the Action, as defined in Part C of the EPBC Approval 2020/8668.

5 Compliance Status

The tables below show the compliance status of each condition of approval.

Table 1: EPBC 2020/8668 Compliance Status

Condition No.	Description	Status	Evidence/Comment
Part A – Avoidance, Mitigation and Compensation Conditions			
Clearing Limits			
1	The approval holder must not a) Clear or construct outside of the development corridor	Not applicable	The Action has not commenced.
2	The approval holder must comply with conditions A8, and B27 to B33 of the NSW Development Consent, to the extent that they relate to protected matters.	Not applicable	The Action has not commenced.
Part B – Administrative Conditions			
Modifications to State or Territory Approval			
3	The approval holder must notify the department in writing of any proposed change to the NSW Development Consent that may relate to protected matters within two (2) business days of formally proposing such a change and within five (5) business days of becoming aware of any proposed change.	Not applicable	The Action has not commenced.
4	The approval holder must notify the department in writing of any change to the NSW Development Consent conditions	Not applicable	The Action has not commenced.

Condition No.	Description	Status	Evidence/Comment
	that may relate to protected matters, within five (5) business days of such a change to conditions coming into effect. Such notification must include a copy of the changed NSW Development Consent conditions showing what changes have been made.		
Commencement of the Action			
5	The approval holder must notify the department electronically of the date of commencement of the Action, within five (5) business days following commencement of the Action	Not applicable	The Action has not commenced.
6	The approval holder must not commence the Action later than five (5) years after the date of this approval decision.	Not applicable	The Action has not commenced.
7	The approval holder must notify the department electronically of the date of commencement of clearing, within five (5) business days following commencement of clearing.	Not applicable	The Action has not commenced.
Compliance Records			
8	The approval holder must maintain accurate and complete compliance records and document the procedure for recording and storing compliance records.	Not applicable	The Action has not commenced.
9	If the department makes a request in writing, the approval holder must provide electronic copies of compliance	Not applicable	The Action has not commenced.

Condition No.	Description	Status	Evidence/Comment
	records to the department within the timeframe specified in the request. Note: Compliance records may be subject to audit by the department, or by an independent auditor in accordance with section 458 of the EPBC Act, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the department's website or through the general media.		
10	The approval holder must ensure that any monitoring data, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the <i>Guidelines for biological survey and mapped data</i> , Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.	Not applicable	The Action has not commenced.
11	The approval holder must ensure that any monitoring data, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the <i>Guide to providing maps and boundary data for EPBC Act projects</i> , Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.	Not applicable	The Action has not commenced.
12	The approval holder must submit all monitoring data, surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department 20 business days of the next anniversary of the date of this approval decision except where otherwise specified in a plan.	Not applicable	The Action has not commenced.

Condition No.	Description	Status	Evidence/Comment
Annual Compliance Reporting			
13	The approval holder must prepare a compliance report for each ACR period.	Compliant	This is the first ACR.
14	The approval holder must ensure each compliance report includes: a) accurate and complete details of compliance and any non-compliance with: i) each condition imposed under the NSW Development Consent, if a condition attached to this approval decision requires compliance with that NSW Development Consent condition, ii) each condition attached to this approval decision, and iii) all commitments made in each plan, b) a schedule of all plans in effect in relation to these conditions during the ACR period, c) accurate and complete details of how each plan was implemented during the ACR period; and d) if any incident occurred, accurate and complete details of each incident.	Compliant	This is the first ACR.
15	The approval holder must ensure each compliance report is completed to the satisfaction of the Minister and is	Compliant	This is the first ACR.

