

21 March 2025

ASX Listings Compliance

ListingsCompliancePerth@asx.com.au

Dear ASX Compliance

**OD6 METALS LIMITED (OD6) RESPONSE TO ASX AWARE LETTER**

We refer to your letter dated 18 March 2025 (**ASX Aware Letter**) and set out OD6's response to the requests for information, using the same numbering. Unless otherwise indicated, capitalised terms in this letter have the same meaning as given in the ASX Aware Letter.

- 1. Does OD6 consider the Information, or any part thereof, to be information that a reasonable person would expect to have a material effect on the price or value of its securities?**

Yes.

- 2. If the answer to any part of question 1 is "no", please advise the basis for that view.**

N/A.

- 3. When did OD6 first become aware of the information referred to in question 1 above?**

As set out in the Company's clarification announcement dated 19 March 2025, OD6 received a notice from the NSW Resources Regulator (**Regulator**) under section 240 of the *Mining Act 1992* (NSW) on 6 March 2025 (**Notice**). The Notice was received via email at 4:44pm AEDT (**Notice**).

- 4. If OD6 first became aware of the information referred to in question 1 before the date of the Announcement, did OD6 make any announcement prior to that date which disclosed the information? If not, please explain why the information was not released to the market at an earlier time, commenting specifically on when you believe OD6 was obliged to release the information under Listing Rules 3.1 and 3.1A and what steps OD6 took to ensure that the information was released promptly and without delay.**

At the time of receipt of the Notice, the Company understood, based on discussions with the Regulator, that it was open to the Company to remedy the matters raised by the Regulator and to provide evidence of its remedial actions by 5.00pm AEDT on 10 March 2025, with a view to the Company recommencing onsite exploration activities as soon as possible thereafter. In this regard, the Company undertook various activities to address the directions provided by the Regulator in the Notice during the period from 6 to 10 March 2025 and provided evidence to the Regulator of these activities on 10 March 2025. At the time,

the Company expected it would be in a position to recommence exploration in a timely manner and the Company's drill contractor remained on standby. Accordingly, the Company did not, at this time, consider the receipt of the Notice (or the directions contained therein) was information that a reasonable person would expect to have a material effect on the price or value of its securities.

However, following market close on Tuesday, 11 March 2025, after further discussions with the Regulator on 11 March 2025, it became clear that the corrective measures undertaken by the Company were not sufficient to address the potential non-compliances raised by the Regulator and the Regulator would not be authorising the recommencement of onsite exploration activities. Following this, the Company instructed its drill contractor to demobilise from site immediately and issued the original announcement to ASX prior to market open on 12 March 2025.

In light of the above circumstances, the Company considers the information was released promptly and without delay (i.e. prior to market open on 12 March 2025).

**5. Please confirm that OD6 is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.**

OD6 confirms that it is in compliance with Listing Rules, in particular Listing Rule 3.1.

**6. Please confirm that OD6's responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of OD6 with delegated authority from the board to respond to ASX on disclosure matters.**

OD6 confirms that its response to the questions above have been authorised and approved by the Board.

## About OD6 Metals

OD6 Metals is an Australian public company pursuing exploration and development opportunities within the critical minerals sector, namely rare earths and copper.

### Copper

The Company is advancing the recently acquired **Gulf Creek Copper-Zinc VMS Project** located near the town of Barraba in NSW, Australia.

Gulf Creek was mined at around the turn of the 20th century and was once regarded as the highest grade copper mine (2% to 6.5% Cu) in NSW until its closure due to weak copper prices in 1912. Very little exploration has occurred at the project in over 100 years, with OD6 aiming to apply modern day exploration technologies.

Mineralisation is associated with magnetite, with geophysics showing significant greenfields and brownfields exploration potential exists with over >3km of untested strike in the immediate mine-stratigraphy, and over >10km across the tenement.

### Rare Earth Elements

OD6 Metals has successfully identified clay hosted rare earths at its 100% owned **Splinter Rock Project** which is located in the Esperance-Goldfields region of Western Australia.

