

Before an Expert Consenting Panel

Under the

Fast-track Approvals Act 2024

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

**Memorandum of Counsel on behalf of
Matakanui Gold Limited - Response to
Minute 54**

Dated: 2 October 2026

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MAY IT PLEASE THE EXPERT PANEL

1. This Memorandum of Counsel is filed on behalf of Matakanui Gold Limited (**Matakanui Gold**) in response to the Minute 54 of the Expert Panel which addresses the following matters:
 - (a) State Highway 8 (**SH8**) and Ardgour Road intersection upgrades.
 - (b) Come in Time (**CIT**) battery track.
 - (c) Ardgour Rise.
2. Matakanui Gold acknowledges the Panel's feedback. In accordance with the Panel's invitation, Matakanui Gold's response to the matters raised in Minute 54 is provided below. Accordingly, a suspension of processing is not sought.¹

State Highway 8 and Ardgour Road Intersection

Purpose of the Concessions

3. Matakanui Gold proposes to upgrade the intersection of SH8 and Ardgour Road. To enable those upgrade works to be undertaken and used during mine life, two concessions are sought² from the Department of Conservation (**DOC**) to reflect the different road controlling authorities that manage different parts of the intersection:
 - (a) one enabling the upgrades on SH8 shown in **Appendix 1** being works on a State Highway for which New Zealand Transport Agency (**NZTA**) is the road controlling authority; and
 - (b) the other enabling the upgrades on Ardgour Road shown in **Appendix 2** being works on a local road for which the Central Otago District Council (**CODC**) is the road controlling authority.
4. These works are relatively minor and standard safety improvement upgrades proposed to mitigate traffic effects of the Bendigo-Ophir Gold Project (**BOGP or Project**) and include a new 3.5 metre-wide right turn bay on SH8, reshaping the roadside safety barrier, widening the carriageway and adding 1.5-metre-wide road shoulders.
5. The need for the two concessions to enable the works is due to an existing roading alignment issue, in that parts of the existing formed alignments of SH8 and Ardgour

¹ Minute 54 of the Expert Panel, 30 September 2026 at [5].

² D.07A State Highway 8 Intersection New Zealand Transport Agency and D.07B State Highway 8 Intersection Central Otago District Council.

Road extend beyond the legal road reserve and onto public conservation land administered by DOC.³

6. In Minute 54, the Panel identifies that the intention to vest the 'SH8 realignment' in CODC as the road controlling authority will trigger potential rights of first refusal under the Ngāi Tahu Claims Settlement Act 1998 (**NTCSA**).⁴
7. In terms of process, it is not proposed that Matakanui Gold will undertake, or be responsible for, the vesting of the land as Matakanui Gold does not have the ability to vest land it does not own. Accordingly, the activities sought to be authorised under the concession (in themselves) would not trigger rights of first refusal under the NTCSA.
8. As we expand on below, a future vesting process is also not relied on by Matakanui Gold to mitigate or manage an effect of the project given the safety upgrades relate to managing traffic effects during active mining.
9. For the avoidance of doubt, the works proposed by Matakanui Gold do not involve a realignment of the existing SH8 and Ardgour Road intersection. The works are limited to upgrading the existing intersection for safety purposes (which is erroneously located outside of the legal road reserve on public conservation land) and the use of the upgraded intersection during mining operations at the BOGP.
10. The evidence for Matakanui Gold has been that while the intention is for the relevant parts of the upgraded SH8 and Ardgour Road intersection to ultimately be vested in NZTA and CODC respectively to remedy this historic misalignment inconsistency, that process is beyond Matakanui Gold's control and responsibility and would need to be undertaken by those parties outside of the Fast-track Approvals Act 2024 (**FTA**) process.⁵
11. The reference to vesting of the SH8 and Ardgour Road intersection upgrades in the term of the 28 September 2026 version of the concessions was included in error and the concession documents have been amended to correct this.⁶
12. Resolving the existing misalignment is a matter that NZTA and CODC in conjunction with DOC need to address irrespective of any upgrade to the intersection.⁷ It is not a consequence of the proposed upgrade works, is not relied on to mitigate effects of the project, and in our submission, it would be inappropriate and overly onerous for Matakanui Gold to be required to resolve the misalignment issue.

³ Part 3 - 00 - MDL Memo - BOGP Conditions - 14 September 2026.

⁴ Minute 54 of the Expert Panel, 30 September 2026 at [3].

