

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

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

12 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 1**) (dated 8 & 9 June 2026) JWS Geochemistry, Water Quality et al (**JWS Water 2**) (**dated 10 June 2026**).
2. Leave is sought for focused cross-examination of the relevant technical experts scheduled for these topics on 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. Relevant topics are:

JWS Groundwater

Surface-groundwater interactions in the Ardgour/Bendigo aquifers and risk

Questions on paragraph [13]

Potential impacts on Ardgour / Bendigo aquifers

Questions on paragraph [23]

Groundwater movement

Questions on paragraph [29]-[30], [33]-[40]

Seepage bypass collection systems

Questions on paragraph [36]

Wetland drawdown assessment and effects

Questions on paragraph [52]

Cumulative effects

Questions on paragraph [80]

Baseline information, worst case

Questions on paragraph [103], [107]

JWS Water 1

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]

JWS Water 2

Topic S: Uncaptured seepage

Questions on paragraph [43], [44]

Groundwater, surface water limits

Questions on paragraph [87]

Topic EE

Questions on s107(1)(g) RMA

Dated this 12 June 2026

Rob Enright / Jen Vella
Counsel for EDS