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

LEGAL SUBMISSIONS ON BEHALF OF ENVIRONMENTAL DEFENCE SOCIETY INCORPORATED (EDS) – HEARING 29 APRIL 2026

28 April 2026

Environmental Defence Society Inc
PO Box 91736 Victoria Street West Auckland 1142
Shay Schlaepfer, COO
Email:

Counsel Acting:
Rob Enright:
Jen Vella:

MAY IT PLEASE THE PANEL

INTRODUCTION

1. These legal submissions are made on behalf of the Environmental Defence Society Inc (**EDS**) in accordance with Minute 7.[1]

2. The Panel has also directed that expert conferencing and "hot tub" sessions be undertaken, and signalled that it intends to use different (and subsequent) processes to address competing legal positions on some issues but is yet to decide whether that will involve further hearings.[2]

3. In light of the above, these submissions provide a high level orientation of the technical and legal issues raised by EDS's case. They do not expand significantly on EDS's legal position given the Panel's indication that there will be a further opportunity to do so.

OVERVIEW OF EDS POSITION

4. EDS's high level position can be summarised[3] as follows:

   a. There are at least two jurisdictional limits that fetter the Panel's powers – relating to s127B RMA and the scope of the application under Schedule 2 FTAA;

   b. no presumption to approve the Project arises from the purpose of the FTAA – "facilitation" does not entail (or favour) approval. After considering the applications for approvals in accordance with relevant provisions of the FTAA, the Panel may approve or decline each approval; this will ultimately come down to whether the significant adverse impacts that clearly arise in relation to this Project are *sufficiently significant* to outweigh its national or regional benefits;

   c. information provided by the Applicant in support of the Project in relation to terrestrial ecology, groundwater hydrology, geochemistry and landscape confirms that there will be substantial adverse impacts, albeit the full extent of these impacts is uncertain for the purposes of making a decision under section 81 and considering the applying proportionality test in section 85;

   d. the net economic benefits of the Project have been overstated by the Applicant on the information available;

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[1] The Minute says:
"[7] The Panel cannot prevent invitees from calling any evidence as they choose (refer s 57(4)(a) of the Act), however the Panel encourages those attending the hearings in the period 28 – 30 April to summarise any legal submissions and expert evidence on which they rely, rather than call the experts concerned.
[8]…What will be of most assistance to the Panel in the context of the April hearings is a relatively high-level overview of the invitee's position that identified the parts of the evidence which most particularly informs that position."

[2] Minute 7, at [6].

[3] EDS continues to rely on the matters identified in greater detail in its legal submissions dated 10 April 2026, and related evidence.

RMA approvals

e. policy “bottom lines” in national and regional policy statements (such as the National Policy Statement for Indigenous Biodiversity) are highly relevant to the Panel’s consideration – even where a Project cannot be declined solely due to inconsistency with a single plan provision, the FTAA requires the Panel to take into account the fact that an application would normally be declined;

f. when properly assessed, the landscape and ecological effects are sufficiently significant to outweigh the benefits of the proposal in this location, taking into account the mitigation measures proposed by the Applicant (including the uncertainty of those measures) – the offsetting and compensation package is recognised by the Applicant as being insufficient to address the adverse effects of the Project; the proposal is contrary to the NPS-IB and would not be granted approval under the RMA;

g. the landscape effects of the proposal are significant – the landscape is identified as having outstanding values which will not be maintained or protected during the mine operation; if revegetation proposals (described as “experimental” by several parties) are successful, those outstanding values may be restored, but likely not for several decades, and there is substantial uncertainty associated with this outcome;

h. the potential effects on water quality and quantity are, in the absence of more robust information, sufficiently significant to outweigh the benefits of the proposal;

i. the Panel should take a precautionary approach to its consideration of the proposal, particularly in light of the uncertainties highlighted by EDS’s experts – the level of uncertainty present in the application cannot be cured by an adaptive management approach;

j. in any event, if the Panel is ultimately minded to grant the RMA approvals the conditions should include performance standards that ensure the effects of the proposal are managed as expected and, if breached, can be enforced against the consent holder – with the “how” to achieve the performance standards to be included in management plans;

k. the bond condition should be sufficiently robust (including provision for insurance) to ensure that, if the Applicant cannot fulfil the requirements of the conditions, the relevant consent authorities can ensure effects are adequately managed on an intergenerational basis, and the local community are not left to foot the bill.

