

From: Owen R. officeexecutorowenrobertlewis@gmail.com
Subject: Administrative Record – Commissioning (Condition 12)
Date: 15 April 2026 at 1:51 pm
To: Henry Bezuidenhout hbezuidenhout@moorabool.vic.gov.au
Cc: Governance governance@moorabool.vic.gov.au

OR

Dear Mr Bezuidenhout,

The Trustee writes for record purposes only in relation to prior enquiries and correspondence made by Owen Robert in his private capacity during the period 2021–2024 concerning the operation of the Lal Lal Wind Farm under Planning Permit PL-SP/05/0461-2.

Those matters included a noise complaint raised in December 2021 and subsequently investigated by Council in its capacity as Responsible Authority under the planning permit, including consideration of obligations arising under Condition 10 (Complaints made to the Responsible Authority). That process culminated in correspondence dated 14 December 2022 in which Council advised that, following consideration of the Post-Construction Noise Monitoring Report and related material, it had concluded that no breach of the planning permit existed and that the complaint would be closed.

The Trustee notes that such consideration necessarily proceeded within the framework of the permit conditions governing post-construction operation, including conditions linked to commissioning, operational status, and the timing of post-construction monitoring and related obligations.

The Trustee further notes that, in subsequent correspondence during 2024, Council referred to a commissioning timeframe of approximately mid-2021 in the context of administering Condition 12 of the planning permit, and in some instances directed enquiries regarding commissioning to the wind farm operator.

However, no specific administrative record or instrument evidencing the basis upon which that commissioning timeframe was recorded or relied upon by Council was identified in that correspondence.

The Trustee also notes that, in response to a request made under the Freedom of Information Act 1982 (Vic) (SR.142870), Council has advised that no documents were identified within scope, including:

- any commissioning certificate for the wind farm as a whole or for the last turbine;
- any formal notification of commissioning received by Council; or
- any internal milestone register entry or database record recording a commissioning date relied upon by Council.

In light of the above, the Trustee seeks clarification for record purposes only as to:

- whether Council formed a concluded administrative view as to the commissioning date of the wind farm or the last turbine; and
- the basis upon which any such view was formed or recorded, including whether it arises from formal notification, internal recording, or reliance on external information.

This enquiry is made solely to ensure that the administrative record is complete, internally coherent, and accurately reflects Council's position. No assertion of breach or wrongdoing is made.

Kind regards,
LEWIS TROJAN HORSE PTY LTD
(ACN 693 680 509)
as Trustee of the **Owen Robert Inter Vivos Trust**