
MINUTE 37 OF THE EXPERT PANEL
Conference with Applicant
Bendigo-Ophir Gold Project
[FTAA-2507-1089]
[25 June 2026]

[1] This Minute records the outcome of a “touchpoint” with the Applicant at the conclusion of the concurrent hearings and a subsequent in person Conference with Applicant representatives Mr. Joshua Leckie and Mr. Damian Spring in Wellington on 23 June 2026 at 1.00pm.

[2] Following completion of Dr Tocher’s evidence on behalf of the Department of Conservation, the Panel requested a brief informal meeting with Applicant representatives to identify their availability for an in-person conference the following week, the purpose being to discuss the Applicant’s proposed program following the conclusion of the concurrent hearings. At the outset, Mr. Leckie indicated that it was the intention of the Applicant to request a processing suspension under s64 of the FTAA and that such request would be made in writing to EPA on Monday 22 June 2026.

[3] In response, the Panel advised that, with the evidential hearings now concluded, the Panel was likely to issue further RFIs; that Panel members intended to discuss the content of such requests on Monday 22 June, and that in its view the most appropriate course was to convene a Conference as soon as possible thereafter, with the Applicant delaying notification of the suspension until after that Conference had occurred.

[4] The Applicant agreed this was the appropriate course and the 23 June Conference was scheduled accordingly.

[5] At that Conference:

- (a) Mr. Leckie advised that the suspension was sought to facilitate the “workshopping” of Conditions and Management plans, as foreshadowed by its Planning experts at the concurrent hearing on 19 June 2026. He acknowledged a comment made by the Panel Chair during the hearing that the scheme of the Act necessitated consideration of proposed Conditions as part of the primary evaluative decision under s 85, and noted the Planning evidence that approximately a month would be needed to refine the proposed conditions to a point where they could be advanced on the most comprehensive basis possible. He acknowledged also the concerns expressed by the Chair during the Planning concurrent hearing that this would unreasonably compress the available time for preparation and publication of any draft decision under s 69 or draft conditions under s 70. To that end he indicated a suspension would be sought which, although not time limited in its terms, would likely be in the order of 20 working days.
- (b) In response the Panel indicated that, following its review on 22 June, it would be publishing a further RFI and spoke to a draft paper outlining the information which it would be seeking. It suggested that the Applicant would likely wish to take the content of the RFI into account in terms of the period which elapsed before it requested resumption of processing.
- (c) Mr. Leckie advised that the Applicant would imminently make a written request to suspend.
- (d) The Panel advised that it was likely to grant the suspension for the reasons Mr. Leckie relied on but that, before doing so, it would issue its RFI, leaving the Applicant to assess whether its provisionally

indicated 20 working days was in total sufficient.

- (e) The Panel suggested that the Applicant advise EPA in writing, that despite any suspension, the Panel be at liberty to continue with preparation of such parts of its decision as it is currently able to do. The Applicant agreed that was appropriate.

[6] The Panel also noted several items which involve ongoing work/assessment by the Applicant and/or recent provision of new information and in respect of which s51 parties and or s53 invitees may in due course wish to comment. Examples include:

- (a) the interactive GIS data set the Panel requested landscape expert Mr Girven to provide.
- (b) transport/recreation input in respect of the proposed amended Ardgour Rise alignment.
- (c) heritage/recreation input in respect of any new information on proposed pedestrian access to the Come in Time Battery.
- (d) s 51party and s53 invitee input into the Applicant's hazardous installation assessment.
- (e) expert landscape input in respect of the new information provided in relation to vehicle lighting needs.
- (f) expert heritage input in respect of the new information supplied in response to RFI 10.
- (g) Heritage New Zealand Pouhere Taonga and ORC input in respect of the additional information provided in respect of potential impacts on heritage sites from blasting.

[7] During the period of any suspension the Panel acknowledges its inability to require any party or invitee to undertake any work, supply any information or respond to any outstanding issue. However, given the time pressures that will apply on resumption of processing, the Panel encourages all parties and invitees to use the period of any suspension to advance all assessments and responses to the best

of their resources and ability.

A handwritten signature in blue ink, appearing to read "M. A. Muir," with a stylized flourish at the end.

Hon Matthew Muir KC

Bendigo-Ophir Gold Project Expert Panel Chair