

IN THE MATTER of the Fast-track Approvals Act 2024 (the
Act)

AND

IN THE MATTER of an application made under the Fast-
track Approvals Act 2024 by Matakanui
Gold Limited (Santana Minerals)

CLOSING LEGAL SUBMISSIONS ON BEHALF OF KĀTI HUIRAPA
RŪNAKA KI PUKETERAKI, TE RŪNANGA O MOERAKI, TE RŪNAKA O
ŌTĀKOU, AND HOKONUI RŪNANGA (KĀ RŪNAKA)

21 SEPTEMBER 2026



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TĒNĀ, E TE ROOPU TOHUNGA

1. The Applicant has inundated the parties and the Panel with new information which seeks to “repair” serious deficiencies in the original Fast-track application. In particular, the so-called closing submission goes well beyond explicit Panel directions in Minute 48 to only deal with new legal matters which have arisen. Given the breadth of issues covered in the Applicant’s closing legal submissions, we respectfully seek the Panel’s leave to comment briefly on the following matters raised by the Applicant.

RELATIONSHIP

2. Kā Rūnaka notes the commentary of MGL in their closing legal submissions regarding the status of the relationship between MGL and Kā Rūnaka.¹
3. The Process Agreement which was entered into between MGL and Kā Rūnaka in late 2024 remains on foot. The Process Agreement provides a basis for engagement between MGL and Kā Rūnaka but is explicitly not a relationship agreement. Engagement between MGL and Kā Rūnaka is transactional in nature.
4. No discussions have taken place between Kā Rūnaka and MGL since prior to the hearing at Ōtākou Marae about the possibility of a relationship agreement which provides for mitigation of the cultural, environmental, and intergenerational effects that have been presented by Kā Rūnaka to the Expert Panel through the FTAA process.

TREATY ISSUES – SECTION 7

5. Submissions made by the Applicant in respect of environmental and cultural matters and s7 have been previously addressed in the legal submissions and evidence on behalf of Kā Rūnaka in the April hearings on Ōtākou Marae. The position of Kā Rūnaka has not changed.

¹ Closing Legal Submissions on behalf of Matakānui Gold Limited (14 September 2026) at [20]: “Matakānui Gold remains committed to maintaining an ongoing and constructive relationship with Kā Rūnaka through continued engagement and collaboration.” Comments continue on to [24].

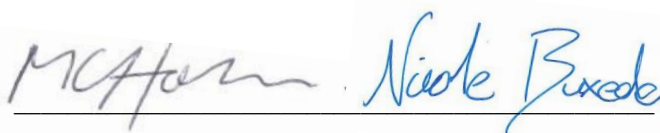
CONDITIONS

6. Evidence provided by Kā Rūnaka indicates that conditions cannot adequately mitigate or avoid adverse environmental and cultural impacts or effects, (including landscape, ecology, freshwater, long term protection of freshwater).
7. With respect to conditions, despite the participation of Kā Rūnaka in discussions, it is the clear position that the conditions proposed by the Applicant will not avoid or mitigate the adverse effects on landscape, ecology or cultural issues outlined in the evidence presented on behalf of Kā Rūnaka.
8. Accordingly, Kā Rūnaka does not agree with the statements in the Applicant's legal submissions that "the conditions package before the Panel reflects a significant degree of collaboration and agreement from both Kā Rūnaka and Matakanui Gold".²

LONG TERM MANAGEMENT OF TAILINGS

9. A key concern is the inadequate provision in conditions for long-term management of the tailings post-mining. The proposals put forward by the Applicant are deficient with respect to major uncertainties related to both governance and funding, and fail to provide an acceptable degree of assurance or accountability with respect to remediation of future potentially adverse effects on water quality and associated cultural values.

DATE: 21 September 2026



Mike Holm / Nicole Buxeda

Counsel for Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Moeraki, Te Rūnaka o Ōtākou, and Hokonui Rūnanga

² Closing Legal Submissions on behalf of Matakanui Gold Limited (14 September 2026) at [24].