Condition No.	Description	Status	Evidence/Comment
	consistent with the <i>Annual Compliance Report Guidelines</i> , Commonwealth of Australia 2023.		
16	The approval holder must, within 20 business days following the end of each ACR period, in a format that is easily accessible and downloadable, publish on the website: a) each compliance report, and b) a shapefile showing all clearing of protected matters, and their habitat, undertaken within the ACR period.	Compliant	This ACR was published on https://acenrenewables.com.au/project/valley-of-the-winds/ The Action has not commenced. No clearing of protected matters, and their habitat, has been undertaken. As such, no shapefile has been produced.
17	The approval holder must: a) Exclude or redact sensitive biodiversity data from each compliance report and shapefile published on the website or otherwise provided to a member of the public. b) If sensitive biodiversity data is excluded or redacted from a version of a compliance report published or otherwise provided to a member of the public, submit the full compliance report to the department within five (5) business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website or otherwise provided to a member of the public. c) If sensitive biodiversity data is excluded or redacted from a version of a shapefile published or otherwise provided to a member of the public,	Not applicable	The Action has not commenced.

Condition No.	Description	Status	Evidence/Comment
	submit the full shapefile to the department within five (5) business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website or otherwise provided to a member of the public.		
18	The approval holder must notify the department electronically, within five (5) business days of each date of publication that the compliance report has been published on the website. In this notification, the approval holder must provide the department with the web address for where the compliance report and related shapefile are published on the website.	Not applicable	The Action has not commenced.
19	The approval holder must keep each compliance report and related shapefile published on the website from the first date which that compliance report must be published and until the expiry date of this approval. Note: Compliance reports may be published on the department's website.	Not applicable	The Action has not commenced.
Reporting Non-Compliance			
20	The approval holder must notify the department electronically, within two (2) business days of becoming aware of any incident. The approval holder must specify in each notification: a) any condition or commitment made in a plan which	Not applicable	The Action has not commenced.

Condition No.	Description	Status	Evidence/Comment
	has not been, or may have not been, complied with, b) a short description of the incident, and c) the location (if applicable, including co-ordinates), date and time of the incident		
21	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an incident, the details of that incident. The approval holder must specify: a) all corrective measures and investigations which the approval holder has already taken in respect of the incident, b) the potential impacts of the incident, c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the incident, and d) any variation of these conditions or revision of a plan that will be required to prevent recurrence of the incident and/or to address its consequences.	Not applicable	The Action has not commenced.
Independent Audit			
22	The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every audit period.	Not applicable	The Action has not commenced.

Condition No.	Description	Status	Evidence/Comment
23	The approval holder must submit details of the proposed independent auditor and their qualifications to the department within 10 business days following the end of each audit period.	Not applicable	The Action has not commenced.
24	The approval holder must ensure the scope of each independent audit is sufficient to determine the compliance status for each condition of approval, and each commitment made in each plan.	Not applicable	The Action has not commenced.
25	The approval holder must ensure the criteria for each independent audit and the undertaking of each independent audit are consistent with the <i>Independent Audit and Audit Report Guidelines</i> (Commonwealth of Australia, 2019).	Not applicable	The Action has not commenced.
26	The approval holder must submit an audit report to the department for written agreement from the department within three (3) months following the end of each audit period, or as otherwise directed by the Minister in writing.	Not applicable	The Action has not commenced.
27	The approval holder must ensure each audit report is completed to the satisfaction of the Minister and is consistent with the <i>Independent Audit and Audit Report Guidelines</i> to the extent that the <i>Independent Audit and Audit Report Guidelines</i> are consistent with these conditions (Commonwealth of Australia, 2019).	Not applicable	The Action has not commenced.
28	The approval holder must publish each audit report on the website, in a format that is easily accessible and	Not applicable	The Action has not commenced.

Condition No.	Description	Status	Evidence/Comment
	downloadable, within 10 business days of the date the department agrees to that audit report in writing.		
29	The approval holder must notify the department within five (5) business days of the date the audit report is published on the website. In this notification, the approval holder must provide the department with the web address for where the audit report is published on the website.	Not applicable	The Action has not commenced.
30	The approval holder must keep each audit report published on the website from the first date which that audit report must be published and until the expiry date of this approval.	Not applicable	The Action has not commenced.
Completion of the Action			
31	Within 20 business days after the completion of the Action, and, in any event, at least 20 business days prior to the expiry date of this approval, the approval holder must notify the department electronically of the date of completion of the Action and provide completion data. The approval holder must submit any spatial data that comprises completion data as a shapefile.	Not applicable	The Action has not commenced.
32	The approval holder must notify the department electronically at least 60, but not more than 70, business days prior to the expiry date of this approval, that the approval is due to expire. Note: Section 145C of the EPBC Act entitles the approval holder to request an extension to the period of effect of this approval.	Not applicable	The Action has not commenced.

