

Before an Expert Consenting Panel

Under the Fast Track Approvals Act 2024 (FTAA)

And

In the matter of An application for approvals by Matakanui Gold Limited to establish, operate, rehabilitate and ultimately close an open pit and underground gold mining operation known as the Bendigo-Ophir Gold Project

**Statement of Planning Evidence of Helen Elizabeth Dempster for the
New Zealand Transport Agency**

Dated 23 April 2026

1 INTRODUCTION

- 1.1 My full name is **Helen Elizabeth Dempster**. I work for the New Zealand Transport Agency Waka Kotahi (NZTA) as a Principal Planner based in the Dunedin office.
- 1.2 I have a Bachelor of Science (Honours; majoring in Physical Geography) from the University of Otago.
- 1.3 I have over 21 years of planning experience in both New Zealand and England. I have been employed by NZTA as a Senior Planner from October 2020 to September 2023, and as a Principal Planner at NZTA since September 2023.
- 1.4 My role within NZTA ranges from being the internal consenting lead for NZTA projects; managing planning processes relating to specific third-party Fast Track Approvals Act (FTAA); obtaining Resource Management Act 1991 (RMA) approvals for infrastructure projects; assessing district plan reviews and plan changes, and third-party land use applications; and providing Section 95E affected party and Section 176 approvals under the RMA.

2. Code of Conduct

- 2.1 While these proceedings are not before the Environment Court, I confirm that I have read the Code of Conduct for Expert Witnesses as contained in the Environment Court Practice Note 2023. I have complied with this Practice Note when preparing my written statement of evidence, and I will do so when I give oral evidence before the Hearing Panel. Unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express below.

3. Scope of evidence

- 3.1 In this statement of evidence, I focus on those areas where there remains some disagreement between MGL and NZTA in regard to matters raised in NZTA's s53 FTAA comments, being:
- (a) Amendments sought to conditions proposed in Matakaniui Gold Limited's (**MGL**) substantive application (**the Application**) on the Bendigo-Ophir Gold Project (**BOGP**) relating to the upgrade of the intersection of State Highway 8 (**SH8**) and Ardgour Road (**the intersection upgrade**).
- 3.2 In preparing this evidence I have reviewed the Statement of Evidence (**SoE**) of Andrew Metherell as it pertains to the conditions associated with the intersection upgrade.
- 3.3 NZTA has also submitted transport safety evidence (Mr Roy Johnston) that relates to the intersection upgrade. I have reviewed and rely on his statement of evidence on this matter.

4. NZTA Role and Responsibilities, Site-Specific Context

4.1 NZTA is a Crown entity with its functions, powers and responsibilities set out in the Land Transport Management Act 2003 (**LTMA**) and the Government Roadway Powers Act 1989 (**GRPA**). The primary objective of NZTA under Section 94 of the LTMA is to contribute to an effective, efficient, and safe land transport system in the public interest.

4.2 NZTA's roles and responsibilities include;

- Managing the State Highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the State Highway network;
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding;
- Managing regulatory requirements for transport on land and incidents involving transport on land; and
- Issuing guidelines for, and monitoring, the development of regional land transport plans.

4.3 NZTA's interest in this proposal stems from its role as the manager of the state highway network and its responsibility to ensure efficient, safe and effective highway solutions for highway users.

4.4 Vehicle access to the BOGP site will be via Ardgour Road and SH8. The SH8/Ardgour Road intersection, located immediately south of the single-lane Lindis River Bridge, is presently a Give-Way-sign controlled intersection. This intersection is located on a horizontal curve on SH8, which has a 45 km/hr speed advisory sign.

4.5 Through pre-application consultation between MGL and NZTA it has been identified that safety improvements to the existing SH8/Ardgour Road intersection are desirable to manage the effects of the increased vehicle movements during the construction and operation of the mine. The upgrade to include a right turn bay (RTB) has been agreed between MGL and NZTA, and advanced by MGL in the Application.

5. Proposed Consent Conditions related to the intersection upgrade

5.1 I wish to acknowledge that Mr Metherell, at paragraph 28 of his SoE, has indicated that most of the amendments to condition wording sought by NZTA in its comments on the Application are logical from a transport engineering perspective. I will not discuss further those conditions where there is agreement between MGL and NZTA. Mr Metherell identifies two exceptions, where he does not support the amendments sought by NZTA.

