

Takitimu North Link Stage 2 – Proposed Resource Consent Conditions (~~December-February 2026~~5)

Resource Consent RM24-0466- DC.03

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) Discharge permits under the RNRP (s15 RMA):
 - 1. Discharge: ~~(DW R8 – Rule 37) Discharging stormwater to water or to land that may enter water, with an expiry date in 3520 years, and a lapse date in 20 years (after the date of commencement of the Consent).~~
- (b) Resource consents under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (Clause 47):
 - 1. Maintenance or operation of specified infrastructure (Clause 47(3A)); The discharge of water to within or within a 100m setback from a Natural Wetland for the purpose of maintaining or operating specified infrastructure, ~~with an expiry date in 35 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 resource Consent is to authorise and set conditions for the permanent discharge of stormwater from the Project to surface water or to land where it may enter surface water.

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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 35 years after the date of the commencement of this Consent.

3.2 This Consent shall lapse 20 years after the commencement of this Consent.

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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

3.45.1 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. 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 Management Plans

- 4.46.1** The Consent Holder shall prepare, submit to BOPRC and implement the Management Plans (as defined in Appendix 1), in accordance with the decision pathway, timeframe and duration as specified in the relevant conditions of the Consents. If BOPRC advises (within the relevant timeframe) that a Management Plan that has been provided to the BOPRC for certification is not suitable to certify and provides reasons for this, the Consent Holder shall re-submit the Management Plan to BOPRC for certification in accordance with the requirements as specified in the relevant condition addressing that Management Plan.
- 4.26.2** Conditions **6.5.3** – **8.7.3** apply to all plans defined as a 'Management Plan' in Appendix 1 (unless stated otherwise).
- 4.36.3** The preparation of all Management Plans shall be undertaken by a SQEP (unless stated otherwise).
- 4.46.4** The Consent Holder may prepare Management Plans in parts to address specific activities or to reflect the staged implementation of Project Works.
- 4.56.5** The Consent Holder may update a Management Plan by submitting the amendment in writing to BOPRC for certification or for information in accordance with the requirements as specified in the relevant condition addressing that Management Plan.
- 4.66.6** 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 BOPRC or provided to BOPRC for information.
- 4.76.7** The Consent Holder shall provide drafts of the Management Plans (as defined in Appendix 1), including, where practicable, any updated Management Plans under Condition 6.5, to Pirirākau and Ngāti Taka before the Management Plan is to be provided to BOPRC in accordance with the corresponding timeframe requirement in the relevant Management Plan condition and shall provide at least 10 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 from Pirirākau and Ngāti Taka, and outline how feedback has been incorporated into the Management Plan and, if not, the reasons for that.

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57 Deemed Certification of Management Plans

- 5.47.1** The Consent Holder shall not commence any Project Works (Construction Works, or Enabling Works, as applicable to the relevant Management Plan) within an area to which a Management Plan condition(s) applies until the required Management Plan has been certified or otherwise provided to BOPRC for information, in accordance with the relevant condition.
- 5.27.2** If the applicable Management Plan (or amendment) required under these conditions has been submitted to BOPRC for certification in accordance with the relevant condition, and the number of Working Days specified in the condition for submission of the Management Plan to Council has passed, and BOPRC has not certified the Management Plan (or amendment), or advised that the Management Plan (or amendment) is not suitable to certify, the Management Plan will be deemed to have been certified and the Consent Holder may commence Project Works in accordance with the applicable Management Plan (or amendment) as submitted.

68 Management Plan(s) for Enabling Works

- 6.48.1** Where a Management Plan is required to be prepared before the start of Project Works by a condition of the Consents, 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).
- 6.28.2** 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).

~~6.38.3~~ 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 BOPRC for information, or for certification that it complies with the relevant conditions.

79 Stormwater Management

~~7.49.1~~ The Consent Holder shall prepare a **Stormwater Operation and Maintenance Plan (SOMP)** for the permanent stormwater management system. The purpose of the SOMP is to outline the operation and maintenance requirements to ensure the permanent stormwater management system achieves the standards to which the system was designed and constructed. The designs shall be based on the NZTA document "*Stormwater Treatment Standard for State Highway Infrastructure*" (2010).

~~7.29.2~~ The SOMP shall include:

- (a) A programme for regular monitoring and inspection of the stormwater management system including details of monitoring, sampling locations and inspection frequency;
- (b) A programme for the regular collection and disposal of debris and sediment collected by the stormwater management devices to ensure that the attenuation volumes are not compromised and that appropriate contaminant removal procedures are established;
- (c) Inspection checklists for all aspects of the stormwater management system including monitoring and maintenance of all stormwater attenuation facilities, stormwater treatment and attenuation wetlands, stormwater treatment wetlands, swales and all inlet and outlet structures, and timeframes to action any required maintenance;
- (d) Measures to ensure stormwater infrastructure is maintained with effective capacity so that it operates in accordance with its design function;
- (e) Trigger levels of the constituents listed in Condition 12.3 whereby exceedances require the implementation of Condition 12.451.3;
- (f) Details of who will be responsible for operation and maintenance works; and
- (g) Details of recording and reporting of operation and maintenance activities.

~~7.39.3~~ At least 40 Working Days before the start of Construction Works on the stormwater management system, the SOMP shall be submitted to BOPRC for certification that the SOMP satisfies the requirements of Condition 948.2.

