

Judge Jane Borthwick  
Fast-track Panel Convener  
Rātā Chambers Christchurch



2 June 2025

Tēnā koe,

Sustainable Tarras was established in 2020 to engage with residents of Central Otago and wider New Zealand on sustainability issues affecting our region, to inform and stimulate discussion and represent significant public interests affecting sustainability in the Upper Clutha region.

We represent locals from a wide range of backgrounds – those with intergenerational connections, those more recent, people who draw from the land, such as farmers, horticulturalists and vintners, to those who run consultancies and those who holiday here.

We are aware that Santana Minerals is proposing to lodge their substantive application to develop an open cast and underground gold mine in the Dunstan Mountains, under the Fast Track Approvals Act, by June 30. They have called it the Bendigo Ophir Goldmine Project.

Some of us will be directly affected by the Bendigo Ophir Goldmine proposal should it proceed, while others are involved because we care generally about the future of our place and our community. In Santana Minerals' application<sup>1</sup> to be considered to be listed in the FTAA, residents on Ardgour Road, Bendigo Loop Road and the western end of Thomson Gorge Road were identified by Santana Minerals as affected parties. We have members and supporters who live and work on these roads.

Sustainable Tarras has been working to understand the implications of this proposal for the last 12 months, and as such, we are writing to the Environmental Protection Agency to request that we be invited to:

1. Comment on the application;
2. Assist in the design of the application assessment process, as we have suggestions on the appropriate length and nature of the decision-making process, and the make-up of the Panel, and,
3. Assist in identifying affected parties. We suspect that Santana Minerals do not have a clear understanding of the affected neighbours to the project, and the combination of the short timeframe provided by the FTAA and complex land parcels involved will make this a challenging exercise for the EPA.

We have met with Santana Minerals around 10 times over this period, although they have refused to meet since January 2025, when it became apparent that our questions were not ones they were willing to answer.

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<sup>1</sup> [https://environment.govt.nz/assets/what-government-is-doing/Fast-track-listed/Bendigo-Ophir-Gold-Project/107.01-response-ANON-URZ4-5F94-W\\_Redacted.pdf](https://environment.govt.nz/assets/what-government-is-doing/Fast-track-listed/Bendigo-Ophir-Gold-Project/107.01-response-ANON-URZ4-5F94-W_Redacted.pdf)

We have repeatedly asked for copies of their baseline studies which they report as being complete to the Australian Stock Exchange, and we have requested their mining permit application. None of this basic information has been shared with us, nor - as we understand - with the Department of Conservation, Central Otago District Council and Otago Regional Council.

Consequently, we have closely examined the announcements they have made to the Australian Stock Exchange, and have sought, through the Official Information Act, a copy of their mining permit application.

We are doing this because we are highly aware that this proposal has large and permanent implications for Tarras and Bendigo, and potentially as far as to Ophir. We also are aware that under the FTAA, it is possible that there will be little time to do the due diligence on what will be a highly complex proposal in a highly sensitive environment being proposed by a very small company with no prior experience of developing a greenfield mine.

Even without the substantive application from Santana Minerals, it is clear to us that the proposal is characterised by a high level of complexity – for example:

- Legal complexity – the area to be mined has a Conservation Covenant over it and is surrounded by Conservation land. It is classified as an ‘Outstanding Natural Landscape’ under the Central Otago District Plan, reflecting its high natural landscape values.
- It is an application that involves multiple approvals, including several outside of the FTAA, such as the Local Government Act, and possibly the Public Works Act in order to close a public road, and the Building Act (Dam Safety Regulations).
- Having examined the evidence provided by Oceana Gold for the Waihi North extension project, also under the FTAA, it is clear that there will be a large number of complex technical reports needing independent peer review. Because Santana has not taken the step to share these reports – in draft or complete – with the agencies involved, reasonable time will be needed for appropriately skilled, independent experts to review these.
- In order to test the proportionality of the proposal’s benefits to its adverse impacts (Section 85(3) FTAA), an economic analysis of the regional and national economic significance will also be required. An important component of this test will be the temporary and dispersed nature of the economic benefits, and the permanent nature of the environmental effects left behind, on the existing economy of Central Otago.

In light of the above, we are very concerned about the requirement and facilitation of the thorough evaluation that this project will require.