5.2 Firstly, in paragraphs 29 and 30 of his SoE, Mr Metherell addresses the change NZTA sought to proposed conditions 43 and 44, which would require the intersection upgrade to be completed prior

to construction of the mine commencing. He recommends that the condition wording be modified to enable mine construction traffic to use the intersection where the traffic management plan for the intersection modifications supports safe movement to and from the mine, or a Construction Traffic Management Plan has been provided that supports short term use of the intersection in its existing form, to allow for potential different timings of mine construction and road construction seasons. That is, as I understand it, MGL are seeking the ability for construction of the mine to proceed ahead of, or concurrently with, the intersection upgrade.

5.3 In his evidence, Mr Roy Johnston has stated that it is the strong preference of NZTA, from a safety perspective, for the intersection upgrade to occur ahead of the mine construction, to manage the increased safety risk to SH8 road users that would arise due to the high volume of vehicle movements expected particularly during construction of the BOGP. However, he notes that if the intersection upgrade is unable to be undertaken prior to mine construction commencing, the intersection upgrade works could be undertaken concurrently with mine construction commencing, specifically, at the very start of mine construction commencing, with appropriate temporary traffic management (TTM) in place at the intersection to manage safety effects on SH8 users. In this latter scenario, it is desirable that the intersection upgrade is completed as soon as possible and before construction of the mine is completed. Mr Johnston notes in his evidence that road works, like the intersection upgrade, are subject to seasonal constraints. The cooler temperatures experienced, typically between the months of March and September, can adversely impact the formation of the new road. This seasonal constraint will influence when the intersection upgrade will be able to be undertaken. Notably, Mr Johnston does not support mine construction proceeding ahead of the intersection upgrade, stating that NZTA may not be able to approve suitable TTM to manage the risks to SH8 road users.

5.4 Based on the evidence of Mr Johnston, I think it is appropriate that the wording of condition 44 be further amended to require that the intersection upgrade should, in preference, be undertaken prior to the mine construction commencing, or, if that is not possible, for the intersection upgrade to be undertaken at the very start of mine construction commencing. In both scenarios, subject to appropriate TTM being in place. To that end, I suggest to the Panel, the following amendments in red be made to the wording of conditions 43 and 44, or wording of similar intent. For the avoidance of confusion, the black-coloured underline and strikethrough in the condition wording below shows the amendments NZTA sought in its s53 comments.

43. ~~The Consent Holder must upgrade the intersection of State Highway 8 and Ardour Road prior to the construction of the Bendigo-Ophir Gold Mine, unless it is not practical to do so in which case the upgrade must be constructed concurrent with the commencement of mine construction, subject to temporary traffic management being implemented at the intersection. The intersection upgrade works must be completed prior to completion of the construction of Bendigo-Ophir Gold Mine. Prior to the construction of the Bendigo-Ophir Gold Mine T the~~

~~Consent Holder must upgrade~~ The intersection of State Highway 8 and Ardgour Road ~~must be upgraded~~ to:

a. Include a right turn bay on State Highway 8 from the southwest into Ardgour Road. This must be designed in accordance with New Zealand Transport Agency Traffic Control Devices Manual Part 4 (Intersections) October 2024 and Section 15 (including Figure 15.5 “Markings for right turn bays in rural areas”), and Austroads ‘Guide to Road Design Part 4: Intersections and Crossings – General’ dated May 2023. ~~NZ Transport Agency / Waka Kotahi design requirements;~~

b. Extend sightlines and ensure that two-way movement of trucks turning in and out of Ardgour Road can be accommodated. The detailed design, addressing these matters, must be prepared in accordance with Austroads ‘Guide to Road Design Part 4: Intersections and Crossings – General’ dated May 2023 and the NZTA Planning Policy Manual 2007, and as determined through the detailed design process; and

c. ~~Provide for~~ Incorporate consequential changes to roadside infrastructure including roadside barrier changes, flag lighting, and signage as determined through detailed design processes. Design of roadside barriers must be in accordance with Austroads design guidance. Design of flag lighting must be in accordance with New Zealand Transport Agency lighting policy for flag lighting (3 lights) and the design of signage must be in accordance with New Zealand Transport Agency Traffic Control Devices Manual and Rule for signage.

44. The Consent Holder must:

a. Prior to commencing construction of the State Highway 8 / Ardgour Road intersection upgrade works, submit the final design drawings for the intersection upgrade to Central Otago District Council for certification that the design meets the requirements of Condition 43 (a) to (c) above. The final design drawings must also be accompanied by the independent design safety audit required by condition 45 below, as well as written confirmation from the New Zealand Transport Agency that it is satisfied that the final design drawings meet New Zealand Transport Agency and Austroads standards; and

b. Upon completion of the upgrade to the State Highway 8 / Ardgour Road intersection ~~and prior to the construction of the Bendigo-Ophir gold mine commencing~~, provide to the Central Otago District Council, for certification, documentary evidence that the upgrades ~~certified under (a)~~ have been completed in accordance with the design certified under Condition 44(a) and that any further works recommended in the post construction safety audit, required by Condition 45, have also been undertaken. This documentary evidence must also include written confirmation from the New Zealand Transport Agency that it is satisfied the upgrade of the intersection, including any changes required by the post construction safety audit, have been satisfactorily completed.

