

SUPPORTING RECORD AND ANALYTICAL MEMORANDUM

Lal Lal Wind Farm — Regulatory Record Chronology and Reconciliation

Prepared by

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as Trustee of the **Owen Robert Inter Vivos Trust**

Prepared in support of the Statement of Matters of Public Interest dated 19 February 2026.

This memorandum forms the supporting record referred to in Section 1.6 of that Statement.

Version 1.0 — 7 March 2026

Initial supporting record compiled following issuance of the Statement of Matters of Public Interest dated 19 February 2026.

Version Control Note

Subsequent versions of this memorandum may be issued where additional documentary material becomes available (including through Freedom of Information processes). Earlier versions remain part of the administrative record and are not retrospectively altered.

Key Chronology Summary

The following summary identifies principal milestone descriptors appearing in the disclosed record reviewed as at the date of this memorandum.

The summary is provided solely to assist chronological reading of the materials reviewed and does not determine hierarchy or legal meaning.

Date	Descriptor	Source	Record Note
Aug 2019	PCNA monitoring program explained (triggered by commissioning of last turbine)	CRG Minutes	Monitoring sequence tied to commissioning milestone
Oct 2019	Construction described as complete; commissioning continuing	CRG Minutes	Construction completion referenced while commissioning ongoing
Dec 2019	Landscaping program tied to commissioning of last turbine	CRG Minutes	Twelve-month landscaping calculation reference
Jun 2020	Landscaping program stated to remain open until 19 Nov 2020	Community Bulletin	Date consistent with twelve-month calculation from late-2019 commissioning reference
Mar–May 2020	Facility operating at reduced capacity; PCNA delayed	CRG Minutes	Operational constraint recorded
Oct–Dec	Interim monitoring undertaken; facility described	SLR Interim Monitoring Report	Monitoring during constrained operations

Date	Descriptor	Source	Record Note
2020	as newly commissioned		
10 Dec 2020	Final turbine commissioned; wind farm commenced operating	Operator correspondence	Commissioning representation
Feb 2021	K15aa background monitoring report finalised	SLR Report	Report finalisation recorded
Mar 2021	Wind farm described as fully operational	Project Update	Descriptor used in monitoring context
Jul 2021	Off-site landscaping program recorded as closed	Public / Council record	Landscaping closure date recorded
Oct 2021	Elaine described as not yet fully operational	Operator correspondence	Alternative operational descriptor recorded
6 Apr 2022	Date of commencement of operation referenced	Regulatory correspondence	Administrative milestone descriptor

Visual Timeline Summary

(Record-Based Descriptors Only)

2019

Aug 2019 — CRG Minutes

PCNA monitoring program tied to commissioning of last turbine

Oct 2019 — CRG Minutes

Construction described as complete while commissioning continued

Dec 2019 — CRG Minutes

Landscaping program tied to commissioning milestone

2020

Mar–May 2020 — CRG Minutes

Facility operating below full capacity; monitoring delayed

Jun 2020 — Community Bulletin

Landscaping program open until 19 Nov 2020

Oct–Dec 2020 — SLR Interim Monitoring Report

Facility described as newly commissioned

10 Dec 2020 — Operator correspondence

Final turbine commissioned; wind farm commenced operating

2021

Feb 2021 — SLR Report

K15aa monitoring report finalised

Mar 2021 — Project Update

Wind farm described as fully operational

Jul 2021 — Council / public record

Landscaping program recorded as closed

Oct 2021 — Operator correspondence

Elaine described as not yet fully operational

2022

6 Apr 2022 — Regulatory correspondence
Commencement of operation referenced

1. Purpose and Status of this Memorandum

1.1

This memorandum collates chronology, document references, milestone descriptors and record-sequencing observations underpinning matters identified in the Statement of Matters of Public Interest dated 19 February 2026.

1.2

It is confined to disclosed project, regulatory and publicly available materials reviewed as at the date of this memorandum.

The memorandum compiles and organises information drawn from those materials for the purpose of assisting administrative review of the regulatory record.

1.3

This memorandum records chronology, document references, and milestone descriptors appearing in the disclosed regulatory and project record. It does not assert breach, wrongdoing, liability, or compliance outcomes.

1.4

It records milestone representations, interpretive positions and record sequencing without determining legal effect and without resolving interaction between those representations.

1.5

References to descriptors including:

- commissioning
- commencement
- operation
- fully operational
- practical completion
- export to grid

are recorded as descriptors appearing in the documentary record and are not adopted as legal conclusions.

