

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-LC.01

A resource consent:

- Under section 9(2)(a) of the Resource Management Act 1991 and Rule LM R4 of the Regional Natural Resources Plan to undertake a discretionary activity being the disturbance of land and soil as a result of earthworks; and
- Under section 9(2)(a) of the Resource Management Act 1991 and Rule LM R10 of the Regional Natural Resources Plan to undertake a discretionary activity being the disturbance of land and soil as a result of vegetation clearance; and
- Under section 9(2)(a) of the Resource Management Act 1991 and Rule WL R9 of the Regional Natural Resources Plan to undertake a discretionary activity being to modify and destroy wetlands; and
- Under section 15(1)(b) of the Resource Management Act 1991 (RMA) and Rule DW R8 of the Regional Natural Resources Plan (RNRN) to undertake a discretionary activity being to discharge chemical dust suppressants to land during earthworks; and
- Under section 15(1) of the RMA and Rule AIR R16 of the RNRN to undertake a discretionary activity being to discharge dust to air during earthworks; and
- Under section 9(2)(a) of the RMA and Regulation 45(1) and (2) of the National Environmental Standards for Freshwater (NES-F) to undertake a discretionary activity being vegetation clearance and earthworks within and within 10 metres of a natural wetland associated with the construction of specified infrastructure; and
- Under section 9(2)(a) of the RMA and Regulation 45(3) of the NES-F to undertake a discretionary activity being earthworks or land disturbance outside a 10 metre, but within a 100 metre setback from a natural wetland for the purpose of constructing specified infrastructure;

subject to the following conditions:

1. Purpose

1.1 The purpose of this resource consent is to authorise and set conditions for:

(a) earthworks; and

(b) vegetation clearance; and

(c) wetland modification and/or destruction; and

(d) discharge of dust to air during earthworks; and

(e) discharge of chemical dust suppressants during earthworks

associated with the construction of the TNL Stage 2.

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:

1. 20 years after commencement for earthworks, vegetation clearance, discharge of chemical dust suppressants and discharge of dust to air; and

2. 35 years after commencement for wetland modification and/or destruction.

(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. Pre-construction conditions – notification of works

4.1 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:

1. Conditions of the Consents;

2. Details for the Project Representative(s), including their contact details (phone and email address);

3. Timeframes for planned key stages of Construction Works; and

4. Contact details of the site contractor and other key contractors.

5. Review of consent conditions

5.1 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.

6. Management Plans

6.1 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.

6.2 Conditions 6.3 – 7.3 apply to all plans defined as a ‘Management Plan’ in Appendix 1 (unless stated otherwise).

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

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

6.5 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.

6.6 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~~.

6.6 (a) The Consent Holder shall provide drafts of the Management Plans (as defined in Appendix 1) to Pirirākau and Ngāti Taka before the Management Plan(s) ~~is to be~~ are 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.

(b) 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 where appropriate. The relevant Management Plan(s) 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.

(c) The consent holder shall provide the Management Plan(s) and feedback summary required by condition 6.6(b) to the Bay of Plenty Regional Council as part of the written certification process for each of the Management Plans required by the conditions of this consent.

6.7 (a) The consent holder shall supply the management plans(s) required by the conditions of this consent to the Bay of Plenty Regional Council for written certification as specified in the relevant conditions of this consent.

(b) Certification must not be unreasonably withheld or delayed, and refusal may only be on the grounds that the plans fail to meet the requirements of the conditions of this consent, and the purpose and objectives of the management plan and/or relevant guidelines, standards or other statutory documents. related conditions. The Bay of Plenty Regional Council representative must provide reasons why that view is held at the time of refusal.

(c) Should the Bay of Plenty Regional Council refuse to certify the plan, the consent holder must submit a revised plan to the Bay of Plenty Regional Council. Clauses (a) to (b) shall apply for any resubmitted plan.

(d) Once certified the plan may be varied by the consent holder. The certification for any variation to the plan shall follow the process outlined in clause (a) to (c). The activities subject to the variation must not commence until the variation has been certified in writing by the Bay of Plenty Regional Council.

Deemed Certification of Management Plans

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 Management Plan condition(s) apply until the required Management Plan has been certified or otherwise provided to BOPRC for information, in accordance with the relevant condition.

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.

7. Management Plan(s) for Enabling Works

7.1 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).

7.2 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).

7.3 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.

Use of Construction Equipment, Machinery and Other Plant

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

~~The Consent Holder shall take all practicable measures to prevent fuels, lubricants, hazardous and/or dangerous materials, concrete or cement based substances from entering any Waterbody or surface water.~~

8. Erosion and Sediment Control Plan

8.1 (a) A minimum of 20 working days before the start of each stage of works authorised by this consent, the Consent Holder shall prepare submit an Erosion and Sediment Control Plan (ESCP) to the Bay of Plenty Regional Council for written certification by an environmental engineer.

(b) The purpose of the ESCP is to:

1. Identify the ESC measures that will be implemented to minimise sediment discharge from the Project Works; and

2. Minimise the impact of sediment discharge on Watercourses and Natural Wetlands; and

3. Identify the type and locations of erosion and sediment controls and discharge location(s).

8.2 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 to ensure, as far as practicable, that there is no tracking of soil or sediments 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 SQEP, 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 BOPRC, 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 (as defined in the Regional Natural Resources Plan). (within three vertical metres of the top of streambank or within 30 horizontal metres of the top of streambanks) or within 30 metres of streams where no floodplain exists.

~~At least 20 Working Days before the start of Construction Works, the ESCP shall be submitted to BOPRC for certification that the ESCP satisfies the requirements of Conditions 9.1 and 9.2.~~

8.3 The Consent Holder shall implement the ESCP for the duration of Construction Works.

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

9. Implementation of Erosion and Sediment Control Devices and other Erosion and Sediment Control Measures

9.1 (a) 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 11.1).

(b) The consent holder shall ensure that all silt fences, cleanwater diversion bunds/drains and a stabilised site entry are installed before works start to construct any sediment retention pond or decanting earth bund.

9.2 All ESC devices shall be designed and constructed in accordance with the ESCP, and relevant SSESCP (if applicable), or any subsequent variation to the ESCP and/or SSESCP that has received written certification from the Bay of Plenty Regional Council.

9.2 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.

9.3 The Consent Holder shall ensure that all ESC measures and devices and associated erosion protection devices are appropriately maintained in an effective capacity and good working order and remain in place until such time as the area managed by the respective ESC measure is fully Stabilised.

9.4 The Consent Holder shall ensure that any necessary maintenance of ESCs identified by inspection under Condition 9.3, or by BOPRC is completed as soon as is practicable.

9.5 The Consent Holder shall ensure that all exposed areas of earth resulting from Project Works authorised by these Consents are Stabilised against erosion, by vegetative ground cover or suitable alternative, as soon as practicable following the completion of each Stage of Work.

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

9.7 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 BOPRC the following:

(a) Written certification from a SQEP 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).

9.8 The Consent Holder shall ensure that any imported fill is classified as 'Clean fill' (see Advice Notes).

9.9 No vegetation, soil or other debris shall be left in a position where the material could become mobile by stormwater during heavy rainfall.

9.10 The consent holder shall ensure that there is no tracking of soil or sediments off site.

9.11 All runoff controls (such as diversion channels, bunds, contour drains) with slopes greater than 2% shall be protected from erosion using geotextile, aggregate or other suitable methods.

9.12 The consent holder shall ensure that any sediment retention devices are constructed as quickly as possible within a period of dry weather and that any pond includes a stabilised inlet and outlet to prevent erosion at both the inlet and outlet of the pond.

10. Monitoring and Report for Erosion and Sediment Controls

10.1 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 this Consent.

10.2 The Consent Holder shall ensure that ESC devices are inspected:

(a) At least weekly for the duration of this 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.

