

Takitimu North Link Stage 2 – Proposed Resource Consent Conditions (~~December~~ January ~~February~~ 20265)

Resource Consent RM24-0466- LC.02

The following resource consents authorise the Consent Holder to undertake activities associated with the construction, operation and maintenance of the Project ~~and associated activities~~:

- (a) Resource consent for the use of beds of rivers under the RNRP (s13 RMA):
 - 1. Land Use: ~~(BW-R36—Rule 71)~~ Drilling within the bed of a Watercourse (piling), ~~with an expiry date in 20 years, and a lapse date in 20 years (after the date of commencement of the Consent).~~
- (b) Water permit under the RNRP (s14 RMA):
 - 1. Land use: ~~(WQ—Rule 40A)~~ Drilling on land that may intercept water (piling), ~~with an expiry date in 20 years, and a lapse date in 20 years (after the date of commencement of the Consent).~~

The resource consents are subject to the following conditions:

1 Definitions

- 1.1 The definitions that apply to this Consent, where relevant, are provided in Appendix 1.

2 Purpose

- 2.1 The purpose of this Consent is to authorise and set conditions for drilling of land for bridge piles that intercept groundwater, drilling within the bed of watercourses for bridge piles, and the associated discharge of drilling fluid associated with the construction of the Project.

3 Consent lapse and expiry

- 3.1 Pursuant to section 123 of the RMA and Schedule 5, cl 26 of the FTAA, this Consent shall expire 20 years after the commencement of this Consent.
- 3.2 This Consent shall lapse 20 years after the commencement of this Consent.
- 3.3 All conditions relate to construction of the Project and only apply to construction activities. Upon Completion of Construction these conditions will no longer apply.

24 Location

- 2-14.1 The activities authorised by the Consents shall occur from near Loop Road (map reference: 1870005mN, 5823384mE NZTM2000) to the east of the Waipapa Stream (map reference: 1864989mN, 5827810mE NZTM2000), on land designated by the New Zealand Transport Agency under section 171 of the RMA for the construction, operation and maintenance of a State highway.

35 Review of consent conditions

- 3-15.1 BOPRC may serve notice on the Consent Holder under section 128(1) of the RMA of its intention to review the conditions of these Consents at any time within six months of the first, second, third and fourth anniversaries of the date of commencement of Construction Works, and thereafter five yearly.

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The purpose of such a review is to deal with any adverse effect on the environment which may result from the consented activity and which it is appropriate to deal with at a later stage.

46 Drilling Works

4.46.1 The Consent Holder shall:

- (a) Ensure that all drilling fluids are discharged to land in a manner where they ~~will~~ **shall** not enter water; and
- (b) Monitor the drilling fluid discharge to ensure that it does not cause erosion, sedimentation or flooding of land not owned by the Consent Holder that is adjacent to the Designation Boundary.

4.26.2 The Consent Holder shall ensure that stream banks are not damaged, and their erosion resistance is not compromised by any drilling activities. Should any damage occur from drilling activities, the stream banks shall be remediated as soon as practicable.

57 Construction Requirements

5.47.1 All equipment used for drilling, and their maintenance, shall be kept clean to prevent the entry of contaminants to groundwater.

5.27.2 All chemicals, drill fluid additives, grout materials used in the construction and operation of the drill hole shall be prepared and used in accordance with the manufacturers' instructions.

5.37.3 The driller shall have available the manufacturers' guidelines and material safety data sheets for chemicals, drilling fluid additives and grout materials. This shall include instructions for handling, preparation, use, potential hazards, and disposal requirements for materials and their containers.

5.47.4 All grout materials shall be suitable in terms of their composition, density, strength, and corrosion resistance for the site and installation conditions.

5.57.5 Grout additives that could leave a residual toxicity in groundwater shall not be used.

5.67.6 Water used for drilling fluid or grouting shall be free of substances or contaminants that may adversely affect the strength of the grout or grout setting time.

5.77.7 Any Bentonite used must not contain any added substances that may adversely affect the strength of the grout or grout setting time or result in a discharge that affects groundwater quality.