2. Chronology of Construction, Commissioning, Operation and Monitoring

2.1 Chronology Table (Record-Based Only)

Date	Milestone Category	Milestone Type (Descriptor Used)	Event / Representation	Source	Record Observation
Aug	Monitoring	Commissioning	PCNA	CRG Minutes	Monitoring program

Date	Milestone Category	Milestone Type (Descriptor Used)	Event / Representation	Source	Record Observation
2019	Trigger	milestone reference	monitoring sequence explained		tied to commissioning milestone
Oct 2019	Construction	Construction completion	Construction described as complete	CRG Minutes	Commissioning continuing
Dec 2019	Landscaping Trigger	Commissioning milestone reference	Landscaping program tied to commissioning	CRG Minutes	Implies late-2019 commissioning reference
Mar–May 2020	Operational Status	Reduced operational capacity	PCNA delayed due to reduced generation	CRG Minutes	Network constraints recorded
Jun 2020	Landscaping Program	Program availability reference	Landscaping program open until 19 Nov 2020	Community Bulletin	Twelve-month calculation reference
Oct–Dec 2020	Monitoring	Newly commissioned descriptor	Interim monitoring undertaken	SLR Interim Report	Monitoring during constrained operation
10 Dec 2020	Commissioning	Commissioning completion	Final turbine commissioned	Operator correspondence	Facility described as commencing operation
Feb 2021	Monitoring / Baseline	Baseline report finalisation	K15aa monitoring report finalised	SLR Report	Report produced post-commissioning
Mar 2021	Operational Descriptor	Fully operational	Wind farm described as fully operational	Project Update	Operational descriptor
Oct 2021	Operational Descriptor	Not yet fully operational	Elaine component described as not yet fully operational	Operator correspondence	Alternative descriptor
6 Apr 2022	Regulatory Descriptor	Commencement of operation	Commencement milestone referenced	Regulatory correspondence	Administrative commencement reference

Chronology Note

The milestone descriptors recorded above appear across different project communications, consultant reports and regulatory correspondence reviewed as at the date of this memorandum.

These descriptors are recorded as part of the documentary record and are not presented as a determination of hierarchy or legal meaning.

3. Operational Capacity and Monitoring Sequencing

CRG minutes record that the post-construction noise assessment program was delayed because the facility was not operating at full capacity due to network constraints.

These records attribute the delay to constrained generation rather than turbine commissioning status.

The SLR interim monitoring report records the wind farm as newly commissioned while operating under ramp-up conditions.

No compliance conclusion is drawn.

4. Commissioning and “Commencement of Operation”

Operator correspondence records commissioning of the final turbine on 10 December 2020 and asserts that the wind farm commenced operating on that date.

EPA correspondence refers to commencement occurring when electricity is exported to the grid, and references 6 April 2022 as the commencement milestone used for monitoring calculations.

Annex C – EPA Internal Review Correspondence and Regulatory Reliance Record

No disclosed statutory instrument fixing commencement has been identified within the materials reviewed.

4.3 Recorded Divergence of Commencement References

The disclosed record contains milestone descriptors referring to commissioning, operational status and commencement of operation appearing across project communications, consultant reports and regulatory correspondence.

These include:

- commissioning of last turbine (late-2019 reference)
- commissioning completion (10 Dec 2020 representation)
- landscaping closure July 2021 (implied mid-2020 commissioning reference)
- fully operational (Mar 2021 descriptor)
- not yet fully operational (Oct 2021 descriptor)
- commencement of operation (Apr 2022 descriptor)

These descriptors appear to reference different milestone points within the project timeline.

No determination is made as to which reference governs.

5. Clause 12 — Off-Site Landscaping Program Trigger

Planning permit Clause 12 ties landscaping availability to twelve months after commissioning of the last turbine.

CRG minutes and community bulletin records reference landscaping availability until approximately 18–19 November 2020.

Later records reference landscaping program closure in July 2021.

The timing of those references indicates differing commissioning reference points within the documentary record.

This section records timing interaction only.

6. Background Noise Baseline — K15aa

NZS 6808:2010 defines background sound as the A-weighted L90 sound level measured prior to installation of wind turbines.

Monitoring associated with reference receptor K15aa occurred in 2019 and the associated report was finalised 16 February 2021.

Annex A – K15aa Record of Baseline Integrity and Regulatory Reliance

Consultant material describes modelling adjustments applied to account for turbine influence within the dataset during the monitoring period.

Annex C – EPA Internal Review Correspondence and Regulatory Reliance Record

The sequence of monitoring activity, report preparation and operational milestones is recorded for chronology purposes only. No technical assessment of monitoring methodology or regulatory compliance is made.

6.2 Monitoring Conditions and Wind-Speed Reference

Consultant reporting indicates that wind-speed reference data used for background noise regression analysis was derived from wind turbine generator (WTG) operational reference data rather than a dedicated meteorological mast during part of the monitoring period.

This occurred during the period in which monitoring associated with K15aa was undertaken and when commissioning-phase turbine operation was occurring.

This section records the monitoring context appearing in the disclosed materials only and does not assess methodology.

7. Instrument Status Evolution

The Noise Compliance Test Plan (NCTP) is referenced as an endorsed instrument under the planning permit framework.

