

BEFORE THE EXPERT PANEL

IN THE MATTER	of the Fast-track Approvals Act 2024 (FTAA)
AND	
IN THE MATTER	of an application for approvals under the FTAA for the Bendigo-Ophir Gold Project FTAA-2507-1089

MEMORANDUM OF COUNSEL FOR ENVIRONMENTAL DEFENCE SOCIETY INC (CROSS-EXAMINATION TOPICS FOR WATER & RELATED TOPCIS, 11 JUNE & 15 JUNE 2026)

10 June 2026

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Introduction

1. This memorandum is filed by the Environmental Defence Society Inc. (**EDS**) in response to Minute 30, the JWS Groundwater (dated 14/15 May 2026) and JWS Geochemistry, Water Quality et al (**JWS Water**) (dated 8 & 9 June 2026).
2. Leave is sought for focused cross-examination of the relevant technical experts scheduled for these topics on 11 June (Kate McArthur) and Monday 15 June. Leave is sought on the proviso that the Panel may well have addressed some or all of the relevant matters that Counsel wish to raise in questions. Any questions will be targeted.
3. In the interests of time and efficiency, it is likely that Counsel will focus questions to particular witnesses, rather than all 'hot-tub' participants, with a primary focus on the Applicant's experts. However, this will depend on responses provided by experts to questions from the Panel.
4. The JWS Water was received yesterday (09 June). Counsel will file a separate memorandum on the relevant topics for Monday 15 June by tomorrow (2 working days prior).
5. As regards topics for Ms McArthur, the following are identified from the **JWS Water** (dated 8/9 June).

Topic A: Water quality/geochemistry
Questions on paragraph [14] JWS

Topic B: Sufficiency of baseline water quality data
Questions on paragraph [25], [28] JWS

Topic E: Mass load changes to receiving groundwater
Questions on paragraph [37] JWS

Topic G: Contaminants bound to suspended sediments
Questions on paragraph [42]

Topic N: Identification of contaminants / stressors of concern
Questions on paragraph [56]

6. Counsel will attend the panel session with Ms McArthur tomorrow on an online basis. Counsel have not yet seen the water-related JWS 3 (which is being produced today) in term of relevant topics or issues.

Dated this 10 June 2026

Rob Enright / Jen Vella

Counsel for EDS