

24 November 2025

Matthew Sole
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Dear Matthew Sole

Local Government Official Information and Meetings Act (LGOIMA) 1987 Request:
Historic Bendigo Matakanui Legal Road

Thank you for your LGOIMA request dated 27 October 2025. Please find the CODC response to the request below:

1. The legal is still chained and padlocked shut. I have received no follow up this locked gate on a legal road. There is no legal justification for this. **Can CODC action the removal of the chain and padlock?**

Council has been working with the landowner for removal the chain and padlock. They have advised this was completed and provided a photo to confirm.

2. There are several drill bores in the legal road – **What authorities have been granted to Santana by CODC for these on a legal road?**

Occupation of Unformed Legal Roads is covered in CODC's Rooding Policy. No authority has been issued by CODC for these to be on a legal road.

3. The recorded archaeological site G41/782 features the elements of the historic Matakanui Bendigo Road carriageway now being extensively damaged by recent road upgrade earth works and subsequent road maintenance, with grading side cast now affecting and covering some of the historic recorded schist culverts. These are protected under the RMA and require a resource consent for the extensive modification that has occurred. **What consents have been applied for and what conditions has CODC provided to protect this early carriageway?** I shared in the earlier e-mail example of the damage being done to this site.

Land use consent was granted to upgrade the existing road alignment. The consent holder has applied for three variations to that consent. See attached applications and decisions for RC 210308, and variations to RC 210308V1 & RC 210308V2. RC 210308V3 was lodged but returned incomplete. RC 210308V4 has been lodged but is currently subject to a Further Information Request. Copies of the relevant documentation for RC 210308V3 and RC 210308V4 are attached.

4. This damage and destruction of the heritage carriage way needs to be reviewed against the conditions of RC 210308 and variation RC 210308V1. **I request a review by CODC into the compliance of conditions of RC 210308 and variation RC 210308V1.**

Thank you for bringing this matter to our attention. We take on board your expressed concerns that there may be some damage to heritage items as a result of giving effect to the above resource consent and subsequent variations. We can confirm that it has been added to our compliance monitoring schedule.



5. I noted observed rare native plants being threatened by these extensive track works that have insidiously increased over the period on my return surveys over several years now. **What compliance monitoring has been undertaken by CODC – when and how often and what have been the results against what has been consented and what has occurred on the ground.**

No compliance monitoring has been undertaken in relation to RC 210308 to date.

6. I note the Thomson Gorge Road has been extensively up graded. This was originally the original wagon track between the Rise n shine alluvial working by mining family who lived in Rise n shine for over 35 years and used the wagon road to gain supplies from Bendigo – Plan of historic wagon track attached. **What if any archaeological survey or assessment was undertaken on this pre-1900's archaeological wagon track?**

An archaeological assessment has been undertaken. The current Thomsons Gorge Road was only constructed in the 1970s, although there was a less formal "track" that followed the approximate route pre-1900. There was no evidence found of pre-1900 culverts or other features along the road.

I trust the information provided is sufficient.

Yours sincerely



Quinton Penniall

General Manager – Infrastructure, Planning and Regulatory

Should you disagree with this outcome you have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602