

Takitimu North Link Stage 2 – BOPRC Proposed Resource Consent Conditions (December 2025)

The following consent conditions are recommended by the Bay of Plenty Regional Council. These are based on the conditions proffered by the applicant with additions underlined and in red and any deletions shown as strikeout (~~strikeout~~).

RM25-0466-DC.03

A resource consent:

- Under section 15(1) of the Resource Management Act 1991 and Regulation 47(3A) of the National Environmental Standards for Freshwater to undertake a restricted discretionary activity to discharge stormwater into water within or within a 100 metre setback from a wetland for the purpose of operating or maintaining specified infrastructure; and
- Under section 15(1) of the Resource Management Act 1991 and Rule DW R8 of the Regional Natural Resources Plan to undertake a discretionary activity to discharge stormwater to water or onto or into and where it may enter water from the Takitimu North Link Stage 2

subject to the following conditions:

1. Purpose

1.1 The purpose of this resource consent is to authorise and set conditions for the permanent discharge of stormwater from the Takitimu North Link Stage 2 to surface water or to land where it may enter surface water.

2. Consent lapse and expiry

2.1 (a) Pursuant to section 123 of the RMA and Schedule 5, cl 26 of the FTA, this consent shall expire 35 years after the date of the commencement of this consent.

(b) This consent shall lapse 20 years after the commencement of this consent.

3. Location

3.1 The activities authorised by the ~~this~~ 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.

4. Review of consent conditions

4.1 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.

5. Stormwater Management

5.1 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).

5.2 The SOMP shall include:

(a) A programme for regular monitoring and inspection of the stormwater management system including details of monitoring, sample locations, and inspection frequency. Where representative samples are

collected they must be analysed for Total Suspended Solids (TSS), Total Petroleum Hydrocarbons, Copper, Lead and Zinc; and

(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; and

(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

(d) A programme for regular monitoring of the stormwater receiving environments, including the recommendations in the Ecological Effects Assessment, details for sediment and water quality sampling, monitoring parameters, frequency and locations; and

(e) Details for determining the zones of reasonable mixing, which will inform the receiving environment monitoring locations; and

(a) Trigger levels whereby exceedances require the implementation of Condition 52.3;

(f) Details of who will be responsible for operation and maintenance works; and

(g) Details of recording and reporting of operation and maintenance activities.

5.3 The preparation of the SOMP shall be undertaken by a suitably qualified and experienced professional.

5.4 At least The consent holder shall submit the SOMP to the Bay of Plenty Regional Council for written certification by a suitably qualified and experienced professional, 40 Working Days before the start of Construction Works prior to the start of construction on the stormwater management system. Written certification shall be to certify the SOMP and ensure compliance with the conditions of this consent; the SOMP shall be submitted to BOPRC for certification that the SOMP satisfies the requirements of Condition 49.2.

5.5 (a) The Consent Holder shall implement the SOMP for the duration of this Consent.

(b) The consent holder shall review and update the SOMP, if required, annually for the duration of this consent.

6. Final Stormwater Design

6.1 (a) 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. 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).

(b) No works shall be undertaken on the stormwater management system until written certification of the information required by condition 6.1(a), from the Bay of Plenty Regional Council, has been received.

6.2 All stormwater runoff from the projects trafficked road surfaces shall be routed through stormwater treatment devices prior to discharge to the receiving environment.

6.3 The stormwater system, management and associated stormwater discharge structures shall be designed in accordance with the application including:

(a) The Substantive Design Application; and

(b) The most recent certified version of the SOMP required by condition 5.1 of this consent; and

- (c) The information required by condition 6.1(a) of this consent; and
- (d) The Ecological Effects Assessment; or
- (e) Any subsequent document or plan certified in writing by the Bay of Plenty Regional Council.

6.4 All works to install the stormwater infrastructure must be undertaken in accordance with the conditions of RM25-0466-LC.01, RM25-0466-BC.01 and RM25-0466-DC.01.

7. Discharge Quantity

7.1 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
- (c) A full catchment analysis has been provided to demonstrate that limited or no attenuation downstream will not cause an adverse effect.

8. Discharge Quality and Sampling

8.1 The consent holder shall ensure that no discharge resulting from the exercise of this consent shall result in any of the following after reasonable mixing (see conditions 5.2 and 8.2 of this consent):

- (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) Any significant adverse effect on aquatic life;
- (d) The natural temperature of the water changing by more than three degrees Celsius; and
- (e) Aquatic organisms being rendered unsuitable for human consumption by the presence of contaminants.

8.2 The consent holder shall ensure that in freshwater receiving environments the reasonable mixing zone shall be the less of 50 metres or ten times the width of the wetted waterway.

8.3 Should the discharge result in any of the effects listed in Condition 8.1 48.1, 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 8.4 of this consent, for concentration of total suspended solids and total petroleum hydrocarbons by an IANZ accredited laboratory.

