

Before an Expert Consenting Panel

Under the

Fast-track Approvals Act 2024

And

In the Matter of

an application for approvals by
Matakanui Gold Limited to establish,
operate, rehabilitate and ultimately
close an open pit and underground
gold mining operation known as the
Bendigo-Ophir Gold Project

Memorandum of Counsel on behalf of Matakanui Gold Limited

Dated: 10 August 2026

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MAY IT PLEASE THE EXPERT PANEL

Introduction

1. This Memorandum of Counsel is filed on behalf of Matakanui Gold Limited (**Matakanui Gold**) to provide the Expert Panel with an update on the conditions workshopping process.
2. Matakanui Gold's response to Minute 41 outlined our instructions that:
 - (a) Processing will resume on 17 August 2026.
 - (b) Matakanui Gold will provide its response to Request for Information 11 (**RFI 11**) on 17 August 2026.
 - (c) The final workshopped version of the conditions will be provided to the Expert Panel by 28 August 2026 rather than 11 September as originally proposed.
3. Matakanui Gold has coordinated with conference attendees to bring the workshop schedule forward so it aligns with the dates outlined above.
4. The updated workshopping schedule is attached as **Appendix 1** for the Expert Panel's information.
5. In the Memorandum of Counsel dated 17 July 2026, Matakanui Gold recognised that some parties without planning experts may wish to comment on the 22 June 2026 resource consent conditions and invited them to provide written feedback, including any proposed amendments or alternative wording, before the relevant workshop.
6. To align with the updated schedule, any comments or suggested amendments should be submitted by:
 - (a) For the *D.02 – ORC Consents and Conditions* and the surface and groundwater and aquatic ecology matters in *D.04 – Schedule Two – General Conditions for ORC Consents* – Monday 17 August 2026.
7. This feedback will be circulated to the planners in advance of the workshops for consideration during workshop discussions.
8. Matakanui Gold respectfully requests that the EPA circulate this memorandum to all Section 53 parties to ensure they are aware of the amended dates to provide feedback on the proposed conditions (22 June 2026 version) in advance of the workshopping process.

Dated 10 August 2026

A handwritten signature in blue ink, appearing to read 'Joshua Leckie'.

Joshua Leckie / Charlotte Coyle / Mia Turner
Counsel for Matakanui Gold Limited

Appendix 1

Memorandum

To: Shay McDonald (Otago Regional Council), Ann Rodgers (Central Otago District Council), Marie Payne and Jacqui Todd (Department of Conservation), Shane Ellison, Sandra McIntyre and Tim Vial (Kā Rūnaka) and Sylvia Allan (Sustainable Tarras)

From: Mark Chrisp and Nicolai Berry (Mitchell Daysh) (on behalf of Matakanui Gold Limited)

Date: 3 August 2026

Re: Amended Proposed Conditions and Management Plan Workshops Schedule – Bendigo-Ophir Gold Project Fast-Track Application

INTRODUCTION / PURPOSE

The purpose of this memorandum is to provide an overview of the conditions and management plan workshops for the Bendigo-Ophir Gold Project (“**BOGP**”) proposed to be undertaken across July and August 2026. This includes the provision of a more detailed schedule for each workshop session. In summary, four workshop sessions are proposed:

- > Workshop One - Monday 27 July to Friday 31 July 2026 – Cromwell (**COMPLETED**);
- > Workshop Two - Wednesday 5 August to Friday 7 August 2026 – Dunedin;
- > Workshop Three – Wednesday 19 August to Friday 21 August – Dunedin (**AMENDED**); and
- > Workshop Four – Wednesday 26 to Thursday 27 August – Cromwell (**NEW**).

The following is an amalgamation of previous email communications which has been updated from the planning meeting held via MS Teams on 8 July 2026.

SCHEDULE AND AVAILABILITY

An overview of the proposed workshop schedule throughout July and August 2026 is illustrated in Figure 1 below. A more detailed, daily schedule for each workshop session is then provided in the subsequent sections.

As mentioned in previous correspondence, we can amend the schedule to accommodate individual availability constraints to ensure the workshops are as worthwhile as possible, however, we are also conscious of the need to lock in dates in calendars as soon as possible.

Each workshop day has been split into a morning and afternoon session, with each session containing several condition topics. While we appreciate the need to give technical experts as



much guidance on their indicative slot, we also need to maintain flexibility to the extent practicable to ensure the workshop discussions are not unnecessarily drawn out / delayed because of rigid timeframes. If you could each communicate this with your technical teams – and advise if there are any issues – that would be much appreciated.

