Takitimu North Link Stage 2 – Draft Resource Consent Conditions (version for lodgement July 2025)

Bay of Plenty Regional Council

Table 1: Index of resource consents required under the Regional Natural Resources Plan

Ref	Resource Consents	Purpose	Expiry Date	Lapse
Land use consents required under the Bay of Plenty Natural Resources Plan (RNRP) (s9 RMA)				
RC.1	Land use (LM R4 – Rule 1C)	Earthworks, Overburden Disposal	20 years	20 years (after the date of commencement of the consent)
RC.2	Land use (LM R10 – Rule 2C)	Vegetation Clearance		
Resource consents for the use of beds of rivers and land use consents required under the RNRP (s13 and s9 RMA)				
RC.3	Land use (WL R9 – Rule 85)	Wetland Modification and/or Destruction	35 years	20 years (after the date of commencement of the consent)
Discharge permits required under the RNRP (s15 RMA)				
RC.4	Discharge (AIR – Rule R16)	Discharging Contaminants to Air	20 Years	20 years (after the date of commencement of the consent)
RC.5	Discharge (DW R8 – Rule 37)	Discharge of Temporary Dust Suppressant Chemicals		

Table 2: Index of resource consents required under the National Environmental Standards for Freshwater

Pertains to	Resource Consents	Purpose	Expiry Date	Lapse
Resource consents required under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (Clause 45)				
RC.3	Construction of specified infrastructure (Clause 45(1))	Vegetation clearance within, or within a 10m setback from, a natural wetland for the purpose of constructing specified infrastructure	20 Years	20 years
RC.3	Construction of specified infrastructure (Clause 45(2))	Earthworks or land disturbance within, or within a 10m setback from, a natural wetland for the purpose of constructing specified infrastructure		

CONTENTS

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).
BOPRC	Bay of Plenty Regional Council
Chief Executive	Chief Executive of the BOPRC, or authorised delegate.
Cleanfill	Has the same meaning as in the '*The WasteMINZ Technical Guidelines for Disposal to Land Version 3.1 (2023)*'.
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.
Consents	The resource consents granted to authorise the activities set out in Table 1 and 2.
Consent Holder	New Zealand Transport Agency Waka Kotahi
Construction Works	Activities undertaken to construct the Project, excluding Enabling Works.
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

Abbreviation/term	Meaning/definition
	• Establishment of mitigation measures (such as screen planting) for Enabling Works
ESC	Erosion and Sediment Control
FTA	Fast Track Approvals Act 2024
Large Storm Event	A 10 year average recurrence interval storm or larger storm event
Management Plan(s)	The management plans identified in Table 3.
Merrin Wetland	The Wetland complex identified in Appendix 1.
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 Appendix 2.
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

Abbreviation/term	Meaning/definition
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.
SQP	Suitably Qualified 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, intermittent and ephemeral rivers and streams but not overland flow paths, 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 Aro ki 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.

CONDITIONS

Purpose

1 These resource consents authorise the Consent Holder to undertake the activities listed in Tables 1 and 2 above for the construction, operation and maintenance of the Project.

Location

2 The activities authorised by this Consent 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.

Consent lapse and expiry

3 Pursuant to section 123 of the RMA and Schedule 5, cl 26 of the FTA the lapse and expiry dates for the various Consents are as set out in Table 1 and Table 2 unless they have been given effect to, surrendered or been cancelled at an earlier date.

4 All Conditions relate to construction of the Project and only apply to Construction Works. Upon Completion of Construction, these conditions will no longer apply.

Pre-construction conditions

Notification of Works

5 At least five (5) Working Days prior to the start of Construction Works, an on-site preconstruction meeting shall be held. The Project Representative(s) shall invite appropriate representative(s) from the contractor, BOPRC, Pirirākau and Ngāti Taka to attend the meeting.

(a) The meeting shall be located on the Project site unless otherwise agreed;

(b) The following information shall be made available at the pre-construction meeting:

(i) Conditions of the Consents;

(ii) Details for the Project Representative(s), including their contact details (phone and email address);

(iii) Timeframes for planned key stages of Construction Works; and

(iv) Contact details of the site contractor and other key contractors.

Review of consent conditions

6 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. 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.

Pre- and Post-Excavation Building Surveys

7 At least 40 Working Days prior to starting excavation activities authorised by the Consents, the Consent Holder shall:

(a) Engage with the owner(s) of each property adjacent to the Designation Boundary that has a dwelling:

(i) Within 50 metres of the Designation Boundary where only cut and fill earthworks are proposed; and

(ii) Within 100 metres of the Designation Boundary where piling activities are proposed.

(b) Offer to undertake a pre-excavation building survey, and:

(i) If the offer in (b) is accepted, conduct a pre-excavation building survey. The survey shall be undertaken by a SQP and shall document the condition of the building and structures following best practice, using written descriptions, photographs and measurements as required;

(ii) Where a pre-excavation building survey has been undertaken in accordance with (i) above, offer to undertake post-excavation building survey/s following completion of the excavation;

(iii) If the offer in (ii) is accepted, conduct a post-excavation building survey. The survey shall be undertaken by a SQP as soon as practicable and shall identify any damage (being detrimental cosmetic or structural damage to the building) that has occurred as a result of the excavation (as evidenced by a comparison between the pre and post-construction surveys);

(iv) Where damage to a building is identified as a result of excavation in accordance with (iii), within 10 Working Days of completion of the excavation, offer to the owners of the building to fix that damage; and

(v) If the offer is accepted, fix the damage. The Consent Holder shall fix the damage without undue delay following acceptance of the offer.

8 Copies of the relevant pre-excavation building survey reports shall be provided to the property owner(s) within 10 working days of each inspection being undertaken. A copy of the post-excavation building survey report shall be provided to the property owner(s) within 30 working days of the date of the post-excavation building survey.

9 If an offer made under Condition 7 is not responded to within four weeks of the offer being made, the offer will be deemed to have not been accepted (unless the Consent Holder agrees to a longer time period in the particular circumstance). Any offer must be accepted within 12 weeks of the offer being made, otherwise the offer will be deemed to have not been accepted.