5.87.8 The Consent Holder shall ensure that upon completion of the drilling works, wastes introduced during drilling and Construction Works are removed.

5.97.9 If artesian conditions are encountered, the Consent Holder shall ensure control of potential flowing artesian groundwater and prevent instability of the ground at the drill site. Groundwater leakage under flowing artesian pressures shall be prevented, where practicable.

ADVICE NOTES

- 1 The Consent Holder shall pay the BOPRC such administrative charges as are fixed from time to time by BOPRC in accordance with section 36 of the RMA.
- 2 The Consent Holder shall send all monitoring reports and notification required by these conditions to the Regulatory Compliance Manager, PO Box 364, Whakatāne 3158, or email compliance_data@boprc.govt.nz (compliance reporting) or notify@boprc.govt.nz (compliance notifications).
- 3 Consents RM25-0466-LC.01 and RM25-0466-DC.01 also contain conditions that may be relevant to this Consent.

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APPENDIX 1 - DEFINITIONS

The table below defines the acronyms and terms used in these conditions. Defined terms are capitalised.

Abbreviation/term	Meaning/definition
ARI	Average recurrence interval (the average time period between rainfall or flow events that equal or exceed a given magnitude).
<u>At Risk and / or Threatened Species</u>	<u>Species identified as 'at risk' and / or 'threatened' under the relevant New Zealand Threat Classification series.</u>
BOPRC	Bay of Plenty Regional Council, being the Chief Executive, or authorised delegate.
Clean fill	Has the same meaning as in the ' <i>The WasteMINZ Technical Guidelines for Disposal to Land Version 3.1 (2023)</i> '.
CLMG1	Ministry for the Environment <i>Contaminated land management guidelines No 1: Reporting on contaminated sites in New Zealand</i> (Revised 2021).
CLMG5	Ministry for the Environment <i>Contaminated land management guidelines No 5: Site investigation and analysis of soils</i> (Revised 2021).
Completion of Construction	When construction of the Project (or the relevant part of the Project) is complete, and the Project (or the relevant part of the Project) is operational.
Consent	The relevant consent or consents that the conditions apply to, being: • RM25-0466-LC.01; and / or • RM25-0466-LC.02; and / or • RM25-0466-BC.01; and / or • RM25-0466-WT.01; and / or • RM25-0466-DC.02; and / or • RM25-0466-DC.01; and / or • RM25-0466-DC.03; and / or • RM25-0466-WT.02.
Consents	Consents RM25-0466-LC.01, RM25-0466-LC.02, RM25-0466-BC.01, RM25-0466-WT.01, RM25-0466-DC.02, RM25-0466-DC.01, RM25-0466-DC.03, RM25-0466-WT.02 (unless otherwise specified).
Consent Holder	New Zealand Transport Agency Waka Kotahi
Construction Works	Activities undertaken to construct the Project, excluding Enabling Works.

Abbreviation/term	Meaning/definition
Designation	Designation D203 (Road purposes – State Highway 2) and Designation D181 (Road for access to State Highway 2) in the Western Bay of Plenty District Plan.
Designation Boundary	The boundary of the area of land subject to the Proposed Designation.
DOC	The Department of Conservation
Enabling Works	Preparatory works and investigations to enable Construction Works, including the following activities: • Archaeological investigations • Geotechnical investigations • Formation of access for site investigations • Establishing construction yards and offices • Constructing and sealing (if necessary) access roads and accesses to private properties and the Project • Contaminated land investigations • Demolition or removal works, including contaminated land clearance • Fencing • Vegetation protection or removal works • Protection and relocation of utilities • Establishment of mitigation measures (such as screen planting) for Enabling Works
ESC	Erosion and Sediment Control
FTAA	Fast Track Approvals Act 2024
Large Storm Event	A 10 year average recurrence interval storm or larger storm event

