



Te Kāwanatanga o Aotearoa
New Zealand Government

Your Comment on the Bendigo-Ophir Gold Project application

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email at substantive@fastrack.govt.nz

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Department of Conservation		
First name	Marie		
Last name	Payne		
Postal address	PO Box 10420, Wellington 6140		
Mobile phone		Work phone	██████████
Email	fast-track@doc.govt.nz and ██████████		

2. We will email you draft conditions of consent for your comment			
X	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct

3. Please provide your comments on this application
Please find comments attached

Note: All comments will be made available to the public and the applicant when the Environment Protection Authority (on behalf of the Panel) proactively releases advice provided to the Environment Protection Authority (pursuant to s54(1) and s55(1) of the Fast Track Act).

Jenni Fitzgerald
Fast-Track Applications Manager

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 10/04/2026

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Comments on a fast-track consenting application

Fast-track Approvals Act 2024 section 53

To: The Expert Panel

From: Director-General of Conservation

Regarding fast-track project: Bendigo-Ophir Gold Project [FTAA-2507-1089]

1	Executive Summary	4
2	Introduction	6
3	Purpose of the section 53 comments	6
4	Structure of DOC's advice	7
5	Conservation Values	8
6	Assessment	10
7	Effects Management	18
8	Comments on Resource Consent Conditions	26
9	Appendices	35

1 Executive Summary

- 1.1 The Department of Conservation (Department / DOC), on behalf of the Director-General of Conservation (DG), provides these comments under sections 53(2)(h), 53(2)(k) and 53(2)(m)(i) of the Fast-track Approvals Act 2024 (FTAA) in relation to the Bendigo-Ophir Gold Project (the Project / BOGP) proposed by Matakanui Gold Limited (MGL / the applicant).
- 1.2 The site spans the Bendigo and Ardgour Stations, is adjacent to the Ardgour Conservation Area and Bendigo Historic Reserve, and partially within the Bendigo Conservation Covenant. The covenant is in place to protect and enhance biodiversity values together with protecting and maintaining the landscape and heritage values present in perpetuity. DOC considers the Project area to have high conservation values.
- 1.3 The Project poses significant adverse effects on conservation values including species, habitats and heritage from underground blasting vibrations, dewatering, earthworks and vegetation clearance and artifact destruction.
- 1.4 DOC's key areas of concern include:
 - 1.4.1 Significant impact on vegetation communities including large populations of Threatened – Nationally Vulnerable *Myosotis brevis*, and a nationally important population of the Threatened – Nationally Critical *Ceratocephala pungens* (this represents the loss of a population stronghold for a species one threat status away from extinction).
 - 1.4.2 Large (unprecedented) scale of incidental killing across at least three lizard species (estimated total 500,000-750,000 affected individuals with estimated 80% mortality rate). For the Kawarau gecko impacts to their habitat may contribute to local/national extinction risk.
 - 1.4.3 Destruction of heritage artifacts and heritage landscape that are of national significance.
- 1.5 DOC considers MGL's assessment of effects is lacking and is in places incorrect. The result appears to be that the effects management proposed is not fully informed, overly optimistic in what it seeks to achieve and disproportionate to the scale of effects.
- 1.6 Given the scale and significance of impacts on conservation values, DOC does not support the current proposal.
- 1.7 DOC recommends a precautionary approach is applied should the proposal proceed to an approval; DOC strongly advises that the effects management strategy proposed by the applicant is significantly revised.
- 1.8 DOC acknowledges that the panel must primarily consider the purpose of the Act and consider whether the adverse impacts are out of proportion with regional or national

benefits. DOC has not sought to provide commentary on the broader regional and national economic benefits of the Project as these matters sit outside DOC's core functions.

- 1.9 DOC however has provided commentary on the lack of adequate compensation for the partial revocation of the covenant, residual effects on biodiversity and heritage, and has outlined its view that the proposed biodiversity and heritage fund will not make any significant or relative contribution to achieving significant biodiversity and heritage outcomes.
- 1.10 Whilst DOC acknowledges the suite of mitigation, offsetting and compensation measures proposed including pest control, habitat restoration/management and funding, DOC's view is that the applicant could do significantly more to address the Project's impacts on conservation values.
- 1.11 DOC has engaged with MGL through technical workshops and acknowledges that many of the issues raised are being reviewed by the applicant. However, several key issues remain unresolved, particularly in relation to the effects management, robustness of management plans, enforceability of consent conditions, and adequacy of monitoring and adaptive management frameworks.
- 1.12 Whilst DOC acknowledges that the applicant has outlined that they intend to make amendments to various management plans at a later date¹ there is a high level of ambiguity around what this will entail and how.
- 1.13 DOC concludes that without significant improvements to mitigation measures, clearer performance standards, improved compensation and offsetting and stronger legal protections for offset areas, the Project risks causing irreversible harm to conservation areas and species of national importance.

¹ [Mitchell Daysh, EPA-Summary of Amendments to the Bendigo-Ophir Gold Project Fast Track Application, Dated 10 March 2026](#)

2 Introduction

- 2.1 The DOC s51 Covering Report² provides background to the application lodged and approvals required.
- 2.2 The application seeks a suite of approvals under the FTAA that would otherwise be applied for under the Reserves Act 1977, Wildlife Act 1953, Conservation Act 1987, and Freshwater Fisheries Regulations 1983 (jointly, the conservation approvals) as well as a suite of resource consents that would otherwise be applied for under the Resource Management Act 1991 (the resource consents).
- 2.3 On 11 March 2026, the Expert Panel (the Panel) directed the EPA to invite the Director-General of Conservation (the DG) to comment on the substantive application, as required by section 53(2)(m)(i) of the Act.

3 Purpose of the section 53 comments

- 3.1 The Department of Conservation (DOC) has prepared these comments (the DOC comments) on behalf of the DG.
- 3.2 The DG has a range of functions which are relevant to the application. The Conservation Act 1987 sets out functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats, and advocacy for the conservation of natural resources and historic heritage³.
- 3.3 The DG has been invited to comment on the application on the following basis:
 - Pursuant to section 53(2)(h) and (m)(i). The application involves a suite of resource consents. Clause 13 of Schedule 5 lists the DG as one of the persons or groups who must be invited to comment where an application is made for a resource consent/s.
 - DOC understands that the provision of section 53 comments is not limited to resource consent issues, although our comments must be relevant to the substantive application and the decision the Panel is required to make under section 81.
- 3.4 DOC has provided a series of reports under s51 of the Act in relation to the conservation approvals sought on 25 March 2026.
- 3.5 A primary purpose of DOC's section 53 comments is to outline the DG's position on the application for resource consents, with the intention of assisting the Panel in its consideration of the application as it relates to those approvals. That said, MGL has

² [DOC-Covering-Report-BOGP-March-2026.pdf](#) at paras 4 – 7.

³ [Conservation Act 1987, Section 6.](#)

developed and presented the application on a 'project-wide' basis meaning that many aspects of the application and supporting analyses and reports apply across multiple approvals. In addition, many of the resource consents sought relate to activities and/or areas that also require conservation approvals. This means a number of issues that are relevant to the resource consents have already been addressed in DOC's s51 reports, in particular DOC's assessment of potential effects on conservation values and the effectiveness of mitigation measures to address those effects. Where that is the case, the DOC comments cross-reference the relevant parts of the s51 reports.

4 Considerations in relation to DOC's advice

- 4.1 DOC's assessment has been confined to actual and potential effects on conservation values of the proposal and the proposed consent conditions that will manage effects on conservation values but has not provided commentary on the proposal's consistency with the wider statutory framework.
- 4.2 The DOC s51 Covering Report describes the engagement DOC has undertaken with MGL in relation to the Project, overarching points of issue, and engagement with iwi⁴. These aspects of the Covering Report also apply to these s53 comments. DOC has relied on the advice and technical expertise from a range of experts to assess the conservation impacts of the Project. These statements are provided in Appendices A-H of the s51 Covering Report.
- 4.3 There are also two additional supplementary reports to support DOC's s53 comments which are attached as Appendices A and B. These supplementary reports cover advice from Dr Justyna Giejsztowt, (Wildlands Compensation and Offsetting Assessment) (Appendix A) and a legal memorandum regarding management plans and conditions (Appendix B).
- 4.4 DOC notes that this advice does not include an assessment of responses provided by the applicant on 19 March 2026 to requests for information (RFI) from the Panel as there was insufficient time to consider the updated documents. If the Panel wishes to know DOC's advice on the 19 March 2026 RFI response, DOC can review and provide its advice.
- 4.5 DOC is aware that the Panel issued a further RFI to MGL on 1 April 2026 seeking information be provided by 17 April 2026⁵.
- 4.6 As is outlined below and within the expert statements provided with the s51 reports, DOC considers that there are significant deficiencies in the application, and these issues have been discussed at recent workshops with the Applicant but not fully addressed.
- 4.7 In the absence of that information, the unavoidable conclusion is that the Project will have unmanaged adverse effects, culminating in a significant adverse impact.

⁴ [DOC-Covering-Report-BOGP-March-2026.pdf](#).

⁵ Expert Panel Request for Further Information, [RFI - 1 April 2026](#)

- 4.8 DOC is aware that iwi have concerns about how consultation has been undertaken as iwi have not been included in a series of discussions and workshops with the applicant and other agencies, that were organised by the applicant. DOC recommends that iwi are invited to participate in future workshops and/or conferences.
- 4.9 DOC remains open to working with the applicant and responding to any questions or directions from the Panel.