⁵ Statement of Evidence of Mark Chrisp, 17 April 2026 at [31].

⁶ The 28 September 2026 versions of D.07A and D.07B included updated wording providing for a term of 30 years, or until 20 working days after the vesting of the works, whichever occurred first.

⁷ Part 3 - 00 - MDL Memo - BOGP Conditions - 14 September 2026.

13. For the purposes of matters before the Panel, the concessions sought provide for the necessary approvals for the time needed to exercise those approvals.

2 October Amendments to Concession Documents and Conditions

14. The concession documents for the SH8 and Ardgour Road intersection upgrade have been amended to clearly reflect their intended purpose, and in particular, do not require Matakanui Gold to resolve the underlying historic road alignment issue by vesting the upgrades in NZTA and CODC (which it cannot do in any event).
15. The key amendments are:
- (a) The duration of the concessions has been retained at 30 years. The reference to vesting in the 28 September 2026 versions of the concessions which was inadvertently included has been removed.⁸
 - (b) Following completion and certification of the upgrades, if requested by the road controlling authorities, Matakanui Gold shall do all things reasonable and practicable to:
 - (i) transfer the concession relating to the SH8 intersection upgrades to NZTA; and⁹
 - (ii) transfer the concession relating to the Ardgour Road intersection upgrades to CODC.¹⁰
16. These amendments directly address the Panel's concern that vesting pursued by Matakanui Gold (which it is unable to do) of the SH8 and Ardgour Road intersection upgrade in CODC will trigger potential rights of first refusal under the NTCSA.
17. While vesting understood to be the preference of the road controlling authorities, the vesting is not relied on by Matakanui Gold to mitigate effects of this proposal, and the management of effects beyond the concession term does not depend on certainty that vesting will occur. In addition, vesting is not a requirement of the approvals themselves.
18. The intention behind the proposed vesting of the land used for roading purposes was in response to feedback from CODC and NZTA that any roads they control should be vested in their ownership as road controlling authorities (noting that neither NZTA nor CODC have resolved the existing intersection situation whereby parts of SH8 and Ardgour Road are within public conservation land).

⁸ D.07A – SH8 Intersection – NZTA – Easement (2 October 2026) and D.07B – SH8 Intersection – CODC – Easement (2 October 2026).

⁹ D.07A – SH8 Intersection – NZTA – Easement (2 October 2026) at Condition 39.

¹⁰ D.07B – SH8 Intersection – CODC – Easement (2 October 2026) at Condition 39.

19. Given these safety improvement works are to address existing safety issues, it is not anticipated that NZTA or CODC would seek to remove them at the conclusion of mining operations (or the end of the 30-year concession term). However, feasibly the safety improvement works could be removed at the end mining operations (and well before the end of the concession term), and there would be no change to the existing road layout situation as it is today. In this respect, Matakanui Gold does not rely on these safety works to be retained in perpetuity – they relate to addressing effects during mining operations at the BOGP, while also providing safety improvements for the wider network.
20. While Matakanui Gold does not seek such a condition on the basis that it is considered unnecessary and overly onerous,¹¹ it remains open to the Panel to include a condition in D.01 (following Condition 62) requiring that, when the site moves into active closure as defined in D.03,¹² and at the request of the relevant road controlling authority, the safety upgrade works be removed and the road returned to its existing configuration.

Certainty

21. We submit that the amendments to the concession documents outlined above provide certainty to the Panel that a further concession will not be required for the SH8 and Ardour Road intersection upgrades as:
 - (a) The conditions require the upgrade to be completed within 12 months of consents commencing,¹³ which is well within the 30-year concession term.
 - (b) The concessions are proposed to authorise the construction and use of the upgrades on public conservation land for the period of mining operations to mitigate traffic effects associated with the project.
 - (c) There is no trigger of the NTCSA by the activities authorised by the FTA approvals as vesting is not required or necessary to manage effects in perpetuity (noting that the effects to be managed only extend for the duration of mining operations).
 - (d) Subject to acceptance of the transfer by the relevant road controlling authorities, Matakanui Gold will, following completion and certification of the upgrades, take all reasonable steps to transfer the concessions to the road controlling authorities.

¹¹ Fast-track Approvals Act 2024, Section 83.

¹² D.03 - Schedule One - Common Conditions to the CODC and ORC Consents (28 September 2026) at Condition 4.

¹³ D.01 - CODC Land Use Consent and Conditions (28 September 2026) Condition 60.

