
MINUTE OF THE PANEL CONVENER

Clarification of expert reports
[FTAA-2603-1186]

15 June 2026

[1] This Minute is issued to clarify the status of the expert reports attached to the application.

[2] Clause 4.1(h) of the Guidance Note sets out the requirements for report writers and peer reviewers:

...all technical experts authoring reports should include a statement regarding compliance with the Environment Court Practice Note 2023 (Code of Conduct for Expert Witnesses). This will avoid the need for the panel to address compliance separately. The reports that are intended to be relied on by the panel should not be submitted with a disclaimer stating that the report is not for use by persons other than the applicant.

[3] The purpose of this guidance is self-evident, but a preliminary review of the application material indicates that it has not been followed in all cases.

[4] By **29 June 2026**:

(a) Counsel for the applicant, having conferred with the report writers and peer reviewers, is to 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. Counsel is also to identify any report in respect of which the author has not provided this assurance.

(b) Any report writer or peer reviewer who has not already done so is to file a statement confirming whether they agree to comply with the Code of Conduct and, if not already provided, setting out their

qualifications, relevant experience and any other basis for their expertise.

A handwritten signature in cursive script that reads "Jane".

Jane Borthwick
Panel convener for the purpose of the Fast-track Approvals Act 2024