



All correspondence to:

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

P.O. Box 7/5234 Midland Hwy
Elaine, Victoria 3334

Contact details:

Office of the Executor "OWEN ROBERT LEWIS"

NOTICE

Opportunity to Clarify Professional Positions and Authorising Basis

Procedural Fairness — Lal Lal Wind Farm

Issued by

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

Date: 26 July 2026

To:

Mr Gustaf Reutersward
Technical Director Acoustics
SLR Consulting Australia Pty Ltd

By email: greutersward@slrconsulting.com

1. Purpose

This Notice forms part of the Trustee's continuing administrative and documentary record concerning the Lal Lal Wind Farm.

The purpose of this Notice is to afford you an opportunity, as a matter of procedural fairness, to clarify the documentary and authorising basis for certain professional positions, methodologies, interpretations, statements and conclusions attributed to you within reports, correspondence and other material forming part of the Lal Lal Wind Farm administrative record.

The Trustee has not issued this Notice as an allegation of wrongdoing or professional misconduct. Nor does this Notice record any concluded finding concerning your professional conduct or work.

It is issued before the Trustee determines its final administrative position concerning the matters identified below.

2. Background

The Trustee has undertaken a continuing reconciliation of the statutory framework, planning framework, Planning Permit PL-SP/05/0461, the approved Noise Compliance Testing Plan, NZS 6808:2010, technical reports, correspondence, material obtained through statutory processes and other documentary material concerning the Lal Lal Wind Farm.

That reconciliation has substantially progressed.

The documentary record has now reached a level of maturity at which the Trustee considers it appropriate to afford persons whose professional positions form a material part of that record an opportunity to clarify those positions before the Trustee determines its own final administrative position.

The Trustee understands that you have previously been informed of the existence of the Trustee's publicly available administrative record concerning the Lal Lal Wind Farm. That record has continued to develop and consolidate the relevant documentary chronology.

This Notice does not attempt to reproduce the full administrative record or particularise every matter identified through the Trustee's reconciliation. Its purpose is to identify the principal anchor matters sufficiently to provide a meaningful opportunity to respond.

3. Governing Question

A central question arising from the Trustee's documentary reconciliation is not confined to whether a particular approach was considered reasonable as a matter of professional judgement.

The anterior question is:

What statutory, planning, contractual, technical or other documentary authority authorised the particular position, methodology, interpretation or procedural pathway that was adopted?

Professional judgement may necessarily be exercised within technical assessment. The present question, however, concerns the framework within which that judgement was exercised and, where an approach departed from, supplemented or displaced an identified requirement, the authority or documented pathway by which that occurred.

Where the Trustee refers below to an authorising basis not having been identified, that does not constitute a finding that no such authority exists. It records only that the Trustee has not presently located an instrument, approval, variation, direction, waiver or other documentary basis within the material available to it.

This Notice provides you with an opportunity to identify or explain any such basis.

4. Principal Anchor Matters

Without attempting to particularise every documentary issue identified during the reconciliation, the Trustee considers that the principal matters presently requiring clarification or reconciliation are as follows.

4.1 Authorising basis and procedural pathway

The statutory, planning, contractual, technical or other documentary basis relied upon for the professional positions, methodologies, assumptions, interpretations and conclusions adopted in relation to the assessment of noise compliance at the Lal Lal Wind Farm.

This includes the pathway followed where the approach adopted was not expressly stated in, or appears not to have followed directly from:

- Planning Permit PL-SP/05/0461;
- the approved Noise Compliance Testing Plan;
- NZS 6808:2010;
- an endorsed or approved technical document;
- a written direction or approval from the responsible authority or relevant regulator; or
- another identifiable authorising instrument.

It also includes any amendment, approval, variation, dispensation, waiver, instruction or professional protocol relied upon where the Trustee's documentary reconciliation has not presently identified the relevant authorising document.

4.2 NZS 6808:2010

The interpretation and application of NZS 6808:2010, including:

- the status and application of provisions expressed in mandatory terms;
- the distinction between mandatory requirements, recommendations and matters involving professional judgement;
- the extent to which professional judgement was considered capable of modifying, supplementing or displacing an express requirement;
- the identification of any authority relied upon for such an approach; and
- the manner in which the Standard was applied throughout background noise assessment, operational monitoring, assessment and reporting.

