

## APPLICANT RESPONSES TO RELEVANT COMMENTS FROM OWNERS AND OCCUPIERS OF THE LAND TO WHICH THE SUBSTANTIVE APPLICATION RELATES FOR THE BENDIGO-OPHIR GOLD PROJECT

This document contains the key comments from the following parties:

- > John Charles Perriam;
- > Bruce and Sandra Calder;
- > Simon Gibbard and Nicola Mulvena;
- > David and Juliet Towers;
- > Holger Reinecke and Chantel Degril;
- > Folding Hill Wine Limited;
- > Matakanui Station;
- > Gibbston Valley Wines Limited;
- > Peter Rough;
- > Lillian Cheryl Lucas; and
- > Ardgour Family Trust - Bruce Jolly.

### Comments from John Charles Perriam

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Water quality, treatment, monitoring and the need for strong conditions and an independent 'watchdog' group to oversee the mine's water management over the life of the project.	Water Quality Planning	N/A	MGL has drafted firm and enforceable conditions across the full range of disciplines which were submitted with the substantive application. These draft conditions will be further refined with input from agencies and the panel through the assessment process.  Whilst no watchdog / Peer Review Panel is proposed, the conditions provide for the relevant Councils to engage any other technical expertise they deem necessary at the Consent Holder's cost.
2	Given the ever-changing landscape at Bendigo, this application is not about landscape issues.	N/A	N/A	MGL agrees and supports the comments made by Mr Perriam.
3	We have no issues living next to a gold mine	N/A	N/A	MGL appreciates the comments made by Mr Perriam.
4	While not an expert, Mr Perriam is comfortable that the dam construction and the capture, recycling and treatment	N/A	<b>Substantive FTA Application:</b>	MGL agrees and supports the comments made by Mr Perriam.



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	of water from the mined area will be sufficient to carry on living and working in Bendigo		B.06 - Mine Waste Management Limited - Mine Impacted Water Overview Report (MWM 2025)  B.21 - Engineering Geology Limited - Shepherds Tailings Storage Facility Technical Report (EGL 2025b)	
5	Suggests that appropriate controls, conditions and a watchdog group that monitors those into the future	N/A	<b>Substantive FTA Application:</b>  Part D – Proposed Approvals and Conditions.	MGL has drafted firm and enforceable conditions across the full range of disciplines which were submitted with the substantive application. These draft conditions will be further refined with input from agencies and the panel through the assessment process. Regulatory agencies are responsible for monitoring compliance with conditions.

#### Comments from Bruce and Sandra Calder

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	The ability to live off the land is possible because of the Ardgour Water Scheme and its potable water. Santana has said that the scheme may have to relocate its borefield at the confluence of the Lindis and the Clutha River.	MGL	<b>Substantive FTA Application:</b>  B.03 Kōmanawa Solutions Limited - Groundwater Existing Environment and Effects Assessment (Kōmanawa 2025b)  B.04 Kōmanawa Solutions Limited - Surface Water and Catchment Existing Environment and Effects Assessment (Kōmanawa 2025c)  B.05 Kōmanawa Solutions Limited - Groundwater Modelling Analysis for Mining Bendigo-Ophir Gold Deposit (Kōmanawa 2025d)  B.06 Mine Waste Management Limited - Mine Impacted Water Overview Report (MWM 2025).  Geotechnical technical reports – Engineering Geology Limited B.20 - B.26.	MGL have reviewed this comment and discussed it with both our technical and communication people. MGL does not consider there would be any circumstances under which the Ardgour Water Scheme would need to relocate.  MGL has applied to take water from the Bendigo Aquifer.  MGL has undertaken a broad range of technical assessments of Groundwater, Geochemistry and Geotechnical aspects and assessed the potential effects of the project. Engineering design, operational controls and management actions will mitigate those effects. Comprehensive ground and surface water monitoring and reporting have been included in the application draft condition set and these will be further refined with input from the regulating agencies.
2	The unique environment should be respected and protected. It must not become an industrial toxic dust bowl.	Air Quality	<b>Substantive FTA Application:</b>  B33 - Pattle Delamore Partners - Assessment of Environmental Effects from the Discharge of Contaminants into Air (PDP 2025) - Sections 1.5.1, 2.1, 3.1, 4.1, 5.0, 8.3, 9.1 and 10.  <b>Response Evidence:</b>	The proposed mitigation and monitoring programmes represent industry accepted good practice and for some issues industry accepted best practice. The primary purpose of this effort is to ensure that a dust bowl situation never occurs. The independent ORC reviewer concurs with my findings.



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			Evidence of Jeff Bluett - Paragraph 37	
3	Irreversible landscape damage	Landscape	<b>Response Evidence:</b> Evidence of Rhys Girvan	It is not accepted that the proposal will lead to irreversible landscape damage. It is accepted that mining effects would be long-duration and some modified landforms would remain, but the lodged landscape material records that those effects are largely contained within the mine setting.
4	Toxic dust travelling thoughts of kilometres is of concern. MGL's estimate that the main wind is north-westerlies has never been confirmed with actual monitors on the 5 adjacent properties	Air Quality	<b>Substantive FTA Application:</b> B33 - Pattle Delamore Partners - Assessment of Environmental Effects from the Discharge of Contaminants into Air (PDP 2025) - Section 8.2.  <b>Response Evidence:</b> Section 53 evidence - para 37.	On the Ardour Flats area, the wind patterns are very different as they are not so strongly influenced by topography. It is unsurprising that the wind patterns from the Shepherds Creek and Rise and Shine Creek sites is not replicated by any wind monitoring undertaken at adjacent properties.
5	Health risks including carcinogenic links, which have been proven in proximity to Australian mines	Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at "Evidence Based Decision Making"	Perceived risk or fear can only be given weight by the Panel where it is reasonably grounded in actual risk. That is not the case here as this is not supported by evidence.
6	The "what ifs" of BOGP being consented has had a significant mental impact on us for nearly 2 years	N/A	N/A	MGL has reviewed this comment and notes that it raises several concerns regarding potential adverse effects of the BOGP. While MGL recognises that these concerns are genuinely held, the submission does not include any specific assessment or evidence on which to provide a considered response. Accordingly, MGL considers there is no technical or evidential basis to comment further.
7	Seeking payment of the pre-mining value of the property and additional compensation to assist with moving costs, as well as recognition for the loss of peace of mind about the future.	Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at "Matters not relevant to Panel's Consideration"	Effects on property values are not a relevant consideration.  The statutory framework does not require nor provide for property value protection or underwriting by an applicant for adjacent landowners

#### Comments from Simon Gibbard and Nicola Mulvena

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	We market our olive oil specifically on our growing location in Tarras. We rely on the pristine environment in our branding and selling of this olive oil.	Economics	<b>Response Evidence:</b> Evidence of Benje Patterson	Landowners Simon Gibbard and Nicola Mulvena identified that their land is used for olives through a business known as Squeaky Hinge which they process into olive oil. High-level estimates of potential activity associated with Squeaky Hinge olives indicate no more than \$180,000 of olive oil revenue, which is not of a magnitude that warrants further research relative to viticultural estimates.



