

**BEFORE THE EXPERT CONSENTING PANEL APPOINTED BY
THE ENVIRONMENTAL PROTECTION AUTHORITY**

UNDER the Fast-track Approvals Act 2024 (the
FTTA)

IN THE MATTER of Matakanui Gold Limited for approvals
associated with the Bendigo-Ophir Gold
Project [**FTAA-2507-1089**]

**MEMORANDUM OF COUNSEL FOR CENTRAL OTAGO
DISTRICT COUNCIL SEEKING RECIEPT OF ABLEY
TRANSPORT MEMORANDUM UNDER SECTION 67**

Dated 24 June 2026

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Purpose of memorandum

1. This memorandum is filed on behalf of Central Otago District Council (CODC) to request that the Panel exercise its discretion under section 67 of the Fast-track Approvals Act 2024 (FTAA) to direct the EPA to request and receive the accompanying memorandum from Abley Limited dated 23 June 2026 (Abley Memorandum) as further information.
2. The request is confined. The Abley Memorandum responds to the recent further information provided by Matakanui Gold Limited (MGL) on transport matters, including the proposed Ardgour Rise replacement route and related roading issues. CODC does not seek to re-open transport issues generally.
3. At the recent planning hearing, CODC's Planner, Ms Ann Rodgers advised the Panel that roading remained a concern for CODC and that CODC had referred MGL's recent response to its transport experts. Counsel understands the Panel Chair indicated that any response from CODC would need to be addressed by memorandum and introduced by way of further information. This memorandum is filed for that purpose.

Context

4. Following the Traffic / Roads Joint Witness Statement and Recreation Joint Witness Statement, the EPA, at the Panel's direction, sought further information from MGL concerning the proposed Ardgour Rise design and alignment. MGL provided its response dated 12 June 2026. CODC then asked Abley to review that response.
5. The Abley Memorandum should be read as the substantive technical response. It identifies two principal matters which remain unresolved: the Ardgour Rise design, including gradient and engineering standard concerns, and the adequacy of the Ardgour Road carriageway width. It also identifies related timing and condition matters for completeness.
6. In short, Abley is not satisfied that MGL's RFI response demonstrates that the previously identified transport concerns have been addressed, or that the proposed replacement route and associated roading arrangements can be appropriately secured through the conditions presently available to CODC.

Why the Abley Memorandum should be received

7. The issues addressed in the Abley Memorandum are material to the Panel's assessment. They concern the feasibility and safety of the proposed replacement route, the ability of Ardgour Road to accommodate mine-related traffic, and the adequacy and timing of roading conditions.
8. The Abley Memorandum is a focused response to recent information provided through the Panel's RFI process. CODC submits section 67 provides the appropriate mechanism for the Panel to receive that response in an orderly way.

Fairness and process

10. CODC recognises that MGL should have a fair opportunity to comment on the Abley Memorandum if it wishes to do so. CODC has no objection to the Panel providing MGL with a short, focused opportunity to respond in writing.
11. Alternatively, if the Panel proposes to convene any final procedural conference or focused residual matters hearing to address remaining technical or condition issues before the close of the process, CODC considers that the matters identified in the Abley Memorandum could appropriately be addressed through that process.
12. Either course would allow the Panel to have the benefit of CODC's technical advice, while preserving fairness to MGL and avoiding any wider re-opening of the evidence.

Proposed directions

13. CODC respectfully suggests that the Panel issue directions along the following lines:
 - a. Pursuant to section 67(1)(a)(iv) FTAA, the Panel directs the EPA to request and receive from CODC the Abley Memorandum dated 23 June 2026 as further information.
 - b. The Abley Memorandum is received for the confined purpose of addressing the transport matters arising from MGL's RFI response dated 12 June 2026, including Ardour Rise, Ardour Road, and related roading conditions.
 - c. The EPA is to circulate the Abley Memorandum promptly to MGL.
 - d. MGL may file a focused written response, confined to the matters addressed in the Abley Memorandum, within an appropriate timeframe set by the Panel.
 - e. Alternatively, or in addition, the matters addressed in the Abley Memorandum may be addressed at any final procedural conference or focused residual matters hearing convened by the Panel.
 - f. No further written evidence or replies are to be filed unless requested by the Panel.

Conclusion

14. For those reasons, CODC respectfully requests that the Panel direct the EPA to request and receive the Abley Memorandum as further information under section 67 of the FTAA, and make any associated procedural directions necessary to allow MGL a focused opportunity to respond if it wishes to do so.



Jayne Macdonald
Counsel for Central Otago District Council
24 June 2026