Earthworks - General

10 The Consent Holder shall, as far as practicable, ensure that earthworks are undertaken in a manner which ensures that the stability of the land within the Designation Boundary and on properties adjoining the Designation Boundary is not adversely affected.

11 To achieve Condition 10, the Consent Holder shall prepare designs and construction methodologies for earthworks that are to be carried out within 50m of a property adjoining the Designation, which shall be reviewed and approved by a Chartered Professional Geotechnical Engineer.

12 Construction observations by a SQP (Chartered Professional Geotechnical Engineer or nominee) shall be completed at appropriate intervals throughout Construction Works, as identified by a SPQ (Chartered Professional Geotechnical Engineer or nominee), to verify that the design and construction methodologies pursuant to Condition 11 are being implemented.

13 All exposed areas of the site shall be fully Stabilised prior to 31 May of any year during the exercise of this Consent, and no earthworks shall be undertaken during the winter earthworks period, being between 1 May and 15 September (inclusive), unless a works plan is certified in accordance with Condition 14.

14 20 Working Days prior to undertaking any earthworks within the winter earthworks period (1 May to 15 September), the Consent Holder shall submit to the Chief Executive for written certification a detailed works plan for the winter earthworks. The works plan shall indicate the works to be undertaken and include a SSESCP (as prepared under Condition 32) in accordance with the design standards as set out for winter earthworks in BOPRC '*Erosion and Sediment Control Guidelines for Land Disturbing Activities – Guideline 2010/1'*.

Use of construction equipment, machinery and other plant

15 No fuel storage or machinery refuelling shall occur where fuel could enter a Waterbody in the event of a spillage.

16 The Consent Holder shall take all practicable measures to prevent concrete or cement based substances from entering any Waterbody or surface water.

17 The Consent Holder shall ensure that no water associated with the mixing, pouring, placing and cleaning of concrete structures and/or equipment is released into a Waterbody, unless that water has been treated and the pH of the stormwater discharged is between 5.5 and 8.

18 The Consent Holder shall ensure, as far as practicable, that any necessary maintenance identified by inspection under Conditions 20 and 29-31 or by the Chief Executive is completed within 24 hours of identification.

Erosion and Sediment Control Plan

19 The Consent Holder shall prepare an **Erosion and Sediment Control Plan (ESCP)**. The purpose of the ESCP is to:

(a) Identify the ESC measures that will be implemented to minimise sediment discharge from the Project Works; and

(b) Minimise the impact of sediment discharge on Watercourses and Natural Wetlands.

20 The ESCP shall include:

(a) Details of all principles, procedures and practices that will be implemented to minimise the potential for sediment discharge;

(b) Maintenance, monitoring and reporting requirements for ESC measures;

(c) Methodologies to monitor and quantify water quality subsequent to discharges of contaminants to water and stormwater to surface water;

(d) Management responses that will be undertaken in response to discharges of contaminants to water and stormwater to surface water that result in adverse sediment effects on water quality;

(e) Protocols for construction vehicles, entering and exiting the site including as far as practicable, that there is no tracking of soil or sediments off-site.

(f) Identification and contact details of the personnel responsible for the operation and maintenance of all key ESC devices. These personnel shall be managed by a SQP, and each shall have clearly defined roles and responsibilities to monitor compliance with ESC consent conditions. These personnel shall be available to meet with BOPRC monitoring personnel on a weekly basis, or as otherwise agreed in writing with the Chief Executive, to review any ESC issues.

(g) Procedures to manage stockpiled material so that stockpiles do not result in surface erosion or sedimentation damage to the stockpile site. The procedures shall include a requirement for stockpiled material that is to be stored for longer than 90 days to be located on a suitable site where it cannot be moved by stormwater and is Stabilised.

(h) Procedures to ensure that vegetation, slash and other debris are not stockpiled in a floodplain (within 3 vertical metres of the top of streambank or within 30 horizontal metres of the top of streambanks) or within 30m of streams where no floodplain exists.

21 The ESCP shall be implemented in accordance with the BOPRC Guideline No. 2010/01 - "Erosion and Sediment Control Guidelines for Land Disturbing Activities".

22 All ESC devices shall be installed prior to the commencement of each Stage of Work (including Enabling Works, where a SSESCP has been prepared under Condition 32).

23 The Consent Holder shall ensure that all clean water run-off from Stabilised surfaces including catchment areas above and around the Site are diverted away from earthworks areas via a Stabilised diversion system where practicable.

24 The Consent Holder shall ensure that all ESC measures and devices remain in place until such time as the area managed by the respective ESC measure is fully Stabilised.

25 The Consent Holder shall ensure that all exposed areas of earth resulting from Project Works authorised by these Consents are Stabilised against erosion as soon as practicable following the completion of each Stage of Work.

26 The Consent Holder shall ensure, as far as practicable, that all weather machinery access is maintained to ESC devices.

27 Within 30 Working Days of the installation of any sediment retention pond(s) and/or decanting earth bund(s) the Consent Holder shall submit to the Chief Executive the following:

(a) Written certification from a SQP that the sediment retention device(s) have been installed as per the BOPRC '*Erosion and Sediment Control Guidelines for Land Disturbing Activities Guideline 2010/01*'; and

(b) Detailed as-built plans of the sediment retention device(s) and outlet(s).

28 The Consent Holder shall ensure that any imported fill is classified as 'Cleanfill'.

Monitoring and Reporting for Erosion and Sediment Control Devices

29 The Consent Holder shall maintain a record of the date, time and details of any inspections and maintenance events, and remedial action taken on the ESC structures authorised by these Consents.

30 The Consent Holder shall ensure that ESC devices are inspected:

(a) At least weekly for the duration of the Consent; and

(b) If practicable and safe to do so, within 12 hours of each Trigger Event which is likely to impair the function or performance of the ESC devices.

31 The Consent Holder shall forward a copy of records required by Conditions 29 and 30 to the Chief Executive upon request.