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2	We are very concerned how the mine will affect the long-term water quality of our aquifer.	Groundwater	<b>Substantive FTA Application:</b> B.03 - Kōmanawa Solutions Limited - Groundwater Existing Environment and Effects Assessment (Kōmanawa 2025b).	By “our aquifer” it is assumed that commenters’ water supply bore is located in either the Ardgour Aquifer or Lindis Alluvial Ribbon Aquifer in the lower Lindis Valley. MGL has commissioned existing environment characterisation of these aquifers and has applied much attention to containing water quality affected Shepherds Creek water while releasing piped groundwater to the creek system above the commenters’ property and the aforementioned aquifers to ensure that the quality of water in the lower Lindis Valley is maintained.
3	High concern that the BOGP will have extensive seepage and pollution of the aquifer system relied on for drinking and irrigation water	Groundwater	<b>Substantive FTA Application:</b> B.03 Kōmanawa Solutions Limited - Groundwater Existing Environment and Effects Assessment (Kōmanawa 2025b).	MGL has commissioned existing environment characterisation of these aquifers and has applied much attention to containing water quality affected Shepherds Creek water while releasing piped groundwater to the creek system above the commenters’ property. During mining water from the mine pits, ELFs and TSF would be retained and prevented from entering Shepherds Creek, while only roadway stormwater could contribute runoff to the creek system. Measures including seepage controls, monitoring conditions, and compliance limits being set that are protective of ecological, irrigation and drinking water standards have been included in applications before the panel. In my professional opinion, irrigation and drinking water would not be adversely affected.
4	The dust that comes from most open pit mines is a very fine silica that drifts and is not easily suppressed by water – references made to personal experience at Macraes mine	Air Quality Legal	<b>AQ-Substantive FTA Application:</b> B33 - Pattle Delamore Partners - Assessment of Environmental Effects from the Discharge of Contaminants into Air (PDP 2025) - Sections 2.1, 3.1, 4.3.1, 9.1 and 12.2.  <b>Response Evidence:</b> Evidence of Jeff Bluett – Paragraphs 24 to 27  Legal Submissions, 17 April 2026 at “Matters not relevant to Panel’s Consideration”	Dust generated from open pit mines or quarries is generated by mechanical (not chemical) means. From a review of the literature and analysis of air quality monitoring data sets, almost all of particulate generated by mechanical processes at open pit mines is larger than PM <sub>10</sub> and the vast majority of particulate is larger than PM <sub>20</sub> .  Water is an effective means of suppressing both smaller and larger particles that would be potentially discharged from mine surfaces or material handling activities.  Data from Canterbury quarries shows that even at large quarries with multiple crushing and screening plants the monitored concentrations of RCS are often below the limit of detection of the laboratory analysis and do not anywhere near approach the relevant ambient air quality health impact criterion.  Other mining operations are not relevant to this project. The Panel is required to assess the BOGP on its own merits and in accordance with the FTA regime.
5	Reference is made to a water quality report prepared for Santana that there is a good chance the aquifer will become polluted over time and that an alternative water supply is needed	Groundwater	<b>Substantive FTA Application:</b> B.03 - Kōmanawa Solutions Limited - Groundwater Existing Environment and Effects Assessment (Kōmanawa 2025b).  K.01 - Kōmanawa Solutions, Post Closure Impacts of Bendigo Ophir Gold Deposit on the Ardgour Aquifer, 2025	Perhaps the water quality report referred to is the “Post Closure Impacts of Bendigo Ophir Gold Deposit on the Ardgour Aquifer”, which comprised contaminant transport modelling. It would be more correct to take from that report that modelling suggested that there should be little expectation of the Ardgour Aquifer providing significant dilution of dissolved substances entering from the Shepherds Creek alluvium. This conclusion is quite different from indicating groundwater or surface water pollution.

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6	Concern that caravan park will attract a poor working class that badly affects the local community e.g. excessive alcohol, drugs etc	MGL	<b>Substantive FTA Application:</b> F16. Bendigo-Ophir Gold Project Pre-Application Engagement report pg. 25	The project model prioritises people who already live in Central Otago, along with local contractors. A short-term, 20-site caravan facility and 80-person construction camp on Ardgour Flats are proposed only for contractors who cannot reasonably commute during intensive work periods. It would be managed under strict policies covering behaviour, security, and drug and alcohol standards to minimise any off-site impacts. We have advanced discussions in nearby communities to utilise existing underutilised accommodation options to support the construction workforce.
7	Loss of value of the property	Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at "Matters not relevant to Panel's consideration"	Effects on property values are not a relevant consideration.

#### Comments from David and Juliet Towers

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Concern that significant increase in dust on Thomson Gorge Road will have effects on their peony farm	Air Quality	<b>Substantive FTA Application:</b> B33 - Pattle Delamore Partners - Assessment of Environmental Effects from the Discharge of Contaminants into Air (PDP 2025) - Section 8.4, 9.1 and 10.2.  <b>Response Evidence:</b> Evidence of Jeff Bluett - Paragraphs 24 to 27	Due the large buffer distance between the peony farm and any dust sources associated with the MGL activities and because any mine vehicles passing the farm will be travelling on a sealed road, the Towers' concern about additional dust affecting their flowers is unfounded.
2	Concern regarding decline in house value	Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at "Matters not relevant to Panel's consideration"	Effects on property values are not a relevant consideration.
3	Concern that dust will contain cyanide, arsenic and other heavy metals	Air Quality	<b>Substantive FTA Application:</b> B33 - Pattle Delamore Partners - Assessment of Environmental Effects from the Discharge of Contaminants	The effects from the site's emission of particles containing elevated levels of As are assessed as being minor and most likely negligible. To demonstrate compliance with this conclusion, MGL has committed to running an As air quality monitoring programme that will establish background levels of this contaminant and ensure that the emissions from potential sources do not in reality

#### Bendigo-Ophir Gold Project – FTAA Response Table

Comments from Owners and Occupiers of the Land to which the Substantive Application Relates