10.3 The Consent Holder shall forward a copy of records required by Conditions 10.1 and 10.2 to BOPRC upon request.

10.4 The consent holder shall ensure that any necessary maintenance of erosion and sediment controls identified by the inspections under the conditions of this consent or the Bay of Plenty Regional Council are completed within 24 hours or as soon as safely practicable.

11. Site Specific Erosion and Sediment Control Plan

11.1 (a) A minimum of 20 working days before starting any soil disturbing activities or works in a Watercourse, including within any wetland, 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 and submit the SSESCP to the Bay of Plenty Regional Council or written certification by an environmental engineer. Certification is for the purpose of ensuring compliance with the conditions of this consent and the erosion and compliance with the Bay of Plenty Regional Council 'Erosion and Sediment Control Guidelines for Land Disturbing Activities – Guideline 2010/1'. Works shall not commence until written certification of the SSESCP has been received.

(b) The purpose of the SSESCP is to set out measures to be implemented to manage and reduce, as far as practicable:

1. Erosion and the discharge of sediment beyond the Designation Boundary; and
2. Adverse effects on streams, including minimising the potential for sediment runoff and discharges to water from Construction Works.

11.2 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, streamworks within the area to which the SSESCP applies.
- (i) Measures and standards to be put in place to completely isolate aquatic systems from any areas where concrete is poured.**
- (j) Measures / details to manage concrete wash water during Project Works.**

~~At least 10 Working Days before the start of soil disturbance in a relevant Project Works area, the SSESCP shall be submitted to BOPRC for certification that the SSESCP satisfies the requirements of Conditions 12.1 and 12.2.~~

11.3 The Consent Holder shall implement the SSESCP for the duration of soil disturbing activities in the relevant Project Works area.

12. Construction Management Plan

12.1 (a) The Consent Holder shall prepare a **Construction Management Plan (CMP)**. The Consent Holder shall submit the CMP to the Bay of Plenty Regional Council for written certification by an

environmental engineer a minimum of 40 working days prior to works commencing. Written certification is for the purpose of certifying the CMP and ensuring the conditions of this consent are met. The purpose of the CMP is to provide information relating to construction management, and to manage certain construction activities and their effects.

(b) All works shall be undertaken in accordance with the most recently certified version of the CMP.

12.2 The CMP shall include:

- (a) The roles, responsibilities and contact details of key staff and contractors, including the Project Manager and the Project Representative(s);
- (b) A description of the training and education programme that will be implemented to ensure compliance with conditions;
- (c) Location and details of construction site infrastructure including site offices, site amenities, contractors' yard access, equipment unloading and storage areas, contractor car parking, security and construction lighting;
- (d) Measures to delineate site boundaries, maintain site security, prevent unauthorised access, ensure the safe and practical operation of adjacent sites;
- (e) Proposed methods and measures to avoid, where practicable, and otherwise manage adverse effects on public utility infrastructure;
- (f) How provision is to be made for a cultural induction programme of contractor's staff and subcontractors by Pirirākau and Ngāti Taka. The frequency and content of these inductions are to be agreed between the Consent Holder and Pirirākau and Ngāti Taka;
- (g) Methods for providing for the health and safety of the general public;
- (h) Details of emergency contacts who have authority to authorise immediate response actions;
- (i) Methods for recording and responding to queries and complaints;
- (j) The anticipated construction timeframes, including information on the likely date for start of Construction Works;
- (k) The proposed hours of Construction Works;
- (l) Methods to communicate key Construction Works milestones and proposed hours of construction with owners and occupiers of properties and stakeholders who will potentially be affected by the Project (including organisations, community facilities, businesses and directly affected landowners and occupiers);
- (m) The proposed staging and sequence of the Construction Works and how the CMP will be updated if the staging and sequencing changes; and
- (n) Maintenance, monitoring and reporting procedures;
- (o) Total exposed area for each stage of works;
- (p) Measures to manage the use of machinery fuel/oil and address potential effects on waterways;
- (q) Measures to manage construction-phase waste materials and contaminants and potential effects on waterways.

~~At least 40 Working Days before the start of Construction Works, the CMP shall be submitted to BOPRC for certification that the CMP satisfies the requirements of Condition 13.2.~~

12.3 (a) The Consent Holder shall implement the CMP for the duration of Construction Works.

(b) The Consent Holder shall review and update, if required, the CMP on an annual basis for the duration of Construction Works, and submit any updates to the Bay of Plenty Regional Council for written certification by an environmental engineer, to ensure compliance with the conditions of this consent.

13. Biosecurity Management Plan

13.1 20 working days prior to Project Works commencing, the Consent Holder shall prepare submit a Biosecurity Management Plan (BMP) to the Bay of Plenty Regional Council for written certification by a suitably qualified and experienced professional. The purpose of the BMP is to manage the risk of spread or introduction of weeds, diseases, pest plants and invasive species within the Designation Boundary.

(a) The BMP shall include:

1. Disease management protocols including to manage the risk of spreading kauri die-back disease and myrtle rust;
2. Pest plant management protocols to prevent the introduction or spread of pest plants;
3. Management protocols to prevent the spread of invasive freshwater and marine species (including protocols for machinery and stand down periods); and
4. Measures to ensure compliance with the Bionet A16 (revised 2020) "Keep it clean" guidelines, and the MPI Check, Clean Dry and gold clam biosecurity guidelines, as far as practicable.

(b) Works must not commence until written certification of the BMP has been received from the Bay of Plenty Regional Council.

(c) All works must be undertaken in accordance with the most recently certified version of the BMP for the duration of this consent.

(d) The consent holder shall review, and update if required, the BMP on an annual basis for the duration of this consent. Any updates must be provided to the Bay of Plenty Regional Council for written certification by a suitably qualified and experienced professional for the duration of this consent.

- b. ~~At least 20 Working Days before the start of Project Works, the BMP shall be submitted to BOPRC for certification that the BMP satisfies the requirements of Condition 14.1.~~
- c. ~~The Consent Holder shall implement the BMP for the duration of Project Works.~~

14. Ecological Management Plan

14.1 The Consent Holder shall prepare an **Ecological Management Plan (EMP)**. The purpose of the EMP is to set out the specific management procedures, monitoring, and measures to avoid, minimise, remedy, offset and compensate for impacts from Project Works on ecological values, with the intent of achieving no net loss including by achieving the standards in Conditions 29.1 to 29.5 (inclusive) 28.1–28.5 and 31.3 to 31.12 (inclusive)~~30.3–30.7~~.

(a) The EMP shall:

1. Detail proposed timeframes for riparian planting and restoration works.
2. Provide for the remediation and mitigation in accordance with the mitigation areas and ratios outlined in BOPRC Consent Appendix RM25-0466-XX and the conditions of this consent.
3. Detail the indigenous species to be planted in each locality in order to comply with Conditions 29.1 28.1 and 29.4 28.4.
4. Provide opportunities for lizard habitat creation.
5. Specify the level of detail to be contained in the monitoring and maintenance reports prepared under Condition 29.5 28.5.
6. For planting required as a result of permanent stream diversion, require the planting to be completed within 12 months of the diversion.
7. Include a vegetation delineation and clearance protocol to be implemented during Construction Works.
8. Require, on completion of all planting required under the EMP, the Consent Holder to provide BOPRC with a statement, signed by a suitably qualified and experienced ecologist SOEP, that the planting and restoration works have been undertaken in accordance with the certified EMP.
9. Include an annual planting monitoring protocol required to comply with Condition 29.4 28.4.
10. Include an accidental discovery and management protocol for threatened or at-risk species not

otherwise identified and managed within subplans to the EMP in the event they are discovered during Project Works.