Site Specific Erosion and Sediment Control Plan

32 Before starting any soil disturbing activities or works in a Watercourse, in any given area of the Designation Boundary (which could be the whole Designation), the Consent Holder shall prepare a Site Specific Erosion and Sediment Control Plan (**SSESCP**) for the works in that area. The purpose of the SSESCP is to set out measures to be implemented to manage and reduce, as far as practicable:

(a) Erosion and the discharge of sediment beyond the Designation Boundary; and

(b) Adverse effects on streams, including minimising the potential for sediment runoff and discharges to water from Construction Works.

33 SSESCPs shall include:

(a) Specific ESC measures (including location, dimensions, capacity);

(b) Supporting calculations and design drawings;

(c) Where relevant, locations where in-stream Construction Works are to be undertaken;

(d) Drawings indicating catchment boundaries and contour information;

(e) Drawings indicating the location(s) of Stabilised entranceway(s);

(f) Locations for stockpiled material;

(g) Descriptions and drawings confirming the location, staging and sequencing of works for that specific SSESCP, including installation of ESC measures and Stabilisation of disturbed areas; and

(h) Construction methodologies (including timing and duration) for vegetation removal, bridges, culverts, stream works within the area to which the SSESCP applies.

Construction Management Plan

34 The Consent Holder shall prepare a **Construction Management Plan (CMP)**. The purpose of the CMP is to provide information relating to construction management, and to manage certain construction activities and their effects.

35 The CMP shall include:

(a) The roles, responsibilities and contact details of of key staff and contractors, including the Project Manager and the Project Representative(s).

(b) A description of the training and education programme that will be implemented to ensure compliance with conditions;

(c) Location and details of construction site infrastructure including site offices, site amenities, contractors' yard access, equipment unloading and storage areas, contractor car parking, security and construction lighting;

(d) Measures to delineate site boundaries, maintain site security, prevent unauthorised access, ensure the safe and practical operation of adjacent sites;

(e) Proposed methods and measures to avoid, where practicable, and otherwise manage adverse effects on public utility infrastructure;

(f) How provision is to be made for a cultural induction programme of contractor's staff and subcontractors by Pirirākau and Ngāti Taka. The frequency and content of these inductions are to be agreed between the Requiring Authority and Pirirākau and Ngāti Taka;

(g) Methods for providing for the health and safety of the general public;

(h) Details of emergency contacts who have authority to authorise immediate response actions;

(i) Methods for recording and responding to queries and complaints;

(j) The anticipated construction timeframes, including information on the likely date for start of Construction Works;

(k) The proposed hours of Construction Works;

(l) Methods to communicate key Construction Works milestones and proposed hours of construction with owners and occupiers of properties and stakeholders who will potentially be affected by the Project (including organisations, community facilities, businesses and directly affected landowners and occupiers);

(m) The proposed staging and sequence of the Construction Works and how the CMP will be updated if the staging and sequencing changes; and

(n) Maintenance, monitoring and reporting procedures.

Biosecurity Management Plan

36 The Consent Holder shall prepare a **Biosecurity Management Plan (BMP)**. The purpose of the BMP is to manage the risk of spread or introduction of weeds, diseases, pest plants and invasive species within the Designation Boundary.

(a) The BMP shall include:

(i) Disease management protocols including to manage the risk of spreading kauri die-back disease and myrtle rust;

(ii) Pest plant management protocols to prevent the introduction or spread of pest plants; and

(iii) Management protocols to prevent the spread of invasive freshwater and marine species.

(b) The BMP shall require:

(i) Machinery to be kept out of all Waterbodies (including Wetlands), where practicable;

(ii) A machinery stand down period of at least 48 hours since being in contact with another Waterbody, for all machinery or vehicles entering a Waterbody;

(iii) Machinery or vehicles used at the proposed site(s) have a stand down of at least 48 hours prior to use in any other catchment; and

(iv) The Bionet A16 (revised 2020) "Keep it clean" guidelines to be complied with, as far as practicable.

Baseline Marine monitoring

37 To establish baseline marine environment at Te Puna Estuary and Mangawhai Bay Estuary prior to Project Works, the Consent Holder shall undertake annual marine benthic habitat monitoring within the two years prior to, during and two years after completion of Construction Works at Te Puna Estuary and Mangawhai Bay Estuary.

Ecological Management Plan

38 The Consent Holder shall prepare an **Ecological Management Plan (EMP)**. The purpose of the EMP is to set out the specific management procedures, monitoring, and measures to avoid, minimise, remedy, offset and compensate for impacts from Project Works on ecological values, including by achieving the standards in Conditions 37, 55-59 and 63-69.

(a) The EMP shall:

(i) Detail proposed timeframes for riparian planting and restoration works.

(ii) Detail the indigenous species to be planted in each locality in order to comply with Conditions 55 and 58.

(iii) Provide opportunities for lizard habitat creation.

(iv) Specify the level of detail to be contained in the monitoring and maintenance reports prepared under Condition 59.

(v) For planting required as a result of permanent stream diversion, be completed within 12 months of the diversion.

(vi) Include a vegetation delineation and clearance protocol to be implemented during Construction Works.

(vii) Require, on completion of all planting required under the EMP, the Consent Holder to provide the Chief Executive with a statement, signed by a SQP, that the planting and restoration works have been undertaken in accordance with the certified EMP.

(viii) Include an annual planting monitoring protocol required to comply with Condition 58.

(ix) Include an accidental discovery and management protocol for threatened or at-risk species not otherwise identified and managed within subplans to the EMP in the event they are discovered during Project Works.

(b) Include the following subplans:

(i) Marine Monitoring Plan

(ii) Wetland Management Plan

(iii) Aquatic Fauna Management and Monitoring Plan

(iv) Avifauna Management Plan

(v) Stream Management and Monitoring Plan

(vi) Bat Management Plan if required under Condition 37

(c) The EMP subplans may be prepared at different times.

(d) The certified EMP shall be implemented for the duration of Project Works.

39 The EMP shall include a **Marine Monitoring Plan (MMP)**. The purpose of the MMP is to manage impacts of an accidental sediment discharge event from the Project Works on the receiving marine environment.