Table 2 EPBC Conditions Relative to New South Wales Development Consent Conditions

NSW Condition of Consent	Description	Status	Evidence/Comment
Micro-siting Restrictions			
A8	Wind turbines and ancillary infrastructure may be micro-sited without further approval providing: a) the surface disturbance remains within the development corridor (with the exception of wind monitoring masts) shown on the figures in Appendix 1; b) no wind turbine is moved more than 100 metres from the relevant GPS coordinates shown in Appendix 1; c) the revised location of a wind turbine is at least 250 metres from a battery storage compound and 90 metres from any public road; d) the revised location of the blade tip of a wind turbine is at least 50 metres from the canopy of existing native vegetation; or where the proposed location of the blade tip of a wind turbine is already within 50 metres of the canopy of existing native vegetation, the revised location is not any closer to the existing native vegetation; e) the final location of a wind turbine is at least 200 metres from cliff lines; f) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this consent; and	Not applicable	The action has not commenced.

NSW Condition of Consent	Description	Status	Evidence/Comment
	g) the wind monitoring masts are located within the development corridor where possible and their development would not result in any non-compliance with the conditions of this consent		
Vegetation Clearance			
B27	The Applicant must not clear any native vegetation or fauna habitat located outside the development corridor.	Not applicable	The action has not commenced.
Restrictions on Clearing and Habitat			
B28	Unless the Planning Secretary agrees otherwise, the Applicant must: a) ensure that the vegetation and habitat clearing limits specified in Tables 1 and 2 of Appendix 6 are not exceeded; and b) minimise: i) the clearing of native vegetation and key habitat; ii) the impacts of the development on hollow-bearing trees; and iii) the impacts of the development on threatened bird and bat populations.	Not applicable	The action has not commenced.
Biodiversity Offsets			

NSW Condition of Consent	Description	Status	Evidence/Comment
B29	Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must: a) retire biodiversity credits of a number and class specified in Tables 1 and 2 of Appendix 6, unless the Planning Secretary approves, after consulting with the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Secretary, a different number and class determined in accordance with condition B30; and b) retire the biodiversity credits specified in Tables 1 and 2 of Appendix 6 prior to carrying out any development that would impact on biodiversity values The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by: a) acquiring or retiring 'biodiversity credits' within the meaning of the <i>Biodiversity Conservation Act 2016</i>; b) making payments into an offset that has been developed by the NSW Government; or c) funding a biodiversity conservation action that benefits the entity impacts and is listed in the ancillary rules of the biodiversity offset scheme.	Not applicable	The action has not commenced.
B30	The Applicant can only seek a change to the number and class of biodiversity credits in B29 if in accordance with: a) a reduction of impacts on biodiversity values within	Not applicable	

NSW Condition of Consent	Description	Status	Evidence/Comment
	the previously assessed impact area in the Biodiversity Development Assessment Report (BDAR); and/or b) the results of further surveys undertaken with assumed presence in the BDAR; and c) the revised calculation of biodiversity credits is in accordance with the biodiversity assessment method, and prepared by a person accredited to apply that method; and d) the revised calculation is approved prior to the commencement of any works that will impact the biodiversity values requiring offsetting within the relevant staged impact area.		
B31	Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must provide evidence to the Planning Secretary that biodiversity credits have been retired.	Not applicable	The action has not commenced.
Biodiversity Management Plan			
B32	Prior to carrying out any development that could impact biodiversity values, unless the Planning Secretary agrees otherwise, the Applicant must prepare a Biodiversity Management Plan for the development, and to the satisfaction of the Planning Secretary. This plan must: a) be prepared by a suitably qualified and experienced biodiversity expert/s in consultation with Conservation Programs, Heritage and	Not applicable	The action has not commenced.