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
			into Air (PDP 2025) - Sections 2.1, 3.1, 4.1.3, 5.3.1, 9.1, 10.3 and 12.0.  <b>Response Evidence:</b>  Evidence of Jeff Bluett - Paragraphs 60 to 71	generate any adverse effects on the receiving environment beyond the boundary of the site. The results from the arsenic monitoring programme will be reviewed by ORC and be made available to the public.
4	Earthquakes pose a risk to the stability of the tailings dam and the toxic waste entering all the water supply to the local community	Geotechnical	<b>Response Evidence:</b>  Evidence of Dr Trevor Matuschka - Paragraphs 32-36	<p>Seismic hazards include ground shaking, displacement of the ground due to fault rupture, and landslides. The principal hazard for most dams is ground shaking unless there are active faults underlying the dam. There is no evidence of active faults at the site. Landslides are a potential hazard if they are large enough to displace the contents stored by a dam. The site would have experienced multiple large magnitude earthquakes over the millions of years that the site has existed in its current form. There is no evidence that this has resulted in landslides on the sides of the valley that could displace tailings from the TSF and so this hazard is considered very low risk.</p> <p>The tailings dam will be designed to meet the New Zealand Dam Safety Guidelines. These guidelines are based on international best practices. For earthquakes the TSF will be designed to withstand a 1 in 10,000-year earthquake. The seismic hazard study to determine the seismic hazard loading is based on the latest National Seismic Hazard Model released in 2022 and includes rupture of the Alpine Fault and large magnitude faults near to the site.</p> <p>The proposed design has the tailings contained behind a rockfill embankment that will also be buttressed by a large volume of rockfill placed in the Shepherds ELF. The proposed TSF will provide a very safe and robust tailings storage solution for both operation and post closure of the site. The detailed design will be independently peer reviewed as part of the Building Consent approval process for the tailings dam. I consider that the tailings dam will safely contain tailings when subjected to potential future extreme earthquakes.</p>
5	Concern regarding workers camp and alcohol consumption	MGL	<b>Substantive FTA Application:</b>  F16 - Bendigo-Ophir Gold Project Pre-Application Engagement Report	The project model prioritises people who already live in Central Otago, along with local contractors. A short-term, 20-site caravan facility and 80-person construction camp on Ardgour Flats are proposed only for contractors who cannot reasonably commute during intensive work periods. It would be managed under strict policies covering behaviour, security, and drug and alcohol standards to minimise any off-site impacts. We have advanced discussions in nearby communities to utilise existing underutilised accommodation options to support the construction workforce.
6	Consumption of thousands of litres of diesel per day is problematic in times that are so unstable. Diesel should be reserved for essential needs.	MGL	N/A	MGL has reviewed this comment. While MGL recognises these concerns are genuinely held, the submission does not include any specific assessment or evidence on which to provide a considered response. Accordingly, MGL considers there is no technical or evidential basis to comment further.



**Comments from Holger Reinecke and Chantel Degril**

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	The safety of the tailings dam, including the risk of failure and the associated environmental consequences, particularly the potential for groundwater contamination.	Geotechnical  Legal	<b>Response Evidence:</b>  Evidence of Dr Trevor Matuschka - Paragraphs 9 - 11  Legal Submissions, 17 April 2026 at “Evidence Based Decision Making”	<p>The proposed tailings dam at Bendigo has a very low likelihood of breach because it is of downstream construction and is buttressed by the Shepherds Engineered Landform (ELF) from very early on its operation. The final ELF extends approximately 1.1 km downstream of the crest of the tailings dam and is higher than the TSF (up to 70 m higher). With a buttress this large there are no credible modes of failure, including extreme seismic and flood events, that could lead to a mass release of tailings. The ongoing safety of the TSF post closure can be assured because of the statutory requirements of the Building (Dam Safety) Regulations 2022. They require ongoing annual dam safety reviews and compliance certificates, and 5 yearly comprehensive dam safety reviews for as long as the TSF continues to meet the definition of a large dam.</p> <p>There are several factors that provide confidence that seepage from the TSF can be managed. They include a combination of natural features of the site and design features that limit the direction and quantity of seepage from the TSF. Seepage from the TSF is hydraulically contained by the groundwater levels in the hill slopes to the north, south and east of the TSF. This is because the groundwater levels are above the level of the tailings. The only direction seepage from the TSF can flow is to the west down the valley. Any seepage not collected could flow downstream to the west but the artesian conditions in the valley floor will result in some seepage discharging into the surface water beneath the Shepherds ELF where it will be collected and directed to the Seepage Collection Sump. The narrow width of the valley means it will be relatively easy to monitor seepage in the bedrock and implement a seepage control system. This will include wells to monitor any changes in groundwater quality and if necessary, the construction of barriers to seepage (e.g., grout curtain, seepage cutoff wall) or seepage interception and recovery (e.g., seepage interception drains, or seepage recovery wells).</p> <p>Perceived risk or fear can only be given weight by the Panel where it is reasonably grounded in actual risk. That is not the case here as this is not supported by evidence.</p>
2	Given the nature of seismic activity in New Zealand in general, and along known fault lines in particular, we do not think the risk of failure of such a dam due to a major earthquake can be excluded.	Geotechnical  Legal	<b>Response Evidence:</b>  Legal Submissions, 17 April 2026 at “Evidence Based Decision Making”	<p>Refer to response to Comment #4 by David and Juliet Towers</p> <p>Perceived risk or fear can only be given weight by the Panel where it is reasonably grounded in actual risk. That is not the case here as this is not supported by evidence.</p>
3	Rock blasting/explosions during mine operations could trigger seismic activities or make them more likely in the future due to the vibrations and geological disruptions.	Geotechnical	<b>Substantive FTA Application:</b>  B.28 - Peter O’Bryan & Associates - Geotechnical Assessment - Open Pit and Underground Mining -Rise and Shine Deposit (POB 2025)	<p>Energy levels expended during open pit and underground blasting are very low in relation to levels involved in local or regional seismic events. There is no realistic risk that open pit blasting could initiate a seismic event. Vibrational disturbance might dislodge metastable blocks, e.g., local rockfall or berm crest loss. Underground firings at the shallow depth (associated with low in situ stress magnitude) and small scale of planned stoping have a very low likelihood of triggering seismic events. Areas already near failure e.g., due to structural conditions could be disturbed but would not affect the stability of the mine structure. The probability of initiating a regional earthquake is effectively zero.</p>



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4	A catastrophic tailings dam destruction would mean immediate flooding and contamination of lower lying areas and waterways. Minor damage might lead to underground seepage which could remain unknown and also negatively impact water quality.	Geotechnical	N/A	Refer to response to Comment #1 above, and Comment #4 by David and Juliet Towers.
5	No study could exclude an earthquake able to cause the failure of a tailings dam, simply because such seismic activity must be regarded as a known unknown, or an unknown unknown event.	Geotechnical	N/A	Refer to response to Comment #4 by David and Juliet Towers.
6	Whose responsibility will it be to monitor and safeguard the dam into the future for hundreds or thousands of years, and who will pay for it.	Legal	<b>Substantive FTA Application:</b> A.02B - Legal Overview at [222].  <b>Response Evidence:</b> Legal Submissions, 17 April 2026 at “Role and Quantum of the Bond”	MGL will be responsible for post-closure monitoring and actions until such time it is demonstrated that closure criteria have been met.  The bond must cover costs associated with activities that persist beyond the operational life of the mine.
7	Immediate impact on our property and daily lives has been a sharp decline in property values along Thomson Gorge Road and throughout the Ardgour Valley. Since the application was lodged, buyer interest and market confidence have fallen noticeably.	Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at “Matters not relevant to Panel’s Consideration”	Effects on property values are not a relevant consideration.
8	The mine would extract very small amounts of gold—around 3 grams per tonne of rock while far richer and less destructive sources already exist. By comparison, electronic waste contains up to 300 grams of gold per tonne, yet most of New Zealand’s e-waste is not recycled and ends up in landfills. If there is genuinely a need for more gold, investing in e-waste recycling could meet that demand far more efficiently while delivering greater economic, cultural, and environmental benefits, without irreversibly damaging a natural landscape formed over millions of years.	N/A	N/A	Gold can be recovered via mechanical concentration; leaching or smelting; and refining. The process inevitably involves multiple other metals, some of which are valuable, some of which are toxic e.g., mercury, cadmium. Other potential by-products include noxious nitrous and sulphurous gases and chlorinated vapours. The real complexity lies in managing toxic heavy metals, hazardous chemicals and air and water emissions. Without proper controls, e-waste processing shifts from resource recovery to serious environmental liability.



