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
Resource consents for the use of beds of rivers under the RNRP (s13 RMA)				
RC.8	Land use (BW R36 – Rule 71)	Culvert Installation	35 years	20 years (after the date of commencement of the consent)
		Discharge Structure Installation		
		Erecting Structures over the Bed of a Watercourse		
RC.9	Diversion (WQ R21)	Surface water damming or diversion		

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 (Clauses 45, 47 and 71)				
RC.8	Culverts (Clause 71)	The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of a river	35 Years	20 years
RC.8	Construction of specified infrastructure (Clause 45(4))	Taking, use, damming, diversion, or discharge of water within, or within a 100m setback from, a natural wetland for the purpose of constructing specified infrastructure.		
RC.8	Maintenance / operation of specified infrastructure (Clause 47(3))	Taking, use, damming, diversion of water within or within a 100 metre setback from a natural inland wetland		

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.
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

Abbreviation/term	Meaning/definition
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.
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.
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
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
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.
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 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.

Pre-construction conditions

Notification of Works

4 At least five 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

5 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.

Use of construction equipment, machinery and other plant

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

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

8 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.

Erosion and Sediment Control Plan

9 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.

10 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. If tracking off-site occurs, the Consent Holder shall:

(i) ensure that machinery and vehicles do not leave the current site until measures are in place to prevent further tracking;

(ii) clean up any material that has been tracked off-site; and

(iii) put appropriate systems in place to prevent any further tracking 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.

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

12 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 17).

13 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.

14 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.

15 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.

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

17 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).

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

Monitoring and Reporting for Erosion and Sediment Control Devices

19 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.

20 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.

21 The Consent Holder shall forward a copy of records required by Conditions 19 and 20 to the Chief Executive upon request.

Site Specific Erosion and Sediment Control Plan

22 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.

23 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.

Management Plan and Report Process

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

25 The Consent Holder shall prepare, submit to the Chief Executive and implement the Management Plans and Report 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 23 and 24	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 10 and 11	At least 40 Working Days before the start of Construction Works	Project Works
Culvert and Stream Hydraulic Design Report	Provided to the Chief Executive for information	At least 40 Working Days before the start of any specific Stage of Works (excluding site investigations and Enabling Works)	N/A

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

27 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.

28 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.

29 The Consent Holder shall provide drafts of the Management Plans listed in Table 3 and the detailed bridge and discharge structure designs required under conditions 30 and 43 of this Consent to Pirirākau and Ngāti Taka before the Management Plan is to be provided to the Chief Executive in accordance with Table 3 and the designs provided to the Chief Executive in accordance with conditions 30 and 43 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.

Discharge Structures

30 At least 40 Working Days prior to starting any site-specific discharge structure works (excluding site investigations and Enabling Works) authorised by the Consents, the Consent Holder shall submit to the Chief Executive the following:

(a) Written certification from a SQP that the following is in accordance with good engineering practice and in accordance with the conditions of this Consent:

(i) Final detailed engineering discharge structure sizes and designs and requirements for erosion protection, including design calculation and methodology; and

(ii) Final detailed design of all discharge structures including erosion protection and, where appropriate, the fish passage methods to be used when discharging flows of perennial streams, or where viable fish habitat exists upstream of the discharge structure.

(b) A schedule to identify locations of all discharge structures to be installed across the Project.

31 All discharge structure works authorised under this Consent shall be constructed in accordance with the plans, design and reports submitted under Condition 30.

32 Within 20 Working Days of completion of all discharge structures authorised by this Consent (including embankments, headwalls, aprons and erosion protection), the Consent Holder shall forward documentation to the Chief Executive covering the discharge structure as set out below:

(a) Written certification from a SQP confirming that the discharge structure has been built in accordance with good engineering practice and in accordance with the conditions of this Consent; and

(b) A schedule of structures identifying the locations of each discharge structure and full design details.

33 Any erosion and scour of stream channel or banks resulting from discharge structure works under this Consent shall be Stabilised as soon as practicable.

34 The Consent Holder shall ensure that works within streams are not undertaken during periods where the flow in the existing stream exceeds the bank full flow.

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

36 Any exposed area of ground resulting from the works associated with this Consent shall be Stabilised as soon as practicable, following completion of those works.

37 The Consent Holder shall ensure that erosion protection installed provides for fish passage, when discharging flows of perennial streams or where viable fish habitat exists upstream of the structure.

38 Where discharge structures release into sensitive environments, such as Watercourses, Natural Wetlands, and Wetlands, the discharge structure must be designed to distribute the released flow in a manner that prevents scour downstream of the discharge structure.

39 Discharge structures releasing into Te Puna Stream must be located to prevent damage and/or change in the salinity of the existing wetlands within the tidally influenced portion of the stream.

40 Inspection of the structures authorised by this Consent must be conducted at least annually and a report submitted on their performance and condition at intervals of five and ten years following construction, with an additional report required following a Large Storm Event if so directed by the Chief Executive.

41 The Consent Holder shall ensure that the structures authorised by this Consent are maintained in a safe and structurally sound condition at all times, and shall undertake any maintenance work if so directed by the Chief Executive.

42 The Consent Holder shall check during maintenance activities that erosion protection is maintained downstream of the discharge.

