

BEFORE THE FAST-TRACK EXPERT PANEL IN THE MATTER OF: The Bendigo-Ophir Gold Project [FTAA-2507-1089]

MEMORANDUM ON BEHALF OF THE CANYON VINEYARD LIMITED (TARRAS VINEYARDS)

TO: The Fast-track Expert Consenting Panel

FROM: Hayden Johnston, Owner / Director, Tarras Vineyards (The Canyon Vineyard Limited)

DATE: 26 June 2026

1.0 Before the gold project application is officially frozen tonight at 11:59 pm under Minute 38, I am filing this direct update regarding unresolved water drawdown risks and the reality of local boundary "coexistence."

2.0 THE WATER DRAWDOWN MODEL IS DEFICIENT

2.1 In their June 22 groundwater report, the mine's own experts admit that their baseline calculations completely left out critical regional boundary conditions, including how the hard schist margins act as flow barriers. This omission means they do not have an accurate map of local drawdown.

2.2 Despite my status as an immediately adjacent operator, no specific impact assessment has been done for our sole water supply at the Schoolhouse Terrace bore. Instead, they are asking for a "trust us" approval, proposing a generic framework to patch their data after consents are granted.

2.3 It is entirely unacceptable to existing water users to face the prospect of such a substantial new user gaining consent without first establishing the impacts on all existing users.

2.4 Their proposal to run a standard 3-day commissioning test during the winter dormant season is nonsensical; it fails to measure real world peak-summer irrigation needs when the water table is under maximum cumulative stress from both lower dry season recharges and peak summer use. Rushing an approval through based on incomplete winter data provides zero commercial protection.

2.5 I note that the Panel's fresh Request for Information (25 June 2026) directly validates this concern by demanding an immediate contaminant load water balance model, an assessment of toxic risks to any surface water expressions, and a fully compliant bore pump test for the Bendigo aquifer.

3.0 SYSTEMATIC FAILURE TO ENGAGE AND SOCIAL IMPACTS

3.1 The Applicant has demonstrated a complete failure to engage with me or address my business constraints, completely ignoring the Panel's explicit directives regarding local consultation.

3.2 Following the conclusion of the hearings, I engaged an independent advisor Fraser Goldsmith, to make a direct corporate approach to the Applicant's lead counsel, Joshua Leckie. The Applicant has not responded.

3.3 Furthermore, the hostile environment and personal harassment I have been subjected to following my appearance at the concurrent hearings highlights a profound failure in the project's community management. This directly underscores the Panel's findings in its June 25 RFI that the Applicant's complete failure to provide a Social Impact Assessment has left the direct human and social costs of this project entirely unmeasured and unmanaged.

4.0 CONDITIONS, MONITORING, AND COEXISTENCE

4.1 The standard regulatory fallback—applying consent conditions, trigger levels, and environmental monitoring—provides no comfort or protection to my business. This standard approach completely ignores the reality of how a premium brand actually loses its value.

4.2 Tarras Vineyards relies entirely on demonstrating our kaitiakitanga, certified organic and Māori focused winegrowing, environmental purity, and outstanding natural landscape; our survival is dictated by how our customers perceive us. The moment an industrial open-pit gold mine is established inside our neighbourhood at Bendigo, the global market will immediately and permanently see us as environmentally compromised.

4.3 No amount of technical monitoring, dust suppression logs, or compliance reporting can undo the damage to our reputation when international wine distributors, high-value wine tourists, and event customers looking to visit and stay onsite realise we are operating close to one of the largest open-pit gold mines in Australasia. It will dominate the activity at Bendigo and permanently reframe how our customers and potential customers view my business, and it is simply not compatible with the growth model I have.

4.4 The Applicant's view that heavy industry can seamlessly "coexist" with premium wineries, events venues, tourism, and accommodation providers is directly contradicted by the recent history of MGL's own commercial partner and land provider, Bendigo Station. In 2019, Bendigo Station sought to subdivide land for residential lots directly adjacent to my events centre, on a parcel of land situated between it and the proposed gold mine. I opposed the layout of this subdivision in the Environment Court due to severe reverse sensitivity effects. Through that process, it was explicitly agreed that the closest residential lot to my venue would be deleted, and the Applicant proposed the construction of earth bunds to mitigate noise and visual impacts.

