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** responding to Minute 41

Dated: 27 July 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**) in response to Minute 41 of the Expert Panel.

2. Minute 41 of the Expert Panel requested that Matakanui Gold reconsider its provisional resumption date of 17 August 2026[1] to align the resumption of processing with the date on which the workshopped conditions are provided to the Panel. Matakanui Gold had proposed to complete the final workshop session in the week of 31 August 2026 and submit the final workshopped conditions to the Expert Panel by 11 September 2026.

3. Minute 41 records the Expert Panel's concern that if processing resumes on 17 August 2026 and the conditions aren't provided until 11 September 2026, the Panel will have limited time to assess the conditions and prepare its decision.

4. Matakanui Gold thanks the Expert Panel for the opportunity to reconsider the provisional resumption date and acknowledges the Panel's concerns regarding the limited decision making timeframe if the conditions are provided on 11 September 2026. Matakanui Gold recognises the importance of ensuring that the Panel has adequate time to review and assess the final workshopped conditions and prepare its decision within the statutory timeframes prescribed by the Fast-track Approvals Act 2024.

Matakanui Gold's Response

5. Matakanui Gold has carefully considered the Expert Panel's request and signals that it now intends to provide the final workshopped conditions to the Panel by 28 August 2026 to ensure the Panel has adequate time to assess and incorporate the workshopped conditions into its decision making.

6. In considering the Panel's request to extend the suspension of processing Matakanui Gold has carefully considered:

    (a) the timing of the process, including the need to ensure that key procedural steps can be completed efficiently in advance of the Environmental Protection Authority's (**EPA**) annual shutdown period; and

    (b) the current voluntary suspension of processing, which was sought to facilitate the workshopping of conditions and respond to Request for

[1] Memorandum of Counsel on behalf of Matakanui Gold Limited dated 3 July 2026.

Information 11 (**RFI 11**) while allowing the EPA and the Expert Panel to continue progressing other aspects of the application in parallel.

7. Having considered these matters Matakanui Gold does not intend to extend the resumption date or seek a further suspension at this stage.

8. In Matakanui Gold's view, the purpose of allowing work on the application to continue during the current suspension was to enable multiple workstreams to proceed in parallel. The intent of the approach is to allow the EPA, the Expert Panel, and the parties to continue advancing matters not dependent on the condition workshops, with the result that only those matters that are the subject of RFI 11 would remain outstanding pending the provision of Matakanui Gold's response.

9. At this time our instructions are that Matakanui Gold intends:

   (a) Processing will resume on 17 August 2026.

   (b) Matakanui Gold will provide its response to RFI 11 by 17 August 2026, noting that it intends to submit individual components of the response progressively as they are completed prior to 17 August 2026.

   (c) The final workshopped version of the conditions are now intended to be submitted to the Panel by 28 August 2026 rather than 11 September 2026.

10. Matakanui Gold is working with the conferencing attendees as to whether workshop three can be completed earlier and will keep the Expert Panel informed of any updates to the timeframes above.

Dated 27 July 2026

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