It is also noted that the regulator involvement column is to provide a high-level snapshot of who we consider needs to be attendance for each workshop session. All parties are welcome to attend additional sessions if needed. Kā Rūnaka representatives have not been included on this column on the basis they are welcome to attend any, or all, conditions workshop sessions.

WORKSHOP PURPOSE / PROCESS

The following bullet points provide an overview of the workshop purpose and proposed process:

- > **Workshopping Purpose** – As previously communicated, while the concept of workshopping conditions and management plans was welcomed and encouraged by the Panel, this is not a panel-directed or led process. The purpose of the workshops is to receive constructive feedback on the proposed consent conditions and management plans from the relevant regulators and Kā Rūnaka and discuss specific changes that can be made to improve the robustness and effectiveness of the conditions (on the basis that all approvals sought for the BOGP are granted). Overall, MGL will put forward its proposed conditions but seeks to do so with the benefit of input and engagement from the relevant parties wherever possible.
- > **Preparation** – The intention is that the conditions and management plans submitted to the EPA on 22 June 2026 have been pre-read and that all participants come prepared to discuss specific amendments to conditions, and key areas where further work is needed on management plans. This is not a ‘page-turn’ exercise, and we proposed that conditions are discussed on an exceptions basis where comments have been made.
- > **Facilitation** – An independent facilitator (Sarah Scott or Hamish Harwood from Simpson Grierson) will be present for all in-person workshop sessions, with the role of managing the schedule and guiding discussions where there is clear disagreement on final condition wording (see below section for the process of documenting differing views).
- > **Approach to Management Plans** - While the focus is on consent conditions, there is a clear interrelationship between the conditions and management plans, and we propose any feedback on the relevant management plans is provided alongside the conditions. As set out in the detailed workshop schedules, dedicated times have been set aside throughout the workshops to capture key feedback on the management plans after the related conditions discussion has finished (e.g. after discussing noise, vibration and blasting conditions it is proposed that the key outstanding issues for the relevant noise, vibration and blasting management plans are captured). To ensure discussions are efficient, we encourage participants to focus on key outcomes the management plans are seeking to achieve, not the specific detailed methods that are at the discretion of MGL.

- > **Changes to Management Measures** – While MGL will consider changes to effects management measures to the extent required as part of its responses to Panel RFI 11, the intention of these workshops is improve the conditions and management plans for the Project as proposed, and not to discuss alternative effects management or mitigation responses that could be undertaken.
- > **Provision of New Information** – We will endeavour to share any outputs from Panel RFI 11 that have an influence on conditions at least one week prior to any workshops to allow all parties to review and consider any amendments to conditions and management plans.
- > **Reporting timelines** – The key reporting timeframes set out in the Common Conditions to Central Otago District Council and Otago Regional Council are set, and unlikely to change during workshopping, as these need to align with MGL’s business operations.
- > **Concessions** – We propose any necessary workshopping on concessions and wildlife permit conditions with DOC, and the archaeology authority with HNZPT, are undertaken separately via MS Teams at a time that suits all parties.

WORKSHOP OUTPUTS AND REPORTING

During Conditions and Management Plan Discussion Meeting held via MS Teams on 8 July 2026, it was agreed that each participant will use the updated conditions documents submitted to the EPA on 22 June 2026 as the base document to make any comments or suggested amendments prior to the workshops (with any track changes accepted etc).

Ahead of the first workshop, Mitchell Daysh will prepare an updated clean version of each condition set which will be used as the final condition set that will be amended at the workshops. The condition numbering will remain unchanged from the 22 June 2026 version and will be finalised after each workshop session has been completed.

Mitchell Daysh will track any further changes to conditions that are agreed at the workshop (via a shared screen like the expert conferencing process) on the updated clean versions. Where the parties disagree on the final condition content or wording, this will be recorded in comment boxes which will set out the alternative conditions sought by each party for the benefit of the Panel.