5 Conservation Values

Ecological

- 5.1 The Project lies within the Dunstan Ecological District, a district that is characterised as an area with very low rainfall. The valley floors of the Dunstan Ecological District contain glacial moraines and more recent alluvial deposition.
- 5.2 As described in Mr Crowe's statement⁶, there has been an extensive loss of dryland ecosystems to agricultural development. Dryland ecosystems are New Zealand's least protected and most threatened ecosystems yet support about half of New Zealand's most threatened plant species. Mr Crowe states that the site supports "... *at least forty-eight Nationally or Regional Threatened, At Risk or Data Deficient plant species, representing exceptionally high levels of diversity for Threatened and At Risk plant species.*"⁷
- 5.3 Mr Crowe confirms that the majority of the site is ecologically significant as assessed against the Otago Regional Policy Statement 2019 significance criteria and qualifies as an area of significant indigenous vegetation which is a matter of national importance under section 6(c) of the Resource Management Act 1991⁸.
- 5.4 The fauna within the dryland environment mostly consists of lizards and invertebrates. Dr Tocher considers that even with the gaps in information identified within the assessment provided for lizards, most of the Direct Disturbance Footprint (DDF) is likely to meet DOC's guidelines for assessing significant ecological values, the Significant Natural Area criteria in the National Policy for Indigenous Biodiversity, and the Otago Regional Council significance criteria due to the extent and quality of Kawarau gecko habitat (At Risk-Declining) and, to a lesser extent, southern grass skink habitat⁹.
- 5.5 The application identifies 18 invertebrate taxa of conservation interest including four threatened species of which two are nationally critical moth species. Mr Chinn considers that the dominance of moths recorded in the applicant's Habitat NZ report is not surprising given the range of habitat types on the Dunstan Mountains including mat-forming vegetation, tussock grasslands, native shrublands, stream banks and wetlands¹⁰.

⁶ DOC s51 Report, [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#), paragraphs 9-17.

⁷ DOC s51 Report, [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#), Executive summary, paragraph 2.

⁸ Supra

⁹ DOC s51 Report, [Appendix-C-Expert-Statement-Lizards-BOGP-Dr-M-Tocher.pdf](#), paragraph 25

¹⁰ DOC s51 Report, [Appendix-E-Expert-Statement-Invertebrates-BOGP-W-Chinn.pdf](#), paragraph 31.

- 5.6 Drylands are also important habitats for birds. Birds that have been identified within the DDF including 11 native species, of which one is New Zealand southern falcon (Threatened – Nationally Endangered) along with NZ pipit and black shag (At-Risk – Declining)¹¹.
- 5.7 Overall, based on the expert statements provided on the ecological values of the Project area, which is situated within this unique dryland environment, the site is identified as being ecologically significant and qualifies as a matter of national importance under section 6(c) of the Resource Management Act 1991.

Heritage and Recreation

- 5.8 The Bendigo area is recognised as having high heritage values and is significant due to the specific features of the heritage gold mining landscape. The site is considered nationally unique due to the archaeological sites and sequence of sluicing and hard rock historic mining present. The archaeological and heritage sites are present within the Bendigo Conservation Covenant area extending up through the Rise and Shine Creek, as well as the adjacent Bendigo Historic Reserve.
- 5.9 In Dr Schmidt's expert statement, he states:¹²

“The tangible remains present, alongside Dr Lloyd Carpenter's detailed social history of Bendigo (the intangible component of the history of Bendigo), means we have a rare continuous insight into the history of a sluicing, then hard rock gold mining community that lived at Bendigo from the 1860s through to the Depression. The additional benefit of the Covenant alongside the Bendigo Historic Reserve is that members of the public can access this history all the way from the Reserve and up to Thomsons Gorge saddle.”

- 5.10 Public Conservation Land surrounds the Project site including the Bendigo Conservation Area, Ardgour Conservation Area, and Bendigo Historic Reserve. These areas connect visitors directly with goldfields heritage and Dunstan dryland landscapes. These areas provide recreational values which are further described in the application assessment (B.39 Recreation Assessment) and in the expert statement provided by Ms Embleton-Muir.

Outstanding Natural Landscape and Natural Character Values

- 5.11 The Dunstan Mountains (including the Bendigo area) are identified as an Outstanding Natural Landscape¹³. The Project area sits within the Central Otago uplands, an open, expansive high-country landscape characterised by strong natural landforms, semi-arid environment, and a high degree of naturalness. Key landscape values include the broad schist ranges and spurs, incised gullies and watercourses, and the contrast between barren slopes, tussock grasslands, and remnant indigenous vegetation. Visual values are high due to the openness of the terrain, long sightlines, dark night skies, and the relative absence of large-scale built form or infrastructure.

¹¹ B.14A RMA Ecology Avifauna Values Assessment, pages 6-7

¹² DOC s51 Report, [Appendix-H-Expert-Statement-Heritage-DOC-Dr-M-Schmidt.pdf](#), paragraph 24

¹³ Central Otago District Plan, Schedule 19.6.2 (Outstanding Natural Features and Landscapes)

- 5.12 There are also historic gold-mining features and patterns forming a distinctive and recognisable layer within the natural setting.
- 5.13 The landscape is also a cultural landscape. DOC understands that Kā Rūnaka¹⁴ identify the land as culturally significant. DOC acknowledges the interests of Kā Rūnaka and understands Kā Rūnaka will provide section 53 comments which address this.

Bendigo Conservation Covenant

- 5.14 As described in the Bendigo Conservation Covenant report¹⁵, the existing covenant protects many of the conservation values discussed above including threatened species, historic heritage and landscape, landscape and natural character, threatened habitats and ecosystems, and recreation values.
- 5.15 While cultural values are not mentioned in the covenant, as set out in the report many of the values protected under the covenant and conservation values identified above including landscape, native flora and fauna species, are considered taonga¹⁶.
- 5.16 Any decision that is made regarding the Bendigo covenant should consider the Ngāi Tahu Claims Settlement Act 1998 (with Statutory Acknowledgements in Otago, including, Mata-au/Clutha River) and DOC–Ngāi Tahu protocols issued by the Minister of Conservation under the settlement, which require meaningful Ngāi Tahu participation and recognition of cultural associations when considering the application, including its proposed changes to current conservation protections. The Bendigo covenant was an outcome of a tenure review process under the Land Act 1948. As part of that process Te Rūnanga o Ngāi Tahu was consulted and its views informed agreed outcomes including the creation of the Bendigo covenant.

6 Assessment

- 6.1 Overall, DOC notes that a common theme across all of the applicant's assessments and documentation is the lack of detailed analysis or gaps in the information used to inform the assessment of effects. This has been thoroughly covered in the expert statements provided with the s51 reports and in the reports themselves. DOC is concerned that these omissions and gaps lead to uncertainty about the data relied upon in the applicant's assessment of effects and underestimates the overall ecological values at the site. More specific issues have been highlighted below.
- 6.2 DOC recommends that the Panel request the information outlined below from the applicant to ensure a robust assessment of effects. DOC notes that for many of the information gaps, it may not be feasible to obtain this within the Fast-track consenting timeframes. If this is the

¹⁴ DOC understands that Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Moeraki, Te Rūnaka o Ōtākou, and Hokonui Rūnanga – collectively Kā Rūnaka – are relevant Iwi authorities and Treaty settlement entities – Memorandum of Counsel for Kā Rūnaka to Panel Convenor dated 16 January 2026

¹⁵ DOC Conservation Covenant Report, [DOC-s512b-report-conservation-covenant-BOGP.pdf](#), page 6

¹⁶ Supra, pages 16-17

case, DOC recommends that the Panel applies a precautionary approach when assessing the impacts of the proposal and effects management proposed.

Flora values and assessment

- 6.3 The applicant's B.13 Vegetation Values Report identifies 48 nationally or regionally at-risk or threatened plant species within the DDF¹⁷. At least six nationally at-risk species were found only in the DDF, and an additional six nationally threatened or at-risk species were found in higher abundance in the 610 ha DDF than in the 4,760 ha surrounding landscape, indicating overall higher habitat quality. The highest botanical values were found within vegetation communities characterised as 'Mixed depleted herbfield (cushionfield) and grassland' which supports at least 32 nationally or regionally at-risk or threatened plant species, including national strongholds for several threatened species.
- 6.4 Mr Crowe states that among the highest and most sensitive values are communities of spring annuals, associated with 'depleted herbfield (cushionfield)' vegetation¹⁸. Threatened plant species found within these herbfields include populations of *Myosotis brevis* (Threatened – Nationally Vulnerable) and *Ceratocephala pungens* (Threatened – Nationally Critical) which represent the largest known remaining strongholds of the species¹⁹.
- 6.5 Mr Crowe has set out in his expert statement where there are inaccuracies and gaps in the assessment²⁰. This includes:
- Large gaps remain in the spring annual survey data, and uncertainty about where search effort has been prioritised (it is noted that whilst more up to date survey data has been provided to administering agencies, this may not have been provided to the Panel and as far as DOC is aware does not form part of the current application package;
 - Delineation and classification of vegetation communities and grouping together of vegetation communities and sampling methods;
 - Aggregation of biodiversity data; and
 - Underestimation of biodiversity (flora) values.
- 6.6 The applicant notes that the direct effects will result in the clearance of vegetation and disturb soils over approximately 610 ha. However, uncertainty remains over potential indirect effects which are listed in the Vegetation Values Assessment (B.13) as described in Mr Crowe's expert statement.
- 6.7 Mr Crowe concludes that for indigenous vegetation within the Project site²¹:
- “The project as currently defined would result in severe, permanent and irreversible net loss of ecologically significant dryland ecosystems, primarily through the loss of*

¹⁷ B.13 RMA Ecology Vegetation Values Assessment, at Table 4.