8.4 The consent holder shall ensure the following:

- (a) Total suspended solids (TSS) concentrations at the point of discharge into the receiving environment (after treatment) shall not exceed 100 mg/L; and
- (b) Total petroleum hydrocarbons (TPH) concentrations at the point of discharge into the receiving environment after treatment shall not exceed 15 mg/ L; and

(c) In freshwater receiving environments, dissolved metal concentrations must not exceed the following after reasonable mixing:

1. Copper – 1.8 µg/L; and
2. Lead – 5.6 µg/L; and
3. Zinc – 15 µg/L.

(d) In marine receiving environments, dissolved metal concentrations must not exceed the following after reasonable mixing:

1. Copper – 3.0 µg/L; and
2. Lead – 6.6 µg/L; and
3. Zinc – 12 µg/L.

8.5 Sediment samples must be taken from a location outside the zone of reasonable mixing. Stormwater discharges shall not result in sediment in fresh and marine receiving environments to exceed the following limits:

1. Copper – 65 mg/kg; and
2. Lead – 50 mg/ kg; and
3. Zinc – 200 mg/kg; and
4. TPH – 280 mg/kg.

8.6 The Consent Holder shall collect a representative water quality samples at the locations identified in the certified SOMP required by condition 4.2 of this consent within one year of the consent being exercised. The samples must be analysed for the constituents listed in condition 8.4 of this consent, 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 sample shall be analysed for concentration of total suspended solids and total petroleum hydrocarbons by an IANZ accredited laboratory and the results provided to BOPRC upon receipt.

(a) The consent holder shall undertake quarterly water quality sampling at the locations identified in the certified SOMP for the first five years of this consent being exercised.

(b) After five years of quarterly monitoring the sampling frequency shall reduce to annual sampling if the results are below the limits in condition 8.4 for 10 out of 12 consecutive samples collected.

(c) If the annual sampling shows results below the limits in condition 8.4, for three consecutive samples then the consent holder shall cease sampling.

(d) The samples required by condition 8.6(a), (b) and (c) must be analysed for the constituents listed in condition 8.4.

8.7 The consent holder shall collect representative sediment samples at the locations identified in the certified SOMP within one year of this consent being exercised. The samples must be analysed for the constituents listed in condition 8.5 of this consent.

8.8 (a) The consent holder shall undertake quarterly sediment sampling for the duration of this consent at the locations identified in the certified SOMP for the first five years of this consent being exercised.

(b) After five years of quarterly monitoring the frequency shall reduce to annual sampling if the results are below the limits in condition 8.5 for 10 out of 12 consecutive samples collected.

(c) If the annual sampling shows results below the limits in condition 7.5, for three consecutive samples collected then the consent holder shall cease sampling.

(c) The samples required by condition 8.8(a), (b) and (c) must be analysed for the constituents listed in condition 8.5.

8.9 Any water and sediment quality sample results exceeding the maximum concentrations listed in conditions 8.4 and 8.5 specified in the SOMP by more than 10% shall trigger the following:

(a) Notification within five Working Days to BOPRC of the exceedance(s); **and**

(b) Investigation into the causes of the exceedance(s); **and**

(c) Timing for the implementation of any corrective actions / measures identified; and

Within two months of the results, corrective action to address the exceedance(s);

(d) Retest the discharge for the constituents listed in conditions 8.4 and 8.5 of this consent following implementation of corrective action; and

Within three months of the results, re-testing of the discharge for constituents under Conditions 48.1 and 52.1 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.

8.10 Should the water quality and sediment analysis results be more than 10% above the discharge quality limits specifications listed in conditions 8.4 and 8.5 specified in the SOMP for three consecutive water samples analysed, the Consent conditions may be reviewed under Condition 4.1 to require additional on-site stormwater treatment.

8.11 Stormwater analyses required by these conditions shall be carried out:

(a) As set out in the latest edition of “Standard Methods for the Examination of Water and Wastewater” –APHA – AWWA – WPCF, or such other method proposed by the consent holder and certified in writing by the Bay of Plenty Regional Council.

8.12 The results of the analyses required by the conditions of this consent shall be forwarded to the Bay of Plenty Regional Council within one month of receiving the results (see Advice Notes).

8.13 The consent holder shall notify the Bay of Plenty Regional Council, in writing, of any upgrades or changes to the stormwater management system or stormwater sub-catchments, imperviousness or layout which may cause a change in the quantity or composition of discharges to the receiving environment.

9. Inspections, Monitoring and Reporting

9.1 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.

9.2 (a) The stormwater infrastructure shall be inspected for debris build up, blockages, erosion and scour.

(b) Where maintenance work is required, the consent holder shall undertake any maintenance work as soon as practically possible or within two working days of a request from the Bay of Plenty Regional Council.

(c) The consent holder shall maintain a record, for the duration of this consent, of the dates and details of any inspections and maintenance carried out as required by this condition.

9.3 The consent holder is responsible for any ongoing maintenance of the stormwater infrastructure.

9.4 The consent holder shall ensure:

- (a) Accumulated debris is regularly removed from in and around the stormwater infrastructure; and
- (b) The stormwater infrastructure is maintained in an effective capacity at all times so that the structure(s) can continue to operate in accordance with its design function (see Advice Notes); and
- (c) Any stormwater outlets shall be kept visible and clear of vegetation to allow for regular inspection.

9.5 All sediment and debris removed from the stormwater devices as a result of maintenance operations must be removed off-site to a facility authorised for the type and level of contaminants identified. Disposal dockets shall be kept for the duration of this consent and provided to the Bay of Plenty Regional Council within 48 hours of a request.

9.6 Any erosion and/or scour resulting from the discharge from the outlet(s) must be effectively stabilised as soon as practicable after the consent holder becoming aware of the erosion and/or scour.

9.7 An easily accessible sampling point must be available at any outlets to allow for regular inspection.

Advice Notes

1. 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 RM25-0466-DC.03.