## Comments from Folding Hill Wine Company Limited

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	The applicant highlights its capital spending to date, it is unclear whether this has any formal relevance to the decision-making process. In any event, that expenditure is small when compared with the long term, intergenerational investment needed to establish and sustain a high value vineyard.	N/A	<b>Response Evidence:</b> Statement of Evidence of Benje Patterson	MGL notes this comment. Benje Patterson has responded to requests for information on economic matters.
2	The Panel should consider the relative significance of the applicant's expenditure in context, particularly given the potential for long-term environmental, social, and economic impacts on existing landholders and regional industries.	Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at "Economic Assessment and Methodology"	Mr Paterson's Economic Impact Assessment has taken an appropriate approach and uses an appropriate assessment methodology for the purposes of the FTA.
3	Approving the activity in such proximity to long term agricultural investment creates an imbalance between:  > Enduring land-based value.  > Short term resource extraction.  There is a clear risk of economic displacement, where short-term extractive activity introduces long-term risks to existing industries.	Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at "Evidence Based Decision Making"	Perceived risk or fear can only be given weight by the Panel where it is reasonably grounded in actual risk. That is not the case here as this is not supported by evidence.
4	Invitation to comment was addressed to a company entity that was amalgamated 9 years ago and no longer exists as a legal entity. This error raises concerns on:  > The accuracy of identification of the affected parties.  > The robustness of complex technical assessments in the application.	Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at "Adequacy of Information"	While the FTA framework consolidates and streamlines the approval process, it does not reduce or modify the substantive standard of assessment required for a project of this nature and scale. MGL has provided sufficient information to justify approval of the BOGP and the application has been confirmed as complete by the EPA.  MGL has engaged leading technical experts.
5	The proposed groundwater extraction bore is located approximately 600 metres from the bore supplying Folding Hill Vineyard.  Sustained extraction at the scale proposed introduces identifiable risks of drawdown effects, bore interference, and long-term alteration of aquifer dynamics.	Groundwater Legal	<b>Substantive FTA Application:</b> B.02 - Kōmanawa Solutions Limited Bendigo Groundwater Bore Take Effects Assessment (Kōmanawa 2025a).  <b>Response Evidence:</b> Legal Submissions, 17 April 2026 at "Evidence Based Decision Making"	Drawdown effects have been assessed for groundwater bores located at 600 metres distance of the MGL water supply bore field and found to be within acceptable norms. The Bendigo Aquifer has been assessed by Otago Regional Council (Houlbrooke, 2010) and ascertained that 29 million cubic metres per year of allocable groundwater, primarily replenished by the Clutha River, was feasibly issued as groundwater take consents. Since the granting of the MGL applications for the taking of aquifer water would not result in this capacity being exceeded, aquifer dynamics would not be altered  Perceived risk or fear can only be given weight by the Panel where it is reasonably grounded in actual risk. That is not the case here as this is not supported by evidence.
6	We currently benefit from high-quality water with nil detectable arsenic content. This is contrary to public claims made by the	Groundwater Water Quality	<b>Substantive FTA Application:</b>	A water treatment plant will be constructed at closure to treat mine impacted water to drinking water standards and/or ecological water quality limits, whichever is lower.



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	applicant regarding water quality in the Bendigo/Mine area. Any reduction in water availability or changes to its chemical composition would have direct and material impacts on vineyard operations, winery production and the health and wellbeing of our family.	Geochemistry	B.02 - Kōmanawa Solutions Limited Bendigo Groundwater Bore Take Effects Assessment (Kōmanawa 2025a).  B.03 - Kōmanawa Solutions Limited - Groundwater Existing Environment and Effects Assessment (Kōmanawa 2025b).  <b>Response Evidence:</b>  Evidence of Greg Ryder - Paragraph 64	Ecological and drinking water standards are included in the surface water and groundwater monitoring compliance limits for the Shepherds Creek and Bendigo Creek catchment, plus performance monitoring of surface water at further remove. Monitoring is combined with a structure of containment and seepage interception systems to ensure that above drinking water standard groundwater will not eventuate in the alluvial aquifers.  Arsenic levels in Rise and Shine Creek appear to exceed the ANZG DVG for 95% level of species protection and would not meet the NZ drinking water (MAV) standard. The proposed water quality limits for groundwater (drinking water standards and, where appropriate, stock drinking water standards) are adequate to protect users of the resource from unacceptable risk.
7	Landscape effects are long-duration, irreversible and fundamentally inconsistent with the existing land use pattern of high value agriculture and landscape based tourism.	Landscape	<b>Substantive FTA Application:</b>  B.19 – Landscape, Natural Character and Visual Effects Assessment.  <b>Response Evidence:</b>  Evidence of Rhys Girvan	It is not accepted that the proposal is fundamentally inconsistent with the existing pattern of high value agriculture and landscape-based tourism. It is accepted that mining effects would be long-duration and some modified landforms would remain, but the lodged landscape material records that those effects are largely contained within the mine setting and, in relation to Folding Hill Vineyard specifically, views from 445 Bendigo Loop Road are screened by intervening landform with negligible visual effects anticipated.
8	The project introduces risk to wine industry including:  > Dust deposition impacting vine physiology and fruit quality.  > Disruption from heavy vehicle movements.  > Reputational effects.	Air Quality	<b>Substantive FTA Application:</b>  Pattle Delamore Partners - Assessment of Environmental Effects from the Discharge of Contaminants into Air (PDP 2025) - Sections 2.2, 3.2, 5.4, 5.8, 6.2, 9.1 10.2, 10.3, 10.4 and 12.  <b>Response Evidence:</b>  Evidence of Jeff Bluett – Paragraph 40	Buffer distances, wind risk factors, sources of dust in the norther zone of the MGL site, and the proposed dust mitigation and monitoring programmes result in a very low risk for grape growers in the area noticing and increase of dust on their fruit above background levels.
9	The proposed project would undermine the protection of Bendigo’s viticultural and historic values and approving it would set a precedent for short-term industrial development to override established environmental, cultural, and economic interests, contrary to the intent of the Act and its safeguards for existing land uses and heritage landscapes.	Legal	<b>Response Evidence:</b>  Legal Submissions, 17 April 2026 at “Precedent Effects”	A precedent issue does not arise here. The granting of a consent has no precedent effect in the strict sense as applications are required to be considered in relation to the policies of the relevant plan or policy statement, their effects and the receiving environment. Additionally, in the context of the FTA, the decisions of the Panel are administrative, not judicial, and as such do not bind subsequent Panels. As such, any decision of the Panel cannot become a binding precedent for any future mining applications considered under the FTA or the RMA.
10	Concerns regarding the applicant’s operational compliance are supported by multiple forms of evidence in Appendix 1, including documentary material, third-party reporting, and direct observation.	Legal	<b>Response Evidence:</b>  Legal Submissions, 17 April 2026 at “Matters not relevant to Panel’s Consideration”	The nature and character of the applicant is not relevant to the Panel’s consideration.
11	Concerns about operational impacts, particularly night lighting and light spill, were raised directly with the applicant. Although	MGL	<b>Response Evidence:</b>	MGL proposes a comprehensive suite of conditions that will govern all lighting associated with the BOGP. For example, MGL proposes to comply with the Dark Sky Reserve lighting