WORKSHOP SCHEDULE OVERVIEW (AMENDED)

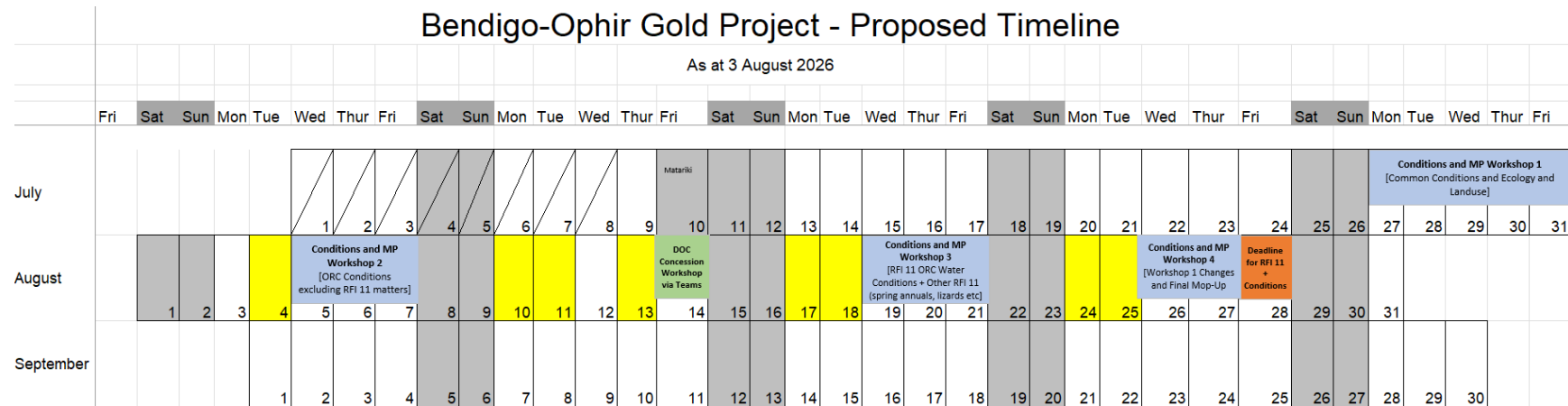


Figure 1: Overall Conditions Workshop Timeline

Note: the dates in yellow are a combination of the various participants unavailability, however, this does not foreclose the ability to undertake additional workshopping via Microsoft Teams for targeted matters as and when required.

DETAILED WORKSHOP SCHEDULE

WORKSHOP SESSION ONE (COMPLETED)

The first conditions and management plan workshop session is proposed to be held on the week of Monday 27 July to Friday 31 July 2026. Key details as follows:

- > **Location:** Cromwell.
- > **Venue:**
 - > **Monday 27 July 2026:** Cromwell Presbyterian Church - Bannock Room, 10 Elspeth Street, Cromwell, 9310. Start at 9:30am.
 - > **Tuesday 28 July - Friday 31 July 2026:** Cromwell Memorial Hall & Events Centre, 36 Melmore Terrace, Heritage Precinct. Start at 9:00am.
- > **Topics:** Common Conditions for both Central Otago District Council and Otago Regional Council and the Land Use Consent and Conditions for Central Otago District Council.

A more detailed daily schedule is provided below.

Monday 27 July 2026

Time	Topic	Regulator
D.03 – Schedule One – Common Conditions for CODC and ORC Consents		
Morning	> General Conditions and Overall Condition Framework (including Annual Works Programme, Annual Monitoring and Compliance Reporting, Management and Monitoring Plans and certification); > Peer Review Panel (relating to water, geotechnical and ecology matters); and > Review of Conditions and Administration.	ORC and CODC DOC (optional)
Afternoon	> As above. > Landscape and Ecological Rehabilitation.	ORC and CODC DOC (optional)



Tuesday 28 July 2026

Time	Topic	Regulator
D.03 – Schedule One – Common Conditions for CODC and ORC Consents		
Morning	> Landscape and Ecological Rehabilitation.	ORC, CODC and DOC
Morning Session End (approx. 30 mins)	Management Plan feedback / discussion: > Landscape and Ecological Rehabilitation Management Plan (“ LERMP ”).	ORC, CODC and DOC
Afternoon	> Terrestrial Ecology and Management Plans. > Offsetting and Compensation. > BOGP Biodiversity and Heritage Enhancement Fund. <i>Comment: lizards and spring annual aspects are the subject of Panel RFI 11, and responses are still being finalised, so these topics are not proposed to be discussed during this workshop.</i>	ORC, CODC and DOC
Afternoon Session End (approx. 30 mins)	Management Plan feedback / discussion: > Various terrestrial ecology management plans.	ORC, CODC and DOC