Conservation covenant

l. Revocation of the conservation covenant compromises the purpose of the covenant and the values of the covenanted land, and undermines public confidence in the Tenure Review process – these are adverse impacts that weigh against granting approval in terms of section 85(3).

Wildlife Act approval

m. There are significant uncertainties associated with the feasibility of the Applicant's proposal to catch, salvage and relocate lizards, potentially including rare species and other species with high conservation value which weigh against the purpose of the Wildlife Act (i.e., to protect wildlife).

5. In order to assist the Panel with an overview of EDS's position and identification of the relevant EDS evidence that informs that position:

   a. A table identifying key issues raised in technical evidence and cross references to that evidence , including material differences,[4] is in **Appendix A**; and
   b. A table identifying key legal issues is in **Appendix B**.

6. A summary of key issues raised by EDS is also provided below.

TECHNICAL ISSUES

7. EDS has filed evidence from the following experts:

   a. Dr William (Bill) Kaye-Blake – economics – Dr Kaye-Blake is a Principal Economist employed by the NZ Institute of Economic Research Incorporated with a PhD in Economics from Lincoln University and approximately 30 years experience in the field.
   b. Elizabeth (Anne) Steven – landscape – Ms Steven is a registered landscape architect with 37 years of experience;
   c. Nick Head - terrestrial ecology – Mr Head is an ecologist with over 30 years experience working in Canterbury and the wider country, undertaking ecological and botanical assessments with a particular focus on threated and rare ecosystems and plants in the eastern South Island;
   d. Dr Leanne Morgan - groundwater hydrology – Dr Morgan is an Associate Professor in Groundwater Hydrology at the University of Canterbury; and

[4] Some of EDS's experts have provided minor comments in response to the Applicant's evidence of 17 April 2026, where time has allowed. It is anticipated, however, that these matters will be fully addressed in caucusing.

e. Professor Jennifer Webster-Brown - geochemistry - Prof. Webster-Brown is a water quality scientist and environmental geochemist with 45 years research, teaching and consulting experience in that field.

8. These experts raise a number of matters that EDS submits the Panel should consider in:

   a. seeking further information from the applicant, and for the purposes of expert caucusing; and
   b. considering relevant matters and making its determination under sections 81 and 85 of the Fast-track Approvals Act 2024 (FTAA).

9. A summary of those matters is set out below.

Economics

10. Dr Kaye-Blake's evidence identified a range of aspects of the Applicant's economic assessment where information, that is missing or insufficient, would be useful for the Panel in fulfilling its obligations to consider the extent of the significance of the net benefits of the Project.

11. Having undertaken his own economic assessment of the Project on the basis of the information available to him, Dr Kaye-Blake concludes that there is no compelling economic case for this Project. In his view, while there are claims of large economic benefits, the net benefit for the local area could be small or even negative – largely because the benefits will accrue outside the region, while the costs will be localised.

12. Dr Kaye-Blake considers that a full cost benefit assessment would be the most appropriate methodology to adopt in this case because it would assist the Panel to be more better informed about the full range of costs and benefits, including environmental, amenity, social and heritage impacts that can be quantified. Where non-market values cannot (or should not) be monetised they should be assessed on the "adverse impacts" side of the section 85(3) ledger.

13. Counsel for MGL submits that the purpose of the FTAA is economic in nature, and this is the sole driver for the type of economic assessment required. EDS disagrees with that characterisation. The purpose of the FTAA is to facilitate the delivery of projects with nationally or regionally significant benefits. The net "benefits" are not limited to economic ones, and neither are the adverse impacts. Section 22, which lists the criteria for referral to the fast-track, provides a range of criteria the Minister can consider when determining whether a project will have such benefits. Economic benefits[5] is one of ten criteria. Part 2 RMA also remains relevant (by virtue of Schedule 5, Clause 17). The

[5] Section 22(2)(a)(iv).

definition of sustainable management is wide-ranging, as are the relevant provisions in sections 6 and 7 RMA.[6]

14. Dr Kaye-Blake has also commented on the proposed bond condition and has reservations about the scope of the bond, and the level of information available to quantify the risk and effectiveness of mitigation. In his view, while some potential effects may be low-risk, they are high-impact, have a high expected value and should be economically valued for the purposes of a bond.