¹⁸ DOC s51 cover report, [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#), paragraph 23.

¹⁹ Supra, paragraph 15.

²⁰ Supra, paragraphs 29, 37-39, 40, and 40-42.

²¹ Supra, paragraph 109.

large numbers of Nationally and Regionally Threatened and At Risk plant species, including the largest known population of Nationally Critical C. pungens.”

- 6.8 Mr Crowe states that the proposed open-cast mining is the key driver of irreplaceable loss.
- 6.9 The applicant’s B.08 Assessment of Environmental Effects (AEE) acknowledges very high levels of effects for the most ecologically vulnerable habitat at the site, with ‘net loss’ or ‘uncertain’ outcomes for at least 52% of the 48 Nationally or Regionally threatened and at-risk plant species impacted by the proposal²².
- 6.10 DOC is concerned that due to the gaps in information identified, there is a risk that the Panel is being asked to consider significant adverse effects on threatened and at-risk plants where the assessment of values and effects is incomplete and therefore the level of loss cannot be adequately defined.

Lizard assessment

- 6.11 The applicant has provided a Lizard Values Assessment (RMA Ecology 2025). Three lizard species were recorded in high numbers across the Project site including the Kawarau gecko (At-Risk - Declining: high tens of thousands), southern grass skink (At Risk-Declining; low thousands, and McCann’s skink (Not Threatened; low hundreds of thousands).
- 6.12 MGL’s application documents (Lizard Management Plan) sets out a rough estimate of 450,000 lizards affected (but there are inconsistent estimates in different application documents). Following analysis by DOC experts, the numbers were tested with the applicant, and they confirmed during February 2026 workshops that the actual number affected was likely to be between 500,000-750,000 lizards. The scale of impact is unprecedented.
- 6.13 Overall, the site supports very large populations of indigenous lizards. The populations identified represent ecologically important mainland strongholds in a region where lizard declines are occurring.
- 6.14 Dr Tocher²³ has set out in her expert statement where there are inaccuracies and gaps in the assessment. This includes:
- Species misidentification which consequently compromises salvage design and proposed release sites.
 - Survey coverage is incomplete and excludes key habitats (including wetlands, covenant uplift areas, concession areas, pipelines, trenching, and proposed release sites).
 - Lack of mapped lizard detections.
 - Potential presence of threatened species not adequately addressed (e.g. Lake’s skink).

²² B.08 Alliance Ecology, Assessment of Environmental Effects (10 March 2026), Table 1.

²³ DOC s51 cover Report, [Appendix-C-Expert-Statement-Lizards-BOGP-Dr-M-Tocher.pdf](#), at paragraphs 21 – 28, 33 - 35.

- No full assessment of habitat or fauna significance has been undertaken (and potential unsuitable release sites particularly for Southern grass skink).
 - Habitat loss and population impacts are considered to be underestimated.
- 6.15 Overall, Dr Tocher identifies systemic shortcomings in the applicant's lizard values, effects, and management assessment that collectively undermine confidence in the adequacy and reliability of the lizard evidence base.
- 6.16 Dr Tocher states the applicant's ecologists confirmed that their effects management package addressed only 20% of adverse effects on lizard species and habitat, leaving approximately 80% of effects unmanaged²⁴.
- 6.17 DOC's view is that the wildlife approval for lizards included in the application is not consistent with the purpose of the Wildlife Act and should this approval proceed it requires a substantial amount of work.

Avifauna values and assessment

- 6.18 The applicant's assessment of avifauna values²⁵ identifies 30 bird species were detected within the DDF, including 11 native species, one nationally Threatened species (New Zealand southern falcon) and two nationally At-Risk species (New Zealand pipit and black shag). An additional five nationally or regionally threatened or at-risk bird species were recorded or are likely to be present as residents or as occasional visitors (silveryeye, South Island pied oystercatcher, little shag, black-billed gull and black-fronted tern).
- 6.19 The assessment confirmed that New Zealand southern falcon (Threatened – Nationally Vulnerable) are present in the DDF, with at least one pair likely nesting at the margin of the DDF in Shepherds Valley. It is further noted that this confirms the site has high ecological value, including the rock outcrop habitats where they nest.
- 6.20 Mr Colbourne has provided an analysis of the assessment provided in his expert statement²⁶. He considers that more work could have been done surveying densities of bird populations outside of the site to show the extent of populations, but states that the 600 ha DDF is not atypical of similar surrounding habitat.
- 6.21 He considers that appropriate conditions of consent will be effective in mitigating effects on avifauna as a result of the Project.

Invertebrate values and assessment

- 6.22 The applicant has provided a terrestrial Invertebrate Survey and it demonstrates that there is a high indigenous invertebrate diversity recorded across the Project area²⁷. Mr Chinn states that this is reflective of Central Otago's well-recognised levels of endemism and ecological

²⁴ Supra, paragraph 51

²⁵ Substantive Application, B14.A RMA Ecology, Avifauna Values Assessment.

²⁶ DOC s51 Report, [Appendix-D-Expert-Statement-Avifauna-BOGP-R-Colbourne.pdf](#)

²⁷ Substantive application, Appendix B.11 Habitat NZ Limited Terrestrial Invertebrate Survey 2025.

distinctiveness²⁸. The applicant's survey identified at least 222 native species including endemic and threatened moths, weevils, an endemic grasshopper and several beetles. The invertebrate communities were strongly associated with the tussock grassland, cushionfield, native shrubland, stream margins and wetland habitat within the Shepards Creek catchment.

6.23 Mr Chinn has identified the following gaps in the assessment undertaken which introduces uncertainty:

- Inconsistent species counts;
- Lack of clarity on taxonomic resolution;
- Missing taxa and under-representation;
- Uncertainty around 'new species' claims;
- Limited assessment of community structure; and
- Effectiveness of mitigation unproven and is experimental.

6.24 Habitat NZ has acknowledged direct habitat removal would occur and that there would be residual effects, necessitating mitigation, management and offsetting measures.

Heritage assessment

6.25 The applicant's Revised B.34 Heritage Assessment²⁹ presents the key heritage values that it considers including landscape values present and at risk. The report highlights the historic use of the Project area by mana whenua as an ara tawhito, then a pastoral run, and for goldmining within the Rise and Shine Valley.

6.26 The assessment identifies (Table 10-1) eight heritage sites that will be affected and 19 that will be destroyed within the DDF as a result of significant earthworks associated with the Project. These sites consist of gold sluicings, water races, stamper battery remains, mullock heaps, mine adits and drives, pastoral features, huts, a reservoir and a road. Dr Schmidt states that³⁰:

"The main impact is in the Rise & Shine Creek area where 10 sites will be destroyed, and one partially removed. The remaining sites relate to the Come-In-Time area of gold mining. Most of the sites to be destroyed are therefore within the landscape which is the primary focus of the heritage landscape values of Bendigo Conservation Covenant."

6.27 In Dr Schmidt's and Dr Ritchie's³¹ review of the applicant's assessment, they identified the following issues:

²⁸ DOC s51 Report, [Appendix-E-Expert-Statement-Invetebrates-BOGP-W-Chinn.pdf](#), paragraphs 26-27.

²⁹ Substantive Application, Appendix REV B.34, Heritage Properties Ltd, Heritage Assessment.

³⁰ DOC s51 Comments, [Appendix-H-Expert-Statement-Heritage-DOC-Dr-M-Schmidt.pdf](#), paragraph 18.

³¹ Supra at paragraphs 25 and 30, 34, 48-50, and 55-58. Dr Neville Ritchie assisted Dr. Schmidt on the November 2025 site visit and provided his own assessment in Appendix 1 [Heritage-Expert-Statement-Appendices-1-8.pdf](#).

- Lack of consideration of existing heritage assessments for the area including the Conservation Covenant (2000) and HNZPT Historic Area (2015).
- Poor quality fieldwork, recording and presentation including missed sites, heavy reliance on 2018 survey work, poor contextual mapping.
- The heritage assessment methodology has resulted in inconsistent valuation of sites and inability to compare individual sites or cumulative effects.
- Inappropriate significance thresholds have been applied in the assessment, which has diluted the nationally and regionally significant values of the Otago goldfields heritage and undermines recognition of s 6(f) Resource Management Act 1991 matters of national importance.
- The assessment does not consider or apply recognised heritage conservation principles such as the ICOMOS NZ Charter 2010. Dr Schmidt considers the absence of this assessment undermines the significance assessment and mitigation, compensation and offsetting proposed.
- The effects management is considered inadequate and not relative to the scale of loss. Whilst the effects are residual, the management proposed places emphasis on remaining sites:
 - Being protected by the Heritage New Zealand Pouhere Taonga Act 2014, which is inappropriate.
 - That a legal requirement to record the sites prior to destruction is mitigation, and
 - More generally there is a lack of 'real' compensation to account for the residual effects.

