

BEFORE THE EXPERT PANEL

FTAA-2507-1089

**UNDER
IN THE MATTER**

Fast-track Approvals Act 2024
of the Bendigo-Ophir Gold Project

MEMORANDUM OF COUNSEL (RESPONSE TO NEW INFORMATION)

Dated 4 October 2026

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TO THE EXPERT PANEL

1. This Memorandum requests leave to respond to information produced by Matakanui Gold Limited (**MGL**).
2. On 23 September 2026 MGL responded to RFI12. This included a memorandum from Engineering Geology Limited, Hydro Geochem Group, Kōmanawa Solutions Limited and Santana Minerals Limited responding to the water/seepage matters.
3. On 24 September 2026 the applicant responded to RFI13. This included a Site Geotechnical Factual Report dated 23 September 2026 by Engineering Geology Ltd.
4. Sustainable Tarras seeks leave to provide a supplementary statement from Dr Alex McAlpine on matters arising from this further information.
5. Dr McAlpine has previously provided evidence on the geotechnical implications of both natural and potential mining induced fractures in the schist bedrock. The evidence of Dr McAlpine now attached relates to the new information contained in the Site Geotechnical Factual Report provided in response to RFI 13 (which identifies numerous fractures and joints where boreholes penetrate unweathered or slightly weathered schist) and addresses the implications of that information for the conclusions set out in the RFI 12 memorandum.
6. In RFI12 the Panel noted that uncertainties and concerns about uncaptured seepage “are of sufficient magnitude that they are appropriately carried forward to its s 85(3) assessment as matters that weigh against the approval.” The matters raised by Dr McAlpine are directly relevant to that important issue as he considers that the magnitude and uncertainty of groundwater seepage into the schist bedrock are grossly underestimated.

4 October 2026

A handwritten signature in black ink, appearing to read 'Sally Gepp'.

Sally Gepp KC
Counsel for Sustainable Tarras Inc