

BEFORE THE PANEL CONVENER

UNDER the Fast Track Approvals Act 2024 ("**the FTAA**")

IN THE MATTER of an application by Ridgeburn Limited for approvals under the FTAA for a referred project, Ridgeburn

**MEMORANDUM OF COUNSEL ON BEHALF OF RIDGEBURN LIMITED AS APPLICANT
RESPONDING TO MINUTE 1 OF THE PANEL CONVENER**

29 JUNE 2026

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MAY IT PLEASE THE PANEL CONVENER:

1. This memorandum is filed on behalf of Ridgeburn Limited (“**Ridgeburn**”) in response to Minute 1 of the Panel Convener dated 15 June 2026 which seeks clarification regarding the status of the expert reports attached to the substantive application for the Ridgeburn project.
2. Minute 1 requests that counsel:
 - (a) Advise whether the reports attached to the application that are subject to any disclaimer or limitation may be relied upon by the panel and participants; and
 - (b) Identify any report in respect of which the author has not provided this assurance.
3. Minute 1 also requests that any report writer or peer reviewer who has not already done so file a statement confirming their qualifications and experience and whether they agree to comply with the Environment Court Code of Conduct for Expert Witnesses (“**Code of Conduct**”).
4. Attached as **Annexure A** is a schedule identifying those reports which:
 - (a) Are subject to a disclaimer or limitation; and/or
 - (b) Do not include the author’s qualifications and experience and a confirmation of compliance with the Code of Conduct.

Annexure A does not identify reports that are not subject to a disclaimer or limitation and whose authors have included a statement of qualifications and experience and confirmation of compliance with the Code of Conduct.
5. Counsel have requested that each report writers address these matters. Accordingly, accompanying this memorandum are statements prepared by those identified Annexure A which record (where relevant):
 - (a) The qualifications and experience of the report writer and confirmation of compliance with the Code of Conduct; and/or

- (b) Confirmation that any disclaimer or limitation does not apply to, or prevent reliance on, the report for the purpose of assessing the application under the Fast-track Approvals Act 2024.
6. For completeness, counsel note that there are no reports falling within the category described in paragraph 4(a) for which the author has not provided an assurance in the manner outlined in paragraph 5(b).

DATED this 29th day of June 2026

A handwritten signature in blue ink, consisting of two distinct parts. The first part is a cursive signature that appears to be 'J Brabant', and the second part is a more stylized, circular signature that appears to be 'A Devine'.

Jeremy Brabant / Alex Devine

Counsel for Ridgeburn Limited

Ridgeburn Fast track Application

Consultants and Peer Reviewers Engaged on the Project

Expert Discipline	Report/ Attachment	Expert/ Authors Name (s)	Company	Environment Court Statement Included	Disclaimers or limitation.
Landscape	Landscape Assessment Report (Appendix 9)	Paul Smith; and Tony Milne.	Rough Milne Mitchell Landscape Architects	Yes	Disclaimer but includes acknowledgment that the report will be relied on by a Panel appointed under the Fast Track Approvals Act 2024 and the disclaimer does not prevent that reliance.
Landscape (Peer Reviewer)	Landscape Assessment Peer Review (Appendix 10)	Shannon Bray	Wayfinder	No	No
Economic Peer Review	Economic Impact Assessment Peer Review (Appendix 13)	Fraser Colegrave	Insight Economics	No	No
Geotechnical	Geotechnical Assessment Report (Appendix 15)	Ollie Behrent; and Jordan Walker	Kirk Roberts Consulting	No	Disclaimer as to use.
Contaminated Soil	Preliminary Site Investigation (Appendix 16), Detailed Site Investigation (Appendix 17), Geogenic Arsenic Screening Assessment (Appendix 18), Remedial Action Plan and Contaminated Site Management Plan (Appendix 19)	James Jackson	Springline	No	Limitations and disclaimer as to use.

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Productivity	Soil and Resource Report (Appendix 20)	Ian Hanmore	Hanmore Land Management	No	Disclaimer
Archaeologist	Archaeological Assessment (Appendix 21), and Draft Archaeological Management Plan (Appendix 22)	Russell Cook	Origin Heritage	No	Limitations only (i.e.: in terms of scope of assessment)
Heritage	Heritage Report (Appendix 23)	Robin Miller	Origin Heritage	No	Limitations only (i.e.: in terms of scope of assessment)
Acoustic	Noise Assessment (Appendix 24)	Brendon Shanks.	Marshall Day Acoustics	Yes	Disclaimer
Stormwater	Flood Peer Review (Appendix 31)	Pranil Wadan	FlowState Consulting	No	No
Hydrology	Hydrogeological Site Investigations (Appendix 32)	Brett Sinclair; and Cameron Jasper	WGA	Yes	Disclaimer
Hydrology	Groundwater Take Assessment (Appendix 33)	Brett Sinclair; and Cameron Jasper	WGA	Yes	Limitations only (i.e.: in terms of scope of assessment)
Water Supply Servicing	Water Supply Servicing Strategy (Appendix 34)	Maria Johnson; and Paul Han	GWE Consulting Ltd	No	Limitations as to use.
Water Supply Servicing	Water Supply Peer Review (Appendix 35)	Andrew Appleby	LDE	No	Limitations as to use.
Wastewater Design	Wastewater Treatment Plant Design Report (Appendix 36)	Geoff Young	BPO	No	Limitations as to use.

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Wastewater	Wastewater Disposal Assessment (Appendix 38)	Brett Sinclair; and Cameron Jasper	WGA	Yes	Disclaimer
Air Quality	Discharge to Air Assessment (Appendix 39)	Luci Grigg; Alida van Vugt; and Andrew Curtis.	Pattle Delamore Partners LTD	No	Disclaimer
Construction Management	Draft Construction Management Plan (Appendix 40)	Scott Lamason, and James Kitchen.	Mckenzie & Co	No	Limitations / disclaimer as to use.
Environmental Management	Draft Environmental Management Plan (Appendix 41)	Scott Lamason, and James Kitchen.	Mckenzie & Co	No	Limitations / disclaimer as to use.