
MINUTE 41 OF THE EXPERT PANEL
Supplementary Information and Consideration of Resumption Date
Bendigo-Ophir Gold Project
[FTAA-2507-1089]
[23 July 2026]

[1] This Minute references the recent receipt of additional reports from MGL and its advice in respect of forthcoming workshopping in respect of conditions and associated management plans.

[2] The Panel remains conscious of the fact that MGL's application currently remains on statutory "pause". Nothing in this Minute should therefore be construed as a direction. However consistent with previous communications from the Panel, it encourages maximum cooperation between the Applicant, s51 parties and s53 invitees during the period of suspension so that, at the point of resumption, the Panel can move into its deliberation phase as efficiently as possible.

New/supplementary information

[3] The Panel has been provided and acknowledges receipt of the following new/supplementary information since the Application was put on pause:

Dr Ussher's Offset Summary Table and Lizard Mapping – 2 July 2026

[4] This was information that Dr. Ussher had, in the JWS, signaled would be provided to the other lizard experts in due course, and has now been provided.

B. Girvan's Supplementary Landscape Assessment Provided in Response to Minute 35 – 17 July 2026.

[5] This supplementary landscape assessment responds to the Panel's request for a specific assessment on the landscape values of the Conservation Covenant area.

[6] In both instances, the Panel considers it appropriate to give leave to any party who called lizard or landscape evidence and who participated in expert conferencing to file a response to this material. It requests that this be provided by 17 August 2026. However, it encourages parties/invitees to first consider whether a better course might be to reconvene the expert conference with a view to production of one JWS, rather than individual expert statements (in turn possibly inviting a reply by Dr. Ussher or Mr. Girvan).

Workshopping Timetable and Resumption

[7] The Panel notes MGL's proposed timetable and agenda items for the intended conditions/management plan workshops and in particular the proposal that the last of these related to "ORC RFI 11 Related matters" occur in the week of 31 August 2026, with provision of finalised conditions and management plans to the Panel on 11 September 2026.

[8] The Panel is concerned about how this proposed timetable relates to the provisionally indicated resumption date of 17 August 2026. As Mr. Leckie's memorandum of 17 July 2026 correctly points out (paragraph [5(b)]) Mr. Chrisp advanced his proposal for workshopping on 18 June with the intention of ensuring that the Panel had "the most refined, robust and workable version of conditions **possible for decision making**" (emphasis added). The Panel appreciates that at that time (and possibly when the provisional resumption date was indicated) it was anticipated that the workshopping could be concluded in July whereas that is not now the case. But the position remains as the Panel Chair advised on 18 June and as Mr. Leckie's memorandum recognises, namely that within the context of the

Act and particularly s85(3)(b), the Panel can only confidently move into its assessment phase on receipt of “the most refined, robust and workable version of the conditions”. If the Panel is not to receive that version of the conditions until 11 September but resumption occurs on 17 August the Panel will be considerably impeded by the very tight timeframes then available for assessment, preparation of its decision and either the advanced notification of the draft decision or conditions the Act requires.

[9] The Panel therefore requests that MGL reconsider its provisional resumption date with a view to it coinciding (substantively) with the date on which the fully workshopped conditions are published. It appreciates that, having regard to ss 66(1) and (2) of the Act, this would require that the Panel notify resumption on 4 September 2026 followed immediately by an MGL request to pause for a further approximately five or perhaps 10 working days to allow for any unexpected contingencies. The Panel cannot at this stage envisage any basis on which it would not facilitate such arrangements.

A handwritten signature in blue ink, appearing to read 'M. A. Muir', with a stylized flourish at the end.

Hon Matthew Muir KC

Bendigo-Ophir Gold Project Expert Panel Chair