

OR

- what Resonate examined;
- what Resonate understood the applicable criteria to be;

- what Resonate assumed had already been established;
- what documents Resonate relied upon; and
- the basis upon which Resonate expressed its own professional conclusions concerning consistency with NZS 6808:2010 and the NCTP.

As the professional responsible for that Peer Review, you would reasonably be expected to be able to identify whether these matters were examined or assumed within the scope of the engagement.

The Trustee is providing this opportunity precisely so that Resonate can explain its own work rather than having the Trustee, Lal Lal Wind Farm / RES, a regulator or any external body attempt to infer Resonate's reasoning from the face of M240363LT1A.

Three questions remain

Accordingly, I respectfully ask you once more to answer the following directly:

1. **Examined:** When undertaking M240363LT1A, did Resonate examine whether the underlying K15aa dataset satisfied the foundational requirements concerning Background sound level, noise-sensitive measurement location / Notional boundary and the relevant timing and measurement requirements of the endorsed NCTP?
2. **Assumed:** If those matters were outside the scope of Resonate's engagement and were not examined, did Resonate proceed on the assumption that they had already been satisfied when expressing its conclusions concerning consistency with NZS 6808:2010 and the NCTP?
3. **Basis:** If Resonate did examine those matters, what documentary or professional basis did Resonate rely upon in considering them satisfied?

For avoidance of doubt, the Trustee is **not asking Resonate to change its professional opinion**.

Your email of 17 August expressly records that the DTP FOI material does not alter that opinion. That position is acknowledged.

What remains unresolved is the **basis upon which the existing opinion was formed and how the apparent tension identified above is reconciled, or alternatively whether those foundational matters were outside Resonate's review and assumed to have been satisfied**.

Either answer would materially clarify the record.

The Trustee has deliberately approached Resonate directly and repeatedly before considering any external process. This correspondence is intended to ensure that you, as the professional responsible for the Peer Review, have a full and fair opportunity to explain Resonate's position in its own words.

If Resonate does not wish to answer these questions or provide any clarification beyond M240363LT1A and your email of 17 August, please simply confirm that this is Resonate's final position.

The Trustee will then record the direct resolution process as complete and determine what, if any, further step is appropriate.

Yours faithfully,

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

On 17 Aug 2026, at 9:06 am, Tom Evans <tom.evans@resonate-consultants.com> wrote:

Dear Mr Roberts,

The peer review document that was issued (reference M240363LT1A) sets out the scope of our engagement for the peer review, our professional opinion and the reasons for that opinion. The FOI request you received from DTP does not alter that opinion.

If you seek further information, I recommend you direct queries to Lal Lal Wind Farm / RES who commissioned the review.

Kind regards,

Tom Evans (he/him)
Managing Director

<image.png>

p 03 9020 3888 m 0421 279 929 Wurundjeri Country, Level 16, 350 Queen Street Melbourne VIC 3000 Australia

I acknowledge the Traditional Custodians of the land on which I work and live, and recognise their continuing connection to land, water and community. I pay respect to Elders past, present and emerging.

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From: Owen R.

Sent: 15 August 2026 12:05 PM

To: Tom Evans <tom.evans@resonate-consultants.com>

Cc: Resonate Info <info@resonate-consultants.com>; Sammy Murphy <sammy.murphy@resonate-consultants.com>

Subject: Follow-up — Lal Lal Wind Farm K15aa Peer Review — Further Opportunity to Clarify Professional Position

Dear Mr Evans,

I write further to the Trustee's correspondence of 5 and 9 August 2026 concerning Resonate's 30 September 2024 Peer Review of the Lal Lal Wind Farm Post-Construction Noise Monitoring Report – Amplitude Modulation and Background Noise Reassessment.

Resonate acknowledged the enquiry on 7 August and advised that the matters would be brought to your attention upon your return. The Trustee appreciates that acknowledgment and has allowed time for the material provided to be considered.

The Trustee has sought throughout this correspondence to provide Resonate with a direct opportunity to clarify the **scope, assumptions and professional basis of the conclusions actually expressed in its Peer Review**. The Trustee has not asked Resonate retrospectively to undertake a broader compliance assessment or to comment upon matters falling outside the scope of the work it performed.

The issue requiring clarification remains comparatively narrow.

Resonate concluded, within the stated scope of its Peer Review, that the methodologies considered were consistent with **NZS 6808:2010** and the endorsed **Noise Compliance Testing Plan (NCTP)**.