6.28 Overall, while the applicant's assessment acknowledges that the Project would result in major adverse effects on heritage values, Dr Schmidt considers that the gaps identified in the heritage assessment do not correctly represent the heritage values present or provide a reliable or coherent evaluation of overall heritage significance or effects within a protected heritage landscape. The risk is that given the gaps in the assessment, the Panel is being asked to endorse large-scale irreversible heritage loss where the assessment of values and effects is incomplete, and where the assessment is inconsistent with accepted heritage conservation practice.

Recreation Assessment

6.29 An assessment of recreation values and the effects of the Project has been provided by the applicant³². Ms Embleton-Muir has reviewed this assessment and concurs with the recreation values identified for public conservation land in the area.

³² Substantive Application, B.39 Rob Greenaway and Associates, Recreation Assessment

- 6.30 Ms Embleton-Muir identifies key concerns around the loss and prolonged closure of established public access routes, particularly the 250 metre walk to the Come-in-Time Battery, for which the proposed four kilometre walk alternative is not considered an appropriate or comparable replacement and which is inconsistent with the visitor expectations under the Otago Conservation Management Strategy 2016³³.
- 6.31 There are also concerns relating to the amenity effects on recreation values in adjacent public conservation areas including noise and vibration effects on walkers and hunters as well as visitor safety in relation to proposed reserve closures during blasting³⁴.
- 6.32 Overall, DOC considers that the applicant has proposed alternatives to the current visitor experience, but they are not a like-for-like replacement. Alternative options (which DOC has discussed with the applicant pre- and post- lodgement) which would have lesser impacts do not appear to have been considered.
- 6.33 The proposal is not consistent with DOC's recreation and visitor safety management framework. It lacks specificity on how the proposed new visitor assets will be maintained in perpetuity. It is not replacing the current Come-In-Time Battery access track with a comparable visitor experience and does not address loss of public access to Mt Moka and the Bendigo Conservation Area, or to the Rise and Shine Creek heritage sites. The compensation proposed by the applicant is therefore insufficient to manage the adverse effects of the Project on recreation and visitor values.
- 6.34 While the applicant has set out that they intend to reinstate access to the heritage sites once mining operations cease, DOC understands that the public road leading to the existing access will have been disestablished and has not sighted any plans to reinstate it. Many heritage sites visitors could once view as part of the visitor experience will also be destroyed and cannot be recreated for the visitor experience.

Freshwater Values and assessment

- 6.35 An assessment on freshwater fish values has been provided by the applicant in the attached K.04 Scientific Freshwater Ecological Assessment³⁵. This has been reviewed by Dr Dunn and Dr Richarson³⁶. Dr Dunn and Dr Richarson focused their assessments on freshwater values and the dispensation sought from fish passage in new diversion channels, presence of freshwater fish, the proposed freshwater ecology management and monitoring plan, and the proposed Rise and Shine culvert. They have not addressed wider freshwater impacts of the Project; noting that substantive commentary on freshwater quality, quantity, and hydrology issues will be provided by experts for the Otago Regional Council.

³³ S51 DOC Comments, [Appendix-F-Expert-Statement-Recreation-and-Visitor-BOGP-M-Embleton-Muir.pdf](#), at paragraphs 17-18.

³⁴ Supra, paragraphs 28-30.

³⁵ Substantive Application, K.04 REV E3 Scientific Freshwater Ecological Assessment

³⁶ S51 DOC Comments, [Appendix A Expert Statement Freshwater Fisheries -BOGP Dr NR Dunn](#) and [Appendix-B-Expert-Statement-Freshwater-Fisheries-BOGP-Dr-M-Richarson.pdf](#)

- 6.36 Both largely concur with the assessments provided and that there are no freshwater fish present in Shepherds Creek. However, they note the presence of koaro (At Risk - Declining) within the Bendigo Creek catchment, which includes the Rise and Shine and Clearwater Creeks. There is some uncertainty relating to the presence of non-migratory *Galaxias* species and other indigenous freshwater fishes present in the Bendigo Creek catchment. Dr Dunn recommends further survey work in the Bendigo Creek catchment to resolve which freshwater fish species are present, the local population and to determine the extent of habitat occupied particularly in those reaches immediately downstream of the Project area³⁷.
- 6.37 Clean water diversions are proposed within the Rise and Shine and Shepherds Creek in order to avoid impacting surface flows with mine contaminants. The applicant proposes the establishment of several 'clean water' diversion channels in the relevant catchments.
- 6.38 Overall, it is considered that there are no fish passage issues³⁸ based on the assessment provided and that consent conditions would be appropriate to ensure best practice is followed with regard to the design and placement of a structure within the stream bed³⁹.

Landscape Values and assessment

- 6.39 The applicant has provided an assessment on the landscape values and effects of the Project on these values⁴⁰. Boffa Miskell recognises the landscape as a cultural and historic landscape, where gold-mining remnants, access routes, and pastoral features are integrated into the landform and contribute positively to landscape meaning and legibility, rather than detracting from natural values. The report identifies the interrelationship between natural landforms and historic modification is an important component of landscape character at Bendigo. At a broader scale, the Project area contributes to the coherence and integrity of the wider Dunstan Mountains landscape, which is valued for its continuity, intactness, and strong identity within Central Otago.
- 6.40 The assessment identifies that the Project will include substantial changes to the physical landform and associated vegetation disrupted by mining activity, as well as associated changes to the surrounding landcover including through ecological restoration.
- 6.41 A peer review has been undertaken by Otago Regional Council's consultant, Landscape Architect, Nigel Parker from SLR. Of note is that Mr Parker has identified a lack of assessment on the combined overall landscape effect. There is also a concern in relation to the long-term effect in particular the loss of immediate connection to the landform of the past which will be permanent.
- 6.42 This assessment aligns with comments made in the DOC s51 Covenant Report, which identifies that the Bendigo Conservation Covenant was established to protect an integrated

³⁷ Supra, Dr Dunn's statement at paragraph 26.

³⁸ Supra Dr Dunn's statement at paragraph 30 and Dr Richardson's statement at conclusion paragraph.

³⁹ Supra, Dr Richardson's statement at paragraph 26.

⁴⁰ Substantive Application, B.19 Boffa Miskell Landscape, Natural Character and Visual Effects Assessment

landscape including natural landforms, historic and cultural values. This emphasises the link between heritage values, recreation and public access with natural character and scenic qualities of the area.

- 6.43 Both landscape architects agree that, even with the mitigation set out in the Landscape and Ecology Rehabilitation and Management Plan (LERMP) and Closure Plan, there remains a high landscape effect that cannot be addressed onsite and it is proposed should be addressed by offsetting or compensation. This aligns with comments made in the s51 Covenant Report which identifies concerns related to the removal of the covenant area allowing for activities that fundamentally alter landform, spatial coherence and visual integrity. This undermines the integrity of the conservation covenant and protection that it provides for heritage, landscape and natural environment values.
- 6.44 The ORC assessment considers that a values-based assessment would be required to sit alongside any site identified for off-setting including consideration of planting to ensure landscape effects are positive.
- 6.45 There are limited mentions of the cultural values and the effects the proposal may have on these values in the landscape, natural character, and visual effects assessment. The assessment focuses on the physical impacts of the Project on the landscape and considers a cultural values report (which DOC has not viewed) for the impacts on the cultural values of the landscape without providing mitigation, offsetting, or compensation.
- 6.46 Dr Schmidt states that most of the heritage sites that are set to be destroyed within the Rise and Shine Creek area are the primary heritage landscape values protected by the Bendigo Conservation Covenant⁴¹. The proposed partial revocation of the covenant will remove the primary protective mechanism for this heritage landscape, and it is likely that there will be considerable residual adverse effects on the heritage landscape that cannot be managed due to the destruction of several significant heritage sites.

7 Effects Management

- 7.1 MGL's biodiversity effects management package is structured around the standard mitigation hierarchy to avoid, minimise, remediate, offset/compensate and is proposed to be delivered through a combination of on-site management plan measures, post mining rehabilitation, biodiversity enhancement, access replacement and financial mechanisms.
- 7.2 Dr Giejsztowt has provided an assessment of the biodiversity effects management package with a focus on offsetting and compensation. This is attached as Attachment A of Appendix A.
- 7.3 The applicant has applied the same effects management hierarchy (avoid, minimise, remediate, offset, and compensate) to heritage and recreation values. Dr. Schmidt and Ms

⁴¹ DOC s51 Comments, [Appendix-H-Expert-Statement-Heritage-DOC-Dr-M-Schmidt.pdf](#), at paragraph 18.

Embleton-Muir in their expert statements have provided commentary on the validity of MGL's proposals.

- 7.4 The substantive application does not include an effects management assessment against cultural values and DOC therefore assumes that one has not been completed. DOC acknowledges Kā Rūnaka will provide further commentary on cultural values as they deem appropriate.

