

File ref: FTAA-2507-1089

18 September 2026

Matakanui Gold Limited (Santana Minerals)

C/- Cheryl Low

By Email: [REDACTED]

CC: [REDACTED]

Tēnā koe

Request for information from Matakanui Gold Limited in relation to the Bendigo-Ophir Gold Project application under the Fast-track Approvals Act 2024

The Bendigo-Ophir Gold Project Expert Panel (the Panel) has directed the Environmental Protection Authority (EPA) to request further information from you under section 67 of the Fast-track Approvals Act 2024 (the Act), relating to the Bendigo-Ophir Gold Project application.

At the direction of the Panel, the EPA is seeking the following information:

Water

Seepage from the Shepherd's ELF and Shepherd's TSF has been identified as the primary sources of potential contaminants of concern (PCOC) within the Shepherds Valley. Recent modelling (provided by MGL in response to RFI 11) has illustrated that uncaptured seepage has the potential to lead to exceedance of the compliance limits at the nominated surface water compliance location SC01 during mining operations. The Panel notes that the original application document B.06 'Mine Waste Management Limited – Mine Impacted Water Overview Report' which provides WLBM predictions for the closure phase remains unchanged.

The Panel considers that (i) the reports relating to surface and groundwater provided in response to RFI 11, (ii) the responses received from parties/invitees and (iii) the previous WLBM report (representing the closure phase), leave uncertainties and therefore concerns about uncaptured seepage, which are of sufficient magnitude that they are appropriately carried forward to its s85(3) assessment as matters "that weigh against granting the approval" under s85(5).

Specifically:

- a. The closure WLBM does not incorporate uncaptured seepage. This increases the reliance on near 'full' seepage capture for this report to remain relevant for the purposes of assessing the overall effects.

fasttrack.govt.nz | info@fasttrack.govt.nz | 0800 FASTRK

Fast-track is administered by the Environmental Protection Authority
Private Bag 63002, Wellington 6140, New Zealand | NZBN: 9429041901977

- b. Uncaptured seepage within the operational WLBM is assumed to be fully transported within the alluvium / colluvium material and capture (via secondary seepage interception) is assumed possible.
- c. Recent field investigations and groundwater modelling have updated the conceptual understanding of groundwater movement within the Shepherds Valley which could have an influence on seepage capture and uncaptured seepage movement.
- d. Unrecovered seepage attenuation factors are applied to results presented in the operational WLBM based on publicly available data from the Macraes Gold Mine. The assumption is that similar attenuation processes will occur at the BOGP site.

Although the Panel acknowledges that secondary seepage interception measures are allowed for within the revised conditions, it is not yet sufficiently confident that these will capture all (or if not all, the required volumes) of uncaptured seepage during and post operations. Nor do they consider the proposed measures adequately address potential for uncaptured seepage within the underlying schist material.

Given the high level of concern among submitters that contaminated water from the site will be introduced into the Ardgour Aquifer, potentially impacting its use for domestic and/or irrigation purposes, and resulting in aquatic effects within the Lindis River, the Panel requests that the applicant consider additional design measures acceptable to it (and provide the Panel with associated information) sufficient to ensure uncaptured seepage from the Shepherds TSF and the Shepherds ELF is reduced to as close to zero as feasibly possible (within the primary collection systems). This may be by one or more (or an alternative to) the following methods which could, in turn, be appropriately conditioned as a part of the detailed design (noting that s 85(3)(b)(i) requires the Panel to consider such conditions as may ameliorate adverse impacts and s 85(3)(b) assumes the Panel's ability to invite agreement to conditions of modifications with the same effect).

- a. Use of a synthetic liner (such as HDPE geomembrane or comparative alternative) at the base of each structure
- b. Placement of structurally engineered low permeability materials with a conductivity of 1×10^{-7} m/s or less at the base of each structure
- c. Removal of high permeability weathered schist material at the base of each structure
- d. Underdrainage layers that intercept the full extent of overlying waste material at the base of each structure

Both operational and closure considerations should be taken into account, but the Panel highlights that the availability of measures to capture uncaptured seepage during the closure period (which will extend indefinitely once operations have ceased) will inevitably be relatively constrained compared to provision and implementation of increased primary seepage capture during the construction and operation phase.