(a) The EMP shall include the following subplans:

1. Marine Monitoring Plan;
2. Wetland Management Plan;
3. Aquatic Fauna Management and Monitoring Plan;
4. Avifauna Management Plan;
5. Stream Management and Monitoring Plan; ~~and~~
6. Bat Management Plan if required; ~~and under Condition 26.2.~~
7. **Lizard Management Plan.**

(b) The EMP subplans may be prepared at different times.

14.2 (a) At least 20 Working Days before the start of Project Works, the EMP shall be submitted to BOPRC for written certification by a suitably qualified and experienced ecologist that the EMP is in accordance with the application, the Ecological Effects Assessment and the conditions of this consent, satisfies the requirements of Condition 15.1(a).

(b) Works shall not commence until written certification of the EMP has been received.

14.3 The certified EMP shall be implemented for the duration of this consent. Project Works.

14.4 The consent holder shall review and update if required the EMP on an annual basis for the duration of this consent. Any updates must be provided to the Bay of Plenty Regional Council for written certification by a suitably qualified and experienced professional prior to implementation.

15. Construction Air Quality Management Plan

15.1 Forty (40) working days prior to commencing Project Works, the Consent Holder shall prepare submit a Construction Air Quality Management Plan (CAQMP) to the Bay of Plenty Regional Council for written certification by an environmental engineer. Certification is for ensuring compliance with the conditions of this consent and the Bay of Plenty 'Erosion and Sediment Control Guidelines 2010/01' The purpose of the CAQMP is to facilitate the avoidance, remediation and mitigation of potential construction air quality impacts associated with Construction Works. The CAQMP shall include:

(a) Sources of dust, odour and hazardous air pollutants that may be created during Construction Works;

(b) A map and list of all sensitive locations along the alignment;

(c) A Dust Management Plan for each stage of works;

(d) Methods and procedures to manage dust as a result of Construction Works, including triggers for the implementation of such measures, that may include:

1. Chemical stabilisation or suppression;
2. Revegetation of exposed surfaces;
3. The use of water (including water availability and water storage locations to be provided for the duration of Construction Works);
4. The covering or otherwise enclosing of materials;
5. Approaches to the location and management of stockpiles;
6. Methods and timeframes to Stabilise earthworks; and

7. Measures to manage dust generating works in dry and windy conditions.
 - (e) Procedures for assessing, mitigating and remedying the effects of any odorous material that is discovered as a result of Construction Works, including methods to:
 1. Remove the material to reduce the exposure of odorous sources; and
 2. Mask the odour.
 - (f) Identification of roles and positions of responsibility (including a community engagement and liaison team to consult with potentially affected property owners);
 - (g) Visual dust and meteorological monitoring and reporting procedures;
 - (h) Plan review procedures;
 - (i) Contact details of 'on-call' staff who can operate water application systems for dust suppression outside of normal working hours if required; and
 - (j) A complaint recording and response system, supported by appropriate mitigation measures, as necessary.

~~At least 20 Working Days before the start of Construction Works, the CAQMP shall be submitted to BOPRC for certification that the CAQMP satisfies the requirements of Condition 16.1.~~

15.2 The Consent Holder shall implement the CAQMP for the duration of Construction Works.

15.3 The consent holder shall review and update if required the CAQMP on an annual basis for the duration of Construction Works. Any updates must be provided to the Bay of Plenty Regional Council for written certification by an environmental engineer prior to implementation.

16. Dust Control

(a) The Consent Holder shall ensure that, at all times the soil moisture of exposed areas is sufficient to prevent dust from being offensive or objectionable beyond the boundary of the work site.

(b) In lieu of (a) the consent holder may use chemical dust suppressants in accordance with the Bay of Plenty Regional Council certified Chemical Treatment Management Plan referenced in condition 16.2 of this consent.

(c) If wind conditions make dust control impracticable, the Consent Holder shall ensure that any machinery generating airborne dust stops operating until effective dust control is reestablished.

16.2(a) Prior to using chemical dust suppressants on site the consent holder shall submit a Chemical Treatment Management Plan (CTMP) to the Bay of Plenty Regional Council for written certification by an Environmental Engineer. The CTMP must be prepared by a suitably qualified and experienced person and include the following:

1. The dust suppressant chemical to be used on site.
2. The methodology for applying the chemical dust suppressant to ensure use is in accordance with the manufacturer's specifications.
3. A plan showing the area where chemical dust suppressants are to be used, the location of all waterbodies and drains, and the setback of the application area from waterbodies and drains (see condition 66).
4. Storage location(s) for chemical dust suppressants (see condition 66).
5. A Spill Management Plan, including details on equipment to be kept on site to deal with any spills (see Condition 16.5).

(b) Certification shall be for the purpose for certifying the use of chemical dust suppressants, ensuring the conditions of this consent are met and that the methodology for application and spill management protocols are in accordance with best practice.

(c) The consent holder shall ensure that chemical dust suppressants are used in accordance with the certified CTMP required by condition 16.2(a).

(d) For the duration of this consent, the CTMP must be updated each year that chemical dust suppressants are used.

(e) Any updated CTMP must be submitted to the Bay of Plenty Regional Council for written certification by an Environmental Engineer in accordance with clause (a) and (b). Changes shall not be implemented until written certification is received.

16.3 (a) The consent holder shall ensure that no chemical dust suppressants are discharged within 10 metres of any waterbodies or drains containing water.

(b) The consent holder shall ensure that no chemical dust suppressants are stored within 30 metres of any waterbodies or drains containing water.

(c) The product label requirements for the chemical dust suppressant prevail if they require greater setbacks than those specified in (a) and (b).

16.4 (a) The consent holder shall ensure that the Spill Management Plan required by condition 16.2 is kept on-site for the duration of works authorised by this consent.

(b) The consent holder shall maintain a written record of any accidental spills, including the date, location, waterways (if applicable), volume of spill and actions taken to recover the product.

(c) Spills directly to any waterbody or drain must be reported to the Bay of Plenty Regional Council Pollution Hotline (0800 884 883) as soon as practicable and within 12 hours.

(d) The spill record shall be kept on site and made available to the Bay of Plenty Regional Council upon request.

Chemical Treatment Management Plan

The Consent Holder shall prepare a **Chemical Treatment Management Plan (CTMP)**. The purpose of the CTMP 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 chemical treatment management system to achieve that outcome.

The CTMP 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:
 1. The chemical flocculant(s) to be used;
 2. Details on the types of ESC devices to be treated;
 3. Specific design details including structures, methodology and timing of application of the flocculation system; calculations and dilution, including details of optimum dosage (and assumptions), and how chemical dosage has been adjusted to the minimum level necessary to achieve the most effective flocculent in terms of sediment removal;
 4. Chemical storage location(s) and methods for secure storage of

~~chemical flocculants;~~

5. ~~Monitoring, maintenance and contingency management, including a record system and pl limits for discharges;~~

6. ~~A spill contingency plan, which will include:~~

- ~~i. A requirement to report spills directly to any Waterbody or drain to BOPRC as soon as is practicable; and~~
- ~~ii. A record of any accidental spills (including date, location, Waterbody (if applicable), volume of spills and actions taken to recover spilled product) that the Consent Holder will update in the event that spills occur;~~
- ~~iii. A list of equipment to be kept on site to deal with any spills; and~~
- ~~iv. The contact details of the person responsible for the operation and maintenance of the chemical treatment system.~~

~~At least 20 Working Days before the start of Construction Works, the CTMP shall be submitted to BOPRC for certification that the CTMP satisfies the requirements of Condition 17.2.~~

~~The Consent Holder shall implement the CTMP for the duration of Construction Works.~~

17. Pre and Post-Excavation Survey

17.1 At least 40 Working Days prior to starting excavation activities authorised by the Consent, the Consent Holder shall:

(a) Engage with the owner(s) of each property adjacent to the Designation Boundary that has a dwelling:

1. Within 50 metres of the Designation Boundary where only cut and fill earthworks are proposed; and
2. Within 100 metres of the Designation Boundary where piling activities are proposed.