Wednesday 29 July 2026

Time	Topic	Regulator
D.03 – Schedule One – Common Conditions for CODC and ORC Consents		
Morning	> Terrestrial Ecology and Management Plans. > Offsetting and Compensation. > BOGP Biodiversity and Heritage Enhancement Fund. <i>Comment: while lizards and spring annual aspects are the subject of Panel RFI 11 responses we understand from MGL that any outputs will be available and circulated for participants to review a week prior to this workshop session one.</i>	ORC, CODC and DOC

Time	Topic	Regulator
Comment: lizards and spring annual aspects are the subject of Panel RFI 11, and responses are still being finalised, so these topics are not proposed to be discussed during this workshop.		
Afternoon	> As above.	ORC, CODC and DOC
Day Session End (approx. 1 hour)	Management Plan feedback / discussion: > Various terrestrial ecology management plans.	ORC, CODC and DOC

Thursday 30 July 2026

Time	Topic	Regulator
D.03 – Schedule One – Common Conditions for CODC and ORC Consents		
Morning	> Mine Rehabilitation and Closure. > Bond. > Matakinui Trust.	CODC, ORC and DOC
D.01 – CODC Land Use Consent and Conditions		
Afternoon	> General Conditions (Scope, Lapse Period, Term of Consent, Location of Mining Activities). > Noise, Vibration and Blasting. > Lighting. > Comment: Assumption that noise, vibration and blasting, transport and lighting will be key topics - discussions regarding noise vibration and blasting be focussed on confirming latest conditions reflect agreed version between CODC and MGL experts and recording residual areas of disagreement.	CODC
Afternoon Session End (approx. 30 mins)	Management Plan feedback / discussion: > Noise and Vibration Management Plan;	CODC

Time	Topic	Regulator
	> Construction Noise and Vibration Management Plan; and > Blasting Noise and Vibration Management Plan.	

Friday 31 July 2026

Time	Topic	Regulator
D.01 – CODC Land Use Consent and Conditions		
Morning	> Recreation. > Transportation. > Lighting. > Hazardous Substances. > Archaeology and Heritage. > Contaminated Land. Comment: Assumption is that transport will occupy most time (if not resolved in the next week or two), with only potential minor tweaks to other conditions (on the basis that a high level of agreement has already been achieved). Propose to address recreation, transport and lighting as priority, and can discuss additional topics via separate MS Teams meeting if we run out of time.	CODC
Morning Session End (approx. 30 mins)	Management Plan feedback / discussion: > Access Road Construction Traffic Management Plan; > Lighting Management Plan; > Soil Management Plan; and > Hazardous Substances Management Plan. Comment: As above, focus on transport and lighting management plans as priority, and can discuss other management plans through separate MS Teams meeting if required. While no changes made to ARCTMP on 22 June placeholder for any final comment.	CODC



WORKSHOP SESSION TWO

The second conditions and management plan workshop session is proposed to be held on Wednesday 5 to Friday 7 August 2026. Key details as follows:

- > **Location:** Dunedin.
- > **Venue:** Otago Regional Council Office – 180 High Street, Central Dunedin, Dunedin 9016.
- > **Start time:** 9am.
- > **Topics:** General conditions for Otago Regional Council consents (excluding the non-surface and groundwater and aquatic ecology matters which are subject to further work as part of the Panel RFI 11 response), with a particular focus on the geotechnical conditions questions put forward by Commissioner Johnson in Minute 40 of the Panel.

A more detailed daily schedule is provided below.

Wednesday 5 August 2026

Time	Topic	Regulator
D.04 – Schedule Two – General Conditions for ORC Consents		
Morning	> Erosion and Sediment Control and Climate Change.	ORC
	> Geotechnical – Slope Stability (Minute 40 of Panel).	
Afternoon	> Geotechnical – Slope Stability (Minute 40 of Panel).	ORC
	> Geotechnical – Landslide Risk, Open Pits, Rise and Shine Underground Mine.	
Day Session End (approx. 1 hour)	Management Plan feedback / discussion:	ORC
	> Erosion and Sediment Control Management Plan.	
	> Comment on proposed content of Ground Control Management Plan for Open Pit Mines (refer to Attachment X of Conditions D.04).	

