



2026 Annual Compliance Report

Pottinger Wind Farm – EPBC 2023/09679

Pottinger Renewables Pty Ltd

October 2026





Document version history

Version	Date	Revision description	Author	Reviewer
1.	17 September 2026	Draft	HH	PI
2.	1 October 2026	Final	HH	PI

Disclaimer

The Report relies upon information provided by Pottinger Renewables Pty Ltd and information collected at the time and under the conditions specified in the Report. All findings, conclusions or recommendations contained in the Report are based on that information. The report is for the use of Pottinger Renewables Pty Ltd and no responsibility will be taken for its use by any third party. Pottinger Renewables Pty Ltd may, at its discretion, use the report to inform regulators and the public.



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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.

Signed:

A handwritten signature in black ink that reads 'Derek Powell'.

Full Name (please print):	Derek Powell
Position (please print):	Development Director – Pottinger Energy Park
Organisation (please print including ABN/ACN if applicable):	Pottinger Renewables Pty Ltd (ABN 59 656 520 437)
Date:	02/10/2026

1. Introduction

The Pottinger Wind Farm (the Project) is an approved wind farm project located within the South West Renewable Energy Zone, 60 km south of Hay in NSW, within the Hay Shire and Edward River Council Local Government Areas. Approval for the Project was granted under the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act) on 17 September 2025 (EPBC 2023/09679).

This Annual Compliance Report (ACR) has been prepared to address the requirements of EPBC 2023/09679 in accordance with the Annual Compliance Report Guidelines (the Guidelines), published by the Department of Climate Change, Energy, the Environment and Water (Commonwealth DCCEEW) (the Department).

1.1. Description of activities

The Action did not commence during the ARC period. Table 1.1 provides the project details required under the Guidelines.

Table 1.1 Project details

Item	Details
EPBC Approval Number	EPBC 2023/09679
Project Name	Pottinger Wind Farm
Approval Holder	Pottinger Renewables Pty Ltd (PRPL)
ACN or ABN	ABN: 59 656 520 437
Approved action	To construct, operate and decommission an up to 1,300 megawatt (MW) capacity wind farm, Battery Energy Storage System (BESS), associated electrical infrastructure and undertake ancillary activities between Hay and Deniliquin, NSW and upgrade transport routes in the Broken Hill locality, NSW.
Location of the Project	Boooroorban, NSW
Reporting period of the report (ARC period)	17 September 2025 to 16 September 2025
Date of preparation of ACR	1 October 2026

1.2. Compliance report overview

Table 1.2 provides an overview of the ACR requirements required under conditions of EPBC 2023/09679.

Table 1.2 Compliance report requirements

Condition number	Condition description	Where addressed
17	<i>The approval holder must prepare a compliance report for each Annual Compliance Report period (ACR period).</i>	This report
18(a)	<i>The approval holder must ensure each compliance report includes:</i> (a) <i>accurate and complete details of compliance and any non-compliance with:</i> (i) <i>each condition imposed under NSW Development Consent, if a condition attached to this approval decision requires compliance with that NSW Development Consent condition,</i> (ii) <i>each condition attached to this approval decision, and</i> (iii) <i>all commitments made in each plan,</i>	Appendix A

Condition number	Condition description	Where addressed
18(b)	<i>(b) a schedule of all plans in effect in relation to these conditions during the ACR period</i>	Appendix B
18(c)	<i>(c) accurate and complete details of how each plan was implemented during the ACR period, and</i>	Appendix A
18(d)	<i>(d) if any incident occurred, accurate and complete details of each incident.</i>	Section 5

2. Compliance assessment

2.1. Compliance with conditions of approval

Details of compliance with the conditions of EPBC 2023/09679, including supporting evidence, is provided in Appendix A. Definitions within EPBC 2023/09679 are also provided in Appendix A. Evidence of the implementation of management plans can be made available to the Department upon request.

The total number of conditions that were compliant, non-compliant and not applicable during the ARC period is provided in Table 2.1. Table 2.1 S

Table 2.1 Summary of performance during ARC period

Status	Description	Number of conditions
Compliant	'Compliance' is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.	5
Non-compliant	A designation of 'non-compliant' must be given where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.	0
Not applicable	A designation of 'not applicable' must be given where the requirements of a condition or elements of a condition fall outside of the scope of the current ARC period. For example, a condition that applies to an activity that has not yet commenced.	30

3. Correcting non-compliances

There were no instances of non-compliance identified during the ARC period. All activities and operations were conducted in full accordance with the approval EPBC 2023/09679.