(b) Offer to undertake a pre-excavation building survey, and:

1. If the offer in (b) is accepted, conduct a pre-excavation building survey. The survey shall be undertaken by a SQEP and shall document the condition of the building and structures following best practice, using written descriptions, photographs and measurements as required;
2. Where a pre-excavation building survey has been undertaken in accordance with 1. above, offer to undertake post-excavation building survey/s following completion of the excavation;
3. If the offer in 2. is accepted, conduct a post-excavation building survey. The survey shall be undertaken by a SQEP as soon as practicable and shall identify any damage (being detrimental cosmetic or structural damage to the building) that has occurred as a result of the excavation (as evidenced by a comparison between the pre and post-construction surveys);
4. Where damage to a building is identified as a result of excavation in accordance with 3., within 10 Working Days of completion of the excavation, offer to the owners of the building to fix that damage; and
5. If the offer is accepted, fix the damage. The Consent Holder shall fix the damage without undue delay following acceptance of the offer.

17.2 Copies of the relevant pre-excavation building survey reports shall be provided to the property owner(s) within 10 Working Days of each inspection being undertaken. A copy of the post-excavation building survey report shall be provided to the property owner(s) within 30 Working Days of the date of the post-excavation building survey.

17.3 If an offer made under Condition ~~17.8.1(b)~~ is not responded to within four weeks of the offer being

made, the offer will be deemed to have not been accepted (unless the Consent Holder agrees to a longer time period in the particular circumstance). Any offer must be accepted within 12 weeks of the offer being made, otherwise the offer will be deemed to have not been accepted.

18. Earthworks – General

18.1 The Consent Holder shall, as far as practicable, ensure that earthworks are undertaken in a manner which ensures that the stability of the land within the Designation Boundary and on properties adjoining the Designation Boundary is not adversely affected.

18.2 To achieve Condition [18.1 19.1](#), the Consent Holder shall prepare designs and construction methodologies for earthworks that are to be carried out within 50 metres of a property adjoining the Designation, which shall be reviewed and approved by a Chartered Professional Geotechnical Engineer.

18.3 Construction observations by a SQEP (Chartered Professional Geotechnical Engineer or nominee) shall be completed at appropriate intervals throughout Construction Works, as identified by a SQEP (Chartered Professional Geotechnical Engineer or nominee), to verify that the design and construction methodologies pursuant to Condition [18.2 19.2](#) are being implemented.

[18.4 The consent holder shall provide the geotechnical approval required by condition 18.2 to the Bay of Plenty Regional Council prior to works commencing within 50 metres of an adjoining property.](#)

[18.5 All works \(earthworks, vegetation clearance, wetland destruction and/or modification\) under this consent shall be carried out in accordance with the following documents and plans:](#)

[\(a\) The Substantive Application; and](#)

[\(b\) The certified management plans required by the conditions of this consent; and](#)

[\(c\) RM25-0466 Consent Plans; or](#)

[\(d\) Any subsequent document and/or plan that has received written certification from the Bay of Plenty Regional Council.](#)

[18.6 The consent holder shall ensure that all earthwork operations \(including stabilisation of earthwork sites to effectively prevent erosion\) are completed by March 2046.](#)

[18.7 The consent holder shall ensure that all cleanfill material is deposited offsite at:](#)

[\(a\) A consented cleanfill disposal site; and/or](#)

[\(b\) A site that has been certified \(in writing\) by a Bay of Plenty Regional Council compliance officer. Certification shall be limited to ensuring the site meets permitted activity rule in the Regional Natural Resources Plan and the 'Erosion and Sediment Control Guidelines for Land Disturbing Activities 2010/01'.](#)

[18.8 The consent holder shall record the volumes and locations of cleanfill material moved offsite. Such records shall be made available within three working days of a request from the Bay of Plenty Regional Council.](#)

[18.9 Before the start of works under this consent, the consent holder shall erect a prominent sign adjacent to the entrance of site works, and maintain it throughout the period of the works. The sign shall clearly display the following information:](#)

[\(a\) The consent holder;](#)

[\(b\) The main site contractor;](#)

[\(c\) A 24 hour contact telephone number for the consent holder or appointed agent;](#)

(d) A clear explanation that the contact telephone number is for the purpose of receiving complaints and information from the public about dust nuisance resulting from the exercise of this consent.

19. Site Management

19.1 All exposed areas of the site shall be fully stabilised prior to 31 May ~~30 April~~ of any year during the exercise of this Consent, and no earthworks shall be undertaken ~~during the winter earthworks period, being between 1 May and 15 September (inclusive), unless a detailed winter earthworks management plan (WEMP) works plan for the winter earthworks~~ is prepared and certified in accordance with Condition 19.1 ~~20.2~~.

(a) 20 Working Days prior to undertaking any earthworks within the winter earthworks period (1 May to 15 September), the Consent Holder shall submit to BOPRC for written certification by an environmental engineer a detailed works plan for the winter earthworks. The works plan shall indicate the works to be undertaken and include a detailed winter earthworks management plan (WEMP) for the winter earthworks. SSESCP (as prepared under Condition 12.1) in accordance with the design standards as set out for winter earthworks in BOPRC 'Erosion and Sediment Control Guidelines for Land Disturbing Activities – Guideline 2010/1'.

(b) The WEMP must include the following:

1. the works to be undertaken over the winter earthworks period.
2. a Chemical Treatment Management Plan (CTMP) (see RM25-0466-DC.01).
3. details of the erosion and sediment control measures required to ensure onsite storage equivalent to a 1% AEP (100 year storm event) or an alternative methodology is provided (see RM25-0466-DC.01).
4. an updated Erosion and Sediment Control Plan in accordance with the design standards for winter earthworks in the Bay of Plenty Regional Council 'Erosion and Sediment Control Guidelines for Land Disturbing Activities – Guideline 2010/1' or its successor.

(c) Certification is for the purpose of ensuring compliance with the conditions of this consent and the 'Erosion and Sediment Control Guidelines for Land Disturbing Activities – Guideline 2010/1'.

(d) Winter earthworks must not commence until written certification of the WEMP has been received.

(e) Winter earthworks shall be undertaken in accordance with the conditions of this consent and the certified WEMP.

(f) In the event of any non-compliance with the conditions of this consent and/or the WEMP, Regional Council staff may direct winter earthworks to cease by written notice and stabilisation measures shall be undertaken by the consent holder immediately.

20. Baseline Marine Monitoring

20.1 Baseline marine environment monitoring shall be conducted in Te Puna Estuary and Mangawhai Bay Estuary in the summer months within 12 months prior to Construction Works that discharge to the Te Puna Estuary and Mangawhai Bay Estuary.

~~At the same time of year that the baseline monitoring in Condition 21.1 is carried out, marine environment monitoring shall take place on an annual basis during Construction Works that discharge to the Te Puna Estuary and Mangawhai Bay Estuary, and for two years after completion of Construction Works that discharge to the Te Puna Estuary and Mangawhai Bay Estuary. All monitoring shall be conducted in accordance with the Marine Monitoring Plan.~~

21. Marine Monitoring Plan

21.1 The Consent Holder shall prepare a **Marine Monitoring Plan (MMP)**. The purpose of the MMP is to characterise the marine environment and to understand and manage impacts of cumulative

discharges or an accidental sediment discharge event from the Project Works on the receiving marine environment.