(a) The MMP shall include the following at Te Puna Estuary and Mangawhai Bay Estuary:

(i) Details of the baseline annual marine benthic habitat monitoring to be carried out under Condition 37, including:

(1) Sampling procedures for replicate benthic infaunal and epifaunal invertebrates;

(2) Sediment grain size;

(3) Depth of oxygenated sediment;

(4) Marine flora condition assessment;

(5) Marine monitoring locations including control sites;

(ii) Results of the baseline annual marine benthic habitat monitoring required under Condition 37 (after collection);

(iii) Measures and monitoring that shall be required in the event of an accidental sediment discharge event, including:

(1) Measures for assessing marine ecology habitats;

(2) Sampling procedures for replicate benthic infaunal and epifaunal invertebrates;

(3) Sediment grain size;

(4) depth of oxygenated sediment;

(5) marine flora condition assessment;

(6) Marine monitoring locations including control sites;

(7) Reporting requirements to the Chief Executive; and

(8) Mitigation measures for adverse effects on Te Puna Estuary and Mangawhai Bay Estuary.

(c) At least 20 Working Days before starting Project Works that could result in an accidental sediment discharge event on the receiving marine environment, the MMP shall be submitted to the Chief Executive for certification that the MMP satisfies the requirements of Condition 39(a).

(d) The certified MMP shall be implemented for the duration of Project Works.

40 The EMP shall include a **Wetland Management Plan (WMP)**. The purpose of the WMP is to manage any effects of the Project on Natural Wetlands (including through offset and compensation for Wetlands), and on habitat values for avifauna associated with Natural Wetlands.

(a) The WMP shall include:

(i) Identification of the Natural Wetland(s) that will be fragmented, partially lost, or wholly lost as a result of Project Works, and the timing and extent of that loss including with respect to area and values;

(ii) Details of the restoration planting, wetland creation and habitat rehabilitation to be undertaken to protect and restore the indigenous biodiversity values of the remaining areas of Natural Wetland(s) identified in (i) where they have been fragmented and/or partially lost.

(iii) Details of the creation, restoration, and protection of Natural Wetland / Wetland avifauna habitats to be undertaken to restore the Natural Wetland avifauna habitat values lost as a result of impacts on Natural Wetlands within the Ōmokoroa and / or Merrin Wetlands.

(iv) Details of the restoration planting, wetland creation and habitat rehabilitation to be undertaken to restore the indigenous biodiversity values of lost extents of the Natural Wetland(s) identified in (i).

(v) Methods for wetland creation and restoration required in accordance with Conditions 63 and 65, including the management requirements in regard to:

(1) Wetland hydrology (including maintenance of hydrological structures, if needed for Wetland creation);

(2) Earthworks, including ESCPs;

(3) Sediment characteristics;

(4) Management of road-edge effects to prevent disturbance;

(5) Timing of works (schedule of work);

(6) Fencing and long-term protection requirements;

(7) Riparian buffer requirements (including a minimum requirement of 5 metres of non-wetland riparian buffer planting surrounding constructed Wetlands);

(8) Species to be planted in Natural Wetland / Wetland and riparian zone (planting plan);

(9) Maintenance of planting;

(10) Maintenance of stock exclusion;

(11) Pest animal control; and

(12) Pest plant control.

(vi) Details of native wetland plant species in different planting zones within all vegetation tiers in each zone (in compliance with Condition 51) that shall be achieved before the expiry of the maintenance period and performance standards linked to specific timeframes. Performance standards shall include a:

(1) Full array of indigenous plant species appropriate for the locality, and comprising species represented in proportions and cover expected for Wetland types found within the Tauranga Ecological District;

(2) Monitoring programme to demonstrate the outcome of Wetland creation and compliance with Conditions 58, 64 and 66. The Wetland creation and maintenance work undertaken as described in the WMP shall be overseen by a SQP; and

(3) On completion of the creation and restoration work described in the WMP and Conditions 55-58, 64, 66, 67 and 69, the Consent Holder shall provide the Chief Executive with a statement, signed by a SQP, that the creation and restoration works have been undertaken in accordance with the certified WMP.

(b) Details of the monitoring programme to attain the ecological outcomes in Conditions 64 and 66, including management requirements if monitoring demonstrates the requirements have not been met. At least 20 Working Days before starting Project Works, the WMP shall be submitted to the Chief Executive for certification that the WMP satisfies the requirements of Condition 40(a).

(c) The certified WMP shall be implemented for the duration of the works described in the WMP.

41 The EMP shall include an **Aquatic Fauna Management and Monitoring Plan (AFMMP)**. The purpose of the AFMMP is to manage and minimise effects on native freshwater fish and kākahi (freshwater mussels) prior to and during any required streamworks or works in a Natural Wetland which provides habitat for freshwater fish and / or kākahi.

(a) The AFMMP shall include:

(i) Methods for directing fish and kākahi salvage and relocation, including site isolation procedure(s) and any site-specific requirements as appropriate;

(ii) Timing of fish salvage and relocation efforts;

(iii) Humane management and disposal of invasive exotic species;

(iv) Release sites for each impacted watercourse / reach; and

(v) Accidental harm and mortality minimisation protocols.

(b) At least 20 Working Days before starting streamworks, the AFMMP shall be submitted to the Chief Executive for information.

(c) The AFMMP shall be implemented for the duration of Project Works.

42 The EMP shall include an **Avifauna Management Plan (AVMP)**. The purpose of the AVMP is to manage effects / disturbance during Project Works on native avifauna species, particularly cryptic wetland species.

(a) The AVMP shall include:

(i) Habitats and avifauna present in the Designation Boundary and impacted by Project Works;

(ii) Nesting habitat preference for identified avifauna in (i) for vegetation and wetland clearance;

(iii) Nesting and sensitive time periods of identified avifauna in (i);

(iv) Requirements for avoidance of, and Construction Works noise restrictions, if appropriate within identified avifauna habitats during breeding season, September to December inclusive of any year;

(v) Pre-construction nesting bird survey protocols (and resulting outcomes if the presence of resident or nesting birds are present);

(vi) Accidental discovery protocols for threatened or at-risk species discovered during Project Works; and

(vii) Reporting requirements with respect to accidental protocols for encountering threatened or at-risk species, and methods implemented.

(b) At least 20 Working Days before starting Project Works, the AVMP shall be submitted to the Chief Executive for certification that the AVMP satisfies the requirements of Condition 42(a).