Sustainable Tarras can contribute many questions for the applicant, some of which are based on a strong local knowledge base, that we assume will need to be answered in order for well-informed decision-making. To give you an idea of our concerns, we have reviewed the proposal’s recent Mining Permit Application to New Zealand Petroleum and Minerals. A small selection of the types of questions we have of the application are listed here:

## **Mining Standards**

Will you commit to joining the International Council on Mining & Metals, a global mining industry body set up to create “a safe, just and sustainable world through responsibly produced metals and minerals”, and adhere to their standards and principles?<sup>2</sup>

Will you join the International Cyanide Management Code, a voluntary industry code that sets best practice in the transport, storage and management of cyanide?<sup>3</sup>

## **Company reputation and past record of compliance**

Please outline the roles, responsibilities and involvement of your CEO Damian Spring’s employment at Bathurst resources and his involvement in the Coalgate mine project. In particular his role in the company deciding to mine five times the consented amount of coal, the various other consent breaches, and the initiation of legal action regarding restoration plans for the mine.

## **Archaeology**

Please provide the archaeology consulting update. Has the original firm been dropped, did they issue a report, what were their findings, what new consultants have since been commissioned, what are their findings, and what were the differences between the consultants and their differing findings/opinions.

## **Tailings Dam**

How much seepage is expected from the tailings storage facility (TSF) into the engineered land form (ELF)? Why is there no underground seal lining under the TSF? Why is there no consideration for an underground drain that collects TSF seepage over time into lower lying areas, and that connects back up to the collection pond below the ELF?<sup>4</sup>

## **Dust**

We know winds through the entire Shepherd’s Creek valley are regularly up to 100km/hr. How much dust will be generated from the rom pad ore piles, as well as the haul roads? What does the modelling say and what wind speed assumptions are used? What is the correlation of the weather station data on the hillside with the actual winds seen in the valley itself, in particular the rom pad location, the open pits, the haul roads and the ELF/TSF where most of the dust generation will take place? What will be the percentage of dust suppression achieved of the total dust generated? How far out either side of the valley will the dust plume travel at 100km/hr winds in the valley? What PM2.5 values can we expect in those dust storms and what will be the impact on the workforce in the valley and associated Health & Safety plan, as well as nearby residents and viticulture/horticulture businesses?

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<sup>2</sup> <https://www.icmm.com/>

<sup>3</sup> <https://cyanidecode.org/>

<sup>4</sup> Please note the study performed by D. Craw et al which describes increasing seepage of the Macraes tailings dam over time. D. Craw et al; NZ Journal of Geology and Geophysics, Vol 60, 2017 Issue 3.

## Noise

What are the 12 hour crusher & mill operation times? Are these planned all year around independent of winter/summer day light hours? What noise contours are available day vs night operation? Do the noise contours incorporate peak noise levels generated by high density heavy traffic at maintenance days on Thomson Gorge Road? What vibration frequencies and levels can be expected; please provide a noise contour specific to low frequency vibrations? We note the crusher/mill will be anchored in bedrock so we can expect vibrations to travel widely due to their operation.

## Financials & Social Licence

What financial modelling has been performed to assess the viability of the project as an Underground Only mine? What reduced environmental impacts can be expected? What is the community sentiment or support for this option versus a largely Open Cast project?

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Should the panel convenors decide not to invite Sustainable Tarras to the initial conferencing, we recommend the following:

- That a hearing be held to be able to fully interrogate the applicant's evidence<sup>5</sup>, and should the proposal meet the requirements of the FTAA, robust and feasible consent conditions be delivered that ensure the project meets the standards of a "World Class environmentally responsible and economically sustainable project"<sup>6</sup>.
- That if the default period of time in the FTAA is deemed unrealistic (a point made by Oceana Gold's Waihi North project barrister<sup>7</sup>) that you may propose the hearing and decision-making period long enough to allow for a full independent peer review of the applicant's evidence and provide your panel a suitable period of time to make a well-informed decision.
- That the expert panel comprise planning commissioners with experience in comparable complex mining developments; civil or mine engineering; hydrogeology; landscape architecture, and mātauranga Māori.

We will be back in touch with a fuller assessment of the concerns we have about this proposal, but look forward to hearing from you in the meantime.

Ngā mihi nui,



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<sup>5</sup> The Wahi North project's substantive application was 11,000 pages. Santana Minerals' application will likely be longer than this as it doesn't have existing infrastructure in place.

<sup>6</sup> Damian Spring, Santana CEO, Crux 10 Oct 2024.