(a) The MMP shall include the following at Te Puna Estuary and Mangawhai Bay Estuary:

1. Details of the baseline and ongoing annual marine environment monitoring under Condition 21, including:

- i. Sampling procedures for replicate benthic infaunal and epifaunal invertebrates which shall include a minimum of 10 samples collected for a 50m x 30m sampling grid;
- ii. Sediment contaminants from road runoff (baseline and post-Construction Works only) (copper, lead, zinc, high molecular weight polycyclic aromatic hydrocarbons) and characteristics and (grain size, redox discontinuity layer). Composite samples are required for these parameters;
- iii. Depth of oxygenated sediment;
- iv. Marine flora including seagrass;
- v. Marine monitoring locations including control sites;

~~Results of the baseline annual marine benthic habitat monitoring required under Condition 21 (after collection);~~

2. Triggers for additional monitoring in the event of an cumulative accidental sediment discharge event.

3. Details on Reporting requirements and frequency of reporting to BOPRC.

4. Measures and monitoring Recommended mitigation and/or response to ~~that shall be required in the event of an to~~ accidental sediment discharge events in the Te Puna Estuary and Mangawhai Bay Estuary.

(b) ~~At least 20 Working Days before starting Construction Works that could result in an accidental sediment discharge event on the receiving marine environment, the MMP shall be submitted to BOPRC for certification that it satisfies the requirements of Condition 22.1(a).~~

(b) At least eighteen months prior to starting Stage 2 works, the MMP shall be submitted to the Bay of Plenty Regional Council for written certification by a suitably qualified and experienced professional that the MMP satisfies the requirements of condition 21.1 of this consent.

(c) The certified MMP shall be implemented for the duration of this Consent.

(d) No works shall commence until written certification of the MMP has been received from the Bay of Plenty Regional Council.

(e) The Consent Holder shall review and if required update the MMP on an annual basis for the duration of this consent. Any updates must be provided to the Bay of Plenty Regional Council for written certification by a SQEP prior to implementation.

22. Wetland Management Plan

22.1 The Consent Holder shall prepare a **Wetland Management Plan (WMP)**. The WMP shall be prepared by a suitably qualified and experienced ecologist. The purpose of the WMP is to remedy, mitigate, compensate and/or offset any effects ~~manage any effects~~ of the Project on Natural Wetlands ~~(including through offset and compensation for Wetlands)~~, and on habitat values for avifauna associated with Natural Wetlands.

(a) The WMP shall include:

1. Identification of the Natural Wetland(s) that will be modified, fragmented, partially lost, or

wholly lost as a result of Project Works, and the timing and extent of that loss including with respect to area and values.

2. Details of the restoration planting, wetland creation, restoration and habitat rehabilitation to be undertaken to protect and restore the indigenous biodiversity values of the remaining areas of Natural Wetland(s) identified in 1. where they have been modified, fragmented and/or partially lost.
3. Details of the wetland creation, restoration, and protection of Natural Wetland / Wetland avifauna habitats to be undertaken to restore the Natural Wetland avifauna habitat values lost as a result of impacts on Natural Wetlands within the Ōmokoroa and / or Merrin Wetlands.
4. Details of the restoration planting, wetland creation, restoration and habitat rehabilitation to be undertaken to offset / compensate for loss of wetland extent and associated restore the indigenous biodiversity values as of lost extents of the Natural Wetland(s) identified in clause 1.
5. Methods for wetland creation and restoration required in accordance with Conditions 31.2 30.2 and 31.4 30.4, including the requirements in regard to:
 - i. Wetland hydrology (including maintenance of hydrological structures, if needed for Wetland creation);
 - ii. Earthworks, including ESCPs;
 - iii. Sediment characteristics;
 - iv. Management of road-edge effects to prevent disturbance;
 - v. Timing of works (schedule of work);
 - vi. Fencing and long-term protection requirements;
 - vii. Riparian buffer requirements (including a minimum requirement of five metres of non-wetland riparian buffer planting surrounding constructed Wetlands);
 - viii. Species to be planted in each planting zone and vegetation tier wihtin Natural Wetland / Wetland and riparian zone (planting plan);
 - ix. The performance standards in Conditions 29.4 28.4 and 29.5 28.5.
 - x. Maintenance of planting;
 - xi. Maintenance of stock exclusion;
 - xii. Pest animal control; and
 - xiii. Pest plant control.

2. Details of native wetland plant species in different planting zones within all vegetation tiers in each zone (in compliance with Conditions 28.4 and 28.5) that shall be achieved before the expiry of the maintenance period and performance standards linked to specific timeframes. Performance standards shall:

- i. Include a full array of indigenous plant species appropriate for the locality, and comprising species represented in proportions and cover expected for Wetland types found within the Tauranga Ecological District;
- ii. Include a monitoring programme to demonstrate the outcome of Wetland creation and compliance with Conditions 28.4, 28.5, 30.2 and 30.4. The Wetland creation and maintenance work undertaken as described in the WMP shall be overseen by a SQEP; and
- iii. Require, on completion of the creation and restoration work

~~described in the WMP and Conditions 28.1 – 28.4, 30.2, 30.4, 30.5, the Consent Holder to provide BOPRC with a statement, signed by a SQEP, that the creation and restoration works have been undertaken in accordance with the certified WMP.~~

~~Details of the monitoring programme to attain the ecological outcomes in Conditions 30.2 and 30.4, including management requirements if monitoring demonstrates the requirements have not been met.~~

6. ~~Monitoring programme to demonstrate the ecological outcomes of Wetland creation, restoration and enhancement and compliance with the conditions of this consent and include the management and maintenance requirements if monitoring demonstrates the requirements have not been met. The Wetland creation, restoration and enhancement and maintenance work undertaken as described in the WMP shall be overseen by a suitably qualified and experienced professional.~~
- (b) At least 20 ~~40~~ Working Days ~~before prior to~~ starting Project Works, the WMP shall be submitted to BOPRC for ~~written~~ certification ~~by a suitably qualified and experienced professional~~ that the WMP satisfies the requirements of Condition ~~223.1(a)~~.
- (c) The certified WMP shall be implemented for the duration of the works described in the WMP.
- (d) ~~The consent holders shall review and update the WMP on an annual basis for the duration of this consent.~~
~~(e) Any updates must be provided to the Bay of Plenty Regional Council for written certification by a suitably qualified and experienced professional prior to implementation.~~

23. Aquatic Fauna Management Plan

23.1 The Consent Holder shall prepare an **Aquatic Fauna Management and Monitoring Plan (AFMMP)**. ~~The AFMMP shall be prepared by a suitably qualified and experienced freshwater ecologist~~
The purpose of the AFMMP is to manage and minimise effects on native freshwater fish and kākahi (freshwater mussels) prior to and during any required streamworks or works in a Natural Wetland which provides habitat for native freshwater fish and / or kākahi.

- (a) The AFMMP shall include:
 1. Methods for directing native fish and kākahi salvage and relocation ~~from any areas of flowing or standing water~~, including site isolation procedure(s) and any site-specific requirements as appropriate;
 2. Timing of fish / kākahi salvage and relocation, including measures to take into account migration or spawning periods; ~~and~~
 3. Procedures for the humane management and disposal of invasive exotic species; ~~and~~
 4. Release sites for each impacted Watercourse / reach; and
 5. ~~Reporting requirements and timeframes for when reports shall be provided to the Bay of Plenty Regional Council; and~~
 6. Accidental harm and mortality minimisation protocols.
- (b) At least 20 Working Days before starting ~~streamworks, works in a natural waterbody (streams, wetlands)~~ the AFMMP shall be submitted to BOPRC for ~~written~~ certification ~~by a suitably qualified and experienced professional~~ that the AFMMP satisfies the requirements of Condition ~~23.1(a)~~ ~~24.1(a)~~.
- (c) ~~No works in a natural waterbody shall commence until written certification of the AFMMP has been received.~~
- (d) The AFMMP shall be implemented for the duration of streamworks and works in Natural Wetlands.
- (e) ~~The consent holder shall review and update if required the AFMMP on an annual basis for the duration of this consent. Any updates must be provided to the Bay of Plenty Regional Council for written~~

certification by a suitably qualified and experienced professional prior to implementation.