4. New environmental risks

The Action has not yet commenced. Consequently, no new environmental risks were identified.

5. Incidents during the ARC period

There were no incidents identified during the ACR period.

Appendix A

Summary of compliance and definitions

Appendix Table A.1 EPBC Approval Conditions Compliance table

Condition Number / Reference	Condition	Is the Project compliant with this condition?	Evidence/comments
Implementation of NSW development consent administrative conditions			
1	The approval holder must comply with conditions A1, A5, A6, and A8 of the NSW Development Consent, to the extent that they relate to protected matters.	Not applicable	Action has not yet commenced and conditions A1, A5, A6, and A8 of the NSW Development Consent have not been triggered.
Clearing limits			
2	The approval holder must not clear or construct outside of the development corridor.	Not applicable	Action has not yet commenced, and no clearance or construction has occurred outside the development corridor.
3	The approval holder must comply with conditions B25 and B26 of the NSW Development Consent, to the extent they relate to protected matters.	Not applicable	Action has not yet commenced, and conditions B25 and B26 of the NSW Development Consent have not been triggered.
Action management plans			
4	Biodiversity Management Plan The approval holder must comply with condition B31 of the NSW Development Consent, to the extent that it relates to protected matters.	Not applicable	Action has not yet commenced, and condition B31 of the NSW Development has not been triggered.
5	Bird and Bat Adaptive Management Plan The approval holder must comply with condition B32 of the NSW Development Consent, to the extent that it relates to protected matters.	Not applicable	Action has not yet commenced, and condition B32 of the NSW Development has not been triggered.
6	Environmental Management Strategy The approval holder must comply with condition C1 of the NSW Development Consent, to the extent that it relates to protected matters.	Not applicable	Action has not yet commenced, and condition C1 of the NSW Development has not been triggered.
Biodiversity offsets			
7	To compensate for residual significant impacts of the Action on protected matters, the approval holder must comply with conditions B27, B28, B29 and B30 of the NSW Development Consent, to the extent that they relate to protected matters.	Not applicable	Action has not yet commenced, and no biodiversity values have been impacted.
Modifications to State or Territory approval			

Condition Number / Reference	Condition	Is the Project compliant with this condition?	Evidence/comments
8	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 2 business days of formally proposing such a change and within 5 business days of becoming aware of any proposed change.	Compliant	PRPL notified the Department on 28 May 2026 that a scoping letter was submitted to the NSW Department and Planning, Housing and Infrastructure for a proposed modification to the NSW Development Consent (MOD 1). The Department will be notified following submission of the Modification Report for MOD 1.
9	The approval holder must notify the department in writing of any change to the NSW Development Consent conditions that may relate to protected matters, within 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.	Not applicable	The Department will be notified if MOD 1 results in any changes to NSW Development Consent conditions that may relate to protected matters.
Commencement of the Action			
10	The approval holder must notify the department electronically of the date of commencement of the Action, within 5 business days following commencement of the Action.	Not applicable	Action has not yet commenced.
11	The approval holder must not commence the Action later than 5 years after the date of this approval decision.	Not applicable	Action has not yet commenced.
Compliance records			
12	The approval holder must maintain accurate and complete compliance records and document the procedure for recording and storing compliance records.	Compliant	PRPL will maintain accurate and complete compliance records.
13	If the department makes a request in writing, the approval holder must provide electronic copies of compliance 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.	Not applicable	No request was made during the ACR period.
14	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 Guidelines for biological survey and mapped data, Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.	Not applicable	No monitoring data, surveys, maps, and other spatial and metadata was prepared during the ACR period.

Condition Number / Reference	Condition	Is the Project compliant with this condition?	Evidence/comments
15	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 Guide to providing maps and boundary data for EPBC Act projects, Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.	Not applicable	No monitoring data, surveys, maps, and other spatial and metadata was prepared during the ACR period.
16	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 within 20 business days of each anniversary of the date of this approval decision except where otherwise specified in a plan.	Not applicable	No monitoring data, surveys, maps, and other spatial and metadata was submitted during the ACR period.
Annual compliance reporting			
17	The approval holder must prepare a compliance report for each Annual Compliance Report period (ACR period).	Compliant	This ACR.
18	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 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	Details of compliance with this condition are provided in Table 1.2.
19	The approval holder must ensure each compliance report is completed to the satisfaction of the Minister and is consistent with the Annual Compliance Report Guidelines, Commonwealth of Australia 2023.	Compliant	This ACR has been prepared in accordance with the Guidelines.
20	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.	Not applicable	This condition has not yet been triggered as this is the first ACR. PRPL will publish this ACR and related shapefiles on the website.

