

# 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
<i>Discharge permits required under the RNRP (s15 RMA)</i>				
RC.12	Discharge (DW R8 – Rule 37)	Discharging Temporary Contaminants to Land	20 Years	20 years (after the date of commencement of the consent)
		Discharging Temporary Stormwater to Water		
		Discharge of Chemical Flocculants during earthworks		
		Discharge of Dewatering Fluid		
		Discharge of cement to groundwater during piling		

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

Pertains to	Resource Consents	Purpose	Expiry Date	Lapse
<i>Resource consents required under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (Clause 45)</i>				
RC.12	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.	20 Years	20 Years

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## 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.
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 Tables 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	<p>Preparatory works and investigations to enable Construction Works, including the following activities:</p> <ul style="list-style-type: none"> <li>Archaeological investigations</li> <li>Geotechnical investigations</li> <li>Formation of access for site investigations</li> <li>Establishing construction yards and offices</li> <li>Constructing and sealing (if necessary) access roads and accesses to private properties and the Project</li> <li>Contaminated land investigations</li> <li>Demolition or removal works, including contaminated land clearance</li> <li>Fencing</li> <li>Vegetation protection or removal works</li> <li>Protection and relocation of utilities</li> <li>Establishment of mitigation measures (such as screen planting) for Enabling Works</li> </ul>
ESC	Erosion and Sediment Control

Abbreviation/term	Meaning/definition
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 Tables 3 and 4.
Natural Wetland(s)	<p>A Wetland that is not:</p> <ul style="list-style-type: none"> <li>(a) in the coastal marine area;</li> <li>(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</li> <li>(c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or</li> <li>(d) a wetland that: <ul style="list-style-type: none"> <li>(i) is within an area of pasture used for grazing; and</li> <li>(ii) has vegetation cover comprising more than 50% exotic pasture species; unless</li> <li>(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.</li> </ul> </li> </ul>
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	<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 Aro ki 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>

## 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.
- 4 All Conditions of this Consent 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 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.

## Discharging Temporary Contaminants to Land

- 7 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.
- 8 The Consent Holder shall ensure that all visible contaminated surface and ground water discharge is directed to ESC devices.
- 9 The Consent Holder shall divert uncontaminated catchment runoff away from the area of earthworks and any stockpiled soils.

## National Environmental Standards for Freshwater

### *Mandatory Conditions*

- 10 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.
- 11 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.

## Use of Chemical Flocculants

- 12 Before starting Project Works, the Consent Holder shall prepare a **Flocculation Management Plan (FMP)**. The purpose of the FMP is to determine whether chemical treatment will enhance the

efficiency of sediment retention ponds and decanting earth bunds, and, if so, set out the details of a flocculation management system to achieve that outcome.

- 13 The FMP shall include:
- (a) The protocols and procedures for bench testing to determine which ESC measures will benefit from the use of flocculants, including the effectiveness, suitability and optimal rates of application of the specific flocculant proposed to be applied (including assumptions);
  - (b) If the analysis in (a) indicates that chemical treatment will enhance the efficiency of sediment retention ponds and / or decanting earth bunds:
    - (i) Details on the types of ESC devices to be treated;
    - (ii) Specific design details including methodology and timing of application of the flocculation system;
    - (iii) Details of optimum dosage (including assumptions), including how chemical dosage has been adjusted to the minimum level necessary to achieve the most effective flocculent in terms of sediment removal;
    - (iv) Monitoring, maintenance and contingency management, including a record system and pH limits for discharges;
    - (v) A spill contingency plan; and
    - (vi) The contact details of the person responsible for the operation and maintenance of the flocculation treatment system and the organisational structure to which this person shall report.
- 14 The preparation of the FMP shall be undertaken by a SQP (unless stated otherwise).
- 15 The Consent Holder shall prepare, submit to the Chief Executive and implement the FMP listed in Table 3, in accordance with Table 3 and the relevant conditions of the Consent.

**Table 3**

Plan / Report	Decision Pathway	When to submit	Duration
Flocculation Management Plan	Certified by the Chief Executive as compliant with Condition 14	At least 20 Working Days before the start of Construction Works	Project Works

- 16 The Consent Holder may prepare the FMP in parts to address specific activities or to reflect the staged implementation of Project Works.
- 17 The Consent Holder may update the FMP 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.
- 18 The Consent Holder shall ensure that the FMP, 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.
- 19 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.

### **Dewatering Fluid Management and Treatment**

- 20 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 downstream of 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;
  - (d) Any significant adverse effect on aquatic life;
  - (e) The natural temperature of water being changed by more than three degrees Celsius; and
  - (f) Aquatic organisms being rendered unsuitable for human consumption by the presence of contaminants.
- 21 The Consent Holder shall ensure that all sediment laden runoff from the site is treated by sediment retention structures. These structures are to be fully operational before bulk earthworks commence and shall be maintained by the Consent Holder to perform at least at 80% of their operational capacity.

### **Discharge of Cement to Groundwater**

- 22 No cement shall be discharged to a surface waterbody, land where it may enter water or to the erosion and sediment controls during works.

### **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](mailto:compliance_data@boprc.govt.nz) (compliance reporting) or [notify@boprc.govt.nz](mailto:notify@boprc.govt.nz) (compliance notifications). Include the consent number RM20-0856-PA.