(c) The certified AVMP shall be implemented for the duration of Project Works.

43 Within the 12 months prior to starting Project Works in areas where long-tailed bat may be impacted by Project Works, a SQP shall conduct a bat presence survey to identify long-tailed bats within the Designation. The monitoring shall be conducted during November - March and for a minimum of 21 suitable survey nights.

44 If the survey in Condition 43 above confirms a long-tailed bat presence, a **Bat Management Plan (Bat MP)** shall be prepared and included in the EMP. The purpose of the Bat MP is to identify methods to be adopted to avoid and/or minimise adverse effects on bats.

(a) The Bat MP shall include:

(i) Identification of potential bat roosts within areas of vegetation clearance;

(ii) Measures to avoid and minimise potential bat roost removal;

(iii) Where potential roost felling is not able to be avoided, detail on current best practice for tree removal protocols to avoid injury and/or mortality of roosting long-tailed bats; and

(iv) Identification of required habitat replacement and/or restoration to manage the effect of habitat loss on long-tailed bats.

(b) At least 20 Working Days before starting Project Works, the Bat MP shall be submitted to the Chief Executive for certification that the Bat MP satisfies the requirements of Condition 44(a).

(c) The Bat MP (if required) shall be implemented for the duration of Project Works.

45 The EMP shall include a **Stream Management and Monitoring Plan (SMMP)**. The purpose of the SMMP is to monitor and manage the ecological effects of the Project on aquatic ecosystems.

(a) The SMMP shall include the following for all impacted Watercourses, and a minimum of two nearby representative reference Watercourses:

(i) Details of stream aquatic ecosystem health monitoring to be carried out prior to, during, and post construction, including:

(1) Deposited fine sediment;

(2) Physical habitat descriptions;

(3) SEV monitoring;

(4) Kākahi surveys;

(5) Quantitative macroinvertebrate community sampling;

(6) Quantitative fish community surveys;

(7) Fish passage;

(ii) Sampling procedures, following relevant industry standards and protocols;

(iii) Monitoring locations, including establishment of permanent reaches within the impacted Watercourse and a minimum of two reference Watercourses;

(iv) Monitoring requirements, including:

(1) Quarterly baseline stream monitoring for a minimum of one year, but ideally two years, prior to Project Works commencing;

(2) Monthly water quality monitoring of each Watercourse while earthworks are taking place within the catchments that contain each Watercourse;

(3) Biannual monitoring during Construction Works;

(4) Biannual monitoring for a minimum of 2 years following the Completion of Construction, or until the installation requirements pursuant to Condition 45(a)(ix) are confirmed, whichever is earlier;

(v) Results of the baseline stream monitoring undertaken pursuant to Condition 45(a)(iv)(1);

(vi) Quantitative measures for trigger events, as informed by baseline stream monitoring results;

(vii) Reporting requirements, including the minimum reporting expectations for each type of monitoring under Condition 45(a)(iv), and timeframes for when reports shall be provided the Chief Executive;

(viii) Mitigation contingency measures to apply in the event of accidental / unexpected adverse effects on the impacted Watercourses to manage those effects;

(ix) Detailed culvert and stream realignment installation requirements as identified by a SQP and informed by baseline stream monitoring results; and

(x) Stream designs for each affected stream or reach that incudes a proposed stream realignment, stream reinstatement (i.e., daylighting) and/or culvert, as informed by baseline stream monitoring results, taking into account the NZ Fish Passage Guidelines, Version 2.0, 2024.

(b) At least 20 Working Days before starting Project Works, the SMMP shall be submitted to the Chief Executive for certification that the SMMP satisfies the requirements of Condition 45(a).

(c) The certified SMMP shall be implemented for the duration of the Project Works and thereafter until success has been confirmed. Success shall be determined by a SQP (freshwater ecology) based on stable or improving trends in aquatic ecosystem health, fish and/or kākahi populations, and physical habitat, as compared to baseline data and the culvert and stream designs (required under Conditions 45(a)(ix) and 45(a)(x)). Upon confirmation of success, the SMMP requirements shall be considered fulfilled, and no further monitoring or management under the SMMP will be required.

Management Plan(s) for Enabling Works

46 Where a Management Plan is required to be prepared before the start of Project Works by a condition of this Consent, the Consent Holder may prepare an area or activity-specific Enabling Works version of that Management Plan(s) to authorise the Enabling Works covered by that Management Plan condition(s). A subsequent Management Plan will need to be prepared before the start of the remaining Project Works subject to those Management Plan condition(s).

47 Any Enabling Works version of a Management Plan shall be prepared in general accordance with the requirements of the applicable Management Plan condition(s), with the scope modified to be commensurate with the nature, scale and effects of the proposed Enabling Works and include an explanation of how it will be incorporated into any subsequent Management Plan(s).

48 At least 20 Working Days before the start of the relevant Enabling Works, the Enabling Works version of that Management Plan shall be provided to the Chief Executive for information, or for certification that it complies with the relevant conditions.

Management Plan Process

49 The preparation of all Management Plans shall be undertaken by a SQP (unless stated otherwise).

50 The Consent Holder shall prepare, submit to the Chief Executive and implement the Management Plans listed in Table 3, in accordance with Table 3 and the relevant conditions of this Consent.

Table 3

Plan / Report	Decision Pathway	When to submit	Duration
Site Specific Erosion and Sediment Control Plan	Certified by the Chief Executive as compliant with Conditions 32 and 33	At least 10 Working Days before the start of soil disturbance in a relevant Project Works area	Soil disturbing activities in the relevant Project Works area
Erosion and Sediment Control Plan	Certified by the Chief Executive as compliant with Conditions 19 and 20	At least 40 Working Days before the start of Construction Works	Project Works
Construction Management Plan	Certified by the Chief Executive as compliant with Condition 34	At least 40 Working Days before the start of Construction Works	Construction Works
Biosecurity Management Plan	Provided to the Chief Executive for information	At least 20 Working Days before the start of Enabling Works	Project Works
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 Condition 37 Stream Management and Monitoring Plan	Certified by the Chief Executive as compliant with: Ecological Management Plan: Condition 37 Marine Monitoring Plan: Condition 38 Wetland Management Plan: Condition 39 Avifauna Management Plan: Condition 41 Bat Management Plan if required: Condition 43 Stream Management and Monitoring Plan: Condition 44 The Aquatic Fauna Management and Monitoring Plan shall be provided to the Chief Executive for information.	As specified in the relevant MP conditions	As specified in the relevant MP conditions
Construction Air Quality Management Plan	Certified by the Chief Executive as compliant with Condition 70	At least 20 Working Days before the start of Construction Works	Project Works

51 The Consent Holder may prepare Management Plans in parts to address specific activities or to reflect the staged implementation of Project Works.