4.5 While Bendigo Station successfully constructed the internal access roads, installed the underground power and water infrastructure to individual lots, and built the required earth bunds, all final development work ground to a halt around the time the massive Bendigo-Ophir Gold Project was formally announced to the Australian Securities Exchange (ASX) on 14 September 2020. In the years since that public announcement, they have completely stalled the project and have not applied for the legal titles required to bring these lots to market.

4.6 The halt in this subdivision's completion matches an apparent cessation of residential development plans by those closest to Bendigo Station Ltd. It is understood that members of the Perriam family and company accountant Mr Porter had planned to construct homes within this specific subdivision. However, following the public disclosure of the open-pit mining proposal, physical progress toward completing these residential dwellings also stopped.

4.7 The Panel is invited to look at the timeline of these adjacent titles. It is a highly compelling inference that when an impending heavy-industrial operation is introduced right next door, the residential amenity and premium value of the land are immediately compromised—a reality that appears to be reflected in the vendor's own paused development. It remains entirely contradictory for the Applicant to assert that a massive, 24/7 open-pit mine can seamlessly coexist with a premium organic viticulture and hospitality business, when nearby residential development on the vendor's own adjacent land has sat stalled since the project's announcement.

4.8 This double standard is made explicit by Bendigo Station's formal 15 August 2019 submission opposing my own resource consent (RC 190110). My original application had sought approval for infrequent outdoor concerts. In a direct, good-faith effort to accommodate Bendigo Station's feedback and alleviate local anxiety, I voluntarily scaled back and amended the proposal to restrict events to just two daytime concerts per calendar year. Despite this major operational compromise, Bendigo Station still argued aggressively that my premium wine tasting, restaurant, and function venue operation would "conflict with the quiet rural environment". They successfully lobbied to have those two hard-contested daytime concerts entirely prohibited due to noise concerns. Furthermore, they demanded severe commercial restrictions on my operations, including reducing outdoor operating hours to protect the local amenity, mandating extensive screening for any mechanical noise, and citing road wear and dust generation on the right-of-way as "hugely disruptive".

4.9 It is fundamentally irreconcilable for Bendigo Station to claim that a local restaurant, restricted hours, and two daytime concerts per year create an unacceptable industrial, noise, and dust impact on the environment, while simultaneously asserting that a continuous, heavy-industrial open-pit gold mining operation positioned on their land right next door is seamlessly compatible with the community.

4.10 This shifting definition of "compatibility" reflects a history of transactional instability that has directly impacted my business investment and performance and continues to do so with this application. When I originally contracted to purchase my land from Bendigo Station Limited, a 50% deposit was paid, and I then planted the vineyard. Prior to titles being issued, the vendor sought to cancel the contract during

the rapidly rising property market; ultimately, this resulted in a settlement that reduced the land area I had purchased from 76 hectares to 21 hectares. The commercial risks and market anxieties my business faces with the current application are therefore not speculative; they are based on a documented pattern where investment certainty has been compromised to accommodate the capital gains of the vendor.

4.11 The Panel must look at the reality of the environment they are being asked to consent to. MGL is asking this Panel to rely on the corporate goodwill and "management plans" of a land partner that has historically weaponized property mechanics, challenged surrounding business growth, and compromised transactional stability simply to maximise capital margins. An Applicant operating in such active, documented conflict with its immediate boundaries cannot be trusted to manage the severe, long-term environmental and social impacts of an open-pit gold mine.

5.0 THE HUNTER VALLEY "COEXISTENCE" COMPARISON

5.1 The Applicant's attempt to use Australia's Hunter Valley as a successful precedent for mining and wine industry coexistence is structurally and geographically flawed. In addition to the critical tourism and economic decoupling points raised in evidence by Professor James Higham, the physical geography of the two regions cannot be compared.

5.2 The large open-cut coal operations in the Hunter Valley are situated on flat, expansive valley floors. Because of this topography, they remain naturally screened and are largely invisible from the primary wine-tasting routes, boutique vineyards, and established tourist pathways.

5.3 Conversely, the MGL mine is explicitly planned to sit high in the surrounding hill country. This elevated placement strips away any natural topographic screening in a region where New Zealand's 100% Pure reputation is highly valued by visitors and residents alike.

6.0 CONCERNS REGARDING FUTURE VISUAL EXPANSION

6.1 At present, my business is shielded from the immediate visual impacts of the mine site based on its current footprint layout. However, I hold a severe and ongoing concern regarding the long-term reality of this industrial operation.