15. EDS encourages the Panel to seek further information from the Applicant to address the information gaps identified by Dr Kaye-Blake, including a cost benefit analysis which quantifies all costs as far as possible, in order to be fully informed as to the benefits of the Project. Based on the information currently available, EDS submits that the benefits of the project are materially overstated. This substantially weakens the Applicant's reliance on the statutory purpose in section 3 FTAA and impacts the section 85(3) proportionality assessment.

Terrestrial ecology

16. There is no dispute between the parties that:

    a. the proposed area to be mined is an area of significant indigenous biodiversity and significant habitat of indigenous fauna;
    b. there will be significant adverse impacts on threatened and at-risk species even after offsetting and compensation;
    c. compensation measures cannot be modelled due to uncertainty of outcomes; and
    d. under both the framework of the RMA and the national and regional policy documents, the area warrants protection and the Project (as proposed) would normally be avoided.

17. The Applicant recognises this. Its experts also recognise that the approach taken does not represent good ecological practice and that the rehabilitation/vegetation regeneration proposals, particularly of dryland ecosystems and cushionfields involves a significant level of uncertainty. In essence, the Applicant is relying on the requirement to give the purpose of the FTAA the greatest weight, in terms of the clause 17 (Schedule 5) assessment criteria, and the proportionality test in section 85(3) to win the day.

18. A key issue is whether the Panel has sufficient information to adequately assess the adverse effects on terrestrial ecology of the Project. This has a flow on effect to the Panel's consideration of the offsetting and compensation proposed by the Applicant. In other words, if the effects are underestimated, then it is not possible to assess the suitability of the offsetting and compensation package; as well as the full extent of actual and potential adverse impacts.

[6] Section 8 RMA is excluded under Clause 17.

19. Mr Head's evidence is that:

    a. the methodology adopted by the Applicant's experts underestimates the adverse ecological impacts of the project – he does not accept the EcIAG approach as being standard and widely accepted ;
    b. on his assessment, offsetting is only appropriate for one of the ecological management units and the remaining nine – the remainder should be compensated for; and
    c. the offsetting and compensation outcomes are highly uncertain, particularly due to the experimental nature of rehabilitation measures.

20. In light of the uncertainty of offsetting and compensation outcomes (and in the absence of specific outcomes that are required to be met), EDS submits that the Panel must assess the application as if those outcomes will not be achieved.

21. The Panel must also bear in mind the requirement to take into account the NPS-IB under clause 17. In EDS's submission, the Panel cannot properly take the NPS-IB into account unless the full extent of non-compliance with the NPS-IB is properly understood. A cost benefit analysis could better assist the Panel to understand that – i.e., quantification of the ecological values not offset or compensated for and deducted from the benefits would give the Panel a better steer on the ecological costs of the Project.

22. If the Panel ultimately concludes that the Project should be approved, EDS's position is that:

    a. The Come in Time pit should be avoided, irrespective of whether it can be shown that the population of spring annuals is less than 1% of the population of the wider ecological district – these are threatened and at-risk species whose population represents a national stronghold. This would require a partial decline of the proposal, which is within the Panel's powers under ss81 and 85 FTAA;
    b. Management plans/ conditions need to be robust and contain clear performance standards that are enforceable against the Applicant and secured via a bond.

Hydrogeology / geochemistry

23. Dr Morgan and Prof. Webster-Brown are concerned that more information is required to properly understand the groundwater hydrology, connection to surface water, impacts on streams and wetlands and seepage of contaminants, including arsenic.

24. Dr Morgan says there has been limited data collection to enable a robust conceptual model to be developed,[7] and the numerical model used is classed as a "low confidence"

[7] The Applicant has suggested that Dr Morgan has used an inappropriate conceptual model from Hope Downs mine in Australia for her assessment. However, Dr Morgan has only used that conceptual model to illustrate

model which is inappropriate for assessing high risk effects. Prof. Webster-Brown considers that estimates of percolation rates and seepage capture efficiency are optimistic and there is significant risk of arsenic emission via groundwater and surface water.

25. The potential consequences of inadequate water management at the mine are significant – both in terms of water quantity (drawdown effects on streams, wetlands and other users) and water quality (contamination of groundwater aquifers and surface water). The Panel needs to assure itself that it has sufficient information to understand the potential effects of the Project on a worst-case scenario basis – and put conditions in place to ensure that the effects on groundwater and surface water are no more than what the Panel ultimately determines are appropriate.