The subsequent documentary record raises a foundational question as to whether that conclusion proceeded upon an assumption that the underlying K15aa background data and measurement location already satisfied the applicable requirements of the Planning Permit, NZS 6808:2010 and the endorsed NCTP, or whether those matters were themselves considered by Resonate in reaching its conclusion.

As previously identified, Condition 23(a) of the Planning Permit required wind farm sound levels to be determined in accordance with the Standard **“at noise sensitive locations (as defined in the Standard)”**. The Trustee's supplementary correspondence also drew attention to the NZS requirements concerning measurement at noise-sensitive locations and to the earlier Marshall Day K15aa record.

The Trustee has additionally provided the Department of Transport and Planning's subsequent FOI clarification concerning the identified NZS 6808:2010 definitions and the endorsed NCTP material relevant to K15aa. The purpose of providing that material was to enable Resonate to consider whether it has any bearing upon the assumptions or basis of the conclusions Resonate actually expressed in 2024. The original enquiry expressly asked whether those foundational matters were considered or, if outside the Peer Review's scope, were assumed to have been satisfied.

For transparency, the Trustee also advises that a formal external complaint has now been lodged with the Association of Australasian Acoustical Consultants concerning SLR Consulting Australia Pty Ltd and the underlying professional work relevant to these matters.

That complaint concerns SLR's own professional work. It does not predetermine any position concerning Resonate, and the Trustee does not ask Resonate to comment upon that complaint.

The Trustee is, however, conscious that Resonate Consultants is itself an AAAC member firm. Consistently with AAAC's complaints procedure, the Trustee would prefer to resolve and accurately record Resonate's professional position directly before determining whether it is necessary to escalate the matter by way of a separate formal external complaint. Accordingly, the Trustee provides this further opportunity for Resonate to respond substantively to the clarification sought in the correspondence of 5 and 9 August 2026.

In particular, it would assist if Resonate could confirm:

1. whether the foundational K15aa requirements concerning **Background sound level, noise-sensitive location, measurement position and the endorsed NCTP requirements** were examined within the scope of Resonate's Peer Review;
2. if those matters were not examined because they fell outside the stated scope of the Peer Review, whether their satisfaction was **assumed** for the purposes of Resonate's conclusions concerning consistency with NZS 6808:2010 and the NCTP; and
3. if those matters were examined, the documentary or professional basis upon which Resonate considered them satisfied.

These questions are consistent with those already put to Resonate. The Trustee is not seeking to expand the scope of the original Peer Review, nor asking Resonate to adopt the Trustee's interpretation. The purpose is to establish accurately what Resonate reviewed, what was assumed, and the basis upon which Resonate expressed the professional conclusions appearing in its Peer Review. The 9 August correspondence expressly confined the request in those terms.

The Trustee would appreciate a substantive response within seven days of this email, or, if additional time is reasonably required to review Resonate's professional file, confirmation within that period of when a substantive response can be expected.

If the matter can be satisfactorily reconciled from Resonate's professional record, the Trustee would prefer that outcome. This further opportunity is provided for precisely that purpose before the Trustee determines whether any formal escalation is necessary.

Thank you for your attention to this matter.

Yours faithfully,

LEWIS TROJAN HORSE PTY LTD (ACN 693 680 509)
as Trustee of the **Owen Robert Inter Vivos Trust**
On 9 Aug 2026, at 6:34 am, Owen R

wrote:

Dear Mr Evans,

Further to my earlier email regarding Resonate's 30 September 2024 Peer Review of the Lal Lal Wind Farm Post-Construction Noise Monitoring Report – Amplitude Modulation and Background Noise Reassessment, I wish to provide two additional primary documents relevant to the technical clarification sought. I appreciate, as acknowledged in my earlier email, that Resonate's review expressly stated:

“Other aspects of the noise monitoring and assessment process have not been considered.”

I am not seeking to extend retrospectively the scope of the review beyond that which Resonate undertook.

However, within the stated scope, the Peer Review expressly considered the relevant methodologies by reference to NZS 6808:2010 and the endorsed Noise Compliance Testing Plan (NCTP). In particular, the report records that the Planning Permit requires noise levels to comply with NZS 6808:2010 and measurements to be conducted in accordance with the NCTP, and describes SLR's reassessment of the 2019 K15aa baseline data as having been undertaken with the intent of accounting for commissioning effects “in accordance with NZS 6808:2010”.

The Peer Review also concludes, within its stated scope, that the methodologies considered were consistent with NZS 6808:2010 and the NCTP.