6.2 Given the lack of robust baseline boundaries and the Applicant's reliance on post-consent alterations, there is no structural certainty preventing the mine from expanding outside of its current footprint in the future. Any subsequent creeping expansion will inevitably breach our natural topography, directly exposing my premium vineyard, brand amenity, and guest experience to open-pit mining infrastructure.

Ngā mihi,



Hayden Johnston

LIST OF ATTACHMENTS

- Appendix A: Correspondence from Goldsmith Advisory to Joshua Leckie (Lane Neave) demonstrating the Applicant's failure to engage despite direct Panel encouragement.
- Appendix B: "15 August 2019 Bendigo station submission on Canyon application.pdf" detailing Bendigo Station Limited's formal grounds of opposition, noise constraints, and operational restrictions placed on RC 190110.

From: Fraser Goldsmith I Goldsmith Advisory [REDACTED]
Subject: FW: Bendigo-Ophir Gold Project [LN-LNDMS.FID1277015]
Date: 23 May 2026 at 9:47 AM
To: Hayden Johnston [REDACTED]



FYI

From: Joshua Leckie <joshua.leckie@laneneave.co.nz>
Date: Thursday, 21 May 2026 at 8:42 AM
To: Fraser Goldsmith I Goldsmith Advisory [REDACTED]
Subject: RE: Bendigo-Ophir Gold Project [LN-LNDMS.FID1277015]

Hi Fraser,

Thanks for your email – I have relayed our conversation to Matakanui Gold.

Kind regards,
Josh

Joshua Leckie
Partner

Lane Neave

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Email: joshua.leckie@laneneave.co.nz
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From: Fraser Goldsmith I Goldsmith Advisory [REDACTED]
Sent: Thursday, 21 May 2026 7:31 am
To: Joshua Leckie <joshua.leckie@laneneave.co.nz>
Subject: Bendigo-Ophir Gold Project

Hello Josh

This email is to confirm the main points of our brief telephone discussion last week.

I have no professional connection with the consenting process for the Bendigo-Ophir Gold Project proposal and no personal stake in the matter (beyond that of any member of the public in Central Otago). Hayden Johnston of Tarras Vineyards (The Canyon Vineyard Limited) is known to me through the wine industry.

Hayden's understanding of the guidance given by the Panel Chair at the conclusion of hearing three weeks ago was that Matakanui Gold Limited was encouraged to engage with mana whenua and with affected landowners and businesses.

The reason for my call was to make clear that Hayden is open to constructive engagement with Matakanui Gold about the compensation alternative to consent being declined. He has been surprised that Matakanui Gold has not sought to take the initiative in that regard.

I remain available, if asked, to facilitate any commercial discussion there might be to be had. Alternatively, I am available to pass on any message that there is no such discussion to be had from Matakanui Gold's perspective.

As time is marching on and it is a fast-track process, Hayden would be keen to receive clarity in writing regarding Matakanui Gold's intended course of action.

Yours faithfully

Fraser Goldsmith

[REDACTED]
[REDACTED]

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15 August 2019

Central Otago District Council

1 Dunorling Street

Alexandra 9340

By email: resourceconsents@codc.govt.nz

To whom it may concern,

SUBMISSION OF BENDIGO STATION TO RESOURCE CONSENT APPLICATION RC 190110 FROM THE CANYON VINEYARD LIMITED

To: Central Otago District Council

Name of submitter: Bendigo Station Limited

This is a submission on application RC 190110 by the Canyon Vineyard Limited for their Discretionary Activity Resource consent to undertake wine tasting, off licence wine sales, to operate a function venue, a restaurant and to undertake concerts and to have helicopter landings on the property.

The specific parts of the application that this submission relates to are:

- Roding issues
- Noise

Roding Issues

The subject site gains access to their property from a Right of Way (ROW) easement over Bendigo Station property. This ROW serves as the Bendigo Stations main stock access when moving their stock from the high country to the lower flat lands. This corridor was protected and retained by Bendigo Station for this specific purpose when negotiating their Land Tenure Review with the Crown which resulted in the creation of the Department of Conservation land between the high country and the lower lands. On average stock are moved through this access corridor twice monthly plus the additional weekly farm movements of the farm managers checking on stock and property condition.



Picture taken from CODC GIS.

The Red star represents the applicants property. The Yellow stars represent the 7 other freehold properties that are currently accessed by this upper portion of the ROW which acts as the main stock route for Bendigo Station. This stock route can clearly be seen on the image above as the track travelling through the Department of Conservation land outlined by the black and yellow dotted line and other allotments to the east and west in a band.

