

Date: 9 October 2026

Expert Panel / EPA

Tēnā koutou Expert Panel Members

Fast-track Bendigo Ophir Gold Project - DOC Response to Minute 56

1. Thank you for the opportunity for DOC to provide comments in relation to the issues arising from the proposed concessions relating to the Ardgour Rise, alternative proposed route.
2. DOC has additionally provided comment on the SH8 Intersection and 'The Come in Time Battery Track' given these matters all relate to concessions and the further comments may assist the Panel.
3. DOC's view is that the Applicant's revised approaches are largely reflective of its original proposals for these concessions, which DOC raised several concerns with as set out in s51 reports, these concerns, therefore, remain. The addition of the proposed alternative access for the Ardgour Rise proposal now also raises further concerns due to potential and actual adverse effects which in DOC's view have not been assessed by the Applicant.
4. For context, DOC has engaged with the Applicant and other relevant administering agencies on these issues over the past 12-18 months. In DOC's view, there has been sufficient opportunity for the Applicant to address the concerns identified over this time.
5. Whilst DOC has provided comment on the issues below to assist the Panel, we are doing so in a very confined timeframe with limited additional information from the Applicant to support its 'revised' approach to these concessions and maintenance of future public access.

Ardgour Rise Access Track and State Highway 8 and Ardgour Road Intersection

6. DOC's advice to the Applicant (from mid-2025) and to the Panel in its Section 51 reports has been consistent, in that long term public roading infrastructure on public conservation land is not a proposition supported by DOC.
7. DOC is not the appropriate roading authority and considers that while not ideal, supporting a short-term concession to enable the construction of a road may be feasible to facilitate the proposal should it be approved. As previously advised, DOC does not support longer concession terms of up to 30 years now sought by the Applicant.
8. For DOC, the longer-term implications of having responsibility for public roading infrastructure on public conservation land introduces an unsatisfactory and avoidable level of Crown risk and liability. It is also considered that this scenario is not best aligned with the greater public interest. Whilst there are examples of public roads on public conservation land, these mostly occur under specific or historical circumstances with a

focus on providing access to other conservation related infrastructure (e.g. carparks at roadends), rather than as part of a wider roading network.

9. DOC's key concerns with the Applicant's recent changes to the proposal are:
- **Consideration of effects** - Roothing upgrades are required to manage effects of the Project e.g. the intensification of use of the SH8 intersection and the removal of public use of the existing Thomson Gorge Road. The consequential effects of these activities should also be considered e.g. increased crown risk and liability alongside social impacts and effects of rehabilitation and further construction of a new road, should the roading infrastructure facilitated by a concession not be vested with roading authorities in the future. These secondary effects would not arise if it was not for the proposed activity and they have not to DOC's knowledge been appropriately addressed by the Applicant. It is unclear what the environmental and social implications are in relation to any future rehabilitation of established roading infrastructure (in the event it is not vested with the appropriate roading authority) or the risks associated with this approach.
 - **Consideration of conditions** - Whilst conditions can be provided to help manage some aspects of the revised proposal e.g. bonds for future rehabilitation, these conditions may have significant financial implications (which are unknown) and will have social and environmental impacts which have not been assessed, subsequently 'appropriate management' can not be addressed.
 - **Comments from other agencies** – DOC's understanding is that the other roading authorities involved (NZTA and CODC), have advised during this process that they would not be willing to 'take over' a future concession. DOC understands this is due to similar concerns around the administrative and financial implications of holding public roading infrastructure under a concession framework, again likely resulting in risk and liability, Further, vesting future roads with these agencies will carry a currently undetermined cost which the public should not have to absorb as a result of the Applicant's commercial activity.
 - **Longer term risks** - Given that it is unlikely other agencies would be willing to take on future concessions, this may result in a scenario where DOC assumes increased liability for roading infrastructure over a period of 25-30 years and at the end of that time will have to make a decision whether or not to rehabilitate roading infrastructure which the environment will have adapted to, potentially causing more adverse effects, alongside (in the case of Ardgour Rise), seeing further potential environmental impacts to bring the proposed haul road up to a public roading standard (as above, the effects of this are unknown). If a formed road was to remain on public conservation land, DOC considers there

would be issues with restricting public access at that time (where public use had been established over a 25-year period). This scenario has potentially illogical consequences.

The Applicant's proposed conditions for Ardgour Rise do little to provide DOC the assurance that the future vesting of that proposed roading infrastructure with council should occur, and that the costs of the vesting process will be funded by the Applicant, given mining activities are sought to be approved for 14 years.

Other

10. DOC acknowledges the misalignment of the SH8 Intersection is historic and that it adds a level of complexity to this proposal which is not the fault of Applicant. However, the need for it to be more immediately addressed is due to the upgrade required by this proposal. DOC also notes whilst Project Map C.27 and C.28 have been superseded, we could not identify any new maps which are intended to detail the proposed changes.

CIT Battery track concession

11. DOC understands that the Applicant now proposes the original track route as lodged with the substantive application.
12. Over the past 12-18 months, DOC has advised the Applicant that this route does not provide a 'like for like' replacement of the existing public access and that DOC is concerned the proposed route had not been subject to any route planning process and the importance of this process (which is standard to support the management of risk and ensure viable recreational features).
13. Over this period, there has been opportunity for the Applicant to undertake assessments that would confirm whether or not the proposed route has adverse environmental effects including on heritage, visitor experience (including health and safety) and biodiversity.
14. As far as DOC is aware, this work has not been undertaken and no assessment of effects on the proposed route or an alternative route has been provided. This means the management of any actual or potential effects is also unaddressed. DOC has provided substantial feedback on the proposal to the Applicant including an appropriate route planning process and good practice guidance. DOC's concerns about route length, suitability for current visitor user group, environmental effects in particular heritage and consideration of alternatives (as stated in s51 report) therefore remain.
15. While DOC acknowledges that the concession condition now requiring the replacement route to meet the day visitor track standards is an improvement on the application as lodged, there is still no assessment provided to

demonstrate that the proposed track route can in fact achieve those standards. If the track standards cannot be met, a redesign will be required and the consent, and concession, if granted could not be given effect to.



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