- (e) If CODC, NZTA and DOC have not resolved vesting before the expiry of the concessions, the safety upgrade works could be removed at the request of the road controlling authorities which would return the road its existing layout (although we say that is an unlikely outcome, albeit a feasible one).
22. While not a matter for determination by the Panel, it could be reasonably argued by the road controlling authorities that the existing relevant portions of road are public road already, even though not within the road reserve, due to the doctrine of implied dedication given the ongoing intention for the road to be dedicated to public use. However, that is anticipated to be a matter for future consideration by the road controlling authorities.

Come in Time Battery Track

23. In the 28 September 2026 version of the CODC Land Use Consent conditions, Matakanui Gold proposes a replacement walking access route to the CIT battery through the Bendigo Historic Reserve.¹⁴
24. The replacement route through the Bendigo Historic Reserve is required because Thomson Gorge Road, which currently provides public access to the current CIT battery track, will be stopped once the alternative public access route (Ardgour Rise) to the Dunstan Mountains is ready for use by the public.¹⁵ Stopping Thomson Gorge Road below the existing CIT battery track is necessary to maintain appropriate separate between public access and active mining operations for health and safety reasons.
25. In Minute 54 the Panel has raised concerns that:¹⁶
- (a) The replacement route shown in Attachment E to D.01 CODC Land Use Consent conditions is not agreed with DOC.
 - (b) If the replacement route to the CIT battery is ultimately different to the alignment shown in Attachment E to D.01 CODC Land Use Consent conditions, Condition 47 of D.01 enables a process to identify and approve a different route.
 - (c) It has received legal advice that it is unable to approve an access route in an undetermined location, and it cannot defer the identification of that route to a secondary approval process.

¹⁴ D.01 - CODC Land Use Consent and Conditions (28 September 2026) Condition 46 and Attachment E.

¹⁵ Legal Submissions on behalf of Matakanui Gold Limited, 17 April 2026 at [158] – [171].

¹⁶ Minute 54 of the Expert Panel, 30 September 2026 at [8] – [10].

26. The replacement route to the CIT battery sought by Matakanui Gold is the overland route shown in **Appendix 3** and included as Attachment E to D.01 CODC Land Use Consent conditions. As the Panel has rightly noted, Condition 47 of D.01 provided a process for identifying an approving a different alternative replacement route if required.
27. However, Matakanui Gold acknowledges the certainty points raised by the Panel regarding the process in Condition 47 for approving an alternative replacement route.
28. To directly address the matters raised by the Panel in Minute 54, the following amendments have been made to the concession and conditions accompanying this memorandum:
 - (a) References to subsequent assessment and approval processes for any route different to that shown in **Appendix 3** have been removed from the D.01 conditions¹⁷. The approval process has been amended in the concession document to be limited to confirming that:
 - (i) the replacement route is in general accordance with the route shown in **Appendix 3**; and
 - (ii) the replacement route meets the appropriate day visitor standards.¹⁸
 - (b) To provide certainty of the replacement route as to which the Panel's approval is sought, the replacement route shown in **Appendix 3** (and included in Attachment E to D.01 CODC Land Use Consent conditions) has been included in the concession document (as was originally proposed when the application for the concession was lodged).
29. While the concession type has been retained as a licence which remains appropriate, it could equally be an easement concession given the known and certain replacement route sought.

¹⁷ D.01 - CODC Land Use Consent and Conditions (2 October 2026) Condition 46 and Condition 47 (now removed).

¹⁸ D.08 – Come In Time – Licence (2 October 2026) at Condition 1 and Schedule 4.

30. This provides certainty to the Panel that:
- (a) The route for which concession approval is sought has not been deferred to a future assessment or approval process. The route has been identified, GPS-marked, and is shown in **Appendix 3**.
 - (b) Public access to the CIT battery will be maintained by the proposed route.
31. While it is acknowledged that experts on behalf of DOC do not prefer this route, the approval of the resource consent and concession approvals enabling the replacement route is ultimately a matter for the Panel to determine under the FTA framework.¹⁹

Ardgour Rise

32. The 28 September 2026 version of the D.01 CODC Land Use conditions require that:
- (a) existing public access to Ardgour Conservation Area is maintained;²⁰ and
 - (b) that prior to the closure of Thomson Gorge Road to the public an alternative vehicle route to Thomson Gorge Road is constructed to maintained public access to the Dunstan Mountains.²¹
33. Matakanui Gold proposes to maintain that public access through a route referred to as Ardgour Rise.
34. While the majority of Ardgour Rise traverses private land on Ardgour Station, a section traverses the Ardgour Conservation Area administered by DOC for which a concession has been sought (largely following an existing access easement).
35. In response to feedback from CODC and DOC and recognising that alternative public access is required in perpetuity to address the effects of the Project, Matakanui Gold has proposed that the entirety of Ardgour Rise, including the section traversing conservation land, be vested in CODC.²²

¹⁹ Fast-track Approvals Act 2024, Schedule 6, Clause 7(6).

