

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.13	Discharge (DW R21 – Rule 30A)	Discharging Stormwater to Surface Water	35 years	20 years (after the date of commencement of the consent)

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 47)</i>				
RC.13	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.	35 Years	20 Years

CONTENTS

DEFINITIONS	3
CONDITIONS	5
Purpose	5
Location	5
Consent lapse and expiry	5
Pre-construction conditions	5
Review of consent conditions	6
Discharging Stormwater to Surface Water	6
Discharge Quantity	7
Discharge Quality and Sampling	7
National Environmental Standards for Freshwater	8
ADVICE NOTES	8

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"> 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
FTA	Fast Track Approvals Act 2024

Abbreviation/term	Meaning/definition
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)	<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.
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.
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.

Abbreviation/term	Meaning/definition
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 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>

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 (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

- 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.

Discharging Stormwater to Surface Water

- 6 The Consent Holder shall prepare a **Stormwater Operation and Maintenance Plan (SOMP)** for the 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 The SOMP shall include:
- (a) A programme for regular monitoring and inspection of the stormwater management system including details of monitoring 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;
 - (d) Details of who will be responsible for the operation and maintenance works; and
 - (e) Details of recording and reporting of operation and maintenance activities.
- 8 The preparation of the SOMP shall be undertaken by a SQP (unless stated otherwise).
- 9 The Consent Holder shall prepare, submit to the Chief Executive and implement the SOMP 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
Stormwater Operation and Maintenance Plan	Certified by the Chief Executive as compliant with Condition 6.	At least 40 Working Days before the start of Construction Works on the stormwater management system.	Duration of the Consent.

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

- 11 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.
- 12 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.
- 13 The Consent Holder shall submit to the Chief Executive 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).
- 14 All stormwater runoff from the Project's trafficked road surfaces shall be routed through stormwater treatment devices prior to discharge into the receiving environment.
- 15 An easily accessible sampling point must be available at any outlets to allow for regular inspection.
- 16 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.

Discharge Quantity

- 17 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.

Discharge Quality and Sampling

- 18 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 any point 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) Any significant adverse effect on aquatic life;
 - (d) The natural temperature of the water being changed by more than three degrees Celsius; and
 - (e) Aquatic organisms being rendered unsuitable for human consumption by the presence of contaminants.
- 19 Should the discharge result in any of the effects listed in Condition 18, 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 concentration of total suspended solids and total petroleum hydrocarbons by an IANZ accredited laboratory.

- 20 The Consent Holder shall collect a representative sample at the stormwater outlet, within one year of this Consent being exercised and 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 the Chief Executive upon receipt.
- 21 Any water quality results exceeding the maximum concentrations listed in Conditions 18 and 19 by more than 10 percent shall trigger the following:
- (a) Notification within five working days to the Chief Executive of the exceedance(s);
 - (b) Within 20 working days of the results, investigation into the causes of the exceedance(s);
 - (c) Within two months of the results, corrective action to address the exceedance(s);
 - (d) Within three months of the results, re-testing of the discharge for constituents under Conditions 17 and 18 following implementation of corrective action;
 - (e) A report detailing the four points above, including the necessity for other testing, shall be forwarded to the Chief Executive within 30 Working Days following receipt of the re-testing results.
- 22 Should the water quality analysis results be more than 10 percent above the discharge quality specifications in Condition 18 for three consecutive water samples analysed, the consent conditions may be reviewed under Condition 5 to require additional on-site stormwater treatment.
- 23 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.

National Environmental Standards for Freshwater

Mandatory Conditions

- 24 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.
- 25 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.

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.