26. Both Dr Morgan and Prof. Webster-Brown have reservations about the suitability of adaptive management in light of the current uncertainty in relation to effects on the receiving environment, particularly given that once contaminants enter water it is very difficult to reverse adverse effects. The potential impacts on water quality in particular reinforce the need for bond conditions that appropriately quantify risk.

27. Dr Morgan and Prof. Webster-Brown have suggested further information that could assist the Panel in its assessment and EDS strongly recommends the Panel seek that further information to the extent it has not been provided in the Applicant's response to comments.

Landscape

28. It is not in dispute that the proposal will have long term significant adverse landscape and visual effects although the Applicant considers they will be relatively localised, which is a not a view shared by Ms Steven.

29. Ms Steven's view is that the landscape assessment does not address the full context, range of values and visual experiences of the site, and relies heavily on rehabilitation of the site (which is experimental in nature) in coming to its conclusions.

30. Ms Steven has undertaken her own assessment. In her view, the outstanding nature of the Matakanui Dunstan Mountains would not be maintained during operation of the mine. While the outstanding nature may return if the experimental rehabilitation proposal is successful, that will likely take decades. This Project would not protect the ONL, and the Panel must take into account (under clause 17) the fact that it is entirely contrary to section 6(b) of the RMA.

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what might be expected in a project such as this, given that a conceptual model has not been prepared by the Applicant.

31. In addition to effects on the ONL, other adverse effects identified by Ms Steven include significant effects on landscape character – which she categorises as "overwhelming" in close proximity – effects on the amenity of the rural landscape, natural dark, quiet and tranquillity, backcountry character and the loss of heritage values.

LEGAL ISSUES

32. A summary of the legal issues raised in EDS's comments is provided at **Appendix B**.[8] Acknowledging that further opportunities will be provided to address competing legal issues, the key points EDS wishes to make for now can be summarised as follows.

Presumption of approval

33. While the FTAA establishes a unique pathway for projects with significant national or regional benefits, EDS disputes that the purpose of the FTAA (s3) - to facilitate the delivery of projects with significant national or regional benefits – confers a presumption that those projects will be granted approval. Those projects are "facilitated" by the special procedure set out in the FTAA – e.g., a one-stop-shop for approvals under different legislation, faster timeframes and limited participation and appeal rights.

34. To the extent that the requirement to facilitate the delivery of such projects has a substantive element, that is limited to:

    a. the weight that is to be given to the FTAA under the clauses noted in section 81(2)(b) – i.e. the assessment criteria in the Schedules (such as Schedule 5, clause 17); and
    b. the proportionality test set by section 85(3) – i.e., that the adverse impacts need to be sufficiently significant to outweigh the national or regional benefits.

35. No additional gloss should be put on those provisions. EDS does not agree with the Applicant that section 85(3) sets "a deliberately high threshold" requiring the Panel to "apply a strong presumption in favour of enabling beneficial projects"[9]. Section 85(3) simply requires the Panel to evaluate the extent of both the adverse impacts and the significant benefits and determine whether the adverse impacts are sufficiently significant to outweigh the significant benefits. The Panel should not deviate from the clear requirements of section 81(2), which sets out the steps the Panel must take in making its decision on each individual approval.

36. A key step in that process for resource consents (with similar requirements for other approvals) is to apply clause 17, which sets out assessment criteria. Each of those

[8] While a summary has been provided, EDS relies on its legal submissions in full for the purposes of this process.
[9] MGL Legal Submissions (17 April 2026) at [49].

assessment criteria are to be considered individually, without being fettered by the purpose of the FTAA.

37. In this case, for example, the Panel can find on the Applicant's own evidence that the Project:

    a. will have significant adverse impacts on significant indigenous biodiversity that cannot be avoided, remedied, mitigated, offset or compensated for;
    b. is inconsistent with the objective of the National Policy Statement for Indigenous Biodiversity (NPS-IB) to maintain indigenous biodiversity so there is no overall loss – in a context of the significant effects on threatened and at-risk species;
    c. the NPS-IB requires a precautionary approach to be applied when considering adverse effects on indigenous biodiversity; and
    d. will breach a policy "bottom line" in the NPS-IB to avoid proposals that cannot, after applying the effects management hierarchy, compensate for residual adverse effects that are more than minor.