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	the company indicated the issue would be addressed, no effective or lasting mitigation was observed. At the time, the full extent of consent non-compliance was not known; had it been, the matter would have been formally escalated to the relevant regulatory authority.	Legal	Legal Submissions, 17 April 2026 at “Effects on Night Sky”	requirements, even though they are not mandatory for the BOGP area as it is not within a Dark Sky area.
12	<p>The evidence demonstrates:</p> <ul style="list-style-type: none"> <li>&gt; Repeated exceedance of consent conditions</li> <li>&gt; Reactive rather than proactive operational behaviour</li> <li>&gt; Minimal engagement with affected stakeholders</li> </ul> <p>This is directly relevant to:</p> <ul style="list-style-type: none"> <li>&gt; the credibility of proposed mitigation measures.</li> <li>&gt; the applicant’s ability to comply with future consent conditions.</li> <li>&gt; the effectiveness of monitoring and enforcement mechanisms.</li> </ul>	Legal	<p><b>Response Evidence:</b></p> <p>Legal Submissions, 17 April 2026 at “Matters not relevant to Panel’s Consideration”</p>	The nature and character of the applicant is not relevant to the Panel’s consideration.
13	Potential loss of vineyard management work due to disruption from mining activity would have material consequences for local employment and the broader social community and would be directly attributable to the mine.	Economics	<p><b>Substantive FTA Application:</b></p> <p>B.01 - Benje Patterson (People and Places) – Economic Impacts of the Bendigo-Ophir Gold Project (Benje Patterson 2025)</p>	An estimated range of potential direct economic risk from the Project to the wine industry immediately adjacent to the mine ranges from \$0 to \$10 million per annum of GDP, with a midpoint risk of approximately \$5 million. The lower end of this range would be a scenario where none of vineyards surrounding the mine ceased operations or had material operational effects, while the upper end of this range would be a scenario where all vineyards on land immediately adjacent to the mine ceased operations. The scenario of all vineyards ceasing operations is a conservative, worst-case scenario that is not anticipated if the BOGP is operating within the conditions of its approvals. I am unable to assign probabilities related to a worst-case scenario of a facility failure or contamination event occurring because it is outside of my expertise and is addressed in other evidence.

**Comments from Matakanui Station**

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Thomsons Creek and the water that starts within Matakanui Station (Crown Lease Land)	<p>Aquatic Ecology</p> <p>MGL</p>	<p><b>Response Evidence:</b></p> <p>Paragraph 65 in Evidence of Greg Ryder</p>	Water quality compliance limits, along with monitoring programmes, have been proposed in the consent conditions that protect users of the relevant sources of water.

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
	<ul style="list-style-type: none"> <li>&gt; There are galaxiids in the mid reaches which have been part of a protection with DOC, ORC and TCG. Seeks assurances they are protected from mining activities which effect water quality.</li> <li>&gt; A large number of farms that rely on water supply for stock water, irrigation and drinking water. Water quality or quantity cannot be compromised.</li> <li>&gt; Mining activity cannot undermine the Orkney wetland project at the end of Thomsons Creek catchment.</li> </ul>	Water Quality		
2	<p>Increased use of Thomson Gorge Road:</p> <ul style="list-style-type: none"> <li>&gt; Will have an impact on the farmers who have this road go through their properties.</li> <li>&gt; Stock have the potential to be disturbed especially during lambing and calving.</li> <li>&gt; The road is the condition of a 4w/d track on the Omakau side and is often unpassable in winter.</li> <li>&gt; Increased usage will degrade the track further which will incur costs for ratepayers.</li> <li>&gt; The whole road needs to be upgraded if the project goes ahead in order to protect road user safety.</li> </ul>	<p>Transportation</p> <p>Planning</p> <p>MGL</p>	<p><b>Substantive FTA Application:</b></p> <p>B.30 - Stantec - Integrated Transport Assessment (Stantec 2025)</p> <p><b>Response Evidence:</b></p> <p>Evidence of Andrew Metherell</p>	<p>The BOGP is not expected to lead to increased traffic using Thomson Gorge Road over the south side of the Dunstan Mountains. It is proposed to include an additional requirement in the Project Traffic Management Plan referring to this route not to be used to access the site (in addition to Matilda Rise and Bendigo Loop Road).</p> <p>Whilst BOGP traffic will not use the section of the road referred to as a means of access to the site, it is also proposed to include a stock droving section in the Project Traffic Management Plan to support communication between the parties and incorporate the matter in driver induction on how to interact with stock on the road.</p>
3	Support Matakanui sanctuary initiative but have a strong objection to the name including Matakanui as the sanctuary is on the Bendigo side of the hill and Matakanui is a name associated with the Manuherikia Valley.	MGL	N/A	MGL notes this comment.
4	Seeks all infrastructure including the TSF is built to a standard that will at the very least meet all local and regional authority requirements.	MGL	N/A	All infrastructure is subject to consents that require compliance with local, regional and national regulatory authority rules and regulations. The design of the TSF is peer reviewed and requires a consent to be constructed. TSF is built to the NZ Society on Large Dams (NZSOLD).