²⁰ D.01 - CODC Land Use Consent and Conditions (28 September 2026) Condition 48.

²¹ D.01 - CODC Land Use Consent and Conditions (28 September 2026) Condition 69.

²² Closing Legal Submissions on behalf of Matakanui Gold, 14 September 2026 at [127] – [133].

36. In Minute 54 the Panel has emphasised that long-term certainty of vehicular access is a necessity²³ and has raised concerns that:²⁴
- (a) the vesting of the section of Ardgour Rise that traverses the Ardgour Conservation Area will trigger rights of first refusal under the NTCSA;
 - (b) there is no certainty that the vesting will occur within the 30-year concession term; and
 - (c) the Panel cannot condition an approval on the basis which may require DOC to grant a further concession beyond expiry of the 30-year concession sought through the FTA.

2 October Amendments Proposed

37. Responding to the concerns raised by the Panel in Minute 54, Matakanui Gold proposes the following amendments to provide certainty to the Panel that long-term vehicular access is secured:
- (a) The 30-year concession term is retained to allow for the option of vesting the new Ardgour Rise route in CODC. Matakanui Gold acknowledges the Panel's concern that there is no absolute guarantee that the vesting process, including right of first refusal processes, will be completed within the 30-year concession term. However, there is certainly a reasonable expectation and desire to conclude those processes within the 30-year timeframe.
 - (b) Recognising that the Panel's primary concern is ensuring long-term certainty of vehicle access, a new Condition 71A in D.01 has been made to provide an alternative access solution if the vesting process for new Ardgour Rise has not been completed by Year 25. If triggered, Matakanui Gold will:
 - (i) Provide long-term alternative public vehicle access through the road described as "*upgraded/new four-wheel drive track*" in Shepherds Valley shown on the existing Landscape Closure Plan in **Appendix 4 (New Alternative Route)**.²⁵
 - (ii) This New Alternative Route, already required to be implemented by the Landscape Closure Plan and conditions,²⁶ follows haul roads intended for retention in the Landscape Closure Plan (see legend

²³ Minute 54 of the Expert Panel, 30 September 2026 at [4].

²⁴ Minute 54 of the Expert Panel, 30 September 2026 at [4] – [5].

²⁵ D.01 - CODC Land Use Consent and Conditions (2 October 2026), Condition 71A.

²⁶ D.03 - Schedule One - Common Conditions to the CODC and ORC Consents (28 September 2026) Condition 38.

item 2 in **Appendix 4**) and reconnects with Thomson Gorge Road at the saddle.

- (iii) The covenant condition requires that the New Alternative Route is secured in perpetuity.²⁷
 - (iv) To address the Panel's concerns in Minute 54, Matakanui Gold proposes to tighten the existing access requirement by requiring the New Alternative Route to be provided to a standard that suitably provides for vehicle access as outlined below.
- (c) Proposed new Conditions 71A and 71B of D.01 adopt the same design and acceptance process that has been accepted by CODC as appropriate for Ardgour Rise and require:²⁸
- (i) That final design drawings are submitted to CODC for engineering approval that:
 - (A) the proposed design is in general accordance with the New Alternative Route shown in **Appendix 4**; and
 - (B) meets the relevant design criteria in the Australian Road Research Board Unsealed Roads Best Practice Guide standards.
 - (ii) That the design must include maximum gradients of 12.5%, cross falls and drainage in accordance with the latest CODC standards and windrows where there is a potential for drop-off of vehicles.
 - (iii) The design is subject to an independent safety audit.
 - (iv) If the requirement for the New Alternative Route is triggered within six months of the completion of construction, the Consent Holder must survey the alignment and apply for a subdivision consent. Provided that subdivision consent is granted and any other necessary approvals have been obtained (if any, noting that the entirety of the New Alternative Route is on land owned by Matakanui Gold) the New Alternative Route will be vested in CODC.