In addition, the Panel notes, in MGL's response to RFI 11 – 'Question 5 – Water – Assessment of Environmental Effects', the document has two Appendices, neither of which were attached and/or provided at the time of submission. The Panel requests that this report is re-issued with the appropriate appendices attached.

Ecology

Lizard Compensation

1. The latest evidence presented by MGL is that the conservative lizard population increase that can be expected in the proposed 81 ha fenced sanctuaries (Bendigo and Battery Hill) will equate to approximately 13% of the number of lizards that will be killed or displaced from the 610 ha DDF (assuming an equivalent proportion of suitable habitat in each of the DDF and the fenced areas). In response to the testimony of their own experts and the experts for the commenters¹ has MGL considered the establishment of a substantially larger, better-sized pest exclusion fenced sanctuary than has currently been proposed to more fully compensate for the effects on lizard numbers that have been acknowledged by all experts?

Spring Annual and Cushionfield Compensation

2. The Panel has noted that in its response to RFI 11 submissions on spring annuals (dated 14 September 2026, paragraph 86), MGL has offered a new compensation measure “that if the success criteria in the ARP [Applied Research Programme] haven’t been achieved at passive closure and are considered unlikely to be achieved by the Peer Review Panel and the Councils, MGL must (b) identify land that contains cushionfield habitat outside of the BOGP Consent Area and Ecological Rehabilitation and Enhancement Area and implement an appropriate legal mechanism to protect the cushionfield habitat in perpetuity.” This is represented in the latest condition suite in D.03 – Schedule One – Common Conditions to the CODC and ORC Consents at Condition C128.

Has MGL given consideration to an alternative approach of identifying and protecting (including active management) an area of cushionfield (including spring annuals) habitat, whether within the BOGP consent area or outside it, at a much earlier stage of the project (e.g. within the first 5 years)? This could be an alternative form of compensation for the effects on spring annuals and cushionfields and to safeguard spring annual presence while propagation and revegetation trials are undertaken.

Supply of Information

In accordance with section 67(2) of the Act, the Applicant must:

- a) Provide electronic copies of the information or report requested; or
- b) Advise the EPA, with reasons that you decline to provide the information or report requested.

Please provide the further information to the EPA **by 23 September 2026**.

If the information requested is not received, the Panel must proceed as if the request for further information has been declined.

¹ As summarised in the attached Schedule

Please note, the information will be provided to the Panel, the applicant and every person who provided comments on the application. The information will also be made available on the Fast-track website.

If you have any questions, please contact Mujahid Musa, Application Lead, by email at info@fasttrack.govt.nz

Nāku noa, nā

M. Musa
Mujahid Musa

Application Lead

Schedule 1

At the expert hearing in June 2026 Dr Tocher (DOC) suggested that a 610 ha fenced sanctuary that included suitable lizard habitat in similar proportions to the DDF could be expected to lead to an increase in lizard numbers equivalent to the numbers that will be lost by vegetation clearance in the DDF, in effect a no net loss outcome in terms of lizard numbers (although it will not compensate for the loss of lizard habitat).

In her response to RFI 11, Dr Tocher (7 September 2026) states, with reference to fenced sanctuary sizing for lizard effects compensation “In my opinion, an indicative area in the order of at least 250 ha should be considered as a more appropriate lower-bound target for a standalone lizard compensation package, subject to confirmation through mapped habitat suitability, resident-population assessment, carrying-capacity modelling, release-density justification, legal protection, governance, funding, and enforceable long-term management conditions.” Consistent with this position, MGL experts Drs Ussher and Baber and Mr Barber have stated in their responses to submissions on RFI 11 (dated 14 September 2026): “Consistent with our statements in the Lizards Joint Witness Statement (JWS), we consider that larger, better-sited pest-free sanctuaries would be needed to substantially reduce the level of effect by increasing the number and proportion of lizards that could be salvaged and the size of the resident lizard populations that would benefit from the elimination of introduced predatory mammals.”