## Comments from Gibbston Valley Wines Limited

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Concern regarding the abstraction and long-term contamination risks associated with mining activity.	Groundwater	<p><b>Substantive FTA Application:</b></p> <p>B.02 - Kōmanawa Solutions Limited Bendigo Groundwater Bore Take Effects Assessment (Kōmanawa 2025a).</p> <p>Houlbrooke, C. 2010. Bendigo and Tarras Groundwater Allocation Study. Prepared by ORC Resource Science Unit for Otago Regional Council, Dunedin, NZ, ISBN 978-0-478-37601-2.</p>	<p>Drawdown effects have been assessed for groundwater bores located throughout the Bendigo Aquifer at distances from the water supply bore field and found to be within acceptable norms. The Bendigo Aquifer has been assessed by Otago Regional Council (Houlbrooke, 2010) and ascertained that 29 million cubic metres per year of allocable groundwater, primarily replenished by the Clutha River, was feasibly issued as groundwater take consents. Since the granting of the MGL applications for the taking of aquifer water would not result in this capacity being exceeded, aquifer dynamics would not be altered.</p>
2	School House sits within the immediate landscape of the BOGP area and will be affected industrial activity, including dust, noise, traffic and visual change	<p>Air Quality</p> <p>Transportation</p> <p>Acoustics</p> <p>Landscape</p>	<p><b>Substantive FTA Application:</b></p> <p>B.30 - Stantec - Integrated Transport Assessment (Stantec 2025)</p> <p>B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)</p> <p>B.29 - Marshall Day Acoustics - Assessment of Noise and Vibration Effects (Marshall Day 2025)</p> <p><b>Response Evidence:</b></p> <p>Evidence of Andrew Metherell</p> <p>Evidence of Jeff Bluett - Paragraph 41</p>	<p>Traffic is not proposed to utilise Bendigo Loop Road – Matilda Rose to access the BOGP except by exception, and this will be included in the Project Traffic Management Plan.</p> <p>The School House Vineyard is located approximately 2 km to the east of the closest MGL northern zone site boundary. This is a greater buffer distance than is enjoyed by Folding Hill Wines and therefore the risk is low of any grape grower in the area noticing and increase of dust on their fruit above background levels.</p> <p>It is not accepted on the landscape material presently available that School House has open views of the mine or would experience landscape effects of the scale asserted, with the response evidence recording that the School House vineyard remains separated from potential open views of the proposed mine.</p> <p>While the District Plan does not apply noise limits at rural properties that do not have dwellings, noise levels will be so low that noise effects at this site will be negligible and will not interfere with the day-to-day operation of the vineyard.</p>
3	The branding of the wine is dependent on the integrity of the landscape. GVW's vineyards are fully BioGro certified organic	Economics	<p><b>Response Evidence:</b></p> <p>Evidence of Benje Patterson</p>	<p>Although there may be challenges for vineyards and mining operations to coexist, especially for the subset of vineyards with organic certifications, it is unlikely that the mine's activities would directly cause all vineyards to shut down in the affected area. In fact, overseas in areas such as the Upper Hunter Valley, there is a long history of mining and vineyards coexisting with close proximity to each other. For example, there are several vineyards located along Wollombi Brook within 2-4 km of the edge of the Bulga Coal open cut mining operation which employs 940 people near Singleton.</p>



**Comments from Peter Rough (Expert Landscape Submission)**

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Prefers Bridget Gilbert’s summary of relevant landscape values.	Landscape	N/A	It is accepted that Mr Rough generally prefers Ms Gilbert’s description of the relevant landscape values. However, he also appears to support the Assessment’s understanding of the project setting and concurs with the selection of viewpoints, so the real difference is one of weighting and degree of effect rather than omission of the relevant landscape values.
2	Concurs with the selection of viewpoints in the Graphic Supplement.	Landscape	N/A	As above.
3	Cloud cover in visual simulations results in a much flatter tonal range – therefore underplay the visibility of the mine pits and engineered landforms in comparison to how they would appear when the sky is clear.	Landscape	<p><b>Substantive FTA Application:</b></p> <p>B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)</p> <p>B.19B – Boffa Miskell – Landscape Visual Simulations (4 Parts)</p> <p><b>Response Evidence:</b></p> <p>Evidence of Rhys Girvan.</p>	It is not accepted that the visual simulations materially understate the proposal simply because some source photography was taken under cloudier conditions. While atmospheric conditions may influence tonal contrast on a particular day, the simulations remain useful because they accurately depict the form, scale, extent and spatial relationship of the proposal from defined viewpoints, and the broader assessment is based on landform modification, viewing distance, elevation, orientation and rehabilitation rather than tonal contrast alone.
4	Landscape assessment does not fully capture the cumulative effect of individual components and mitigation measures on overall landscape character during the operational phase.  Characterisation of effects as “moderate adverse” during operational phase does not fully reflect the extent to which the project would temporarily establish an industrial landscape within an area identified as ONL.	Landscape	<p><b>Substantive FTA Application:</b></p> <p>B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)</p> <p><b>Response Evidence:</b></p> <p>Evidence of Rhys Girvan.</p>	It is not accepted that the operational assessment fails to capture the cumulative effect of the proposal as a whole, as the lodged material expressly states that the combined influence of pits, haul roads, process plant, TSF and progressive rehabilitation was assessed across the relevant mining stages and that the moderate adverse operational rating reflects that combined judgment rather than an assessment of components in isolation. It is accepted that the operational phase would introduce more industrial characteristics into part of the ONL, but the lodged conclusion remains that those effects are largely contained within the modified valley systems and do not elevate overall effects on the wider Dunstan Mountains ONL beyond moderate adverse.
5	No clear justification for decision not to backfill the other larger pits. If this is an economic reason, then this should be evaluated.  Pits result in significant adverse effects on landscape character.	MGL Landscape Geotechnical	<p><b>Substantive FTA Application:</b></p> <p>B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)</p>	<p>A large proportion of generated waste is required to construct ELF which forms a buttress to the TSF embankment to resist possible seismic disturbance.</p> <p>Backfilling exhausted open pits obviates/ mitigates possible development of post-mining wall instability; however, it is not essential for safety, which can be managed by construction of appropriately designed and positioned physical barriers to inadvertent pit access. Backfilling presents an obstacle to possible extended mining e.g., in response to increased commodity prices.</p>



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
6	<p>Concerned that use of ELFs in place of more extensive backfilling of open pits will result in highly artificial and visually prominent landforms.</p> <p>No comparative landscape assessment between ELFs and backfilling.</p> <p>No evaluation of the extent to which increased backfilling could reduce adverse landscape effects.</p>	Landscape	<p><b>Substantive FTA Application:</b></p> <p>B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)</p>	<p>See comment #5 response above.</p> <p>It is not accepted that the use of ELFs was left unevaluated in landscape terms, as the lodged material assesses the closure strategy on the basis of selective backfilling, engineered landforms, rehabilitation and whether the resulting landform can be stabilised, rehabilitated and read as a coherent part of the wider landscape. It is accepted, however, that the landscape material does not include a standalone comparative assessment of an alternative design scenario involving more extensive backfilling.</p>
7	<p>Reliance on revegetation to mitigate visual effects is uncertain in Central Otago environment.</p>	Landscape Mine rehabilitation	<p><b>Substantive FTA Application:</b></p> <p>G.07A – Landscape and Ecological Rehabilitation Management Plan</p> <p>D.03 – Schedule One - Central Otago District Council and Otago Regional Council Common Conditions</p>	<p>It is accepted that reliance on revegetation in the Central Otago environment carries genuine uncertainty, given slow and variable growth rates and the challenging climatic conditions recorded in the LERMP. It is not accepted, however, that revegetation should therefore be disregarded altogether, as the lodged material adopts a staged, monitored and adaptive rehabilitation framework rather than assuming immediate or certain visual integration from planting alone.</p>
8	<p>Retention of process-plant platform is at odds within ONL where policy framework requires protection of natural character and generally seeks to avoid, rather than simply remedy or mitigate adverse effects.</p>	Landscape Planning	<p><b>Substantive FTA Application:</b></p> <p>B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)</p>	<p>It is not accepted that the retained process-plant platform, of itself, means the proposal is inconsistent with protection of the wider ONL. The lodged material assesses closure on the basis that the plant is removed, while some localised modification remains, and the relevant landscape question is whether the broader Dunstan Mountains landscape remains legible, coherent and representative notwithstanding that enduring change; on that basis the conclusion remains that it does.</p>
9	<p>Proposal represents permanent transformation of part of the landscape, contrary to ‘avoidance’ ONL policy framework.</p>	Landscape Planning	<p><b>Substantive FTA Application:</b></p> <p>B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)</p>	<p>It is accepted that the proposal would permanently transform part of the landscape within the Site. It is not accepted, however, that this necessarily means the proposal is contrary to the ONL policy framework, as the lodged landscape material concludes the enduring change is localised and that the wider Dunstan Mountains ONL remains natural, legible, coherent and memorable to the extent he specific reasons it is considered special or important remain.</p>
10	<p>TSF landform will remain discernibly artificial in its geometry, surface expression and origin. Will not replicate pre-existing natural landscape. Will contribute to a cumulative and enduring transformation from ONL to modified landscape. Does not avoid adverse effects on ONL and instead relies on mitigation which is insufficient to address permanent loss of landform character and integrity.</p>	Landscape	<p><b>Substantive FTA Application:</b></p> <p>B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)</p> <p>D.03 – Schedule One - Central Otago District Council and Otago Regional Council Common Conditions</p> <p>G.07A – Landscape and Ecological Rehabilitation Management Plan</p>	<p>It is accepted that the TSF will remain as a permanent modified landform and that its origin will remain legible to some degree, even following capping, wetland construction and revegetation. It is not accepted, however, that this results in cumulative and enduring transformation of the wider Dunstan Mountains ONL from outstanding to modified landscape, as the lodged landscape material concludes that while the TSF contributes to localised and enduring change, the broader mountain framework, skyline and representative ONL values remain.</p>