Against that background, I attach the Planning Permit applicable at the relevant time.

In particular, I draw your attention to Condition 23, which provides:

23. Except as provided below in this condition, the operation of the wind energy facility must comply with New Zealand Standard 6808:2010, Acoustics – Wind Farm Noise (the Standard) at any **noise sensitive location** existing as at 20 March 2017 to the satisfaction of the Minister for Planning.

In determining compliance, the following requirements apply:

a) The operator must ensure that at any wind speed, wind farm sound levels, **determined in accordance with the Standard at noise sensitive locations (as defined in the Standard)**, do not exceed a noise limit of 40dB LA90, 10min or background (LA90, 10 min) plus 5dB, whichever is greater.

In that context, I also draw your attention specifically to the NZS 6808:2010 defined terms “Noise sensitive location” and “Notional boundary”. NZS 6808:2010 further provides that every sound level measurement shall be made at clearly identified noise sensitive locations and that sound level measurement positions shall be at noise sensitive locations.

I have also attached the relevant extract from Marshall Day Acoustics' 2017 Lal Lal Wind Farm – Background Noise Monitoring Report. In relation to the second K15aa survey, Marshall Day recorded:

“This location was identified as the only alternative position for placing the noise monitor in accordance with NZS 6808:2010, at a location representative of the noise environment around the dwelling.”

Marshall Day then concluded that the data obtained during that survey was not suitable for representing typical background noise levels and could not be relied upon for deriving noise limits or assessing post-construction noise compliance.

The reason I raise these matters is not to ask whether Resonate's 2024 review extended to every aspect of the noise monitoring and assessment process. Rather, I am seeking to understand the basis and extent of the conclusions actually expressed within the scope of that review.

In particular, when Resonate considered the K15aa reassessment by reference to NZS 6808:2010, did the conclusion proceed on the assumption that the underlying K15aa data already satisfied the applicable foundational requirements concerning background sound and measurement location, including the Planning Permit, the NZS 6808:2010 definitions of “**Noise sensitive location**” and “**Notional boundary**”, and the relevant requirements of the endorsed NCTP?

If those foundational matters were not examined because they fell outside the scope of the Peer Review, could you please confirm whether their satisfaction was therefore assumed for the purpose of Resonate's conclusions concerning the K15aa reassessment?

Conversely, if those matters were considered in reaching the conclusion concerning consistency with NZS 6808:2010 and the NCTP, I would appreciate clarification as to the basis upon which they were considered satisfied.

This clarification appears particularly relevant given the Department of Transport and Planning's subsequent FOI clarification referred to in my earlier email.

For clarity, I am not asking you to comment upon any professional conduct matter or ongoing complaint process, nor am I asking Resonate retrospectively to undertake a broader compliance review. I am seeking clarification of the scope, assumptions and basis of the conclusions actually expressed in Resonate's 30 September 2024 Peer Review.

Thank you again for considering my request.

Yours faithfully,

LEWIS TROJAN HORSE PTY LTD (ACN 693 680 509)

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

Attachments:

1. Lal Lal Wind Farm – Planning Permit applicable at the relevant time
2. Marshall Day Acoustics – Lal Lal Wind Farm – Background Noise Monitoring Report – K15aa extract

<Planning-Permit-PL-SP_05_0461-2.pdf>
<Marshall Day K15aa 2nd Survey extract.pdf>

On 7 Aug 2026, at 6:25 pm, Owen R

wrote:

Dear Sammy,

Thank you for your response and for confirming that you will bring the enquiry to Tom's attention when he returns next week.

For administrative clarity, although your email is addressed to Owen, the enquiry was made by **LEWIS TROJAN HORSE PTY LTD** (ACN 693 680 509), as Trustee of the **Owen Robert Inter Vivos Trust**. I would be grateful if Resonate could record the Trustee as the enquirer for the purposes of this correspondence.

Thank you again. I appreciate you passing the matter on to Tom and look forward to any clarification Resonate is able to provide.

Yours faithfully,

LEWIS TROJAN HORSE PTY LTD (ACN 693 680 509)

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

On 7 Aug 2026, at 5:26 pm, Sammy Murphy <sammy.murphy@resonate-consultants.com> wrote:

Dear Owen,

Thank you for reaching out in relation to the acoustic advice provided by Tom in relation to Lal Lal Wind Farm.

Tom is on leave, returning next week. I will bring your queries to his attention when he is back and see if we are able to provide clarification on the scope and criteria applied to his Peer review.