Thursday 6 August 2026

Time	Topic	Regulator
D.04 – Schedule Two – General Conditions for ORC Consents		



Time	Topic	Regulator
Morning	> Geotechnical – Dams, Shepherds TSF and Tailings Management Plan, Shepherds Seepage Collection Sump, Shepherds Creek Silt Pond, Pond and Reservoir Management Plan.	ORC
Afternoon	> Geotechnical – Engineered Landforms, Engineered Landforms Management Plans.	ORC
Day Session End (approx. 1 hour)	Management Plan feedback / discussion: > Engineered Landform Management Plan; and > Tailings Management Plan.	ORC

Friday 7 August 2026

Time	Topic	Regulator
D.04 – Schedule Two – General Conditions for ORC Consents		
Morning	> Discharge of Contaminants to Air, Air Quality Monitoring and Air Quality Management Plan. <i>Comment: Assumption that discussion will relate to confirming tracked amendments reflect JWS records.</i>	ORC
Morning Session End (approx. 30 mins)	Management Plan feedback / discussion: > Air Quality Management Plan.	ORC
Afternoon	> TBC – overflow if needed.	ORC



WORKSHOP SESSION THREE (AMENDED)

The third conditions and management plan workshop session is proposed to be held on Wednesday 19 to Friday 21 August 2026. Key details as follows:

- > **Location:** Dunedin.
- > **Venue:** Otago Regional Council Office – 180 High Street, Central Dunedin, Dunedin 9016.
- > **Start Time:** 9am.
- > **Topics:** All conditions for Otago Regional Council consents that are dependent on outputs / responses from the Panel RFI 11 (including surface and groundwater and aquatic ecology matters).

A more detailed daily schedule is provided below.

Wednesday 19 August 2026

Time	Topic	Regulator
D.02 – ORC Consents and Conditions		
Morning	> Bendigo Aquifer borefields. > Instream structures and culverts. > Water take from Bendigo Aquifer. > Augmentation of flows.	ORC
Afternoon	> Active Water Treatment Plant. > Passive Water Treatment System.	ORC

Thursday 20 August 2026

Time	Topic	Regulator
D.04 – Schedule Two – General Conditions for ORC Consents		
Morning	> Water Management Plan (proposed surface and groundwater water management matters, including compliance limits, performance monitoring and additional monitoring and studies).	ORC
Afternoon	> As above.	ORC



Time	Topic	Regulator
Day Session End (approx. 1 hour)	Management Plan feedback / discussion: > Water Management Plan.	ORC

Friday 21 August 2026

Time	Topic	Regulator
D.04 – Schedule Two – General Conditions for ORC Consents		
Morning	> Freshwater Ecology Management and Monitoring Plan (including stream diversions, aquatic ecology and sediment monitoring, wetland management).	ORC
Morning Session End (approx. 30 mins)	Management Plan feedback / discussion: > Air Quality Management Plan.	ORC
Afternoon	> Other non-water related RFI 11 related topics, including springs annuals, lizards, social impact / community conditions and alternative covenant mechanism. TBC if time allows.	CODC and ORC



WORKSHOP SESSION FOUR (NEW)

The fourth and final conditions and management plan workshop session is proposed to be held on Wednesday 26 to Thursday 27 August 2026. Key details as follows:

- > **Location:** Cromwell.
- > **Venue:** Cromwell Memorial Hall & Events Centre, 36 Melmore Terrace, Heritage Precinct.
- > **Start Time:** 9am.
- > **Topics:**
 - > Review of changes to *D.03 Common Conditions for CODC and ORC* and *D.01 CODC Land Use Consent Conditions* from Workshop Session One; and
 - > Mop-up of any RFI 11 related topics not discussed in previous Workshop Two or Three.

A more detailed daily schedule is provided below.

Wednesday 26 August 2026

Time	Topic	Regulator
D.03 – Schedule One – Common Conditions for CODC and ORC Consents & D.01 – CODC Land Use Consent and Conditions		
Morning and Afternoon	> Review of changes made to D.03 Common Conditions and D.01 CODC Conditions, including management plan certification, annual works plan and suite of landscape and terrestrial ecology management plan conditions.	ORC, CODC and DOC

Thursday 27 August 2026

Time	Topic	Regulator
General Mop-Up of Common Conditions or Central Otago District Council Consents		
Morning and Afternoon	> Other non-water related RFI 11 related topics, including springs annuals, lizards, social impact / community conditions and alternative covenant mechanism.	ORC, CODC and DOC
	> <i>TBC on any additional conditions to be addressed / revisited following previous workshop sessions.</i>	