Cumulative Effects

- 7.5 In terms of the ecological effects, the loss of an area of indigenous vegetation, including populations of at-risk and threatened plant species, compounds the extensive loss of indigenous vegetation and habitat within the dryland environment of the Central Otago area over recent years through land-use change⁴².
- 7.6 The loss in extent of vegetation/habitat contributes to the ranking of these dryland ecosystems as threatened. These environments are critical remnants of what little Central Otago indigenous biodiversity remains, which has otherwise been destroyed, heavily modified and continues to be threatened by development.
- 7.7 Cumulative effects will similarly apply to invertebrates and lizards which rely on the indigenous vegetation and ecosystems which will be lost as a result of the Project.
- 7.8 It is relevant to note that the Project will also result in cumulative heritage and landscape effects, noting that the Conservation covenant area functions as part of a broader protected heritage and landscape system. As currently proposed, the applicant has sought to revoke a covenant area larger than the DDF which will remove this protection and could lead to additional activities within the covenant area that contribute to cumulative biodiversity, landscape and heritage effects.

Avoidance

- 7.9 Whilst the applicant has provided commentary on avoidance in the AEE, DOC considers that avoidance of effects in the first instance could be achieved by considering:
- Reducing the area of the proposed covenant revocation to align with DDF boundaries – it appears the proposal follows cadastral boundaries which may result in further unnecessary actual and potential impacts on currently protected conservation values.
 - To avoid effects of the mine activity on the Threatened – Nationally Critical species *C. pungens*, to remove the proposal to mine the Come-in-Time Pit; or avoid this area until such time that there is more certainty around minimising potential impacts on the species (and extinction risk) such as after undertaking the cushionfield research

⁴² DOC s51 Comments, [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#), paragraphs 16-17.

proposal. DOC does not consider the existing condition proposed provides robust protection to this effect.

- 7.10 Whilst the applicant proposes both underground and open pit mining DOC notes that projects where mining is undertaken via underground methods only can significantly reduce the impacts on biodiversity.⁴³

Mitigation

- 7.11 It is acknowledged that the applicant has proposed a range of measures to mitigate the effects of the proposal. These are discussed through this document and in the context as residual effects below.
- 7.12 Overall, DOC considers that mitigation proposed by the applicant is limited and constrained by the information gaps identified in Section 6 of this document.
- 7.13 Many of the proposed mitigation measures sit in management plans which, as outlined elsewhere in this report, are not currently considered adequate. The management plan conditions do not provide sufficient information to ensure that the mitigation methods will be successful and will be achieved by the applicant. DOC considers there are considerable uncertainties about the current mitigation actions proposed and how successful they will be in achieving the intended outcomes. DOC considers that additional information is required to ensure the mitigation methods are successful and there is alignment with the effects management hierarchy.
- 7.14 Effects management places a significant reliance on offsetting and compensation. Whilst DOC acknowledges the potential limitations to mitigation activities due to the scale of the project e.g. salvage of lizards being limited to 20% due to the high numbers of individuals affected, further information could inform a revised approach to aspects of mitigation including proposed salvage activities for wildlife and vegetation.

Residual Effects - offsetting and compensation

- 7.15 Residual effects are those that remain after appropriate avoidance, mitigation and remediation measures have been implemented. The expert statements included as part of the s51 DOC reports consider the residual effects of the proposal.
- 7.16 As aforementioned, the Project site has significant values across multiple areas. Broadly, the site has:

⁴³ The OceanaGold Waihi North mine that was granted under the FTAA is located underneath Coromandel Forest Park and only requires 0.66ha of vegetation clearance for the 315ha Wharekirauponga Underground mine footprint. Due to the minimal vegetation clearance, DOC's comments primarily focused on the vegetation's habitat values and ensured that only the sites of least conservation value were able to be cleared.

- Nationally significant ecosystems^{44 45}.
- Strongholds for Threatened – Nationally Critical and Threatened – Nationally Endangered flora⁴⁶.
- Identified wetland ecosystem types among New Zealand’s most depleted and threatened. Swamps, fen and marshes are identified as priority wetland types for protection elevating their national significance⁴⁷.
- Nationally significant heritage landscape⁴⁸.
- Large populations of lizards (estimated 500-750,000 individuals across multiple species).
- Up to 7% of total Kawarau gecko national habitat⁴⁹.
- Significant local southern grass skink habitat⁵⁰.

7.17 To summarise, the residual effects resulting from the proposed mine will include the:

- Loss of nationally significant populations of at-risk and threatened plant species which thrive within the dryland environment, including the including the Threatened - Nationally Critical *C. pungens*. It is possible the Project as proposed will contribute to the possible extinction of this species;
- Habitat loss, fragmentation and altered ecological processes due to the specialised habitat requirements of affected invertebrates;
- Habitat displacement, altered predator dynamics and long-term reliance on adaptive management for lizard populations;
- Unprecedented scale of impact on lizard species e.g. approximately 80% of 500,000-750,000 lizards not salvaged;
- Loss of an extensive and nationally significant heritage landscape due to the destruction and modification of heritage sites;
- Prolonged loss of established recreation opportunities and affected visitor experiences due to proposed alternative routes, noise, blasting and closures. Loss of public access due to partial revocation of the covenant;
- Cumulative residual effects, where effects combine to produce landscape-scale and long-term losses across heritage, landscape, ecology, recreation and conservation land values.

⁴⁴ Substantive Application, B.19 Boffa Miskell Landscape, Natural Character and Visual Effects Assessment

⁴⁵ DOC s51 Comments, [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#) at paragraph 16.

⁴⁶ Supra, at paragraph 24.

⁴⁷ DOC s51 Comments, [Appendix-A-Detailed-Effects-Assessment-of-DOC-S51-Covenant-Report.pdf](#) at pages 17-18

⁴⁸ DOC s51 Comments, [Appendix-H-Expert-Statement-Heritage-DOC-Dr-M-Schmidt.pdf](#) at paragraph 24.

⁴⁹ DOC s51 Comments, [Appendix-C-Expert-Statement-Lizards-BOGP-Dr-M-Tocher.pdf](#) at paragraphs 42-45.

⁵⁰ Supra, at paragraph 48.

- 7.18 The expert statements have concluded that the proposal will have overall very high adverse effects on conservation ecology values which are nationally significant due to their threat classification status. Dr Giejsztowt considers that a net loss is highly likely, and that the magnitude of this loss has been systematically underestimated⁵¹. The assessment concludes that while the applicant's mitigation package may reduce some localised or short-term effects, it does not adequately address the Project's significant, permanent and cumulative impacts on biodiversity⁵². All of the ecological experts identify that the scale of habitat clearance, the exceptionally high concentration of threatened and at-risk species, and the loss of rare dryland ecosystems mean that no net loss outcomes are not realistically achievable for these significant values. The identified gaps in this proposal (as identified above) result in biodiversity values being underrepresented, while certainty in the outcomes of interventions is overrepresented by the applicant.
- 7.19 The principles for biodiversity offsetting and biodiversity compensation in Appendices 3 and 4 of the National Policy Statement for Indigenous Biodiversity 2023 – Amended December 2025 (NPSIB) provide nationally adopted best practice standards. These are a relevant consideration to inform the adequacy of the biodiversity offsetting and compensation proposed by the applicant.
- 7.20 DOC recommends the Panel consider these principles when assessing the adequacy of the applicant's biodiversity offsetting and compensation package. As identified by Dr Giejsztowt in her report, the uncertain, experimental and limited proposals suggested by the applicant fall well short of these principles⁵³.
- 7.21 One of the concerns raised by Dr Giejsztowt is that the proposed offsetting and compensation relies heavily on the management of existing threats (such as pest and weed control) rather than additional and enduring actions that directly compensate for the specific habitats, species and values lost⁵⁴. This is a key principle of the NPSIB and requires that the biodiversity offset or compensation achieves gains in biodiversity above and beyond that which would have occurred in the absence of the offset/compensation. Given this, DOC is concerned that the effects management package proposed is substantially overestimated. It is also noted that the existing covenant includes a requirement for the management of pests such as rabbits and vermin, and weeds.
- 7.22 A further issue is the high level of uncertainty associated with the proposals for biodiversity offsetting and compensation. Many of the proposals rely on new and untested methods for restoration such as planting flora in a historically difficult to re-establish ecosystem⁵⁵. Restoration, translocation and habitat creation in this environment are subject to long ecological timeframes, uncertain success rates and limited precedent, particularly for

⁵¹ Attachment A, Dr Justyna Giejsztowt, Wildlands Compensation and Offsetting Assessment, pages 4-6 at section 3.1, page 2.

⁵² Supra, at section 4, page 22 – 23.

⁵³ Supra, at section 3.1, page 2.

⁵⁴ Supra, at section 3.1, page 6

⁵⁵ S51 DOC Report, [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#), at paragraph 71.

dryland systems and specialist taxa. As such, it is considered that the applicant has overstated the effectiveness of offsetting and compensation of the new and untested methods and therefore a precautionary lens should be applied to the applicant's findings.