Warm regards,

Sammy Murphy (she/her)
Executive Assistant

<image002.png>

p 03 9020 3888 Wurundjeri Country, Level 16, 350 Queen Street Melbourne VIC 3000 Australia

I acknowledge the Traditional Custodians of the land on which I work and live, and recognise their continuing connection to land, water and community. I pay respect to Elders past, present and emerging.

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From: Resonate Info <info@resonate-consultants.com>

Sent: Wednesday, 5 August 2026 16:34

To: Sammy Murphy <sammy.murphy@resonate-consultants.com>

TO: Sammy Murphy <sammy.murphy@resonate-consultants.com>

Subject: FW: Lal Lal Wind Farm – K15aa Peer Review – Request for Technical Clarification Following DTP FOI Response

Hi Sammy

See below

Regards

Isabel Munoz (she/her)
Business Support

<[image003.png](#)>

p 03 9020 3888 m 0401 230 068 Level 16, 350 Queen Street Melbourne VIC 3000 Australia

Please note I work Monday, Wednesday and Thursday

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From: Owen R.

Sent: Wednesday, 5 August 2026 2:02 PM

To: Tom Evans <tom.evans@resonate-consultants.com>

Cc: Resonate Info <info@resonate-consultants.com>

Subject: Lal Lal Wind Farm – K15aa Peer Review – Request for Technical Clarification Following DTP FOI Response

Dear Mr Evans,

I hope you are well.

I write regarding Resonate's **30 September 2024 Peer Review of the Lal Lal Wind Farm Post-Construction Noise Monitoring Report – Amplitude Modulation and Background Noise Reassessment**.

Your review concludes that the methodology adopted by SLR for the reassessment of background noise at Receptor K15aa, and the methodology adopted for the assessment of amplitude modulation, were considered to be consistent with NZS 6808:2010 and the endorsed Noise Compliance Testing Plan (NCTP).

Since your review was completed, additional documentary material has become available which was not available to me at the time your report was issued.

In particular, on 4 August 2026, the Department of Transport and Planning issued a Freedom of Information clarification confirming that, following relevant enquiries, it was unable to locate any document, instrument or written authority permitting or authorising departure from the NZS 6808:2010 definitions of:

- "Background sound level"; and
- "Notional boundary".

Given that this information post-dates your peer review, I was hoping you may be willing to clarify several technical matters concerning the assumptions upon which your review proceeded.

Specifically:

1. Did your peer review proceed on the assumption that the relevant requirements of NZS 6808:2010 and the endorsed Noise Compliance Testing Plan had been implemented in accordance with their governing requirements?
2. Did your review extend to considering the foundational requirements contained within the endorsed NCTP relating to:
 - **Section 3.0 – Operational Noise Limits**, including the treatment of Receptor K15aa and the requirement that an updated background noise report for K15aa be submitted **prior to commencement of operation of the wind farm**; and
 - **Section 4.1 – Operational Noise Measurement Locations**, which specifies that operational compliance measurements shall be undertaken at the preferred noise sensitive receiver locations, including K15aa, within 20 metres of the dwelling and as close as practically possible to the background monitoring location?
3. If those matters were outside the scope of your peer review, could you please indicate whether your conclusions proceeded on the assumption that those foundational requirements had already been satisfied?
4. Having regard to the Department's subsequent FOI clarification, does that information alter, or have any bearing upon, any assumption on which your peer review was based?

For convenience, I have attached:

- Resonate's Peer Review dated 30 September 2024;
- the Department of Transport and Planning's FOI clarification dated 4 August 2026; and
- the endorsed Noise Compliance Testing Plan dated 23 January 2018.

I have also included a link to a publicly available documentary record relating specifically to Receptor K15aa:

<https://lallalwindfarmrecord.com.au/k15aa.html>

The page is intended as a structured index to the underlying reports, planning documents, statutory correspondence, FOI material and chronology relevant to K15aa, should that assist in understanding the context of this enquiry.

I appreciate that your original peer review was intentionally limited in scope, and I am not asking you to comment upon any professional conduct matter or any ongoing complaint process. Rather, I am seeking your technical opinion as to whether the subsequently available documentary material affects the assumptions upon which your peer review proceeded.

Thank you for considering my request. Any clarification you are able to provide would be greatly appreciated. Yours faithfully,

LEWIS TROJAN HORSE PTY LTD (ACN 693 680 509)

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