38. In addition, the Panel also must take into account the fact that resource consents for this Project would normally be declined[10] because the effects management hierarchy has not been applied in accordance with the requirements of the NPS-IB or the National Environmental Standards for Freshwater. The Applicant's evidence does not suggest otherwise.

39. These matters must be taken into account when making a decision under section 81. The weight to be given to the purpose of the FTAA does not diminish the findings the Panel makes about effects, policy instruments and other relevant matters – but the Panel must also take into account the purpose of the FTAA and give it the greatest weight.

40. That obligation is fettered. When taking into account the Act's purpose, the Panel must consider the extent of the national or regional benefits[11] – which suggests that lower the extent of national or regional benefits, the less weight should be given to the purpose.

41. The Panel therefore needs to interrogate the benefits of the proposal, and be clear as to their extent before determining the weight to be given to the purpose of the FTAA. That is particularly so given the Applicant's significant reliance on the benefits of the Project to overcome the fact that this application, in its current form, could not be approved under normal RMA processes.

[10] Schedule 5, clause 17(3) and (4).
[11] Section 81(4).

42. The door is therefore wide open for the Panel to decline approvals for the resource consents for this Project – to suggest that there is a presumption of approval would create an artificial fetter on the Panel's power to approve or decline the consents.

43. Importantly, the Panel should avoid "double counting" that purpose under both clause 17 and again in section 85(3). The purpose of the FTAA is effectively embodied in the proportionality test of section 85(3) and if the Panel were to consider that the adverse effects of the proposal are sufficiently significant to outweigh the significant national or regional benefits, it should not again consider the purpose of the FTAA in an "overall broad judgement" approach.

Uncertainty / adaptive management

44. The evidence from EDS and others suggests a high level of uncertainty exists in relation to effects on significant indigenous biodiversity and water quality and quantity. MGL suggests that sufficient information is available in the information provided by it, and effects can be managed via an adaptive management approach.

45. The Supreme Court (in *King Salmon*) has recognised that an adaptive management approach can only be legitimately considered where there is "an adequate evidential foundation to have reasonable assurance that the adaptive management approach will achieve its goals of sufficiently reducing uncertainty and adequately managing any remaining risk".[12] The Supreme Court described this as a "threshold question" that is an important step that must always be considered.

46. The Environment Court in *RJ Davidson Family Trust v Marlborough District Council* concluded that an adaptive management approach was not appropriate to address the potential effects on rare and threatened species with small populations, saying:

> [295] … relying on an adaptive management condition triggered by a change in King Shag population is in our view precisely what the IUCN Red List criteria suggest is inappropriate for very small populations…. A population change condition is inappropriate because by the time a population change (at whatever relatively arbitrary level of change --- 5%, 10% or 20% — is chosen) has been established to the appropriate degree of certainty, the species may be doomed to extinction.

47. In other words, the Panel must be confident that it has enough information to be sure that an adaptive management approach will be able to manage effects as anticipated. If not, the Panel may decline the application.

[12] Sustain Our Sounds Inc v New Zealand King Salmon Company Ltd [2014] NZSC 40 at [124] – [125].

Jurisdiction

48. EDS submits that there are at least two jurisdictional limits to the Panel's powers, relating to scope of the Schedule 2 listing and the duration of the water take permit.

Schedule 2 listing – scope

49. EDS submits that the Panel does not have jurisdiction to approve the concessions sought by the Applicant, where these are located outside the scope of the Schedule 2 listing for this project, for the Ardgour Rise, SH 8, Come-In-Time, Willow and Water Monitoring Concession Areas.

50. Scope is a jurisdictional issue, per *Ngāti Kuku Hapū v Environmental Protection Agency*. The scope of a listed project is identified by Schedule 2 FTAA. Read in context, and having regard to purpose, text, and meaning, the listing description does not include concessions required for public land. The approximate geographical location listed in Sch 2 refers solely to Bendigo and Argour stations, which are privately owned.

51. The proposal is now to undertake mine-related works on public land, which is not included in the Schedule 2 listing.

52. EDS disagrees that the proposed concessions are subsidiary to the approvals sought. For the most part, they require separate approvals and engage entirely different schedules of the FTAA. In EDS's submission, the concessions are primary activities that cannot be subsidiary to the proposal for which RMA approval is sought.