<sup>7</sup> [https://www.fasttrack.govt.nz/\\_\\_data/assets/pdf\\_file/0012/4062/A.00-Cover-and-Application-Letter-to-the-EPA.pdf](https://www.fasttrack.govt.nz/__data/assets/pdf_file/0012/4062/A.00-Cover-and-Application-Letter-to-the-EPA.pdf)

Suze Keith  
Chair  
Sustainable Tarras



Cc:

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25 February 2026

To: Bendigo Ophir Gold Project Expert Panel

Via: Environmental Protection Authority, [Substantive@fasttrack.govt.nz](mailto:Substantive@fasttrack.govt.nz) and [info@fasttrack.govt.nz](mailto:info@fasttrack.govt.nz)

E te Poari Tohunga, tēnā koe,

**BENDIGO-OPHIR GOLD PROJECT – Sustainable Tarras Incorporated request to be invited to comment**

Sustainable Tarras Incorporated is a local community group, established in 2020, with the objective “to engage with residents of Central Otago and wider New Zealand on sustainability issues affecting our region, to inform and stimulate discussion and represent significant public interests affecting sustainability in the Upper Clutha region”. We are writing to request that we be invited to comment on the substantive application for the Bendigo Ophir Gold Project under the Fast-track Approvals Act 2024 (FTAA) and to set out reasons why we consider the Panel would be assisted by our participation.

We refer to the Panel Conveners’ Guidance which recommends that Panels take a principled approach to the exercise of the discretion in s 53(3) of the FTAA, and which sets out matters that the Panel should consider when determining whether to invite other persons to provide comment. Item (b) is “any relevant aspect of the public or community interest that requires consideration”. That consideration is highly relevant to this Project.

Tarras comprises the communities of Bendigo, Ardour and Lindis Valley - communities centered around the Tarras Village. Central Otago District Council’s Community Plan sets out a community vision for Tarras: “Tarras is a strong, thriving community that is a great place to live, work and visit, set in an outstanding environment.” This vision is supported by a number of value statements which articulate the areas of focus for the community:

- The stunning Tarras environment is maintained and enhanced for future generations.
- Tarras continues to be a strong, thriving community that looks out for each other.
- The community spaces and places of Tarras are celebrated, well known and well used, with new opportunities explored and fostered.
- The economic vitality of Tarras is strong, built on great farming, quality produce and products, with a vibrant country village.
- Core infrastructure, including land use planning frameworks, meets the current and future needs of Tarras.
- The Tarras community feels heard and is heard on things that matter to them.

Since 2023, we have taken up the challenge to inform the wider Upper Clutha community of Matakani Gold Limited’s plans for the Bendigo-Ophir Gold Project. Consequently some 5600 people have signed up to our email list confirming their concerns about the proposed mine and seeking to understand and engage in the process through our Society.

Our comments will be informed by the Tarras community vision, articulated through input from our members, who have a high degree of local knowledge and site familiarity, many of them having raised their families close to the site, and many having spent considerable time in the project area.

Item (g) is “whether the application is likely to involve novel or contentious legal or disputed factual issues”. That consideration is also highly relevant. In appointing a seven member Panel and setting a 140 day decision timeframe, Panel Convener Borthwick repeatedly noted the scale, nature and complexity of the approvals sought and matters arising in relation to the substantive application.

Sustainable Tarras has engaged independent consultants with expertise in several topics relevant to this project, including industrial modern gold mining (executive management and operational), geology, engineering, infrastructure, ecology, archeology, landscape and planning. The Panel is likely to be assisted by their technical assessments on disputed factual issues.

The project raises a number of complex legal issues due to the range of approvals sought. Some of those approvals - such as the Conservation Covenant uplift - have not been the subject of a previous fast-track application, meaning the Panel will be the first entity to make a decision on how such an application should be determined under the Fast-Track Approvals Act. Sustainable Tarras has engaged Sally Gepp KC as legal counsel. Ms Gepp KC has advised applicants, commenters and an Expert Panel in other FTAA processes and so is well placed to assist the Panel, as contradictor to the applicant’s submissions, on the legal issues arising in this Project.

Sustainable Tarras is well placed to engage with the details of the Project (including any draft conditions, should the Panel decide to grant the application). We have met and continue to meet with community members, ministers, councillors, council staff, key stakeholders, Matakanui Gold Limited and adjacent landowners, to better understand the proposal and its implications. We have read most of the publicly available documents relating to the Project (both in relation to the FTAA approvals and other separate approvals such as under the Overseas Investment Act). We are “shovel ready” to engage in this process.

Based on the degree to which we represent the local community, the knowledge we have of this area and the community’s shared vision for it, and our capacity to present independent technical evidence and legal submissions on the substantive application, it is our respectful view that we can add significant value to the Panel’s evaluation process.

For those reasons, we respectfully ask that the Panel invites Sustainable Tarras Incorporated to comment on the Bendigo-Ophir Gold Project.

Ngā mihi,



Suze Keith  
Chair  
Sustainable Tarras  
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