52 The Consent Holder may update a Management Plan by submitting the amendment in writing to the Chief Executive for certification or for information in accordance with the requirements as specified in Table 3.

53 The Consent Holder shall ensure that Management Plans, including any amendments, are accessible on-site and updated within 10 Working Days of any amendments being certified by the Chief Executive or provided to the Chief Executive for information.

54 The Consent Holder shall provide drafts of the Management Plans listed in Table 3 to Pirirākau and Ngāti Taka before the Management Plan is to be provided to the Chief Executive in accordance with Table 3 and shall provide at least ten working days for their comments. The Consent Holder shall consider any written feedback received from Pirirākau and Ngāti Taka and incorporate suggestions from the written feedback as the Consent Holder considers appropriate. The relevant Management Plan shall include a summary of written feedback received by Pirirākau and Ngāti Taka, and outline how feedback has been incorporated into the Management Plan and, if not, the reasons for that.

Ecological, Restoration and Landscape Planting

55 All planting required under the EMP shall:

(a) use eco-sourced indigenous plant species appropriate to the locality, and the ecosystem / Wetland type being restored. These indigenous species shall be represented in appropriate diversity, proportions, cover, and configuration as would be expected for natural examples of the same ecosystem / Wetland types within the Tauranga Ecological District.

(b) be overseen by a SQP.

(c) be adequately excluded from stock access.

56 Riparian planting and other restoration works shall be completed progressively and as soon as practicable.

57 For all areas likely to provide inanga spawning habitat, riparian planting adjacent to the water's edge of a Wetland or Natural Wetland shall include dense low growing vegetation.

58 All planting required under the EMP and associated subplans shall achieve at least 90% cover of indigenous species, with no more than 5% total cover of exotic species in any vegetation tier. The species shall be appropriate for all vegetation tiers found in a mature habitat, and shall include ground cover, sub canopy and canopy species (except for Wetlands).

59 All planting required under the EMP shall be maintained for a minimum period of five years from the date planted, with annual monitoring to assess the establishment of planting and to identify any constraints to achieving Condition 58. At the conclusion of the five year monitoring and maintenance period, a SQP will prepare a report setting out whether Condition 58 has been achieved. This report shall be provided to the Chief Executive.

(a) If the report concludes that 90% cover has been achieved, plant maintenance shall cease.

(b) If the report concludes that 90% cover has not been achieved, the maintenance period shall be extended by a period of one year, with monitoring carried out annually until either:

(i) 90% cover has been achieved; or

(ii) A suitable remedial, offset and / or compensation alternative is agreed in writing between the Consent Holder and the Chief Executive.

Vegetation Clearance

60 The Consent Holder shall ensure that where practicable and safe, any trees shall be directionally felled or pulled back to prevent them from damaging the beds or banks of any Waterbodies.

61 The Consent Holder shall ensure that vegetation clearance is carried out in such a way as to limit soil disturbance, erosion and any scour of the bed or banks of any Waterbodies.

62 The Consent Holder shall ensure that, as far as reasonably practicable, all surface water or Waterbodies shall be kept clear of any vegetation and other constrictions resulting from the vegetation clearance.

Wetland restoration and creation

63 Prior to the commencement of Project Works, a SQP shall determine whether the Project Works will result in a loss of Natural Wetland extent and / or impact on Natural Wetlands within the Ōmokoroa and / or Merrin Wetlands (as identified in Appendix 1 and Appendix 2).

64 If the Project results in a loss of Natural Wetland extent and / or impact on Natural Wetland within the Ōmokoroa and / or Merrin Wetlands, the Consent Holder shall offset or compensate that loss through creation of new Wetland/s and restoration of existing Natural Wetlands. The efficacy of the proposed offset or compensation shall be confirmed through assessment of wetland condition, wetland pressure, and plot condition in accordance with "Clarkson, B. R., Sorrell, B. K., Reeves, P. N., Champion, P. D., Partridge, T. R., & Clarkson, B. D. (2004). *Handbook for monitoring wetland condition: Coordinated monitoring of New Zealand wetlands* (Revised). Ministry for the Environment" and the results modelled in accordance with the Department of Conservation *Biodiversity Offsets Accounting Model for New Zealand: User Manual* (Contract Report 2014-008, prepared by Catalyst Group) as determined by a SQP, to reflect the actual loss of Natural Wetland extent and / or impact on Natural Wetland.

65 The maximum loss of Ōmokoroa and / or Merrin Wetland extent that can occur as a result of Project Works is 2.56 ha.

66 For impacts on other Natural Wetlands (Natural Wetlands that are not the Ōmokoroa or Merrin Wetlands), restoration and creation shall be undertaken in accordance with the following replacement ratios:

(a) For Natural Wetlands with a moderate value, a 1:2 (wetland loss : creation) or 1:1:1 ratio (wetland loss : creation : restoration); and

(b) For Natural Wetlands with a low value, a 1:1 (wetland loss : creation).

67 Created Wetlands will be located in ecologically / hydrologically suitable locations within or close to impacted catchments, as determined by a SQP. Where practicable, created Wetlands will expand existing Natural Wetlands and / or be contiguous with Watercourses.

68 Five years after the Completion of Construction, a SQP shall assess the Wetland creation and restoration undertaken pursuant to Conditions 64 and 65 above and provide a report to the Chief Executive. If the report concludes that any of the requirements in Conditions 63 and 64 have not been achieved, a SQP shall:

(a) Review and update the WMP to include methods and interventions to support the achievement of the relevant requirements; or

(b) Recommend suitable remedial, offset and / or compensation alternatives to achieve the relevant requirements, to be agreed in writing between the Consent Holder and the Chief Executive.