²⁷ D.03 - Schedule One - Common Conditions to the CODC and ORC Consents (28 September 2026) Condition 135(f).

²⁸ D.01 - CODC Land Use Consent and Conditions (2 October 2026), Condition 71A and 71B.

- (d) The Panel can have certainty that if the New Alternative Route is required, the effects of constructing that are known, understood and addressed through the effects management hierarchy. This is because:
 - (i) the New Alternative Route has been proposed for some time through the Landscape Closure Plan;
 - (ii) it traverses haul roads and areas already proposed to be disturbed as part of the project and the effects of these disturbances have already been assessed in the application; and
 - (iii) the New Alternative Route is located entirely on land owned by Matakanui Gold, ensuring that no third-party landowner approvals would be required.
- (e) In the event that the New Alternative Route is required, and written notice is subsequently received from DOC in accordance with the existing Ardgour Rise concession conditions,²⁹ Matakanui Gold will rehabilitate the section of Ardgour Rise that traverses conservation land prior to the expiry of the 30 year concession.

Certainty

- 38. The provision of a certain and deliverable alternative connection option avoiding the Ardgour Conservation Area entirely provides the Panel with certainty that public vehicle access will be available to the Dunstan Mountains at all times. In particular:
 - (a) If the vesting process is completed within the 30-year concession term, public vehicle access will continue to be provided through Ardgour Rise.³⁰
 - (b) If the vesting process is not completed by Year 25 of the concession, the requirement for the New Alternative Route will be triggered. The New Alternative Route is a certain future option that can be delivered without any third-party approval or process. The route is on land owned and controlled by Matakanui Gold, already assessed through effects assessments and already required to be implemented by the consent conditions before the Panel.³¹ The New Alternative Route is also already required to be secured in perpetuity through the proposed covenant.³²

²⁹ D.06A - Ardgour Rise Road - Easement (28 September 2026) at 15.03.

³⁰ D.01 - CODC Land Use Consent and Conditions (28 September 2026) at Condition 69.

³¹ D.03 - Schedule One - Common Conditions to the CODC and ORC Consents (28 September 2026) Condition 38.

³² D.03 - Schedule One - Common Conditions to the CODC and ORC Consents (28 September 2026) Condition 135(f).

- (c) Proposed new Conditions 71A and 71B of D.01 adopt the same design and acceptance process that has been accepted by CODC as appropriate for Ardgour Rise including maximum gradients of 12.5%. Because the alternative New Alternative Route is entirely on land owned by Matakanui Gold, there is the ability for it to be vested in CODC. If the New Alternative Route is not vested in CODC it will continue to be managed in perpetuity by the Consent Holder or Matakanui Trust in accordance with the consent conditions.³³

39. In our submission, this provides the Panel with certainty that public vehicle access to the Dunstan Mountains will continue, whether this is through Ardgour Rise or the alternative New Alternative Route required by the Landscape Closure Plan, ensuring ongoing public vehicle access to the Dunstan Mountains.

Summary

40. In summary, we submit that the concerns raised by the Panel in Minute 54 to ensure appropriate certainty to matters relevant to your FTA decision making have been addressed by:

- (a) In relation to concerns regarding the vesting of the SH8 and Ardgour Road Intersection Upgrades in CODC:
 - (i) The concessions are proposed to authorise the construction and legal use of the upgrades on public conservation land for the duration of the concessions and do not seek to require Matakanui Gold to be responsible for the vesting of the land. The physical upgrade works and use of the upgrades would not trigger rights of first refusal.
 - (ii) Matakanui Gold will, following completion and certification of the upgrades, take all reasonable steps to transfer the concessions to the road controlling authorities if the relevant road controlling authorities accept the transfer. The concessions have been updated to clearly reflect this.³⁴
 - (iii) The existing road misalignment is a separate, pre-existing issue for NZTA, CODC and DOC to resolve outside the FTA process. Matakanui Gold has no ability nor responsibility to resolve that

³³ D.03 - Schedule One - Common Conditions to the CODC and ORC Consents (28 September 2026) at Condition 134, Condition 152(2) and Condition 153.

³⁴ D.07A – SH8 Intersection – NZTA – Easement (2 October 2026) Condition 39 and D.07B – SH8 Intersection – CODC – Easement (2 October 2026) Condition 39.

issue. It is not caused by the proposed upgrades and is not relied upon to mitigate the project's effects.

