

BEFORE THE EXPERT PANEL

IN THE MATTER	of the Fast-track Approvals Act 2024 (FTAA)
AND	
IN THE MATTER	of an application for approvals under the FTAA for the Bendigo-Ophir Gold Project FTAA-2507-1089

**MEMORANDUM OF COUNSEL FOR ENVIRONMENTAL DEFENCE SOCIETY INC SEEKING
TO COMMENT ON SPRING ANNUALS REPORT**

24 July 2026

Environmental Defence Society Inc
PO Box 91736 Victoria Street West Auckland 1142
Shay Schlaepfer, COO
Email: [REDACTED]

Counsel Acting
Rob Enright
Email: rob@publiclaw9.com
Jen Vella
Email: [REDACTED]

1. The purpose of this memorandum is to seek leave from the Panel to comment on the spring annuals report received on 6 July 2026.
2. EDS made an application on 24 June 2026 for the Panel to issue a request under section 67 of the Fast Track Approvals Act 2024 (FTAA) for the Applicant to provide the report on a 2025 survey of spring annuals referenced in the Joint Statement of Expert Witnesses: Ecology – Effects Management (10 & 11 June 2026).¹ EDS also requested that leave be granted to section 53 parties to enable their experts to provide limited further evidence only relating to matters arising out of the 2025 survey report.²
3. In Minute 39 (26 June 2026), the Panel acknowledged EDS' request but noted that the Applicant had indicated the report would be provided without the need for a specific direction. The Panel granted leave to provide responsive evidence within 10 working days of receiving the report.³ The processing of the application was then suspended from 11.59pm 26 June 2026.⁴ EDS had therefore understood that the period for providing evidence responding to the spring annuals report to be 10 working days after resumption of processing.
4. The spring annuals report was received by EDS from the Environmental Protection Authority (EPA) on 6 July 2026, during the suspension period. In Minute 40 (8 July 2026), the Panel then directed that the parties could seek leave to reply to the report and noted its preference that responses be received prior to the recommencement date.⁵ An email from the EPA of 17 July 2026 advised the parties that Central Otago District Council had sought leave to respond to the spring annuals report and that the Panel had granted such leave.
5. In light of the most recent direction in Minute 40, EDS respectfully seeks confirmation that the Panel grants EDS leave to respond to the spring annuals report prior to 17 August 2026, being the date on which processing of the application is expected to resume, in accordance with the preference expressed by the Panel.
6. EDS is grateful for the Panel's attention to this matter.

Dated this 24 July 2026

Rob Enright/ Jen Vella

¹ Memorandum of counsel for EDS (24 June 2026).

² Ibid, at [7].

³ Minute 39, at [8] – [9].

⁴ Minute 38.

⁵ Minute 40, at [9].