69 Following Completion of Construction, a SQP shall assess the created and / or restored Wetland/s to confirm whether wetland hydrology is present. If wetland hydrology is not present, the SQP shall review and update the WMP to include methods and interventions to support the establishment of wetland hydrology.

National Environmental Standards for Freshwater

Mandatory Conditions

70 Within 20 Working Days of construction of any culverts being completed, the Consent Holder shall provide to the Chief Executive the information listed in the following Resource Management (National Environmental Standards for Freshwater) Regulations 2020:

(a) Regulation 62(3) Requirements for all activities: information about structures and passage of fish;

(b) Regulation 63(3) Requirement for culvert activities: information about culverts; and

(c) Regulation 69(2) Condition of resource consent for activities: monitoring and maintenance.

71 The Consent Holder shall ensure that the structure(s) authorised by this Consent are maintained in good working order, and shall undertake any maintenance work as soon as practicable if so directed by the Chief Executive.

Construction Air Quality Management Plan

72 Before starting Project Works, the Consent Holder shall prepare a **Construction Air Quality Management Plan (CAQMP)**. The purpose of the CAQMP is to facilitate the avoidance, remediation and mitigation of potential construction air quality impacts associated with Construction Works. The CAQMP shall include:

(a) Sources of dust, odour and hazardous air pollutants that may be created during Construction Works;

(b) A map and list of all sensitive locations along the alignment;

(c) Methods and procedures to manage dust as a result of Construction Works, including triggers for the implementation of such measures, that may include:

(i) Chemical stabilisation or suppression;

(ii) Revegetation of exposed surfaces;

(iii) The use of water (including water availability and water storage locations to be provided for the duration of Construction Works);

(iv) The covering or otherwise enclosing of materials;

(v) Approaches to the location and management of stockpiles;

(vi) Methods and timeframes to Stabilise earthworks;

(vii) Measures to manage dust generating works in dry and windy conditions;

(d) Procedures for assessing, mitigating and remedying the effects of any odorous material that is discovered as a result of Construction Works, including methods to:

(i) Remove the material to reduce the exposure of odorous sources; and

(ii) Mask the odour.

(e) Identification of roles and positions of responsibility (including a community engagement and liaison team to consult with potentially affected property owners);

(f) Visual dust and meteorological monitoring and reporting procedures;

(g) Plan review procedures;

(h) Contact details of 'on-call' staff who can operate water application systems for dust suppression outside of normal working hours if required; and

(i) A complaint recording and response system, supported by appropriate mitigation measures, as necessary.

Discharge of Temporary Dust Suppressant Chemicals

73 The Consent Holder shall ensure that potentially contaminated stormwater from an area of contaminated soil disturbance is contained within the works area and discharged to ground soakage at the base of excavations.

74 The Consent Holder shall ensure that all visible contaminated surface and ground water discharge is directed to ESC devices.

75 The Consent Holder shall divert uncontaminated catchment runoff away from the area of earthworks and any stockpiled soils.

ADVICE NOTES

Resource Management Charges

AA1 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.

AA2 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). Include the consent number RM20-0856-PA.

Pre- and Post-Excavation Building Surveys

AA3 The Designation for the Project also includes conditions that require building condition surveys. Compliance with Conditions 7 and 8 of these conditions with respect to property owners may also constitute compliance with the conditions of the Designation.

Ecological Management Plan

AA4 The duration of implementation for the subplans contained within the EMP are as set out in those specific sub-management plan conditions.

Construction Management Plan

AA5 The Designation for the Project also include conditions that require the preparation and implementation of a CMP. The Consent Holder may prepare one CMP that meets the conditions of the Designation and these Consents or two separate CMPs.

Wetland Restoration and Creation

AA6 The methods defined within Condition 62 allow for the implementation of restoration and effects management prior to impacts on Natural Wetlands to reduce the time lag within the offset or compensation modelling.

