
MINUTE 8 OF THE EXPERT PANEL

Code of Conduct – Expert Witnesses
Sunfield [FTAA-2503-1039]

(18 September 2025)

1. The Expert Panel (**Panel**) has been reading comments made on the application by persons invited to comment. The Panel observes that a number of comments included technical reports from persons who appear to be expert witnesses.
2. The Panel further observes that some of the technical reports:
 - a. Do not clearly identify the qualifications and experience of the author(s) of the report;
 - b. Do not indicate whether the reports were prepared in accordance with the Environment Court Practice Note 2023 (Code of Conduct for Expert Witnesses) (**Code of Conduct**);
 - c. Have disclaimers indicating that the reports cannot be relied upon by third parties; and
 - d. Have draft water marks on them.
3. Having made these observations, the Panel directs that each person who authored a technical report submitted as part of a response to an invitation to make comments on the application, must submit a signed written statement confirming that their report was prepared in accordance with the Environment Court Practice Note 2023 (Code of Conduct for Expert Witnesses) (**Code of Conduct**).
4. For completeness, the Panel observes that the Code of Conduct requires those giving evidence to state their qualifications, relevant experience and any other

basis for their expertise.¹ If those details have not been included in the technical reports submitted as part of the response to comments, then the authors of those reports are directed to provide this information in their signed written statement confirming compliance with the Code of Conduct.

5. Authors of such reports that are subject to the type of disclaimer referred to at paragraph [2](c) above, must also confirm that the Panel may rely on their report for the purposes of making its decision on this application.
6. Finally, authors of reports that were submitted with a draft watermark on are to confirm that the report was a final report (or otherwise).
7. Signed written statements should be submitted to the EPA by 4pm, **26th September 2025**.



Philip Maw
Expert Panel Chair

¹ Environment Court Practice Note 2023, 9.3(a)(ii).