

BEFORE THE EXPERT PANEL

FTAA-2507-1089

**UNDER
IN THE MATTER**

Fast-track Approvals Act 2024
of the Bendigo-Ophir Gold Project

MEMORANDUM OF COUNSEL FOR SUSTAINABLE TARRAS

Dated 4 June 2026

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TO THE EXPERT PANEL

1. Sustainable Tarras will attend all hearings, represented by counsel (mix of in person and online).
2. Expert attendance will be as set out in the table below:

Topic	Date	Attending
Landscape	9 June	Bridget Gilbert (in person)
Heritage	10 June	Matthew Sole (online)
Ecology	12 June	Geoff Rogers (online)
Water	15 June	-
Geotech	16 June	Alex McAlpine (in person), Steve Emmerman (online), Bernd Lottermoser (part of hearing only - online)
Economics	17 June	James Higham (online); Richard Meade (online), James Harris (in person), Edward Miller (online), Geoffrey Bertram (in person)
Planning	18 June	Sylvia Allen (in person)

3. The Panel has directed parties who wish to cross-examine to provide their cross-examination topics to the Panel two working days before the hearing. The ecology (effects management) joint witness conference is scheduled for 10 and 11 June so the joint witness statement will be available on the evening of 11 June at the earliest. The ecology hearing is scheduled for 12 June. On that basis, counsel requests:
 - a. That Chancery Green and the EPA are directed to circulate the Ecology (Effects Management) Joint Witness Statement to all parties by 6 pm on 11 June.
 - b. That parties wishing to cross-examine on ecology are directed to provide their topics to the Panel by 9 am on 12 June.
4. The same issue arises in part for the landscape topic, with a further conferencing session now being scheduled for this Friday, Sunday or Monday, and with the landscape hearing scheduled for 9 June. Counsel respectfully requests:
 - a. That Chancery Green and the EPA are directed to circulate the Second Landscape Joint Witness Statement to all parties by 6 pm on the evening of the conference.

- b. That parties wishing to cross-examine on landscape are directed to provide their topics to the Panel by 9 am on 9 June. (Alternatively, parties could provide their cross-examination topics on landscape two working days in advance of the hearing but be given leave to request additional cross-examination topics arising out of the third JWS by 9 am on 9 June.)
- 5. Professor Higham is in China until late June. He will join the hearing online. Two matters arise:
 - a. On the assumption that remote attendance will be via Microsoft Teams, counsel has tested Prof. Higham's ability join a Teams conference from China and confirms this is possible. Should the Panel use a different conferencing service, it is requested that this is advised early so that Prof. Higham can test that he is able to join.
 - b. Prof Higham participated only in tourism-related aspects of the Economics conference (questions 13 and 15). It is respectfully requested that the Panel aims to schedule those topics in the late morning (around 11.30 am) to account for the time difference. This may mean it is necessary to hear questions 13 and 15 out of sequence.
- 6. Professor Lottermoser will be in Frankfurt on 16 June, which means a 10-hour time difference to New Zealand time. He will participate for as much of the Geotech hearing as he is able to (given it will be nighttime in Germany).
- 7. The Panel has not directed a specific lighting hearing. Noting the overlap between lighting and landscape, would the Panel be assisted by the lighting experts attending the Landscape conference? If so that would be Mr Simpson and Professor Boyle for Sustainable Tarras.

4 June 2026



Sally Gepp KC
Counsel for Sustainable Tarras Inc