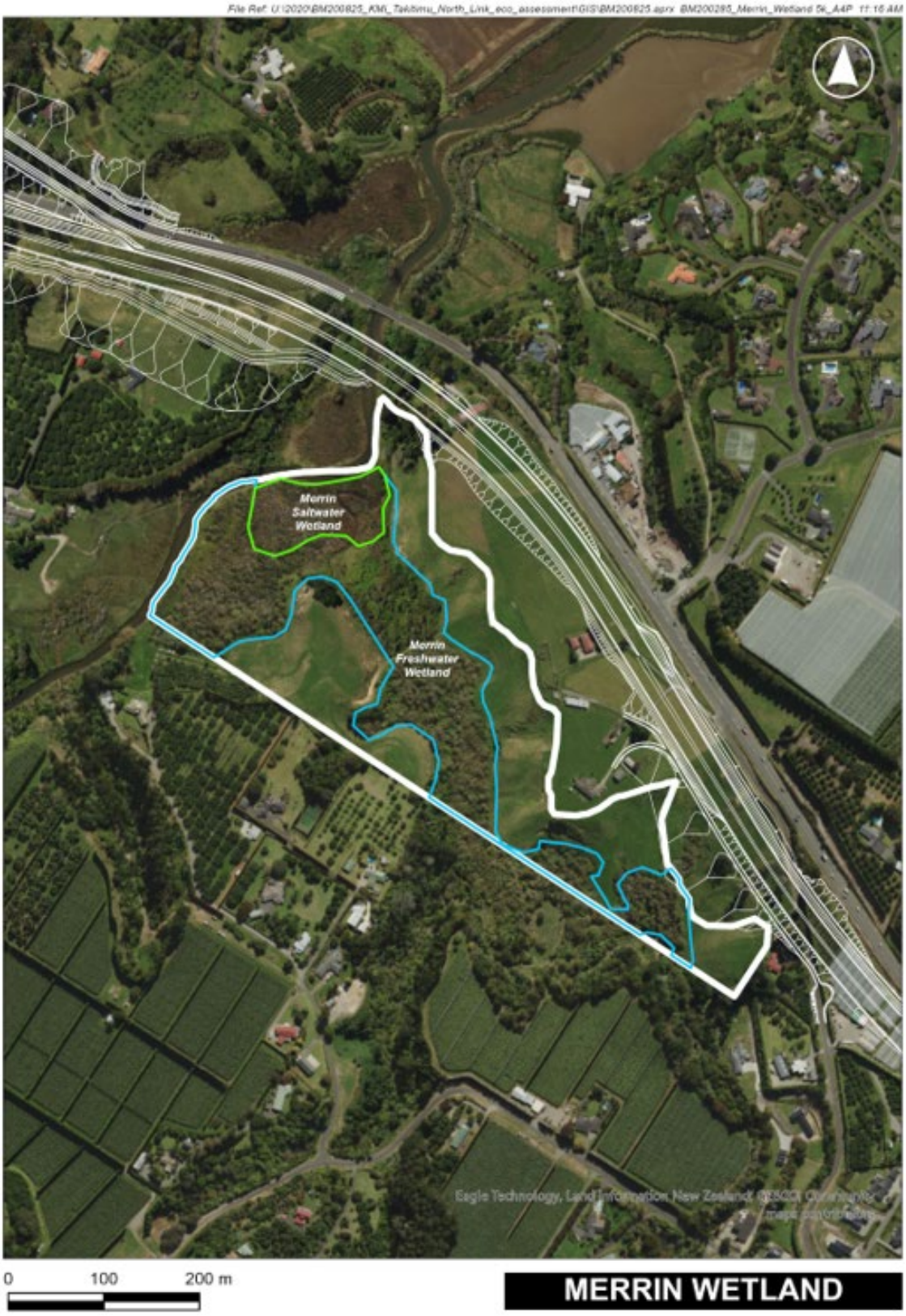
Biodiversity Management Plan

AA7 The Wetland Management Plan is the equivalent of a Biodiversity Management Plan as referenced in Rule DD6 of the Bay of Plenty Regional Coastal Environment Plan.

Construction Management Plan

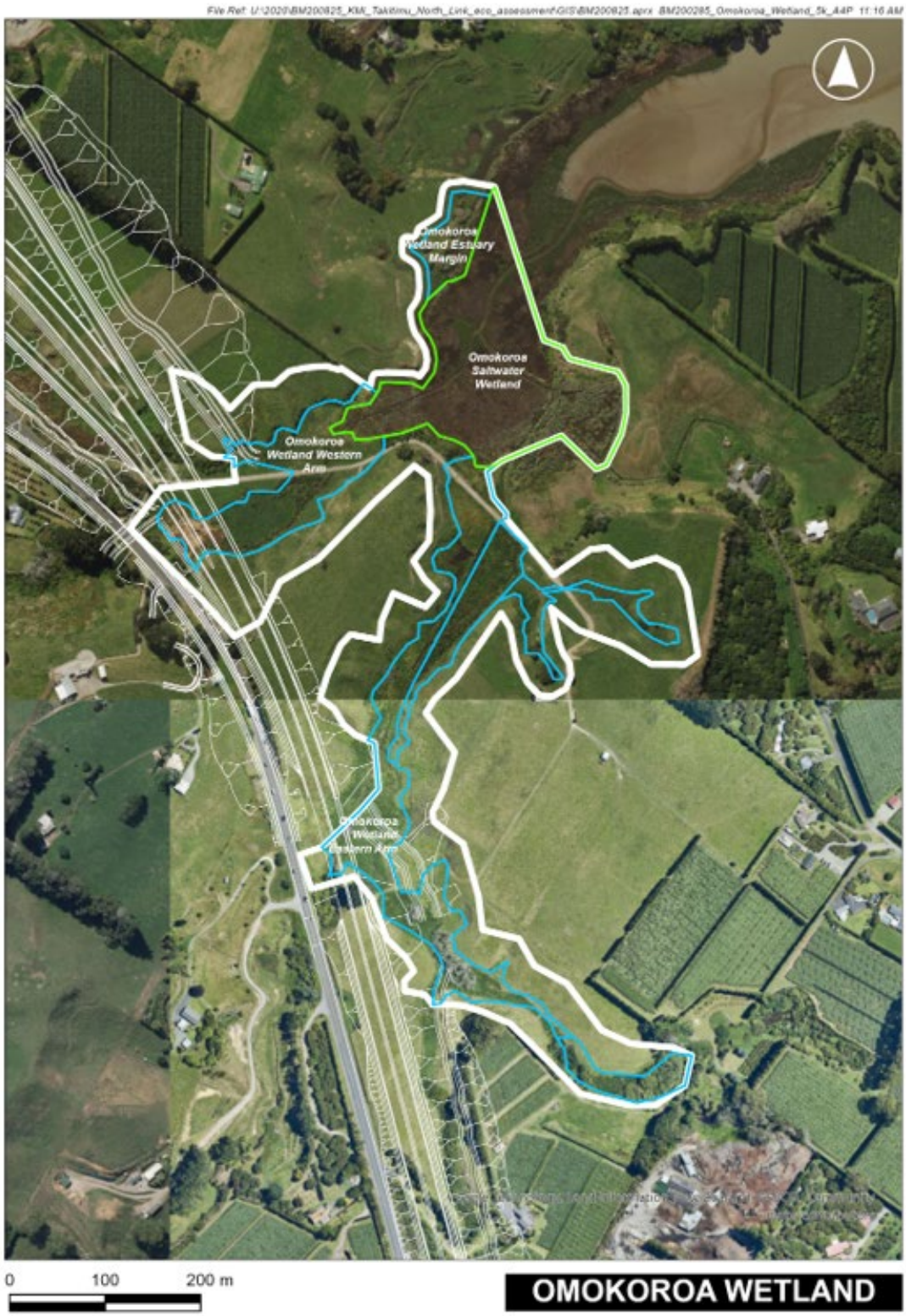
AA8 The Designation Consents for the Project also include conditions that require the preparation and implementation of a CMP. The Consent Holder may prepare one CMP that meets the conditions of the Designation and this Consent or two separate CMPs.

APPENDIX 1



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

APPENDIX 2



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