24. Avifauna Management Plan

24.1 The Consent Holder shall prepare an **Avifauna Management Plan (AVMP)**. The purpose of the AVMP is to manage effects / disturbance during Project Works on native avifauna species, particularly cryptic wetland species.

(a) The AVMP shall include:

1. Habitats and avifauna present in the Designation Boundary and impacted by Project Works;
2. Nesting habitat preference for identified avifauna in 1. for vegetation and wetland clearance;
3. Nesting and sensitive time periods of identified avifauna in 1.;
4. Requirements for avoidance of Construction Works, or Construction Works noise restrictions, if appropriate within identified avifauna habitats during breeding season, September to December inclusive of any year;
5. Pre-construction nesting bird survey protocols (and resulting outcomes, including exclusion zones if the presence of resident or nesting birds are present);
6. Accidental discovery protocols for threatened or at-risk species discovered during Project Works; and
7. Reporting requirements with respect to accidental protocols for encountering threatened or at-risk species, and methods implemented.

(b) At least 20 Working Days before starting Project Works, the AVMP shall be submitted to BOPRC for written certification by a suitably qualified and experienced professional that the AVMP satisfies the requirements of Condition 24.1 25.1(a).

(c) The certified AVMP shall be implemented for the duration of Project Works.

(d) The AVMP shall be reviewed and updated if required on an annual basis for the duration of Project Works. Any updates must be provided to the Bay of Plenty Regional Council for written certification by a SQEP prior to implementation.

25. Bat Management

25.1 Within the 12 months prior to starting Project Works in areas where long-tailed bat may be impacted by Project Works, a SQEP shall conduct a bat presence survey to identify long-tailed bats within the Designation. The monitoring shall be conducted during November - March and for a minimum of 21 suitable survey nights.

25.2 If the survey in Condition 25.1 26.1 above confirms a long-tailed bat presence, a **Bat Management Plan (Bat MP)** shall be prepared by a SQEP. The purpose of the Bat MP is to identify methods to be adopted to avoid and/or minimise adverse effects on bats.

(a) The Bat MP shall include:

1. Identification of potential bat roosts within areas of vegetation clearance. If vegetation with potential bat roost characteristics is present, Department of Conservation (2024) Protocols for Minimising Risk of Felling Occupied Bat Roosts (Bat Roost Protocols) Version 4 October 2024, or subsequent version, must be implemented (See Advice Notes):
2. Measures to avoid and minimise potential bat roost removal;
3. Where potential roost felling is not able to be avoided, detail on current best practice for tree removal protocols to avoid injury and/or mortality of roosting long-tailed bats; and
4. Identification of required habitat replacement and/or restoration to manage the effect of habitat loss on long-tailed bats.

5. Species selection and planting plans shall take into account the New Zealand Bat Recovery

Group Advice Note – Planting to provide roosts for bats in the long-term (see Advice Notes).

- (b) At least 20 Working Days before starting Project Works, the Bat MP (if required) shall be submitted to BOPRC for written certification by a SQEP that the Bat MP satisfies the requirements of Condition 25.2 26.2(a).
- (c) The Bat MP (if required) shall be implemented for the duration of Project Works.
- (d) The Consent Holder shall review and update, if required, the Bat MP on an annual basis for the duration of Project Works. Any updates must be provided to the Bay of Plenty Regional Council for written certification by a SQEP prior to implementation.

26. Stream Management and Monitoring Plan

26.1 The Consent Holder shall prepare a **Stream Management and Monitoring Plan (SMMP)**. The SMMP shall be prepared by a suitably qualified and experienced ecologist. The purpose of the SMMP is to monitor and manage the ecological effects of the Project on aquatic ecosystems.

- (a) The SMMP shall:
 - 1. Establish the aims and objectives of stream management and monitoring, including the aims and objectives for each stream realignment;
 - 2. Establish qualitative and/ or quantitative indicators of stable or improving trends in aquatic ecosystem health, fish and/or kākahi populations, water quality and physical habitat, as compared to baseline data obtained under Condition 26.7.1(a)4iand which will inform the success monitoring for stream realignments required under condition 26.1(a)4iv;
 - 3. Include sampling and survey methods that align with relevant industry standards and protocols;
 - 4. Details of stream aquatic ecosystem health monitoring to be carried out prior to, during, and post construction, including:
 - a. Monitoring locations, including establishment of permanent monitoring reaches within the each impacted Watercourse, and a minimum of two nearby representative reference Watercourses for monitoring of;
 - i. Deposited fine sediment;
 - ii. Physical habitat descriptions;
 - iii. SEV monitoring;
 - iv. Kākahi surveys;
 - v. Quantitative macroinvertebrate community sampling;
 - vi. Quantitative fish community surveys; and
 - vii. Fish passage.
 - b. Monitoring requirements, including:
 - i. Quarterly baseline stream monitoring for a minimum of one year prior to Construction Works commencing;
 - ii. Monthly water quality monitoring of each Watercourse while earthworks are taking place within the catchments that contain each Watercourse;
 - iii. Biannual monitoring during Construction Works;
 - iv. ~~Biannual monitoring for a minimum of two years following the Completion of Construction, or until the installation requirements pursuant to Condition 27.1(a)7 are confirmed, whichever is earlier~~ Successive monitoring for stream realignments to be carried out for a minimum of ten years following the completion of Construction Works;
 - 5. Details on actions to be taken in the instance that indicators in Condition 26.7.1(a)2 are exceeded Water quality thresholds, as informed by baseline stream monitoring results, which if exceeded will trigger further investigation. The SMMP shall also detail actions to be taken in the instance that thresholds are exceeded, including any stop works policies and additional sampling or investigations to be undertaken.

6. Detailed culvert and stream realignment installation requirements as identified by a SQEP and informed by the baseline stream monitoring results under Condition 267.1(a)-4(a)2;
7. Reporting requirements, including the minimum reporting expectations for each type of monitoring under Condition 267.1(a)4, and timeframes for when reports shall be provided to BOPRC;
8. Mitigation contingency measures to apply in the event of accidental / unexpected adverse effects on the impacted Watercourses to manage those effects; and
9. Stream designs for each affected stream or reach that includes a proposed stream realignment, stream reinstatement (i.e., daylighting) and/or culvert, as informed by baseline stream monitoring results, including measures to replicate natural stream channels and it provide the same or, preferably, enhanced stream values, function and extent when compared to that of the streams reclaimed to the extent practicable and taking into account the NZ Fish Passage Guidelines, Version 2.0, 2024.

(b) At least 20 40 Working Days before starting baseline monitoring streamworks, the SMMP shall be submitted to BOPRC for written certification by a suitably qualified and experienced freshwater ecologist that the SMMP satisfies the requirements of Condition 267.1(a).

(c) The certified SMMP shall be implemented for the duration of the streamworks and thereafter until success has been confirmed. Success shall be determined by a SQEP (freshwater ecology) based on stable or improving trends in the indicators of aquatic ecosystem health, fish and/or kākahi populations, water quality and physical habitat, as determined in accordance with condition 26.1(a)2 and as compared to baseline data and the culvert and stream designs (required under Conditions 267.1(a)). Upon confirmation of success, the SMMP requirements shall be considered fulfilled, and no further monitoring or management under the SMMP will be required.

(d) If monitoring shows that stream realignments are failing to achieve the aims and objectives established in accordance with condition 26.1(a)2, the consent holder shall:

1. Provide a Stream Realignment Management Plan to the Bay of Plenty Regional Council identifying the adaptive management actions to be taken, the timeframes in which these are to be implemented, and ongoing monitoring to be undertaken of the management actions; and
2. Implement the actions detailed in the Stream Realignment Management Plan within the relevant timeframes.