NSW Condition of Consent	Description	Status	Evidence/Comment
	Regulation (CPHR) and Australian Government's (AG) DCCEEW; b) be prepared in accordance with the BDAR; c) include a description of the measures and timeframes that would be implemented for: i) ensuring the development does not adversely affect the native vegetation and habitat outside the disturbance footprint and ensure the restrictions on clearing in conditions B27 and B28 are met; ii) minimising the clearing of native vegetation and habitat within the disturbance footprint; iii) minimising impacts on entities at risk of a serious and irreversible impact (SAIL), including securing land comprising 282 ha of Box Gum Woodland CEEC, in perpetuity, within a Conservation Agreement and/or Biodiversity Stewardship Agreement (over and above the relevant credit obligations) for the purpose of restoring, enhancing and protecting this vegetation; iv) minimising the impacts of the development on threatened flora and fauna species within the disturbance footprint and its surrounds, including the: • large-eared pied bat • large bent-winged bat • masked owl		

NSW Condition of Consent	Description	Status	Evidence/Comment
	• barking owl • powerful owl • squirrel glider • pale-headed snake v) rehabilitating and revegetating temporary disturbance areas; vi) protecting native vegetation and key fauna habitat outside the approved disturbance area; vii) maximising the salvage of resources within the approved disturbance area – including vegetative and soil resources – for beneficial reuse (such as fauna habitat enhancement) during the rehabilitation and revegetation of the site; viii) collecting and propagating seed (where relevant) ix) controlling weeds and feral pests; x) controlling erosion; and xi) bushfire management; d) including a detailed program to monitor and report on the effectiveness of these measures; and e) include details of who would be responsible for monitoring, reviewing and implementing the plan.		

NSW Condition of Consent	Description	Status	Evidence/Comment
	Following the Planning Secretary's approval, the Applicant must implement the Biodiversity Management Plan.		
Bird and Bat Adaptive Management Plan			
B33	Prior to the commissioning of any wind turbines, the Applicant must prepare a Bird and Bat Adaptive Management Plan for the development in consultation with Conservation Programs, Heritage and Regulation (CPHR) and AG DCCEEW, and to the satisfaction of the Planning Secretary. This plan must be prepared in accordance with the BDAR and include: a) at least 12 months' worth of baseline data on threatened and 'at risk' bird and bat species and populations in the locality that could be affected by the development, including additional at-height monitoring; b) a detailed description of the measures that would be implemented on site for minimising bird and bat strike during operation of the development, including: i) minimising the availability of raptor perches on wind turbines; ii) prompt carcass removal; iii) controlling pests; iv) using best practice methods for bat deterrence, including managing potential lighting impacts; and	Not applicable	The action has not commenced.

NSW Condition of Consent	Description	Status	Evidence/Comment
	v) a wind turbine curtailment strategy (if baseline monitoring indicates a significant risk of impact, and to be informed by baseline data); c) an adaptive management program that would be implemented if the development is having an adverse impact on a particular threatened or 'at risk' bird and/or bat species or populations, including: i) a trigger action response plan to minimise potential impacts of the project; ii) the implementation of measures to: • reduce the mortality of those species or populations; or • enhance and propagate those species or populations in the locality, where feasible or; and d) a detailed program to monitor and report on: I. (i) the effectiveness of these measures; and II. (ii) any bird and bat strikes on site; e) provisions for a copy of the monitoring program's methodology and results, including all raw data collected as part of the monitoring program to be published on the Applicant's website and submitted to CPHR and the Planning Secretary.		

NSW Condition of Consent	Description	Status	Evidence/Comment
	Following the Planning Secretary's approval, the Applicant must implement the Bird and Bat Adaptive Management Plan.		

Table 3 NSW Development Consent and EPBC Consent - Approval Association

Approval Identifier NSW EPBC	Document Name	Status	Evidence/Comment
NSW Development Consent; Condition B33 EPBC Consent; Condition 2 and 14	Bird and Bat Adaptive Management Plan	Not applicable	The Action has not commenced. These conditions are not applicable until commissioning.

6 New Environmental Risks

The Action has not commenced. No project activities have commenced on site during the reporting period. Consequently, no new risks to Matters of National Environmental Significance were identified during the ACR.