The Company released a Mineral Resource Estimate (MRE) for Splinter Rock in May 2024, confirming that the project hosts the largest and highest-grade clay-hosted rare earths deposit in Australia with an Indicated Resource of 119Mt @ 1,632ppm TREO and an Inferred Resource of 563Mt @ 1,275ppm TREO with an overall ratio of ~23% high-value Magnetic Rare Earths (MagREE).

OD6 Metals believes that Splinter Rock has all the hallmarks of a world class rare earths project with a conceptual development which utilises the large and high-grade Splinter Rock resource to support a long-life REE operation supported by a low strip ratio

### Corporate Directory

Managing Director	Mr Brett Hazelden
Non-Executive Chairman	Dr Darren Holden
Non-Executive Director	Mr Piers Lewis
Non-Executive Director	Dr Mitch Loan
Financial Controller/ Joint Company Secretary	Mr Troy Cavanagh
Joint Company Secretary	Mr Joel Ives

### Contact

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Level 1, 50 Kings Park Road, West Perth, WA 6005  
PO Box 277, North Beach, WA 6920  
PO Box 2009, Esperance, WA 6450

### Investor Relations

Lucas Robinson  
Corporate Storytime  
[lucas@corporatestorytime.com](mailto:lucas@corporatestorytime.com)  
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### No new information

This announcement contains references to the Mineral Resource Estimate (Estimate) of the Splinter Rock Project, that was announced on 29 May 2024. The Company confirms that it is not aware of any new information and that all material assumptions and technical parameters underpinning the Estimate in the relevant market announcement continue to apply and have not changed materially.

### Forward Looking Statements

Certain information in this document refers to the intentions of OD6 Metals, however these are not intended to be forecasts, forward looking statements, or statements about the future matters for the purposes of the Corporations Act or any other applicable law. Statements regarding plans with respect to OD6 Metals projects are forward looking statements and can generally be identified by the use of words such as 'project', 'foresee', 'plan', 'expect', 'aim', 'intend', 'anticipate', 'believe', 'estimate', 'may', 'should', 'will' or similar expressions. There can be no assurance that the OD6 Metals plans for its projects will proceed as expected and there can be no assurance of future events which are subject to risk, uncertainties and other actions that may cause OD6 Metals actual results, performance, or achievements to differ from those referred to in this document. While the information contained in this document has been prepared in good faith, there can be given no assurance or guarantee that the occurrence of these events referred to in the document will occur as contemplated.

Accordingly, to the maximum extent permitted by law, OD6 Metals and any of its affiliates and their directors, officers, employees, agents and advisors disclaim any liability whether direct or indirect, express or limited, contractual, tortious, statutory or otherwise, in respect of, the accuracy, reliability or completeness of the information in this document, or likelihood of fulfilment of any forward-looking statement or any event or results expressed or implied in any forward-looking statement; and do not make any representation or warranty, express or implied, as to the accuracy, reliability or completeness of the information in this document, or likelihood of fulfilment of any forward-looking statement or any event or results expressed or implied in any forward-looking statement; and disclaim all responsibility and liability for these forward-looking statements (including, without limitation, liability for negligence).



18 March 2025

Mr Joel Ives  
Company Secretary  
OD6 Metals Limited

By email

Dear Mr Ives

**OD6 Metals Limited ('OD6'): ASX Aware Letter**

ASX refers to the following:

- A. OD6's announcement titled "Exploration Update - Gulf Creek Copper Project" released on the ASX Market Announcements Platform ('MAP') on 12 March 2025 at 9:00 AM AEDT (the 'Announcement') which disclosed that OD6's wholly owned subsidiary Gulf Creek Copper Pty Ltd had been issued with a notice by the NSW Resources Regulator with directions to cease exploration activities associated with EL 8492 at the Gulf Creek Copper Project ('Information').
- B. The change in the price of OD6's securities from a closing price of \$0.033 on 11 March 2025 to a low of \$0.027 on 12 March 2025, following the release of the Announcement.
- C. Listing Rule 3.1, which requires a listed entity to immediately give ASX any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity's securities.
- D. The definition of "aware" in Chapter 19 of the Listing Rules, which states that:

