

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 Notice of Hearing

Dated: 4 June 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 the Notice of Hearing issued by the Expert Panel on 29 May 2026 (**Notice of Hearing**).

Attendance at Hearing

2. Matakanui Gold confirms it will attend all hearing dates listed in the Notice of Hearing.
3. The following expert witnesses involved in preparing the Joint Witness Statements on behalf of Matakanui Gold will attend the respective hearings in person:
 - (a) Landscape: Rhys Girvan.
 - (b) Heritage: Naomi Woods.
 - (c) Ecology: Ian Boothroyd, Matt Baber, David Norton, Jeroen Lurling, Keith Barber, Graham Ussher and Zac Milner.
 - (d) Geotech: Paul Weber, Trevor Matuschka and Eric Torvelainen.
 - (e) Water: Paul Weber, Ryan Burgess, Julie Palich, Jens Rekker, and Ian Boothroyd.
 - (f) Economics: Benje Patterson.
 - (g) Planning: Mark Chrisp and Nicolai Berry.
4. The following expert witnesses will attend the relevant hearing online:
 - (a) Ecology: Robyn Simcock.
 - (b) Water: Gary Smith.
 - (c) Geotech: Peter O'Bryan.
5. Witnesses for Air Quality (Jeff Bluett), Traffic (Andrew Methereil) and Bonding (Malcolm Lane) are not scheduled for any hearings but can be available to attend hearings if requested by the Panel.

Ecotoxicology

6. As outlined in Matakanui Gold's memorandum dated 22 April 2026, Dr Greg Ryder, who has provided evidence for Matakanui Gold relating to ecotoxicology has unfortunately not been available to attend expert conferencing due to overseas commitments and will not be available to attend the Panel directed hearing.
7. In light of Dr Ryder's unavailability, environmental hydrogeochemist Ms Julie Palich who is already providing expert opinion in this proceeding, will attend the Geochemistry, Water Quality, Hydrology, and Water Management conferencing scheduled for 8–9 June 2026. Ms Palich will address agenda items relating to the proposed water quality compliance limits that are addressed in Dr Ryder's assessment and evidence and will contribute to the resulting Joint Witness Statement.
8. Ms Palich will also then attend the Panel directed water hearing to address the proposed water quality limits in place of Dr Ryder. Ms Palich holds a B.Sc. in geophysics and an M.Sc. in environmental hydrogeochemistry, has relevant expertise in the matters addressed in Dr Ryder's assessment and evidence, and has already prepared evidence on behalf of Matakanui Gold dated 17 April 2026.

Dr Weber - Geotechnical Input

9. Dr Weber has had input into specific matters as part of the geology, geotechnical and engineering stream of conferencing. As recorded in the Joint Witness Statement¹ these matters are:
 - (a) Tailings disposal option / consideration of alternatives.
 - (b) Geoenvironmental hazards and management.
 - (c) Closure objectives.
 - (d) Potentially different mineralization characteristics of different overburden rock types and different leachate potential.

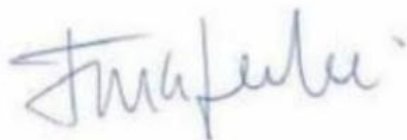
¹ Dated 12 May 2026.

10. The geology, geotechnical and engineering expert conferencing is scheduled to be reconvened on 12 June 2026 to address agenda items that the experts did not have time to discuss. In respect of the remaining agenda items to be discussed at conferencing on 12 June 2026 Dr Weber expects to provide comment on the following matters:
- (a) Question D4 relating to additional information on treatment options.
 - (b) Question E1 on the capture and management of contaminated leachates.
 - (c) Question E1 on diversion channel and sediment management conditions.
11. The Panel has directed that the water hearing will be held on 16 June 2026. Dr Weber has a longstanding New South Wales Government commitment on the afternoon of 16 June. We respectfully request that the agenda items identified above that require Dr Weber's input are scheduled in the morning session of the 16 June hearing to enable Dr Weber to meet this commitment. We do not anticipate this will cause disruption to the hearing due to the limited and specific matters Dr Weber has had input into in the Joint Witness Statement.

Counsel and Matakanui Gold Representatives

12. Counsel and client representatives will attend the hearings in person on behalf of Matakanui Gold.

Dated 4 June 2026

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

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