~~7.49.4~~ The Consent Holder shall implement the SOMP for the duration of this Consent.

810 Final Stormwater Design

~~8.410.1~~ The Consent Holder shall submit to BOPRC for written certification at least 40 Working Days prior to starting any works on the stormwater management system authorised by this Consent, the final detailed designs for all aspects of the stormwater management system, including treatment of Natural Wetlands / Wetlands, drainage plans and the reticulated stormwater network, and confirmation that all stormwater from trafficked road surfaces will be routed through treatment devices prior to discharge to the receiving environment. This shall include detailed design calculations and design methodologies. In order to ensure that appropriate stormwater quality, stormwater attenuation and erosion protection standards are met, the designs shall be based on the NZTA document "*Stormwater Treatment Standard for State Highway Infrastructure*" (2010).

911 Discharge Quantity

~~9.411.1~~ The Consent Holder shall ensure that the stormwater treatment wetlands are designed to attenuate the peak catchment flow runoff events through the attenuation of 2, 10 and 100 year catchment flows in accordance with the *BOPRC Stormwater Management Guidelines (January 2012)*, except where:

- (a) The stormwater discharge is released into tidally influenced waters;
- (b) The receiving environment is a Watercourse that has been constructed as part of the Project that has been designed to accommodate the higher peak discharges and discharges into tidally influenced waters; or

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- (c) A full catchment analysis has been provided to demonstrate that limited or no attenuation downstream will not cause an adverse effect.

4012 Discharge Quality and Sampling

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12.1 The Consent Holder shall ensure that no discharge resulting from the exercise of this Consent shall result in any of the following at a point 50 metres, or ten times the width of the wetted Watercourse, whichever is the lesser, downstream of the discharge after reasonable mixing:

- (a) The production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
- (b) Any conspicuous change in the colour or visual clarity;
- (c) Emission of objectionable odour;
- ~~(b)(d)~~ Any significant adverse effect on aquatic life;
- (e) The natural temperature of water being changed by more than three degrees Celsius; and
- ~~(e)(f)~~ Aquatic organisms being rendered unsuitable for human consumption by the presence of contaminants.

~~40.1~~ Should the discharge result in any of the effects listed in Condition 12.1, as reported through inspection or through a verified complaint, the Consent Holder shall collect a representative sample at the stormwater outlet. The stormwater sample shall be analysed for the constituents listed in Condition 12.3 concentrations of total suspended solids and total petroleum hydrocarbons by an IANZ accredited laboratory.

~~40.412.1.~~

~~40.212.2~~ The Consent Holder shall collect ~~a~~ representative water samples at the locations identified in the SOMP stormwater outlet(s) of the permanent stormwater management system, within one year of Completion of Construction, annually for the subsequent four years, and then once every five years thereafter. The stormwater samples shall be analysed for concentrations of total suspended solids, total petroleum hydrocarbons, copper, lead, zinc, and polycyclic aromatic hydrocarbons by an IANZ accredited laboratory and the results provided to BOPRC upon receipt.

~~40.312.3~~ Any water quality sample results exceeding the maximum concentrations specified in the SOMP ~~by more than 10%~~ shall trigger the following:

- (a) Notification within five Working Days to BOPRC of the exceedance(s);
- (b) Investigation into the causes of the exceedance(s);
- (c) Timing for the implementation of any~~Within two months of the results,~~ corrective actions to address the exceedance(s);
- (d) Retesting of the discharge within three months of implementation of the corrective action~~Within three months of the results, re-testing of the discharge for constituents under Conditions 47.1 and 51.1 following implementation of corrective action;~~
- (e) A report detailing (a)-(d) above, including the necessity for other testing, shall be forwarded to BOPRC within 30 Working Days following receipt of the re-testing results.

~~40.412.4~~ Should the water quality analysis results be ~~more than 10%~~ above the discharge quality specifications specified in the SOMP for three consecutive water samples analysed, the Consent conditions may be reviewed under Condition ~~54.1~~ to require additional on-site stormwater treatment.

~~40.512.5~~ The Consent Holder shall inspect the stormwater system, including the discharge structure, any rip rap erosion protection at the outlet, and the points where discharges enter waterways, on an annual basis and after any storm greater than a 10% AEP.

12.6 Any erosion and/or scour resulting from the discharge from the outlet(s) must be effectively Sstabilised as soon as 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 For the avoidance of doubt, the deemed certification process in Condition 7 applies to Management Plan(s) for Enabling Works.
- 4 Consents RM25-0466-LC.01, RM25-0466-BC.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 'The WasteMINZ Technical Guidelines for Disposal to Land Version 3.1 (2023)'. <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: <ul style="list-style-type: none"> • 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	<p>Preparatory works and investigations to enable Construction Works, including the following activities:</p> <ul style="list-style-type: none"> • 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)	<p>The following plans and reports (which are collectively referred to as Management Plans):</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ Marine Monitoring Plan ○ Wetland Management Plan ○ Aquatic Fauna Management and Monitoring Plan ○ Avifauna Management Plan ○ Bat Management Plan if required under LC.01 Condition 276.2 ○ 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)	<p>A Wetland that is not:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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 aquifier
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	<p>A day of the week other than—</p> <p>(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</p> <p>(b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and</p> <p>(c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.</p>

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).