(e) The consent holder shall review and update, if required, the SMMP on an annual basis for the duration of this consent. Any updates must be provided to the Bay of Plenty Regional Council for written certification by a suitably qualified and experienced professional prior to implementation.

26.2 (a) 1 year prior to construction starting the consent holder must submit a stream baseline monitoring and methodology plan (SBMMP) to the Bay of Plenty Regional Council for written certification by a suitably qualified and experienced ecologist. The SBMMP shall include the following:

- i. Detail methods and monitoring locations for baseline water quality monitoring as well as the parameters to be measured. Parameters shall include but not be limited to pH, conductivity, water temperature, dissolved oxygen, and turbidity. Baseline monitoring is to be carried out for a minimum of two years prior to construction.
- ii. A report detailing the outcomes of the baseline water quality monitoring is to be provided to the Bay of Plenty Regional Council forty working days prior to any construction commencing.
- iii. Stream Ecological Valuation surveys that are undertaken to inform quantitative offsetting calculations.
- iv. Stream designs for each affected stream or reach that includes a proposed stream realignment, stream reinstatement (i.e. daylighting) and/or culvert, as informed by baseline monitoring results. This shall include but not be limited to:
 - diverse hydraulic features (i.e. sequence of riffles, runs and pools),
 - the installation of woody debris;
 - Fish spawning habitat;

- Overhanging vegetation.

(b) Baseline / pre-works monitoring must not commence until written certification has been received from the Bay of Plenty Regional Council.

(c) The consent holder shall review and update the SBMMP on an annual basis for the duration of this consent. Any updates must be provided to the Bay of Plenty Regional Council for written certification by a suitably qualified and experienced professional prior to implementation.

27. Lizard Management Plan

27.1 The EMP shall include a Lizard Management Plan (LMP) prepared by a suitably qualified and experienced herpetologist. The objective of the LMP is to minimise adverse effects on indigenous lizards within the areas of vegetation clearance associated with the Project and to create and enhance habitats for lizards.

(a) The LMP shall include, but not be limited to:

- i. undertake lizard surveys to establish the presence of native lizards;
- ii. measures to salvage native lizards from any suitable habitat within the Site;
- iii. details of suitable release site(s) for salvaged lizards;
- iv. measures to promote the success of the salvage population(s) such as pest control and habitat enhancement;
- v. details of monitoring and reporting to confirm the effectiveness of measures required in i - iii;
- vi. details of in perpetuity legal protection for release sites,
- vii. details of the person(s)/organisation that will undertake the work, and
- viii. measures to ensure consistency with requirements of the Wildlife Act 1953.

(b) At least 20 Working Days before starting Project Works, the LMP (Department of Conservation certified version) shall be submitted to the Bay of Plenty Regional Council.

(c) The certified LMP shall be implemented for the duration of Project Works.

28. Works Impacting Natural Wetlands

28.1 The consent holder must ensure that all works within natural wetlands and any wetland restoration and creation works are undertaken in accordance with the following documents and plans:

- (a) The Substantive Application including the technical reports;
- (b) The Boffa Miskell Ecological Effects Assessment for the Takitimu North Link Stage 2, dated 31 July 2025;
- (c) The Compensation Modelling Report (Boffa Miskell 28 July 2025);
- (d) The certified EMP, BMP, AMP, WMP, AVMP, AVMMP, Site Specific ESCPs and ESCPs required by the conditions of this consent; or
- (e) Any subsequent document and/or plan that has received written certification from the Bay of Plenty Regional Council.

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

28.3 The Consent Holder shall take all practicable measures to prevent concrete or cement-based substances from entering any wetland.

28.4 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 wetland, unless that water has been

treated and the pH of the stormwater discharged is between 5.5 and 8.

28.5 All stormwater treatment infrastructure (including but not limited to bunds, flow attenuation devices, and open water containment areas/ponds) shall be located outside of the wetland as far as practicable. Where this infrastructure cannot be located outside of the wetland, the total footprint of that infrastructure shall not form part of the wetland restoration/revegetation. The area of wetland that has been lost to that infrastructure will be mitigated in accordance with the offset ratios for wetlands stipulated in the conditions of this consent.

29. Ecological, Restoration and Landscape Planting

29.1 All planting required under the EMP shall:

(a) Use eco-sourced indigenous plant species appropriate to the locality, and the ecosystem / Wetland type being restored. These indigenous species shall be represented in appropriate diversity, proportions, cover, and configuration as would be expected for natural examples of the same ecosystem / Wetland types within the Tauranga Ecological District.

(b) Be overseen by a SQEP.

(c) Be adequately excluded from stock access.

(d) Provide habitat for lizards.

29.2 Wetland creation, riparian planting and other restoration works shall be, where practicable, completed progressively and as soon as practicable.

29.3 For all areas likely to provide inanga spawning habitat, riparian planting adjacent to the water's edge of a Wetland or Natural Wetland shall include dense low growing vegetation.

29.4 All planting required under the EMP and associated subplans shall achieve at least 90% cover of indigenous species, with no more than 5% total cover of exotic species in any vegetation tier. The species shall be appropriate for all vegetation tiers found in a mature habitat, and shall include ground cover, sub canopy and canopy species.

29.5 All planting required under the EMP shall be maintained for a minimum period of five years from the date planted, with annual monitoring to assess the establishment of planting and to identify any constraints to achieving Condition 298.4. At the conclusion of the five year monitoring and maintenance period, a SQEP will prepare a report setting out whether Condition 298.4 has been achieved. This report shall be provided to BOPRC.

(a) If the report concludes that Condition 298.4 has been achieved, plant maintenance shall cease.

(b) If the report concludes that Condition 298.4 has not been achieved, the maintenance period shall be extended by a period of one year, with monitoring carried out annually until either:

1. the requirements of Condition 298.4 has been achieved; or

2. A suitable remedial, offset and / or compensation alternative is agreed in writing between the Consent Holder and BOPRC.

30. Vegetation Clearance

30.1 The Consent Holder shall ensure that where practicable and safe, any trees shall be directionally felled or pulled back to prevent them from damaging the beds or banks of any Waterbodies.

30.2 The Consent Holder shall ensure that vegetation clearance is carried out in such a way as to limit soil disturbance, erosion and any scour of the bed or banks of any Waterbodies.

30.3 The Consent Holder shall ensure that, as far as reasonably practicable, all surface water or Waterbodies shall be kept clear of any vegetation and other constrictions resulting from the vegetation clearance.

30.4 If potential bat roosts are found on site, as identified through the presence / absence survey required by the Bat MP:

(a) Within 10 days of the completion of vegetation clearance, a completion report must be submitted to the Bay of Plenty Regional Council for information purposes. The completion report must include the following:

1. Methodology and results for the bat roost tree assessment if high risk trees are identified; and
2. Methodology and results of the implementation of the DOC Bat Roost Protocols; and
3. If any confirmed roost trees are detected, the completion report must detail measures taken to assess alternative options to clear the confirmed roost tree(s) and if avoidance is not possible, additional offsetting, roost relocation, and/or compensation that will be implemented (see Advice Notes).

30.5 All machinery shall be regularly cleaned to ensure no contaminants (including but not limited to oil, petrol, diesel, hydraulic fluid) shall be released into any waterbody or to land where it may enter water, from equipment being used for the works.

31 Wetland Restoration and Creation

31.1 Prior to the commencement of Project Works, a SQEP shall determine whether the Project Works will result in a loss of Natural Wetland extent and / or impact on Natural Wetland/s within the Ōmokoroa and / or Merrin Wetlands (as identified in BOPRC Consent Appendix RM25-0466-02 and Appendix RM25-0466-03).