- 7.23 Dr Giejsztowt raises concerns that the offsetting package is not demonstrably proportionate to the magnitude of ecological loss. While a range of measures and a funding mechanism are proposed, there is insufficient evidence that offsets are scaled to reflect the rarity, vulnerability, and conservation significance of affected values, or that they would be secured in perpetuity with clear performance measures tied to outcomes. As a result, the offset and compensation proposed does not meet the NPSIB principles including that the scale of compensation provided outweighs the adverse effects and that the measures proposed will not be managed to secure long term outcomes⁵⁶.
- 7.24 The applicant has also proposed a fund sometimes referred to as a 'Biodiversity Fund'⁵⁷ and sometimes as a 'Biodiversity and Heritage Fund'. This has been proposed as an 'additional measure' independent to 'offsetting and compensation'⁵⁸. The applicant has noted that the outcomes of the fund (i.e. the quantum, location and timing of benefits) are unknown which is why it is not categorised as compensation, however given the uncertainties around proposed offsetting and compensation measures proposed and their timeframes, DOC does not feel a consistent logic has been applied.
- 7.25 It is stated that the fund is intended to make a significant contribution to safe-guarding historic heritage, conservation management and recovery of indigenous biodiversity more broadly within the Dunstan Ecological District⁵⁹. Other areas of the application documents more specifically outline that the fund is intended to support the protection of cushionfield habitat and heritage values outside of the BOGP consent area⁶⁰.
- 7.26 Through DOC's analysis of the application documents, and as part of engagement with the applicant, it was confirmed by the applicant that the fund has not been quantified considering the outcomes it intends to achieve. In DOC's view it would be much more appropriate and relative to the scale of effects to consider what outcomes the fund seeks to achieve and for those outcomes to inform an appropriate amount (i.e. be costed) to ensure it can meet its purpose.
- 7.27 To demonstrate this issue further, the fund was initially positioned to DOC in September 2025 during workshops as a \$5M biodiversity fund. Heritage was added to the title of this fund following feedback from DOC that there were significant concerns around residual heritage effects, however the sum of the proposed was not revised to account for the addition of heritage.

⁵⁶ Attachment A, Dr Justyna Giejsztowt, Wildlands Compensation and Offsetting Assessment, pages 4-6

⁵⁷ A.13 application document [2024-10-25 Report - Standard](#) page 52

⁵⁸ A.14 application document [2024-10-25 Report - Standard](#) paragraph 7.1

⁵⁹ A.02B application document [Microsoft Word - Appendix 1](#) paragraph 10

⁶⁰ A.14 application document [2024-10-25 Report - Standard](#) pages 8 and 17

- 7.28 The values that could be compensated for more reliably are also not appropriately provided. For example, Dr Schmidt provided detail on the cost of repairing one heritage structure which would amount to one year of the applicant's proposed ten-year compensation fund⁶¹.
- 7.29 In terms of heritage, Dr Schmidt considers that the compensation fund proposed is disproportionate to the scale of effects on historic heritage that would be lost at the Project site. Dr Schmidt has provided guidance on what, in his opinion, should be considered best practice when developing a compensation or offsetting package for such a project⁶².
- 7.30 It is recommended that the Panel requests that the applicant use this guidance when assessing an appropriate compensation fund for the loss of heritage values. In the absence of a robust, project-focused heritage compensation framework, the Panel would have no defensible basis to conclude that heritage losses are appropriately remedied, offset or compensated.
- 7.31 In relation to the removal of the existing Come-In-Time public access no feasible alternative is currently proposed and the applicant again has not directly proposed compensation to address this loss.
- 7.32 Also of significant concern is the lack of compensation provided to address residual effects on lizards. The applicant has acknowledged that residual effects on lizards will be approximately 80%. Dr Tocher states that the sanctuary release sites will not be adequate for salvaged lizards without mouse control, and that predator control could worsen outcomes for herpetofauna eggs and juveniles⁶³.
- 7.33 Additionally, the application sets out in conditions (e.g. Condition 102)⁶⁴ to introduce threatened lizard species—such as Otago skink, jewelled gecko, and grand skink—into two proposed fenced sanctuaries but does not include any translocation activity approvals to facilitate these proposals.
- 7.34 Relating to the issue of compensation is also the potential of releasing large numbers of salvaged lizards in to the Ardgour Restoration Area which could harm resident populations.
- 7.35 The lack of compensation for the residual loss relating to lizards is considered completely inadequate given the scale of effects on the species.
- 7.36 Notwithstanding the comments above on the gaps and issues with the assessments provided and scale of adverse effects and the potential for avoidance of effects, DOC's experts have provided additional recommendations that could reduce the overall impact of the Project including:
- For lizards and their habitats (including for Kawarau gecko, southern grass skink, and McCann's skink) reduce the disturbance areas and/or expand the proposed pest-proof fencing to provide suitable habitat used by all affected species in an appropriate

⁶¹ S51 DOC Comments, [Appendix-H-Expert-Statement-Heritage-DOC-Dr-M-Schmidt.pdf](#) at paragraph 71.

⁶² S51 DOC comments, [Heritage-Expert-Statement-Appendices-1-8.pdf](#), at Appendix 8

⁶³ S51 DOC Comments, [Expert Statement Dr Mandy Tocher](#) at paragraph 62.

⁶⁴ [D.01-CODC-Land-Use-Consent-and-Conditions.pdf](#) at condition 102, page 53.

location. This would also need to be supported by an appropriate long-term governance and management framework to ensure any lizard sanctuary areas are legally protected so future gains are not short-term. DOC's view is that there is potential for fenced sanctuaries to be located in more suitable areas, at a larger scale and to be established prior to salvage activities taking place to increase the likelihood of success.

- Provide more targeted management to address effects on invertebrates. For example, release sites for invertebrates have not been identified and these are intended to be identified only two weeks before salvage. There is also uncertainty around outcomes for invertebrates. The applicant's proposed rehabilitation and sanctuaries do not appear to be targeted towards benefits for invertebrates despite levels of residual effects for many species being moderate or higher.
- For heritage, provide a robust, outcomes-focused heritage compensation fund to account for the loss of heritage values.
- Further research and surveys should be undertaken in terms of the Threatened spring annuals species populations.
- Address the effects on protected conservation values of the proposal to partially revoke the Bendigo Conservation Covenant including additional mitigation, offsetting and compensation.
- Early development of the Mine Closure Plan to provide a mechanism to assess and quantify risk associated with mine closure to provide for contingency pathways to minimise risk to biodiversity outcomes.
- Assess noise and vibration effects on walkers in the Bendigo Historic Reserve and hunters in the Ardgoor Conservation Area and outline appropriate mitigation measures for these effects and proposed conditions.
- Outline how the applicant will secure legal public access for new and existing roads and tracks, without encumbering DOC (the Crown) with short- or long-term ownership, management or responsibility.
- Consideration of reducing the proposed partial revocation of the covenant to an area limited to the DDF to ensure ongoing legal protection of the heritage, landscape and natural environment values as well as retaining public access outside of the DDF.
- Assess compensation measures to address the loss of public access to historic mining sites in the Rise and Shine Creek area for up to 15 years.
- The suggested recommendations provided by Ms Embleton-Muir at paragraph 32 of her statement⁶⁵.

⁶⁵ S51 DOC Comments, [Appendix-F-Expert-Statement-Recreation-and-Visitor-BOGP-M-Embleton-Muir.pdf](#) at paragraph 32.

- The recommendations provided by Dr Schmidt (and Dr Ritchie) in Appendices 1, 6 and 8 of his statement⁶⁶.
- The suggested conditions and recommendations provided by Dr Tocher in Appendices 5, 6 and 7 of her statement⁶⁷.
- The recommendations provided by Mr Crowe at paragraph 108(i) – (xix) of his statement⁶⁸.
- The recommendations provided Dr Giejsztowt in the Compensation and Offsetting Assessment at Section 3.5⁶⁹.

7.37 As discussions between DOC and the applicant continue, DOC is continuing analysis around opportunities for further offsetting and compensation activities and may be in a position to make further recommendations in future.

8 Comments on Resource Consent Conditions

8.1 DOC is providing high level comments on the proposed conditions. However, given the information gaps and issues identified in expert statements, has not proposed new or amended tracked-change conditions. It is acknowledged that expert conferencing is intended to take place and DOC would seek to be included in any discussions on draft conditions for not just the conservation approvals but also the resource consent-related conditions. Further comments will also be provided by DOC at the s70 stage.

Management Plan Conditions

8.2 The applicant has proposed conditions for the resource consents which establish a suite of management plans. A number of these management plans are intended to apply across the conservation approvals as well as the resource consents, i.e. the same management plans are referred to in the respective condition sets. A legal memorandum has been attached to this report as Appendix B which discusses management plans applying to approvals within different statutory frameworks.

8.3 DOC's s51 Covering Report includes a section addressing the proposed management plan conditions (see paragraphs 42 - 50). This covers general principles relating to the use of management plans and sets out DOC's concerns regarding the proposed use of management plans primarily in relation to the conservation approvals. DOC has identified various aspects where the applicant's proposed approach is unclear, particularly in terms of DOC's role in relation to certification of future amendments to the relevant management plans. Appendix B expands on this advice.

⁶⁶ S51 DOC comments, [Heritage-Expert-Statement-Appendices-1-8.pdf](#), at Appendix 1, 6, and 8.

⁶⁷ S51 DOC Comments, [Expert Statement Dr Mandy Tocher](#) at Appendix 5, 6, and 7.

⁶⁸ S51 DOC Report, [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#) at para 108.

⁶⁹ Attachment A, Dr Justyna Giejsztowt, Wildlands Compensation and Offsetting Assessment, pages 4-6, and 21-22.