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
			<b>Response Evidence:</b> Evidence of Rhys Girvan	
11	ELF, WELF and RAS pit will have enduring adverse effects contrary to ONL policy framework.	Landscape Planning	<b>Substantive FTA Application:</b> B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)  G.07A – Landscape and Ecological Rehabilitation Management Plan  <b>Response Evidence:</b> Evidence of Rhys Girvan	It is accepted that the ELF, WELF and RAS Pit would have enduring adverse effects because those landforms would remain as permanent modified features within the Site. It is not accepted, however, that those enduring effects necessarily mean the proposal is contrary to the wider ONL policy framework, as the lodged landscape material concludes that the adverse effects remain localised and that the wider Dunstan Mountains ONL retains its broader coherence, skyline and representative values overall; the ultimate policy conclusion is a matter for the planning evidence and the Panel.
12	Project will not maintain landscape values of Bendigo Conservation Covenant	Landscape Planning	<b>Substantive FTA Application:</b> B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)	It is not accepted that the proposal will fail to maintain the landscape values of the Bendigo Conservation Covenant overall. It is accepted that significant adverse effects within part of the existing covenant extent are inevitable, but the lodged material concludes that the retained covenant land, together with the wider Dunstan Mountains ONL, will continue to maintain the representative landform, vegetation pattern and broader landscape values for which protection was sought.
13	Project raises broader issues of cumulative effects and precedent.	Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at “Precedent Effects”	A precedent issue does not arise here. The granting of a consent has no precedent effect in the strict sense as applications are required to be considered in relation to the policies of the relevant plan or policy statement, their effects and the receiving environment. Additionally, in the context of the FTA, the decisions of the Panel are administrative, not judicial, and as such do not bind subsequent Panels. As such, any decision of the Panel cannot become a binding precedent for any future mining applications considered under the FTA or the RMA.

#### Comments from Lilian Cheryl Lucas

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Landscape features will be modified and not reinstated. Instead, the large, engineered landforms proposed, will permanently alter the existing naturalness.	Landscape	<b>Substantive FTA Application:</b> B.19 – Boffa Miskell - Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell 2025) (2 Parts)	It is accepted that some landscape features within the Site will be permanently modified and will not be reinstated in their pre-existing form, and that the proposed engineered landforms will reduce local naturalness. It is not accepted, however, that this amounts to a permanent loss of naturalness across the wider Dunstan Mountains ONL, as the lodged landscape material concludes the enduring changes remain



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
			G.07A – Landscape and Ecological Rehabilitation Management Plan.	localised and the broader mountain framework, skyline and representative values remain.
2	These sites would be very difficult to revegetate, and one only needs to view the tailing spoils left from previous miners to see that natural revegetation does not occur readily.	Mine Rehabilitation	<p><b>Substantive FTA Application:</b></p> <p>G.07A Landscape and Ecological Rehabilitation Management Plan and associated appendices</p> <p>G.08 Ardgour Restoration Area Management Plan</p> <p><b>Response Evidence:</b></p> <p>Evidence of Dr Robyn Simcock</p>	Agree that the rehabilitation is technically challenging however the Landscape and Ecological Rehabilitation Management Plan has identified the specific biophysical challenges (sections 4 and 10.1 and Appendix B) and has been intentionally developed to meet those challenges for most dominant species (including tussock) and vegetation associations because large volumes of rehabilitation resources (soils, root zone, rock) will be salvaged and used to create deep, drought-resilient root zones. The site is wrapped with Mine Regeneration Zones managed with destocking, enrichment planting, weed and pest control to maintain a flow of propagules into mined areas from early in mine life through the long term. This supplements adaptive planting and translocations (which can be called experimental) but reflect standard methods applied at large scale that can be intensified where outcomes do not meet specified rehabilitation outcomes. This rehabilitation approach is costly and required over long term, however, MGL has agreed to the approach.
3	The mine will risk contaminating or reducing the [water table/local river/groundwater], which is essential for [local farming, drinking water, native species]. Water is and always has been, of particular concern at Bendigo with the lowest rainfall in New Zealand. Can we trust that the water take required for the mine will not have an adverse effect on domestic use?	Groundwater Geochemistry	<p><b>Substantive FTA Application:</b></p> <p>B.03 Kōmanawa Solutions Limited - Groundwater Existing Environment and Effects Assessment (Kōmanawa 2025b).</p>	<p>A water treatment plant will be constructed at closure to treat mine impacted water to drinking water standards and/or ecological water quality limits, whichever is lower.</p> <p>Ecological and drinking water standards are included in the surface water and groundwater monitoring compliance limits for the Shepherds Creek and Bendigo Creek catchment, plus performance monitoring of surface water at further remove. Monitoring is combined with a structure of containment and seepage interception systems to ensure that above drinking water standard groundwater will not eventuate in the alluvial aquifers.</p>
4	Can we trust that the tailings dam will not leak?	Geotechnical	<p><b>Response Evidence:</b></p> <p>Evidence of Dr Trevor Matuschka - Paragraphs 10 – 11, 37-40</p>	<p>There are several features that restrict seepage. They include containment by naturally high groundwater levels around the TSF except in the downstream direction, design features (low permeability zone on upstream face of the dam, cutoff to bedrock, grouting of rock defects, chimney drain behind low permeability zone, underdrains to collect seepage, seepage collection pipes to a seepage collection sump), operational features (discharge and management of tailings from dam so that pond water is not in direct contact with dam and abutments). Seepage will be collected and treated. Performance monitoring will be undertaken to monitor surface and ground water quality downstream of the TSF and ELF. If monitoring indicates a change in water quality, there are contingency measures that can be implemented. This includes grout curtains, seepage cutoff wall, seepage interception drains, or seepage recovery wells. The residual risk to the Ardgour and Lindis Aquifer is low because seepage is constrained in a narrow valley so that the implementation of seepage recovery measures is relatively straight forward.</p>