Abbreviation/term	Meaning/definition
Management Plan(s)	The following plans and reports (which are collectively referred to as Management Plans): • Erosion and Sediment Control Plan • Site Specific Erosion and Sediment Control Plan • Construction Management Plan • Biosecurity Management Plan • Construction Air Quality Management Plan • Chemical Treatment Management Plan • Ecological Management Plan including subplans as follows: ○ Marine Monitoring Plan ○ Wetland Management Plan ○ Aquatic Fauna Management and Monitoring Plan ○ Avifauna Management Plan ○ Bat Management Plan if required under LC.01 Condition 27.2 ○ Stream Management and Monitoring Plan • Culverts and Stream Hydraulic Design Report • Groundwater Drawdown Monitoring Plan • Detailed Site Investigation • Contaminated Site Management Plan • Remedial Action Plan if required under DC.02 Condition 11.145.4 • Site Validation Report if required under DC.02 Condition 12.146.4 • Works Completion Report if required under DC.02 Condition 14.1 • Tangata Whenua Values Monitoring and Management Plan • Stormwater Operation and Maintenance Plan • Final Stormwater Design
Merrin Wetland	The Wetland complex identified in Schedule 1 to Appendix 12 .

Abbreviation/term	Meaning/definition
Natural Wetland(s)	A Wetland that is not: (a) in the coastal marine area; (b) a deliberately constructed wetland, other than a wetland constructed to offset impacts on, or to restore, an existing or former natural inland wetland; or (c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or (d) a wetland that: (i) is within an area of pasture used for grazing; and (ii) has vegetation cover comprising more than 50% exotic pasture species; unless (iii) the wetland is a location of a habitat of a threatened species identified under clause 3.8 of the National Policy Statement for Freshwater Management 2020.
Ōmokoroa Wetland	The Wetland complex identified in Schedule 2 to Appendix 31 .
PSI	Preliminary Site Investigation
Project	The construction, operation and maintenance of Takitimu North Link Stage 2.
Project Representative	The person or persons appointed by the Consent Holder (or their nominated contractor) to be the main and readily accessible point of contact for anyone wanting information about the Project.
Project Works	All Enabling Works and Construction Works.
Trigger Event	An event in which there is greater than 100mm of rainfall over any 24 hours, 50mm rainfall within 6 hours, or rainfall intensity of 25mm/hr.
RMA	Resource Management Act 1991
RNRP	Bay of Plenty Regional Natural Resources Plan
SSESCP	Site Specific Erosion and Sediment Control Plan
Stabilisation, Stabilised, Stabilised area	Refers to an area inherently resistant to erosion, such as rock, or an area rendered resistant to erosion by the application of stabilisation methods, such as the use of mulch, aggregate, geotextile, or other method approved through the certified SSESCP. Where vegetation is to be used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once an 80% vegetation cover has been established.
Stage of Work	A specific works area or new land disturbing activity associated with construction of the Project as nominated by the Consent Holder.

Abbreviation/term	Meaning/definition
SQEP	Suitably Qualified Experienced Person - a person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence in the relevant field of expertise.
Unwanted organisms (and/or pests)	As defined in s2 of the Biosecurity Act 1993.
Watercourse(s)	Perennial <u>or</u> , intermittent and ephemeral rivers and streams, <u>including modified rivers and streams</u> , but not overland flow paths, <u>artificial watercourses</u> , conveyance channels, Natural Wetlands or Wetlands.
Waterbody	A Watercourse, lake, Wetland, Natural Wetland or aquifer
Wetland(s)	Includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.
Working Day	A day of the week other than— (a) Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aroki a Matariki/Matariki Observance Day, and Labour Day; and (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and (c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.

SCHEDULE 1 TO APPENDIX 21 – MERRIN WETLAND COMPLEX



Indicative extent of Merrin Wetland restoration (white outline), freshwater wetland (blue outline/fill), saltmarsh wetland (green outline/fill).

SCHEDULE 2 TO APPENDIX 13 - ŌMOKOROA WETLAND COMPLEX



Indicative extent of Ōmokoroa Wetland restoration (white outline), freshwater wetland (blue outline/fill), saltmarsh wetland (green outline/fill).