- (iv) Matakanui Gold does not rely on the upgrades being retained in perpetuity. While it is not anticipated that NZTA or CODC would seek their removal following the cessation of mining (as the works improve the safety of the intersection), if the upgrades were removed the roading layout and design would simply revert to the existing road layout, with no change to the current roading footprint on public conservation land.
 - (v) Given that, if vesting has not occurred before the expiry of the concessions the safety upgrade works could feasibly be removed at the request of the road controlling authorities. This would return the road to its existing layout (although we consider such an outcome to be unlikely and overly onerous).
- (b) In relation to certainty of the route to access the CIT battery:
- (i) References to subsequent assessment and approval processes for any route different to that shown in **Appendix 3** have been removed from the D.01 conditions.³⁵
 - (ii) To provide certainty of the replacement route as to which the Panel's approval is sought, the route shown in **Appendix 3** (and included in Attachment E to D.01 CODC Land Use Consent conditions) has been included in the concession document sought.³⁶
 - (iii) The replacement route for which concession approval is sought has not been deferred to a future assessment or approval process. The route has been identified, GPS-marked, is already a formed part of the D.01 condition set,³⁷ and is shown in **Appendix 3**.
- (c) In relation to long term certainty of vehicular access to the Dunstan Mountains:
- (i) Matakanui Gold seeks to retain the 30-year concession term to allow for the option of the new Ardgour Rise route being vested in

³⁵ D.01 - CODC Land Use Consent and Conditions (2 October 2026) Condition 46 and Condition 47 (now removed).

³⁶ D.08 – Come In Time – Licence (2 October 2026) at Condition 1 and Schedule 4 and D.01 - CODC Land Use Consent and Conditions (2 October 2026) Condition 46 and Condition 47 (now removed).

³⁷ D.01 - CODC Land Use Consent and Conditions (28 September 2026) Attachment E.

CODC. The desired option is that those processes can be completed within the 30-year concession term.

- (ii) Amendments have been made to the conditions to ensure there is a guaranteed option to the long-term certainty of access.³⁸ If vesting does not occur by Year 25 of the concession term, the conditions (of the Landuse Consent - D.01) have been amended to require Matakanui Gold to provide vehicle access on the New Alternative Route shown in the Landscape Closure Plan in **Appendix 4** which already forms part of the D.03 conditions.³⁹
- (iii) The amended conditions propose to improve the New Alternative Route already required by the conditions⁴⁰ by requiring the upgrade of the track to a standard that provides for vehicle access.
- (iv) The New Alternative Route is on land owned and controlled by Matakanui Gold, already required to be implemented by the consent conditions before the Panel,⁴¹ will be secured in perpetuity through the proposed covenant and can also be vested in CODC (if that is an outcome CODC seeks).
- (v) If the New Alternative Route is not vested in CODC it will continue to be managed in perpetuity by the Consent Holder or Matakanui Trust in accordance with the consent conditions.⁴²

Updated Conditions and Concessions

41. The following condition and concession documents have been updated to incorporate the changes described above and are provided with this memorandum:

- (a) **D.01** – CODC Land Use Consent.
- (b) **D.03** – Schedule One Common Conditions.
- (c) **D.07A** – SH8 Intersection – NZTA Easement.
- (d) **D.07B** – SH8 Intersection – CODC Easement.

³⁸ D.01 - CODC Land Use Consent and Conditions (2 October 2026), Condition 71A and 71B.

³⁹ D.03 - Schedule One - Common Conditions to the CODC and ORC Consents (28 September 2026) at Condition 134(2)(f) and Condition 38.

⁴⁰ D.03 - Schedule One - Common Conditions to the CODC and ORC Consents (28 September 2026) at Condition 134(2)(f) and Condition 38.

⁴¹ D.03 - Schedule One - Common Conditions to the CODC and ORC Consents (28 September 2026) at Condition 134(2)(f) and Condition 38.

⁴² D.03 - Schedule One - Common Conditions to the CODC and ORC Consents (28 September 2026) at Condition 134, Condition 152(2) and Condition 153.

(e) **D.08** – CIT Track – Licence.

42. A set of existing plans referred to in this memo is **attached** as annexures for ease of reference.

Dated 2 October 2026

A handwritten signature in blue ink, appearing to read 'Joshua Leckie'.

Joshua Leckie / Mia Turner
Counsel for Matakanui Gold Limited