Condition Number / Reference	Condition	Is the Project compliant with this condition?	Evidence/comments
21	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 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, submit the full shapefile to the department within 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.	Not applicable	No sensitive biodiversity data or shapefiles are required for this ACR.
22	The approval holder must notify the department electronically, within 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	This condition has not yet been triggered as this is the first ACR. PRPL will notify the Department following the publication of this ACR on the website.
23	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	This condition has not yet been triggered as this is the first ACR. PRPL will keep this ACR and related shapefiles published on the website.
Reporting non-compliance			
24	The approval holder must notify the department electronically, within 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 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.	Not applicable	No incident occurred during the ACR period.

Condition Number / Reference	Condition	Is the Project compliant with this condition?	Evidence/comments
25	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	No incident occurred during the ACR period.
Independent audit			
26	The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every audit period.	Not applicable	No audit was undertaken during the ACR period.
27	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	No audit was undertaken during the ACR period.
28	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	No audit was undertaken during the ACR period.
29	The approval holder must ensure the criteria for each independent audit and the undertaking of each independent audit are consistent with the Independent Audit and Audit Report Guidelines.	Not applicable	No audit was undertaken during the ACR period.
30	The approval holder must submit an audit report to the department for written agreement from the department within 3 months following the end of each audit period, or as otherwise directed by the Minister in writing.	Not applicable	No audit was undertaken during the ACR period.
31	The approval holder must ensure each audit report is completed to the satisfaction of the Minister and is consistent with the Independent Audit and Audit Report Guidelines to the extent that the Independent Audit and Audit Report Guidelines are consistent with these conditions.	Not applicable	No audit was undertaken during the ACR period.

Condition Number / Reference	Condition	Is the Project compliant with this condition?	Evidence/comments
32	The approval holder must publish each audit report on the website, in a format that is easily accessible and downloadable, within 10 business days of the date the department agrees to that audit report in writing.	Not applicable	No audit was undertaken during the ACR period.
33	The approval holder must notify the department within 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	No audit was undertaken during the ACR period.
34	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	No audit was undertaken during the ACR period.
Completion of the action			
35	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	Action has not yet commenced.

Appendix Table A.2 EPBC definitions

Term	Definition
Action area	The location of the Action, represented in: - Attachment A by the zone enclosed by the red line designated 'Project Area.' - Attachment B by the zone enclosed by the black hatched polygons designated 'Road upgrade footprint.'
Annual Compliance Report period or ACR period	Each subsequent 12-month period following the date of this approval decision until the expiry date of this approval, unless otherwise specified in writing by the Minister.
Audit period	Each subsequent three-year period following the commencement of the Action until the expiry date of this approval unless otherwise specified in writing by the Minister.
Audit report	A written report of an independent audit.
Biodiversity data	'Biodiversity data' as described in the Policy on Accessing and Sharing Biodiversity Data, Commonwealth of Australia 2024.
Business day	A day that is not a Saturday, a Sunday, or a public holiday in New South Wales.
Chariot Wheels	The EPBC Act listed threatened species <i>Maireana cheelii</i> .
Clear, cleared or clearing	The cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation.
Commence the Action or commences the Action	The first instance of any on-site clearing, construction or other physical activity associated with the Action, but does not include minor physical disturbance necessary to: - Undertake pre-clearance surveys or monitoring programs. - Install signage and/or temporary fencing to prevent unapproved use of the Action area, so long as the signage and/or temporary fencing is located where it does not harm any protected matter. - Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks. - Install temporary site facilities for persons undertaking pre-commencement activities so long as these facilities are located where they do not harm any protected matter.
Commencement of the Action	The date on which the approval holder commences the Action.
Completion data	An environmental report and spatial data clearly detailing how the conditions of this approval have been met.
Completion of the Action	The date on which all activities associated with the approved Action, other than those which provide compensation for the impacts of the Action, have permanently ceased and/or been completed.
Compliance records	All documentation or other material in whatever form required to demonstrate compliance with these conditions of approval (including compliance with commitments made in plans) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.
Compliance report	A written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in plans).