4.3 Approved Noise Compliance Testing Plan

The interpretation and implementation of the approved Noise Compliance Testing Plan, including:

- its relationship with NZS 6808:2010;
- the status of its specified methodologies, locations, timing requirements and procedural steps;
- whether, and by what authority, any different methodology or procedural pathway was adopted;
- whether any departure, substitution or variation was documented and approved; and
- the basis upon which the resulting work was treated as satisfying the approved compliance framework.

4.4 K15aa background noise dataset

The establishment, acquisition, interpretation and subsequent use of the K15aa background noise dataset within the approved compliance framework.

This includes:

- the timing of the background noise monitoring;
- the location at which the measurements were obtained;
- the relationship between that location and the relevant dwelling or noise-sensitive location;
- the application of the background sound level requirements contained in NZS 6808:2010 and the approved Noise Compliance Testing Plan;

- the circumstances in which the dataset was accepted and subsequently relied upon;
- the identification of any authorising instrument or approved pathway supporting the location, timing or methodology adopted; and
- the subsequent use of the K15aa dataset in operational compliance assessment and reporting

The Trustee's present concern is not confined to the exercise of acoustic judgement when analysing the data. It extends to the documentary authority for establishing and using the dataset in the manner recorded.

4.5 Representative monitoring methodology

The interpretation and application of representative monitoring methodology, including:

- the selection of representative monitoring locations;
- the characteristics relied upon when determining that one location was representative of another;
- the relationship between representative monitoring and individual noise-sensitive locations;
- the treatment of differences in background sound environments, turbine exposure, topography, dwelling location and other relevant characteristics;
- the extent to which any representative relationship was established before or after monitoring occurred; and
- the documentary or technical authority relied upon for the representative methodology adopted.

4.6 Operational compliance testing and assessment pathway

The methodology and procedural pathway followed during operational compliance testing, including:

- the timing and duration of monitoring;
- the assessment periods used;
- the relationship between the monitoring undertaken and the applicable testing windows;
- the use and interpretation of attended observations;
- the use and interpretation of turbine on/off testing;
- the treatment of periods that were included, excluded or otherwise adjusted;
- the relationship between raw monitoring material, observations, analysis and reported conclusions; and
- the authority relied upon for any methodology not expressly provided for within the approved compliance framework.

4.7 Special Audible Characteristics

The identification, assessment and treatment of Special Audible Characteristics, including:

- the applicable provisions of NZS 6808:2010;
- the methodology used to determine whether a Special Audible Characteristic was present;
- the relationship between attended observations, recorded material, acoustic data and reported findings;

- the circumstances in which a characteristic was considered absent, intermittent, non-material or otherwise not subject to adjustment;
- the role of professional judgement in reaching those conclusions; and
- the documentary or technical authority relied upon for the approach adopted.

4.8 Daylight saving time

The interpretation and application of daylight saving time in relation to:

- the identification of day-time and night-time periods;
- the classification of monitoring data;
- the application of assessment periods;
- the treatment of data within compliance calculations;
- the presentation of monitoring results and conclusions; and
- the documentary or technical authority relied upon for the time convention adopted.

4.9 Statements concerning what occurred

Statements and conclusions describing what occurred during background monitoring, operational monitoring, attended observations, turbine on/off testing and other compliance assessment activities.

This includes circumstances in which the contemporaneous documentary record presently available to the Trustee appears not to align fully with a subsequent description, characterisation or conclusion contained within a report or correspondence.

The Trustee does not presently ask you to respond to every individual documentary comparison. The present opportunity extends generally to whether you:

- maintain the descriptions and conclusions previously expressed;
- consider that any statement requires clarification;
- consider that any statement should be qualified;
- identify additional documentary material that assists in reconciling the record; or
- consider that the presently available record does not accurately or completely reflect what occurred.

4.10 Associated professional positions

Any other professional position, interpretation, methodology, assumption, statement or conclusion known to you that is materially connected with the matters above and that you consider should be clarified before the Trustee determines its final administrative position.

5. Level of particularisation

The Trustee proceeds on the basis that the matters identified above will be familiar to you from your own professional involvement, reports, correspondence, assessments and opinions concerning the Lal Lal Wind Farm.

The Trustee has therefore intentionally not converted this Notice into an exhaustive schedule of individual statements, report passages or documentary inconsistencies.

That approach is deliberate.

The purpose of this Notice is to provide procedural fairness, not to conduct a technical debate by correspondence or present a concluded case for you to answer.