*"an entity becomes aware of information if, and as soon as, an officer of the entity (or, in the case of a trust, an officer of the responsible entity) has, or ought reasonably to have, come into possession of the information in the course of the performance of their duties as an officer of that entity."*
- E. Section 4.4 in *Guidance Note 8 Continuous Disclosure: Listing Rules 3.1 – 3.1B* titled "When does an entity become aware of information?"
- F. Listing Rule 3.1A, which sets out exceptions from the requirement to make immediate disclosure as follows.

*"3.1A Listing rule 3.1 does not apply to particular information while each of the following is satisfied in relation to the information:*

*3.1A.1 One or more of the following 5 situations applies:*

- It would be a breach of a law to disclose the information;*
- The information concerns an incomplete proposal or negotiation;*
- The information comprises matters of supposition or is insufficiently definite to warrant disclosure;*
- The information is generated for the internal management purposes of the entity; or*
- The information is a trade secret; and*

*3.1A.2 The information is confidential and ASX has not formed the view that the information has ceased to be confidential; and*

3.1A.3 A reasonable person would not expect the information to be disclosed.”

- G. The concept of “confidentiality” detailed in section 5.8 of Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B*. In particular, the Guidance Note states that:

*“Whether information has the quality of being confidential is a question of fact, not one of the intention or desire of the entity. Accordingly, even though an entity may consider information to be confidential and its disclosure to be a breach of confidence, if it is in fact disclosed by those who know it, then it is no longer a secret and it ceases to be confidential information for the purposes of this rule.”*

### Request for information

Having regard to the above, ASX asks OD6 to respond separately to each of the following questions:

1. Does OD6 consider the Information, or any part thereof, to be information that a reasonable person would expect to have a material effect on the price or value of its securities?
2. If the answer to any part of question 1 is “no”, please advise the basis for that view.
3. When did OD6 first become aware of the information referred to in question 1 above?
4. If OD6 first became aware of the information referred to in question 1 before the date of the Announcement, did OD6 make any announcement prior to that date which disclosed the information? If not, please explain why the information was not released to the market at an earlier time, commenting specifically on when you believe OD6 was obliged to release the information under Listing Rules 3.1 and 3.1A and what steps OD6 took to ensure that the information was released promptly and without delay.
5. Please confirm that OD6 is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.
6. Please confirm that OD6’s responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of OD6 with delegated authority from the board to respond to ASX on disclosure matters.

### When and where to send your response

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **4:00 PM AWST Friday, 21 March 2025**.

You should note that if the information requested by this letter is information required to be given to ASX under Listing Rule 3.1 and it does not fall within the exceptions mentioned in Listing Rule 3.1A, OD6’s obligation is to disclose the information ‘immediately’. This may require the information to be disclosed before the deadline set out above and may require OD6 to request a trading halt immediately if trading in OD6’s securities is not already halted or suspended.

Your response should be sent by e-mail to [ListingsCompliancePerth@asx.com.au](mailto:ListingsCompliancePerth@asx.com.au). It should not be sent directly to the ASX Market Announcements Office. This is to allow us to review your response to confirm that it is in a form appropriate for release to the market, before it is published on the ASX Market Announcements Platform.

### Suspension

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in OD6’s securities under Listing Rule 17.3.

### Listing Rules 3.1 and 3.1A

In responding to this letter, you should have regard to OD6’s obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure: Listing Rules 3.1 – 3.1B*. It should be noted that OD6’s

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obligation to disclose information under Listing Rule 3.1 is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

**Release of correspondence between ASX and entity**

We reserve the right to release all or any part of this letter, your reply and any other related correspondence between us to the market under listing rule 18.7A. The usual course is for the correspondence to be released to the market.

Yours sincerely

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ASX Compliance

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