Bendigo Station are concerned that the high level of proposed vehicle movements will add additional pressure to this farm asset. The proposed application will generate activities that far exceed the vehicle movements provided for by this gravel ROW. These movements are likely to create significant additional wear to the ROW gravel surface, and there has been no evidence presented in the application to say how this ROW would be managed by the applicants. Further we stress the importance of this corridor as a stock route for the Bendigo Station farming operation.

We have included a couple of photos below to show the state of the current road surface within this ROW and also show the additional risk to vehicles that this road. This ROW has very steep slopes (drop offs) in places that could cause problems to people not used driving on gravel roads, especially if they encounter stock or other vehicles travelling in the opposite direction on the road. Bendigo are concerned about risk of users sliding off the road surface and down the bank. The photos also show that in places the ROW is quite steep and that erosion due to rain fall can scour this road in its current formation, this is not a big problem for the current users, but could be a big problem for buses and users not used to driving on a gravel roads. Also as can be seen in the photos below, the formation of the road only permits vehicles to travel in one direction in places, with limited areas where two way traffic is possible, significantly less than the 6m claimed in the applicants roading report where it is shared with adjoining land. Night driving on this road is naturally hazardous, and adding large numbers of users to this road is only going to exacerbate this significantly. And finally a great deal of dust is generated in the summer months when travelling on this right of way by single users, this would be

significantly increased with additional vehicle movements, and when there are multiple vehicles using the road at the same time, the risk of dust obscuring visibility may become a significant issue.

Bendigo feel that significant increases in night time traffic on this ROW are entirely inappropriate. Bendigo also feel that having large amount of traffic on this road from a concert would be hugely disruptive and have effects on the maintenance and adjoining land owners from the generation of dust.

Bendigo station would like to see additional detailed information provided by the applicant to demonstrate how they propose to manage the significant increases in vehicle movements proposed as the current ROW is not suitable for the applicants intended use and will also conflict with the primary stock access route for the farming operations.

The roading effects of this application are significant for all neighbouring land holder using this right of way.







Noise Issues

The Bendigo area has been shaped by the early landowners who recognized and protected the quiet amenity of the area by covenanting subdivided titles to preclude the use of audible bird scaring devices and protection of vistas of the area by imposing the requirement for all electricity supply to be underground. This has shaped the way natural character has been enjoyed within this area.

The applied for concerts are a major divergence from current activities in the area and would certainly conflict with the quiet rural environment that has been created by current land holders in the local vicinity. Noise as modelled by the applicant would cover all the other freehold land titles in the vicinity of the application. The applicant has used the closest built house as their bottom line under which to make their assessment on noise. However this ignores other land holders rights to build on their existing freehold rural properties, much closer to the boundary of the subject property.

The hours of operation proposed by the applicant diverge from the current quiet environment that is enjoyed at this location. Bendigo Station is concerned about the generation of noises from large numbers of people congregating in outside areas in the evenings particularly. Bendigo would like to see appropriate consent conditions which wine tasting/restaurant activities/function venue activities were restricted to operations between 9am to 9pm outside, with activities inside (external doors closed) restricted to 9am to 10pm and staff allowed to clean up until 11pm.

The applicant has chosen to service this property by way of generator rather than make a new connection to the available power supply, Bendigo Station recognize that is theirs right. However this choice leads to excessive external noise generated when in use. This generator is not a small domestic generator, but rather more industrial size which can generate significant noise. This is not a problem when it is only infrequently used, but the times of use as described in the application are significant in

their duration. Bendigo would expect some additional noise screening to try and mitigate some of this noise generation, like physical earth bunds around the generator. Failing this, the applicant could connect to the electricity grid. Applicants noise assessment did not model this generator noise as stated in their noise report under 4.4 Mechanical Plant.

The noise from vehicles travelling to and from the applicants sites at all hours would also negatively impact on the local environment and erode some of the quiet that has been cultivated at this location through covenants.

The Noise effect on neighbours is significant.

Bendigo Station seeks the following decision:

- Application to hold concerts be declined.
- Application to hold functions/wine tasting and restaurant be restricted to operating hours 9am to 9pm outside and 10pm with doors closed with staff permitted to continue working until 11pm inside the building.
- The right of way to be upgraded to allow vehicles to pass each other over the entire length of road and the surface to be sealed to protect users.
- Generators used to supply electricity to the property should be located and screened so that this mechanical sound is confined to the property.

Bendigo Station wishes to be heard in support of this submission.

Your Sincerely,

Bendigo Station Limited