Duration of water take permit

53. The comments provided by both EDS and Sustainable Tarras address the background to section 127B of the RMA, which limits the duration of water take permits in the Otago Region to 6 years.

54. The Applicant and the Regional Council suggest that a longer term consent can be granted, despite that provision. That appears to be on the basis that section 127B is simply one matter that must be taken into account under Sch 5, clause 17 and clause 17(7) only applies section 123 of the RMA and does not specifically apply section 127B.

55. EDS disagrees:

    a. Clause 17(1) refers to the provisions of Pt 6 RMA that direct decision-making; this includes s127B;
    b. Clause 17(7) imports both s123 and 123A RMA. Section 123 itself imports s127B RMA;
    c. Clause 18 (conditions on resource consent) imports the relevant provisions of Pt 6 RMA for the purposes of prescribing the Panel's decision-making power to impose

consent conditions. Unlike Clause 17(7), there is no cross-reference to s123 and 123A RMA. If the water permit is ultimately approved, then the imposition of a maximum 6-year term will be imposed by way of consent condition.

d. Section 127B RMA constrains the power to impose consent conditions by limiting duration of the water take consent to 6 years. There is no necessary inconsistency between the two statutory regimes (Pt 6 RMA and FTAA) and this is an issue that constrains the Panel's jurisdiction, and is bespoke to the Otago region.

Conservation covenant

56. A number of parties have raised concerns with the proposed revocation of the conservation covenant, due to inconsistency with the purpose of the covenant, effects on the conservation values of the land, insufficient and uncertain offsetting and compensation measures, and the potential for the revocation to affect on public confidence in the Tenure Review process – which the Applicant has dismissed as "a hyperbole".

57. EDS submits that the approval should not be granted on the basis of the evidence and assessment provided by the Department of Conservation (DoC). The conservation values of the land will both contravene the purpose of the covenant, compromise the significant values of the covenanted land, in terms of Schedule 6, clause 45.

58. In addition, revoking the conservation covenant, which expressly prohibits prospecting or mining for minerals, will undermine the Tenure Review process which resulted in the conversion of publicly owned land (in pastoral lease) to freehold land held in private ownership, subject to the protection of the values identified in the covenant. It will also be inconsistent with the purpose of the Reserves Act 1977 to provide for the preservation and management of areas possessing the types of values protected by the covenant for the benefit and enjoyment of the public.[13]

59. These are all matters matter that the Panel can consider as an adverse impact that weighs against approving the revocation (in terms of section 85(3)) and, in EDS's submission, should not dismiss this legitimate concern as a hyperbole.

Roading

60. The Applicant has asserted that it has secured legal access to two public roads required to undertake the Project via two legally enforceable agreements with CODC – an access agreement and a road stopping deed. The Applicant asserts that the road stopping deed addresses the stopping and sale of the roads required for the Project and requires the CODC as landowner to use its best endeavours to stop Thomson Gorge Road and Shepherds Creek Road under Part 8 of the Public Works Act or, if that is not possible, then Part 10 of the Local Government Act 1974.[14]

[13] Reserves Act 1977, section 3.
[14] MGL legal submissions (17 April 2026), at [168].

61. It is unclear why the Applicant is seeking that the Panel address this issue, which is outside the scope of the proposal and the FTAA. The Panel has no jurisdiction to stop public roads. To the extent that the Applicant seeks to rely on the access agreement and road stopping deed as creating enforceable duties on CODC as a public body, then it should be directed to provide unredacted versions of the two agreements so that the factual assertion can be independently verified.

62. The proposal cannot proceed in its current form without stopping the public roads. As the Court of Appeal has recently confirmed, there is an overarching public interest in unformed roads and 'recreational highways' that serve as vital routes to the conservation estate and natural areas for recreational activities.[2]

63. EDS is concerned that CODC has entered into a legal arrangements to provide access to public roads before any road stopping process has been undertaken and is considering legal remedies to address this. It has therefore made an urgent complaint to the Ombudsman seeking unredacted copies of the road stopping deed.

FURTHER PROCEURAL MATTERS

64. Procedural directions are sought as per our legal submissions dated 10 April 2026.

Dated this 28 April 2026