Term	Definition
Construct or construction	- the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site, - the alteration, maintenance, repair or demolition of any building or structure, - any work which involves breaking of the ground (including pile driving) or bulk earthworks, - the laying of pipes and other prefabricated materials in the ground, and - any associated excavation work.
Construct or construction	Does not include early works or minor physical disturbance for undertaking surveys, installation of temporary or permanent fences or signage, so long as the signage and/or fencing is located where it does not harm any protected matter.
Development corridor	The project development corridor represented in: - Attachment A by the zone enclosed by the black polygon designated 'Development Corridor', and - Attachment B by the black hatching designated 'Road upgrade footprint'. and as described in the NSW Development Consent.
Department	The Australian Government agency responsible for administering the EPBC Act.
Early works	All geotechnical investigations in the Action area and includes any: - drilling - drill spoil stockpiling - ground compaction - minor physical disturbance undertaken to enable geotechnical investigations necessary to determine final site layout, so long as it does not harm any protected matter.
EPBC Act	The <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
Harm	To cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.
Incident	Any: - event which has the potential to, or does, harm any protected matter, - potential non-compliance with these conditions, including the administrative requirements, - actual non-compliance with these conditions, including the administrative requirements, - potential non-compliance with one or more commitment made in a plan, and/or - actual non-compliance with one or more commitment made in a plan.
Independent audit	An audit, conducted by an independent auditor, of compliance with and fulfilment of these conditions and the commitments made in plans, objectively evaluated against the audit criteria developed by the independent auditor, in accordance with the Independent Audit and Audit Report Guidelines to the extent that the Independent Audit and Audit Report Guidelines are consistent with these conditions.

Term	Definition
Independent Audit and Audit Report Guidelines	The Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines, Commonwealth of Australia 2019.
Independent auditor	A person, or firm, who: • does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons, • has demonstrated experience in undertaking government-regulated environmental compliance audits, and • holds relevant professional qualifications and accreditations. *Other than for the purpose of undertaking the role for which the person, or firm, is required.
Minister	The Australian Government Minister administering the EPBC Act, including any delegate thereof.
Monitoring data	The data required to be recorded under the conditions of this approval, including sensitive biodiversity data.
Mossgiel Daisy	The EPBC Act listed threatened species <i>Brachyscome papillosa</i> .
NSW Development Consent	The Independent Planning Commission of NSW's Development Consent for the Pottinger Wind Farm, approved on 31 July 2025. All documents for the Pottinger Wind Farm Project (SSD- 59235464) are provided on the NSW Major Projects website at the date of this decision: https://www.planningportal.nsw.gov.au/majorprojects/projects/pottinger-wind-farm . The NSW Development Consent conditions referred to in this notice are the conditions in the Development Consent document.
Pink Cockatoo	The EPBC Act listed threatened species Pink Cockatoo (<i>Lophochroa leadbeateri leadbeateri</i>), also known by common names Major Mitchell's cockatoo and Leadbeater's cockatoo.
Plan(s)	Any action management plan or strategy that the approval holder is required by these conditions to implement.
Plains-wanderer	The EPBC Act listed threatened species <i>Pedionomus torquatus</i> .
Protected matter(s)	Matter protected under a controlling provision in Part 3 of the EPBC Act for which this approval has effect, namely: • Chariot Wheels, • Mossgiel Daisy, • Pink Cockatoo, • Plains-wanderer, • Slender Darling-pea, and • Southern Whiteface.
Sensitive biodiversity data	Biodiversity data which, if released, published or otherwise exposed, may result in harm to the relevant protected matters as a result of the intentional or unintentional misuse of that biodiversity data.
Shapefile	Location and attribute information about the Action provided in an Esri shapefile format containing: • '.shp', '.shx', '.dbf' files,

Term	Definition
	- a '.prj' file which specifies the projection or geographic coordinate system used, and - an '.xml' metadata file that describes the shapefile for discovery and identification purposes.
Slender Darling-pea	The EPBC Act listed threatened species <i>Swainsona murrayana</i> .
Southern Whiteface	The EPBC Act listed threatened species <i>Aphelocephala leucopsis</i> .
Website	A set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Appendix B

Schedule of plans



Appendix Table B.1 Schedule of plans in relation to EPBC conditions and in effect during this ACR

EPBC 2023/09679	NSW Development Consent	Document Name	Status
Condition 4	Condition B31	Biodiversity Management Plan	This plan was not in effect during the ACR period
Condition 5	Condition B32	Bird and Bat Adaptive Management Plan	This plan was not in effect during the ACR period
Condition 6	Condition C1	Environmental Management Strategy	This plan was not in effect during the ACR period