Subsequent documentation refers to revisions and a proposed permit amendment seeks deletion of NCTP-related conditions.

The Noise Management Plan dated 18 October 2022 is referenced in regulatory correspondence but is also described elsewhere as draft.

Annex C – EPA Internal Review Correspondence and Regulatory Reliance Record

Auditor verification wording evolves across reports.

No consolidated facility-wide confirmation instrument has been identified within the materials reviewed.

8. Cross-Agency Custody and Record Continuity

8.1 FOI Custody Observations

Freedom of Information outcomes indicate that:

- Council does not hold a pre-construction baseline report for receiver location K15aa
- DTP does not hold submission records for the February 2021 supplementary baseline monitoring report
- EPA correspondence references reliance upon background monitoring data

Custody of certain foundational documentation is therefore not consistently reflected across the agencies whose regulatory functions relate to the wind energy facility.

These observations relate only to the disclosed record reviewed as at the date of this memorandum.

Annex D – Cross-Agency Custody Record summarises the information provided by the respective agencies in response to Freedom of Information requests and correspondence.

8.2 Meteorological Monitoring Infrastructure

The planning permit authorises the development of permanent meteorological monitoring facilities as part of the wind energy facility infrastructure.

Council correspondence dated 26 September 2024 records that matters relating to meteorological monitoring facilities were addressed through a Secondary Consent Amendment issued by the Department of Transport and Planning rather than Council.

That correspondence indicates that elements of permit administration relating to the wind energy facility have been managed across multiple authorities.

This memorandum records that administrative distribution without drawing any conclusion regarding the interaction between those authorities.

8.3 Planning Permit Amendment Process (Administrative Record)

The disclosed record also includes a formal submission made by the Trustee on 25 February 2026 to the Development Approvals unit of the Department of Transport and Planning during the public exhibition period for the proposed amendment to Planning Permit PL-SP/05/0461 concerning the amendment of Condition 23 and the deletion of Conditions 24–27 relating to wind turbine noise compliance.

That submission addresses regulatory sequencing between the planning-permit-based compliance architecture and the Environment Protection Act 2017 regulatory framework. It does not assert breach or non-compliance.

The submission is noted here solely for administrative record continuity within the broader chronology of regulatory correspondence and oversight interactions relating to Lal Lal Wind Farm.

9. FOI-100-2025 (Beneficiary Capacity) — Procedural Status Only

The EPA decision dated 25 September 2025 identified nine documents and granted access in full.

Certain requested categories do not appear as separately listed documents.

An OVIC review regarding completeness remains ongoing.

9A. Key Chronology Interaction Summary (Record-Based)

The following table summarises the principal milestone descriptors appearing in the materials reviewed and illustrates how those descriptors interact across the project chronology.

This summary does not determine hierarchy or legal meaning.

Milestone Descriptor	Date Reference	Source	Observation
Commissioning of last turbine (implied)	Late-2019 reference	CRG Minutes / Landscaping calculation	Landscaping availability stated to remain open until approx. 18–19 Nov 2020
Commissioning representation	10 Dec 2020	Operator correspondence	Final turbine commissioned; wind farm commenced operating
Operational descriptor	Mar 2021	Project Update	Wind farm described as fully operational
Landscaping program closure	4 Jul 2021	Public / Council record	Landscaping program recorded as closed
Responsible authority interpretation	Mid-2021	Council correspondence	Council records understanding that commissioning occurred mid-2021 for Condition 12 purposes
Operational descriptor	Oct 2021	Operator correspondence	Elaine described as not yet fully operational
Regulatory descriptor	6 Apr 2022	Regulatory correspondence	Date of commencement of operation referenced

These milestone descriptors appear within different project communications, consultant reports and regulatory correspondence reviewed as at the date of this memorandum.

The materials reviewed do not identify, on the disclosed record, a single disclosed instrument consolidating these descriptors into a unified commissioning or commencement reference.

This table records the interaction of those descriptors only.

10. Concluding Observations (Record-Based Only)

The disclosed record contains multiple milestone descriptors referring to:

- construction completion
- commissioning
- operational status
- commencement of operation.

These descriptors interact with:

- landscaping timing
- monitoring sequencing
- regulatory reporting references.

The materials reviewed do not identify, on the disclosed record, a single instrument consolidating these milestone references into a unified chronology.

This memorandum records chronology and interaction only.

11. Administrative Clarification Recommendations (Non-Determinative)

For administrative completeness only, administrative clarification may assist regarding:

- commissioning date relied upon for Clause 12 landscaping trigger
- commencement date relied upon for regulatory monitoring triggers
- identification of any instrument fixing commencement of operation
- submission timing of the updated background report relative to commencement
- cross-agency custody of baseline documentation

These observations are administrative only and do not assert non-compliance.

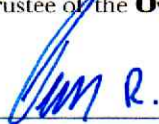
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