31.2 If the Project results in a loss of Natural Wetland extent and / or impact on Natural Wetland within the Ōmokoroa and / or Merrin Wetlands, the Consent Holder shall offset or compensate that loss through creation of new Wetland/s and restoration of existing Natural Wetlands in accordance with Appendix 6 and 7 of the NPS-FM. The efficacy of the proposed offset or compensation shall be confirmed through assessment of wetland condition, wetland pressure, and plot condition in accordance with “Clarkson, B. R., Sorrell, B. K., Reeves, P. N., Champion, P. D., Partridge, T. R., & Clarkson, B. D. (2004). *Handbook for monitoring wetland condition: Coordinated monitoring of New Zealand wetlands* (Revised). Ministry for the Environment” and also through drone footage and imagery, and the results modelled in accordance with the Department of Conservation *Biodiversity Offsets Accounting Model for New Zealand: User Manual* (Contract Report 2014-008, prepared by Catalyst Group) as determined by a SQEP, to reflect the actual loss of Natural Wetland extent and / or impact on Natural Wetland.

31.3 The maximum loss of Ōmokoroa and / or Merrin Wetland extent that can occur as a result of Project Works is 2.56 ha.

31.4 For impacts on other Natural Wetlands (Natural Wetlands that are not the Ōmokoroa or Merrin Wetlands), restoration and creation shall be undertaken in accordance with the following replacement ratios:

- (a) For Natural Wetlands with a moderate value, a 1:2 (wetland loss : creation) or 1:1:~~3~~4 ratio (wetland loss : creation : restoration); and
- (b) For Natural Wetlands with a low value, a 1:1 (wetland loss : creation).

31.5 Created Wetlands will be located in ecologically / hydrologically suitable locations within or close to impacted catchments, as determined by a SQEP. Where practicable, created Wetlands will expand existing Natural Wetlands and / or be contiguous with Watercourses.

31.6 Five years after the Completion of Construction, a SQEP shall assess the Wetland creation and restoration undertaken pursuant to Conditions 310.2, 310.4 and 310.5 and provide a report to BOPRC. If the report concludes that any of the requirements in Conditions 310.2, 310.4 and 310.5 have not been achieved, a SQEP shall:

- (a) Review and update the WMP to include methods and interventions to support the achievement of the relevant requirements; or
- (b) Recommend suitable remedial, offset and / or compensation alternatives to achieve the relevant

requirements, to be agreed in writing between the Consent Holder and BOPRC.

31.7 (a) Following Completion of Construction, a SQEP shall assess the created and / or restored Wetland/s to confirm whether wetland hydrology is present. If wetland hydrology is not present, the SQEP shall review and update the WMP to include methods and interventions to support the establishment of wetland hydrology.

(b) The consent holder shall ensure that all restoration undertaken as offsetting and / or compensation is maintained for the duration of this consent.

31.8 Wetland creation and restoration, including plantings, to be completed progressively and as soon as practically possible following completion of works at each location. All planting shall be completed within six months of completion of works at each location.

31.9 All planting, wetland creation and restoration areas must be adequately excluded from stock access.

31.10 All plantings and wetland creation must be maintained for a minimum period of five years from the date planted to achieve at least 90% cover of indigenous species, with no more than 5% total cover of exotic species in any tier. The species shall be appropriate for all tiers found in a mature habitat, and shall include ground cover, sub canopy and canopy species (except for wetlands). If monitoring shows that 90% cover has not been achieved after five years of maintenance, the maintenance period shall be extended until that is achieved, or a suitable mitigation and/or compensation alternative is agreed in writing between the consent holder and the Bay of Plenty Regional Council.

31.11 All wetland restoration must achieve a minimum of 90% cover of indigenous plant species and a maximum of 5% cover of exotic plant species across all vegetation tiers (groundcover, understorey, and canopy) within five (5) years of the commencement of restoration works. Following this initial establishment period, the cover of exotic species must be maintained at or below 5% for the duration of the consent.

31.12 All plantings, wetland creation and restoration to be overseen by a suitably qualified ecologist and use eco-sourced (Tauranga Ecological District) indigenous plants species appropriate to the locality, and the ecosystem/wetland type being restored (i.e. the ecosystem/wetland type that would have occurred at the locality under natural conditions). These indigenous species shall be represented in appropriate diversity, proportions, cover, and configuration as would be expected for natural examples of the same ecosystem/wetland types within the Tauranga Ecological District.

Advice Notes

1. All conditions must be fulfilled to the satisfaction of the Bay of Plenty Regional Council.

2. No archaeological sites, whether recorded or unrecorded, may be destroyed, damaged or modified without the consent of Heritage New Zealand (under Subpart 2 of the Heritage New Zealand Pouhere Taonga Act 2014). If an archaeological site(s) and/or koiwi are unearthed, the consent holder is advised to immediately stop work in the vicinity of the discovery, and contact Heritage New Zealand and all relevant iwi/hapū for advice. Heritage New Zealand contact details: email infolowernorthern@heritage.org.nz; phone 07 577 4530. Bay of Plenty Regional Council can provide the contact details of the relevant iwi and hapū in this area.

3. 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.

4. 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). Please include the consent number RM25-0466-LC.01.

~~1. For the avoidance of doubt, the deemed certification process in Condition 6 applies to Management Plan(s) for Enabling Works.~~

5. The Consent Holder may prepare one ESCP, or separate ESCPs that meet Conditions 9.1 and 9.2.
6. The Designation for the Project also include conditions that require the preparation and implementation of a CMP. The Consent Holder may prepare one CMP that meets the conditions of the Designation and this Consent or two separate CMPs.
7. ~~For the purposes of Condition 15,~~ The initial preparation of the EMP need not include all of the required subplans. These subplans can be added to the EMP as and when they are prepared, in accordance with the timeframes set out in the relevant Management Plan conditions
8. The Wetland Management Plan is the equivalent of a Biodiversity Management Plan as referenced in Rule DD6 of the Bay of Plenty Regional Coastal Environment Plan.
9. The duration of implementation for the subplans contained within the EMP are as set out in those specific sub-management plan conditions.
10. The Designation for the Project also includes conditions that require building condition surveys. Compliance with Condition 17~~8~~ with respect to property owners may also constitute compliance with the conditions of the Designation.
11. The methods defined within Condition 31~~9~~.2 allow for the implementation of restoration and effects management prior to impacts on Natural Wetlands to reduce the time lag within the offset or compensation modelling.
12. The consent holder is responsible for ensuring that all contractors carrying out works under this consent are made aware of the relevant consent conditions, plans and associated documents.
13. Non-compliance with consent conditions may result in enforcement action against the consent holder and/or their contractors.
14. In order to maintain erosion and sediment controls in effective capacity, accumulated sediment should be removed from sediment retention devices before it reaches 25% of that device's volume and all sediment removed should be placed in a stable position where it cannot re-enter a sediment retention device or enter any water body.
15. Clean fill material as defined by the waste acceptance criteria for Class 5 Clean Fill in the WasteMINZ 'Technical Guidelines for Disposal to Land' Revision 3.1 (2023) is material that is:
 - (a) Virgin excavated natural materials (VENM) such as clay, soil, rock and sand that are free of combustible, putrescible, degradable or leachable components; and
 - (b) Maximum incidental inert materials (e.g., concrete, brick, tiles) are no more than 5% by volume per load; and
 - (c) Maximum incidental or attached biodegradable materials (e.g., vegetation) are no more than 2% by volume per load; and
 - (d) Maximum chemical contaminant limits accepted by the regulatory authority to be the background concentration for VEMN within the intended catchment of the site.
16. <https://www.doc.govt.nz/globalassets/documents/conservation/native-animals/bats/bat-recovery/protocols-minimising-risk-felling-occupied-bat-roosts.pdf>
17. New Zealand Bat Recovery Group Advice Note – Planting to provide roosts 2 for bats in the long-term