The governing instruments, professional work and principal subject matters have been identified sufficiently to enable you to indicate whether your recorded positions are maintained, clarified or qualified and to identify any authorising material or procedural pathway not presently apparent within the Trustee's record.

6. Opportunity to respond

Before determining its final administrative position, the Trustee invites you to provide any response you consider appropriate.

In particular, you may wish to indicate:

1. whether you maintain the professional positions, methodologies, interpretations, statements and conclusions previously expressed;
2. whether any previous position, opinion or statement requires clarification or qualification;
3. the instrument, approval, instruction, variation, direction, technical provision or other authority relied upon for any methodology or procedural pathway addressed in this Notice;
4. whether any material document relevant to that authorising basis has not been included within the documentary record presently available to the Trustee;
5. whether any relevant decision was based solely or substantially upon professional judgement and, if so, the governing provision or recognised methodology within which that judgement was exercised;
6. whether the Trustee has misunderstood any aspect of your role, reasoning, methodology or conclusions; and
7. any further information you consider should be taken into account before the Trustee determines its administrative position.

You are not required to adopt any particular form of response.

A response may address the Notice as a whole or be confined to those matters upon which you consider clarification is necessary.

7. Professional framework

The Trustee understands that professional acousticians may be required to exercise specialist judgement when applying technical standards and undertaking acoustic assessment.

The Trustee also recognises that members of the Australian Acoustical Society are expected to conduct their professional activities consistently with the Society's Constitution, By-Laws and Code of Ethics.

Reference to that professional framework is made solely as context for the opportunity being afforded.

Nothing in this Notice should be understood as:

- alleging a breach of any professional obligation;
- prejudging whether any professional obligation has been met;
- asserting professional misconduct; or
- requesting the Australian Acoustical Society to reach any particular conclusion.

The Trustee considers it appropriate that you first be given a direct opportunity to clarify your own professional position before the Trustee considers whether any further administrative step is warranted.

8. Administrative record and possible inclusion

This Notice forms part of the Trustee's continuing administrative record concerning the Lal Lal Wind Farm.

Any response received may be:

- incorporated into that administrative record;
- considered in conjunction with the underlying documentary material;
- referred to in a subsequent administrative notice, memorandum, chronology or statement of position; and
- included, quoted or summarised within the Trustee's public administrative record where reasonably necessary to preserve the documentary chronology and accurately record the response received.

The Trustee will endeavour to preserve the substance and context of any response.

Should you provide information that you contend is confidential, commercially sensitive or otherwise unsuitable for public inclusion, you should identify that material clearly and explain the basis upon which confidentiality is claimed. The Trustee will consider any such request but cannot undertake in advance that material relevant to the administrative record will necessarily be excluded.

The fact of any response, or the absence of a response, may itself be recorded as part of the administrative chronology.

9. No predetermined conclusion

The Trustee has not predetermined the matters identified in this Notice.

Any response received will be considered genuinely and before the Trustee determines its final administrative position concerning your professional work and the associated documentary record.

The Trustee remains open to:

- correction of factual misunderstandings;
- identification of documents not presently held;
- clarification of the authority or pathway relied upon;
- explanation of technical terminology or methodology;
- qualification of earlier statements; and
- reconciliation of apparent differences within the documentary record.

The issuing of this Notice should therefore not be interpreted as indicating that any adverse conclusion has already been reached.

10. Response period

To ensure that any response can be considered before the Trustee completes this stage of its documentary reconciliation, the Trustee respectfully invites a response by:

03 August 2026

A response may be sent electronically to:

officeexecutorowenrobertlewis@gmail.com

Should additional time reasonably be required, you may notify the Trustee before that date and identify the period sought.

If no response is received, the Trustee may proceed after the stated date to determine its administrative position on the basis of the documentary material then available.

No adverse inference will be drawn merely from a decision not to respond. However, the Trustee will necessarily determine its position without the benefit of any clarification, additional document or explanation that might otherwise have been provided.

11. Reservation

This Notice is issued for administrative record and procedural fairness purposes.

Nothing in it limits the Trustee's ability to:

- continue its documentary reconciliation;
- seek clarification from another person or body;
- place additional material upon the administrative record;
- correct or revise its position should further evidence become available; or
- determine what further administrative, regulatory, professional or legal step, if any, is appropriate after considering the completed record.

All rights and positions are reserved.

Execution

Executed by:

LEWIS TROJAN HORSE PTY LTD (ACN 693 680 509)

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



Owen Lewis

Director

Date: 26 / 07 / 2026