- 8.4 DOC notes in the Application Update Memorandum dated 10 March 2026 the applicant has stated *“Useful feedback has been obtained from the administering agencies and consent authorities for several aspects of management plans, including agreed matters to be updated. MGL is not proposing amendments to management plans at this time but anticipates making amendments to various management plans at a later date as part of the processing of BOGP application”*⁷⁰. Again, this statement highlights the high level of ambiguity around the current and future content of these plans.
- 8.5 DOC does not support the certification of management plans as proposed. There are several reasons for this, however, in summary:
- The management plans are not guided by clear objectives in conditions (neither resource consent conditions or conditions relating to approvals via the relevant administering agency) which leaves ambiguity and subjectiveness around compliance.
 - The management plans have interdependencies which are not appropriately managed through conditions in relation to each of the approvals sought.
 - The lack of information in the current management plans and conditions would likely shift post approval substantive decision making to officials of administering agencies and councils which is inappropriate and potentially unlawful.
 - the management plans are not informed by an appropriate assessment of effects and therefore the content of several of the plans is inadequate to manage actual or potential effects. If the plans were significantly better informed, then DOC could potentially signal its support of post decision certification as the plans stand.

Panel Certification of Management Plans

- 8.6 DOC understands that the applicant has proposed that for 21 out of 22 management plans, these are to be certified by the Panel through the Fast-track approval process.
- 8.7 DOC does not support this approach as set out in Appendix B.
- 8.8 DOC’s experts have reviewed the management plans relating to their fields of expertise and have noted they require extensive work before they can be certified⁷¹. DOC has expressed its concern on this matter to the applicant. Based on feedback received from administering agencies and consent authorities, the applicant has stated that the plans will require further amendments, which they intend to undertake at a later date⁷². Due to the draft status of the management plans, it is inappropriate for the management plans to be certified by the Panel as part of its decision.

⁷⁰ [Substantive Application update provided to the EPA 10 March 2026](#) at page 10

⁷¹ DOC s51 Report, [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#), paragraphs 92 – 102; DOC s51 Report, [Appendix-C-Expert-Statement-Lizards-BOGP-Dr-M-Tocher.pdf](#), paragraphs 74 – 79;

⁷² [Mitchell Daysh, EPA-Summary of Amendments to the Bendigo-Ophir Gold Project Fast Track Application, Part G, Dated 10 March 2026](#) at page 10

- 8.9 Previous panels have not wanted to certify the management plans upon granting the application⁷³. The orthodox approach of submitting the management plans to the relevant councils or other administering agencies for assessment and certification is also consistent with the process for amendments in the proposed Schedule One conditions⁷⁴. It would allow the relevant councils and DOC to review the plans against the final set of conditions.
- 8.10 Further, the management plans, as drafted, are complex, deeply interrelated and currently insufficient to manage the effects of the activities. With the greatest respect to the Panel, it may be challenging to certify the technical detail across the suite of 22 management plans proposed without additional and specific expertise. DOC and councils have that expertise, and as such are in a position to expertly and efficiently certify the contents of management plans as meeting the requirements of appropriately worded conditions.
- 8.11 If approval is granted by the Panel, DOC requests that certification of the management plans is undertaken after the Panel's decision, and supported by a clear condition set which specifies what the management plans need to achieve, in relation to each approval as appropriate.

Management Plans are highly interdependent

- 8.12 DOC considers that there is a high degree of interdependency between the management plans which will likely lead to a 'domino' effect where if changes are needed in one plan, it is likely to have a flow on effect to other management plans. Subsequent management plans will then be required to undergo a review and amendment to ensure those plans are still meeting all the requirements of the resource consent conditions.
- 8.13 Whilst DOC acknowledges the relatively novel nature and complexity of the Fast-track approvals process, and the intended efficiency of interrelated management plan sets, it is DOC's view that the management plans should be self-contained documents with specific objectives and performance standards enshrined in respective approval conditions. Having the management plans self-contained will make the process of reviewing, certifying, and amending less onerous on the applicant and relevant authorities as only one management plan is required to be amended at a time. While this could result in several management plans requiring updates to ensure consistency, this would be the responsibility of the approval(s) holder to appropriately manage.
- 8.14 Having self-contained management plans will also minimise the potential for multiple authorities needing to certify amendments because a specific plan includes contents where different authorities each have a statutory obligation. There are several management plans that span conservation approvals and resource consents and different conditions that state what each management plan is required to include.

⁷³ See e.g. Waihi North Decisions of the Expert Panel, [Decision-Text-18-December-2025.pdf](#), at Part E1, paragraphs [7] – [9], and [Southland-Wind-Farm-Decision.pdf](#) at part E1 paragraphs 83-86

⁷⁴ [D_03-Schedule-One-Central-Otago-District-Council-and-Otago-Regional-Council-Common-Conditions- Redacted.pdf](#), at conditions C16 – C21 pages 9 - 11.

DOC certification's role for management plans in some DOC approvals

- 8.15 The proposed Wildlife Authority states at Schedule 3, clause 2 that the objective of each plan is to “*outline ecological management actions designed to appropriately minimise and mitigate the potential ecological effects associated with the disturbance and killing of native wildlife and their habitats at the BOGP*”⁷⁵. However, in the proposed Central Otago District Council resource consent conditions there is significantly more detail on what is required in the plans in relation to wildlife, and therefore what the district council can assess each plan against⁷⁶.
- 8.16 Additionally, DOC does not currently have a certifying role in relation to amendments to the management plans, despite the management plans being included in conservation approvals. Changes to the management plans under the resource consent conditions would, in effect, purport to delegate a variation decision for the DOC approvals to a third party (the councils) which is unlawful. The FTAA directs that variation of approvals relating to the Conservation Act 1987, Wildlife Act 1953, and Crown Minerals Act 1991 are to be made in accordance with the relevant legislation⁷⁷. Providing for DOC to comment on a proposed change to a management plan is not the same as certification that a proposed change is consistent with the conditions of a relevant conservation approval.
- 8.17 If the proposed management plan content is to remain the same, then DOC considers that it should have a certification role for the following management plans:
- Ecological Management Plan Framework;
 - Habitat Management Plan;
 - Avifauna Management Plan;
 - Lizard Management Plan;
 - Landscape and Ecological Rehabilitation Plan;
 - Ardgour Restoration Area Management Plan;
 - Matakanui Sanctuary Management Plan;
 - Mammalian Pest Management Plan; and
 - Biodiversity Outcome Monitoring Plan.
 - Archaeological & Heritage Management Plan (in so far as it relates to sites within the covenant area and/or sites on public conservation land).

⁷⁵ [D.11-Wildlife-Act-Authority-and-Conditions_Redacted.pdf](#) at page 6.

⁷⁶ The proposed Wildlife Authority has one condition to cover the eight management plans while the proposed CODC Land Use Consent has conditions 53 – 106 to cover the same eight management plans.

⁷⁷ Fast-track Approvals Act 2024 Schedule 6 clauses 14-17, Schedule 7 clause 7, Schedule 11 clause 13.

8.18 Certification of the management plans above is required due to them containing actions relating to catching, killing and handling wildlife, or directly relating to the applicant's mitigation for the loss of protected wildlife under the Wildlife Act 1953. Certification of management plans relating to landscape, ecological restoration, and heritage outcomes is necessary due to the impacts on DOC-managed public conservation land and its values.

8.19 Further, if a certification role for the above management plans is included in the conservation approvals, then DOC would be able to cost recover for its time in reviewing, certifying, and amending the management plans. Considering the breadth of the management plans, and the deficiencies found to date, it is considered necessary for DOC to be able to cost recover.

DOC's role in commenting on management plans

8.20 In previous Fast-track applications and Resource Management Act 1991 consent applications, DOC has been a party that is invited to comment on various management plans or documents that relate to conservation values and DOC-managed public conservation land. DOC manages adjacent land and has leading in-house experts in conservation ecology.

8.21 DOC requests that by way of resource consent conditions, the applicant is required to consult with DOC and obtain feedback on the various draft management plans, and revise the draft management plans based on DOC's feedback, before submitting them to council for certification including:

- Water Management Plan (in so far as it impacts on DOC administered land and concessions);
- Terrestrial Invertebrate Management Plan;
- Biosecurity & Plant Pest Management Plan;
- Applied Research Plan for Cushionfields & Spring Annuals;
- Freshwater Ecology Management and Monitoring Plan;
- Erosion & Sediment Control Plan;
- Noise & Vibration Management Plan;
- Access Road Construction Traffic Management Plan;
- Archaeological & Heritage Management Plan (for sites outside of PCL).

8.22 The applicant should be required to consider DOC's comments and must prepare a document (or documents) outlining what, if any, amendments have been made to each plan in response, and provide that document to the appropriate council when the plan is

submitted for (re)certification. The documents must include comments where feedback has not been included in the plan and the reasons why⁷⁸.

- 8.23 The ability for DOC to comment will help ensure that the effects on conservation (including heritage) values are appropriately managed and any conservation activities proposed are fit for purpose and will meet the requirements of the resource consent conditions.

Concluding management plan comments

- 8.24 Due to the extensive concerns DOC has about the management plans, DOC recommends the applicant provide information on how their proposed management plans and corresponding resource consent and conservation approval conditions meet the Panel Convener's guidance⁷⁹. Management plan conditions in resource consents and conservation approvals must contain clear objectives, and measurable performance standards that are specified in those conditions.
- 8.25 Administrative detail can be contained within the management plans and a clear process for certification should be included within the proposed conditions.