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
5	Santana Minerals has never made any attempt to inform us, or to engage with us as an affected party, on any level whatsoever.	MGL	<p><b>Substantive FTA Application:</b></p> <p>F.16 Bendigo-Ophir Gold Project Pre-Application Engagement Report</p>	<p>MGL has implemented a comprehensive and accessible programme of community engagement across the region. This has included holding over 70 community drop-in sessions, with over 20 of those sessions held in Tarras, specifically providing local residents with the opportunity to engage directly with the project team.</p> <p>In addition, MGL has maintained a community hotline and dedicated email address through which individuals can make enquiries, provide feedback, and receive direct responses.</p> <p>MGL notes that the submitter attended at least one of the drop-in sessions held in Tarras. These forums, along with the available communication channels, provided the submitter with a clear and reasonable opportunity to engage directly with MGL should they wish to do so.</p> <p>The submitters property is located some 5.5km from the RAS pit, shielded by natural terraces and ridge lines from the mine area. SML did not identify this party as an affected party specifically, but opportunities for engagement existed. It is noted that the submitters husband Peter Rough was provided an accompanied visit to the mine area by MGLs Senior Environmental Advisor on March the 10<sup>th</sup> 2026, after requesting a visit.</p> <p>Accordingly, MGL considers that appropriate and accessible opportunities for direct engagement have been provided.</p>
6	It is inevitable that there will be a big increase in traffic on our already busy, very fast roads that have no proper passing lanes.	Transportation	<p><b>Substantive FTA Application:</b></p> <p>B.30 - Stantec - Integrated Transport Assessment (Stantec 2025)</p> <p><b>Response Evidence:</b></p> <p>Evidence of Andrew Metherell</p>	The Integrated Transport Assessment assesses traffic effects on the road network. On SH8 the change in traffic volume is not large compared to existing traffic volumes.
7	I have observed that there are many vacant positions at existing mines in the South Island. Like the construction of the Clyde dam, the mine proposal could be a relatively short-term sugar hit for a few workers.	MGL	N/A	MGL notes Ms Lucas comment.
8	Without specific information about carbon emissions, and a board chairman who is a climate change sceptic, I am not at all optimistic that there will be any care taken to limit carbon emissions.	MGL	N/A	MGL will proactively report as per the Australian Securities Exchange (ASX) Environmental Social and Governance (ESG) reporting requirements (Australian Sustainability Reporting Standards (ASRS)). This includes carbon emissions reporting.



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
9	Who else will be monitoring the processes and how will the public know if the company is complying with environmental standards? Will there be added pressure on the local authorities to undertake such work?	Planning	<b>Response Evidence:</b> Evidence of Mark Chrisp	MGL has drafted firm and enforceable conditions across the full range of disciplines which were submitted with the substantive application. These draft conditions will be further refined with input from agencies and the panel through the assessment process.  A condition has been included providing for the consent authorities to engage additional technical expertise as may be deemed necessary from time to time, at the consent holder's expense.
10	If there were to be structural or company failures, can we be sure of proper redress?	MGL Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at 'Role and Quantum of the Bond'	The conditions of consent require a bond that addresses these matters. The bond quantum will be based on the scale and type of site disturbance during operations and beyond closure. The bond will be held by the Regional and District Councils, which will have an exclusive right to call on it.  The bond is a backstop mechanism that provides certainty and security that closure and rehabilitation will occur as required by the conditions of consent.
11	This proposal will entail the partial lifting a conservation covenant. I am particularly concerned that if this mine is allowed to proceed it will create a precedent and an unstoppable rush to mine all over Central Otago and the South Island.	Legal	<b>Response Evidence:</b> Legal Submissions, 17 April 2026 at "Precedent Effects"	A precedent issue does not arise here. The granting of a consent has no precedent effect in the strict sense as applications are required to be considered in relation to the policies of the relevant plan or policy statement, their effects and the receiving environment. Additionally, in the context of the FTA, the decisions of the Panel are administrative, not judicial, and as such do not bind subsequent Panels. As such, any decision of the Panel cannot become a binding precedent for any future mining applications considered under the FTA or the RMA.

#### Comments from Ardour Family Trust

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Overall support application but have some concerns about conditions.	MGL	<b>Response Evidence:</b> Evidence of Mark Chrisp	MGL has drafted firm and enforceable conditions across the full range of disciplines which were submitted with the substantive application. These draft conditions will be further refined with input from agencies and the panel through the assessment process.  Whilst no watchdog / Peer Review Panel is proposed, the conditions provide for the relevant Councils to engage any other technical expertise they deem necessary at the Consent Holder's cost.
2	It gives the community an opportunity of some real wealth being generated that some of our existing high employer industries do not provide. Tourism, viticulture and horticulture provide some wealth for a very few but are predominantly minimum wage	Economics	<b>Response Evidence:</b> Evidence of Benje Patterson	Page 19 of the BPL report highlights: "The average wage for workers associated with the BOGP will be \$140,300 a year, which is 104% higher than the average wage in Inland Otago of \$68,904 in 2024, and 98% above the Otago Region average of \$70,766 per year."



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
	payers and very seasonal, so no stability of work force or really part of the community. Mine will provide higher wages and support local businesses.			
3	Bond needs to be set at levels that reflect the risk and held in a mechanism that will grow the bond for its very long life.	Bond Introduction	<b>Substantive FTA Application:</b> B.44 Lane Associates Limited – Bond Introduction (Lane Associates 2025)	The bond will be calculated based on the scale and type of site disturbance during operations and beyond closure. Its quantum will include a conservatively estimated risk cost sum that, due to the low likelihood of post-closure risk occurrence, is expected to grow.
4	The conditions need to factor in all subsidiaries of Santana Minerals Ltd and be tied to any exit strategy that may or could eventuate.	Legal MGL	<b>Response Evidence:</b> Legal Submissions, 17 April 2026, Role and Quantum of the Bond	The bond will be registered as an instrument on the records of title which will prevent obligations secured by the bond “evaporating on sale”.
5	Our concern with this offset package and mine restoration is that it will require on going management, so the benefits are not lost once the mining has concluded. Who is going to take that role on and how will it be funded, what is the ownership structure of this land going to be.	Planning MGL	<b>Response Evidence:</b> Legal submissions – Closure and Post Closure  Legal Submissions, 17 April 2026, Role and Quantum of the Bond	Ongoing management is a standard aspect of resource consent conditions for large projects. The conditions are legally enforceable as they are sufficiently certain in terms of the requirements for mine closure and leave only the detail to achieve those parameters for council certification.  In terms of funding for ongoing management after mine closure, a substantial bond will provide assured access to sufficient funding if it became necessary to close and rehabilitate the site in accordance with the conditions of consent. The bond must cover costs associated with activities that persist beyond the operational life of the mine. The bond will cover rehabilitation of the disturbed site, a period of aftercare and the ongoing cost associated with offsetting and compensation.