- 5.5 Secondly, in paragraph 31 of his SoE, Mr Metherell has suggested amendments to the wording of Condition 45 sought by NZTA in its s53 comments. Specifically, Mr Metherell has suggested that any 'agreed actions' from the post-construction safety audit be undertaken within two months of the audit being completed, or an alternative timeframe agreed with Central Otago District Council and NZTA. His suggested amendments remove the requirement, which NZTA sought in its s53 comments, for the actions to be completed prior to the construction of the mine commencing.
- 5.6 In his evidence, Mr Johnston has considered the traffic safety implications of the amendment to Condition 45 sought by Mr Metherell. Mr Johnston notes that the changes to wording suggested by Mr Metherell are acceptable from a safety perspective. In light of Mr Johnston's support of the amendments sought by Mr Metherell, and recognising that some flexibility needs to be provided in the timeframe for any post-construction safety audit actions to be completed, and that the wording suggested by Mr Metherell still includes a timeframe to be complied with, I also consider the amendments he has suggested to Condition 45 to be acceptable.
- 5.7 However, I consider that the wording of Condition 45, as suggested by Mr Metherell, needs to be further amended to make it explicitly clear the part of the process where the "agreed actions" are identified, since the "agreed actions" terminology is used subsequently in Condition 45. I suggest the following, further amendments (in red). For the avoidance of confusion, the black-coloured underline and strikethrough in the condition wording below shows the amendments Mr Metherell sought to the amendments proposed by NZTA in its s53 comments.

45. The design of the proposed upgrade of the intersection of State Highway 8 and Ardgour Road must be subject to an independent design safety audit and post construction safety audit. The audits are to be carried out by safety auditors experienced in highway intersection design, appointed in consultation with NZ Transport Agency / Waka Kotahi. Any changes recommended as a result of the safety audits, including design changes and post construction changes, must be agreed ("agreed actions") with the Central Otago District Council in consultation with NZ Transport Agency / Waka Kotahi. Any changes to the intersection that are ~~recommended in agreed actions from the post construction safety audit~~ shall be undertaken ~~prior to the construction of the mine commencing~~ within two months of the completed safety audit, unless different timing is agreed with Central Otago District Council in consultation with the NZ Transport Agency / Waka Kotahi taking into account the level of risk associated with the safety concern and the practicable ability to implement the change within the two-month period.

- 5.8 I also consider that further amendments are required to the wording of Condition 44(b), to incorporate reference to the 'agreed actions' from the post construction safety audit. I recommend the following amendments, in blue, or words of similar intent. The amendments in red, in the wording below, are explained in paragraph 5.4 in this evidence. The black-coloured underline and

strikethrough in the condition wording below shows the amendments sought by NZTA in its s53 comments.

b. Upon completion of the upgrade to the State Highway 8 / Ardour Road intersection and any agreed actions from the post construction safety audit, and prior to the construction of the Bendigo-Ophir gold mine commencing, provide to the Central Otago District Council, for certification, documentary evidence that the upgrades ~~certified under (a)~~ have been completed in accordance with the design certified under Condition 44(a) and any agreed actions from the post construction safety audit required by Condition 45. that any further works recommended in the post construction safety audit, required by Condition 45, have also been undertaken. This documentary evidence must also include written confirmation from the New Zealand Transport Agency that it is satisfied the upgrade of the intersection, including any agreed actions from the ~~changes required by the post construction safety audit,~~ have been satisfactorily completed.

5.9 I note that Mr Metherell's SoE, addresses concerns raised by other parties about the effects of BOGP traffic on the functionality of the State Highway 8A 'Red Bridge' and also the SH8 Lindis River Bridge. Mr Johnston has stated in his evidence that he does not believe either bridge would need to be upgraded because of the vehicle movements generated by the BOGP. Based on Mr Johnston's assessment, I suggest to the Panel that it is unnecessary to require MGL undertake upgrades to either of the two aforementioned bridges.

6. CONCLUSION

6.1 I request that the Hearing Panel accept the amendments to consent conditions proposed by NZTA in its s53 comments on the Application, except as they are further amended as described in paragraphs 5.4, 5.7 and 5.8 of this evidence.

Helen Elizabeth Dempster

23 April 2026