Bridges

43 At least 40 Working Days prior to starting works authorised by this Consent (excluding site investigations and Enabling Works), the Consent Holder shall submit to the Chief Executive written certification from an SQP that the detailed bridge design (including final design and scour calculations) is in accordance with good engineering practice and in accordance with the conditions of this Consent for the following bridges:

(a) Bridge SH2-530

(b) Bridge TNL-6870

(c) Bridge TNL-7240

(d) Bridge SH2-990

(e) Te Puna Stream Bridge TNL-9210

(f) Bridge AIN-1275

(g) Bridge SH2-5380

(h) Bridge SH2-6170

44 Within 20 Working Days of completion of all bridge structures authorised by this Consent (including embankments), the Consent Holder shall provide to the Chief Executive as-built plans prepared by a SQP confirming that the bridge structures have been built in accordance with the detailed bridge design certified under Condition 43.

45 Any erosion and scour of stream banks resulting from works or the presence of any bridge structure under this Consent shall be Stabilised as soon as practicable.

46 The Consent Holder shall ensure that stream banks are not damaged and their erosion resistance is not compromised by the bridge structure Construction Works. Should any damage occur, the stream banks shall be remediated as soon as is practicable.

47 Stormwater runoff from the completed bridge decks shall be directed to a stormwater treatment device prior to being discharged to the receiving environment, in a manner that does not cause bank or abutment erosion.

48 The Consent Holder shall not block land drains or otherwise prevent interconnectivity of agricultural drainage networks during Construction Works.

49 The Consent Holder shall ensure that no water associated with the mixing, pouring, placing and cleaning of structures and/or equipment is released into a Waterbody.

Te Puna Stream Bridge

50 The Consent Holder shall ensure that temporary signage is installed upstream and downstream of the Te Puna Stream Bridge site to warn users of the Te Puna Stream of Construction Works and to advise them of any navigational safety restrictions.

51 The Consent Holder shall ensure that unimpeded access is maintained to the Te Puna Stream, except through areas where unimpeded access to the Stream would endanger the safety of the public as a result of Project Works.

Maintenance of Bridge Structures

52 Inspection of bridge structures authorised by this Consent must be conducted at least annually and a report submitted on their performance and condition at intervals of five and ten years following construction of bridge structures, with an additional report required following a Large Storm Event.

53 The Consent Holder shall ensure that the structures authorised by this Consent are maintained, and shall undertake any maintenance work as soon as practicable if so directed by the Chief Executive.

54 The Consent Holder shall forward a copy of maintenance records required by Conditions 52 and 53 to the Chief Executive upon a request from the Chief Executive.

Permanent Diversion / Stream Realignments

55 Stream realignments and diversions shall be undertaken in general accordance with the Culvert and Stream Hydraulic Design Report.

Culvert Installation

56 The Consent Holder shall submit to the Chief Executive a schedule at each Stage of Work to identify locations of all culverts to be installed across the relevant Stage of Work.

57 At least 40 Working Days prior to starting any site-specific culvert works (excluding site investigations and Enabling Works) authorised by this Consent, the Consent Holder shall submit to the Chief Executive the following:

(a) Written certification from a SQP that the following is in accordance with good engineering practice and in accordance with the conditions of this Consent:

(i) Final detailed engineering culvert sizes and designs and requirements for erosion protection, including design calculation and methodology; and

(ii) Final detailed design of all site-specific culverts including erosion protection and the fish passage methods to be used at each site; and

(b) Geotechnical assurances from a Chartered Professional Geotechnical Engineer that culvert embankments will be constructed of a safe batter slope.

58 All culvert works authorised under this Consent shall be constructed in accordance with the plans, design and reports submitted under condition 57 above.

59 The Consent Holder shall ensure compliance with the 2024 New Zealand Fish Passage Guidelines, including in relation to:

(a) Culvert design, when conveying flows of perennial streams or viable fish habitat exists upstream of the culvert; and

(b) Erosion protection in structures where passage is required under the 2024 New Zealand Fish Passage Guidelines.

60 The Consent Holder shall set the inverts and outlets of culverts a minimum of 50 mm and a maximum of 100mm below the streambed or overland flowpath, where the 2024 New Zealand Fish Passage Guidelines do not apply.

61 Within 20 Working Days of completion of a culvert structure authorised by this Consent (including embankments, headwalls and erosion protection), the Consent Holder shall provide to the Chief Executive as-built plans prepared by a SQP confirming that the culvert structure has been constructed in general accordance with the design certified under Condition 57.

62 The installation works shall be undertaken to prevent damage to stream banks or beds outside of the works footprint and to prevent their erosion resistance from being compromised by the Construction Works. Any erosion and scour of stream channel or banks resulting from works under this Consent shall be Stabilised or remediated as soon as practicable.

63 Any exposed area of ground resulting from the works associated with this Consent shall be Stabilised as soon as practicable following completion of those works.

64 Whenever practicable, the installation of culverts shall be through an off-line construction methodology. Where works must be undertaken in the stream channel (on-line construction methodology) the works shall be undertaken in a manner that minimises the time machinery is in the channel as far as practicable.

National Environmental Standards for Freshwater

Mandatory Conditions

65 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:

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

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

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

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

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.