General Comments on Resource Consent Conditions

- 8.26 Should the Panel reach a point where it is satisfied that the above matters have been resolved, DOC considers new, clear and enforceable conditions will be required. Those conditions will need to address the following non-exhaustive list of issues:
- As noted above, management plan conditions should meet the Panel Convener guidance and need to be paired with separate and enforceable conditions specifying the standards, outcomes or requirements to be met by the management plans. Management plan conditions must also contain clear objectives and measurable performance standards. For example, Dr Tocher's expert statement highlights issues relating to the Lizard Management Plan conditions set out in D.01 of the Substantive application, including the lack of clear LMP objectives; absence of performance standards such as predator control measures and requirements to certify release site suitability⁸⁰.
 - There is also no proposed governance and funding arrangements for long-term management of the proposed sanctuary areas which provides no certainty that the outcomes within the sanctuary areas will be achieved. DOC's view is that without certainty around the future management of these areas the gains achieved would likely be lost and therefore short-term and disproportionate to effects.
 - Condition 122 (D.01 Central Otago District Council Land use consent) proposes to register covenants with CODC (presumably under s108 RMA) to provide protection

⁷⁸ This approach was taken by the Panel in the Waihi North decision. Appendix B1: Conditions Common to the Hauraki District Council and Waikato Regional Council Resource Consents Decisions Version, [Appendix-B1-Combined-HDC-and-WRC-Conditions-5-February-2026.pdf](#), at condition C5AA.

⁷⁹ [Panel-convener-practice-and-procedure-guidance.pdf](#). The Panel may want to address this via a request similar to the Expert Panels for Haldon Solar Farm Minute #6 and The Point Solar Farm Minute #7: [Panel Minute](#)

⁸⁰ DOC s51 Report, [Appendix-C-Expert-Statement-Lizards-BOGP-Dr-M-Tocher.pdf](#), at paragraph 72 and Appendix 6 summary.

of the Mine Regeneration Zones, Restoration Areas and sanctuaries⁸¹. Whilst DOC understands the intent is to provide future ongoing protection, it is undetermined what the future values of these areas will be (which as above may be not be maintained). DOC understands that CODC have not indicated support for future covenants in their favour. Overall, DOC is concerned that this will not provide an equivalent level of protection that the Bendigo Conservation Covenant currently provides. While it is acknowledged the FTAA provides a pathway for the revocation of conservation covenants as proposed by this application, there are uncertainties with regards to the outcomes of the proposed restoration areas and sanctuaries and level of protection provided and if the current condition can be enforced.

- DOC also understands that formal legal protection mechanisms (i.e. covenants) are not proposed for any areas until after the cessation of mining operations. It is not clear why areas outside of the DDF (including the proposed sanctuaries) could not be legally protected prior to this.
- Any condition proposing future protection should be clear in terms of what it is protecting (objectives), be specific about the areas/values the covenant protects, and specify activities that will be prohibited or restricted within these areas (such as indigenous vegetation clearance for example) post mining operations, and what management and monitoring is required within these sanctuary areas beyond the mine closure. There should also be a clear pathway for the implementation of the condition in practice; as above uncertainty remains around whether CODC will support the proposed future covenants.
- Any conditions proposing an adaptive management approach must be supported by good baseline information about the receiving environment, provide for effective monitoring of adverse effects using appropriate indicators and specify thresholds to trigger remedial action before effects become overly damaging. For example, Dr Tocher highlights the limited adapted management triggers set out in the proposed conditions for lizards or contingency thresholds⁸². Further, given that much of the proposed mitigation is experimental and/or untested, contingency actions should be set out in conditions if monitoring demonstrates that specified outcomes have not been met.
- Time delays set out in the proposed conditions - for example, Condition C47 (Schedule 1, D.03 – common conditions) only requires a Mine Closure Plan 12 months prior to the cessation of mining operations⁸³. This is not supported by DOC, and as set out in Mr Crowe's expert statement seems inadequate to ensure that the

⁸¹ [D_01-CODC-Land-Use-Consent-and-Conditions.pdf](#) at condition 122, page 67-68.

⁸² DOC s51 Report, [Appendix-C-Expert-Statement-Lizards-BOGP-Dr-M-Tocher.pdf](#), paragraph 72

⁸³ [D_03-Schedule-One-Central-Otago-District-Council-and-Otago-Regional-Council-Common-Conditions- Redacted.pdf](#) at condition C47, page 26.

risks associated with mine closure have been fully evaluated and addressed. Similarly, Mr Crowe states that many of the outcomes relating to biodiversity offsetting and compensation are proposed to be deferred until very late in the mine life or post-mine closure⁸⁴. It is recommended that the Mine Closure Plan is developed much earlier than proposed in this condition to ensure a mechanism that assesses and minimises risk to biodiversity outcomes. Mr Crowe recommends that it is created within six months of grant of consent (if approved) and reviewed triennially.

- In terms of appropriate conditions in relation to the flora effects, Mr Crowe makes recommendations for resource consent conditions at paragraph 108 of his expert statement⁸⁵.
- In relation to compensation there should be a clear distinction between conditions designed to avoid, minimise and remedy adverse effects, and those designed to offset or compensate for residual effects for the loss of threatened and at-risk species. Compensation conditions should be offered on an *Augier* basis by the applicant, be proportionate to the residual effects and be subject to clear objectives (e.g. no net loss and preferably a net gain of the subject biodiversity) and performance standards that are specified in the conditions.
- DOC does not support the currently proposed resource consent condition C46 providing a biodiversity and heritage enhancement fund payable to DOC (D.03–common conditions) as discussed in the relevant expert statements⁸⁶. Whilst DOC is supportive of a condition which seeks to compensate heritage and biodiversity impacts to a more reasonably proportionate level, in DOC’s view this is not achieved through the current condition. In the event that the applicant revises this enhancement fund to address DOC’s concerns, the condition needs to set out time bound, enforceable, and fully funded biodiversity and heritage outcomes (that are commensurate with the effects and timelines of the proposal).
- DOC’s preference is for any conditions requiring compensation payable to DOC for heritage and biodiversity impacts to be attached to the relevant conservation approval(s), consistent with the FTAA⁸⁷.
- Whilst the proposed applied research programme is commendable, the proposed conditions 109-110 (D.01 Conditions Central Otago District Council Land use consent) relating to this programme are uncertain and do not provide any clear measures of success⁸⁸.

⁸⁴ DOC s51 Report, [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#), paragraphs 106-107

⁸⁵ Supra, paragraph 108

⁸⁶ Supra at paragraphs 79-81, DOC s51 Report, [Appendix-H-Expert-Statement-Heritage-DOC-Dr-M-Schmidt.pdf](#), at paragraphs 69-70.

⁸⁷ Schedule 6 clause 46 for conservation covenant, and Schedule 7 clause 6 for wildlife approval.

⁸⁸ [D.01-CODC-Land-Use-Consent-and-Conditions.pdf](#) at conditions 109-110, page 59-60.

- DOC does not support Condition 111 (D.01 Conditions Central Otago District Council Land use consent) as updated on 10 March) which proposes a delay to mining the Come-in-Time pit until evidence is presented which demonstrates that the impacted populations within the area is equal to or less than 1% of the total population within the wider Dunstan Ecological District. Based on Mr Crowe's advice, it is considered that this condition places an impractical threshold to implement and would be unenforceable⁸⁹. Instead, DOC supports a condition which would avoid the effects of this mine on this Threatened – Nationally Critical species, until such time that there is certainty around minimising potential impacts on the species and potential extinction risk referencing the most recently available data sets.
- DOC does not support deemed certification as is proposed in the applicant's draft conditions (for example, Condition C21 – common conditions)⁹⁰. An independent check is required by the appropriate regulating authority. Deemed certification undermines the purpose of the management plans as a protective requirement. Further commentary on deemed certification is provided in Appendix B.
- Bonds are necessary to ensure the financial means to comply with conditions. It can continue to be in force after the expiry of the consent to secure the ongoing performance of conditions relating to long-term effects. Bonds can be registered against the title of the land to which the activity relates to act as a covenant running with the land and binding subsequent owners. As noted in the memorandum attached (Appendix B), it is DOC's position that it should be included as an interested party in relation to bonds where it relates to rehabilitation with regard to pest control, restoration planting areas and the exclusion fencing, as these activities directly relate to the conservation approvals sought.
- There are no conditions to manage the risk of fire. As identified in Mr Crowe's expert statement⁹¹, fire is one of the more significant risks in achieving biodiversity outcomes. However, there does not appear to be any strategies or contingencies to manage this risk or address what would happen should a fire impact planned and ongoing restoration work.

⁸⁹ DOC s51 Report, [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#), at paragraphs 83-85.

⁹⁰ [D.03-Schedule-One-Central-Otago-District-Council-and-Otago-Regional-Council-Common-Conditions- Redacted.pdf](#) at condition C21 at pages 10-11.

DOC s51 cover report, ⁹¹ [Appendix-G-Expert-Statement-Vegetation-and-Flora-M-Crowe.pdf](#) at paragraphs 10, 65, and 72.

9 Appendices

Appendix A: Expert Statement Biodiversity Compensation and Offsetting BOGP Dr Justyna Giejsztowt (includes **Attachment A:** Wildland Consultants Ltd (2026) Santana Bendigo-Ophir Gold Mine Compensation and Offsetting Assessment)

Appendix B: Appendix B DOC Legal Memorandum – Management Plans and Conditions BOGP