

Takitimu North Link Stage 2 – ~~Proposed-Draft~~ Complex Freshwater Fisheries Approval Conditions (25 February 2026)

DEFINITIONS

The table below defines the acronyms and terms used in the Complex Freshwater Fisheries Approval conditions. Defined terms are capitalised.

Abbreviation/term	Meaning/definition
BOPRC	Bay of Plenty Regional Council, being the Chief Executive, or authorised delegate.
Construction Works	Activities undertaken to construct the Project, excluding Enabling Works.
Designation	Designation D203 (Road purposes – State Highway 2) which includes an alteration to D203 extending its footprint over 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 Designation.
Dispensation	Approval / dispensation that would otherwise be applied for under regulation 42 or 43 of the Freshwater Fisheries Regulations 1983.
Dispensation Holder	NZ Transport Agency Waka Kotahi
DOC	Department of Conservation – [to insert relevant contact]
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 • Investigation, protection and relocation of utilities • Establishment of mitigation measures (such as screen planting) for Enabling Works

Abbreviation/term	Meaning/definition
Natural Wetland(s)	A Wetland that is not: (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: (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 Works	All Enabling Works and Construction Works.
SQEP	Suitably Qualified Experienced Person - a person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence in the relevant field of expertise.
Watercourse	Perennial or intermittent rivers and streams, including modified rivers and streams, but not overland flow paths, artificial watercourses, conveyance channels, Natural Wetlands or Wetlands.
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	A day of the week other than— (a) Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and (c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.

Aquatic Fauna Management and Monitoring Plan

FF1 The Dispensation Holder shall prepare an **Aquatic Fauna Management and Monitoring Plan (AFMMP)**. 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, including site isolation procedure(s) and any site-specific requirements as appropriate;

2. Timing of fish / kākahi salvage and relocation, including management measures to take into account migration or spawning periods.
- (b) At least 20 Working Days before starting streamworks, the AFMMP shall be submitted to DOC for certification that the AFMMP satisfies the requirements of FF1(a).
- (c) The Dispensation Holder shall not commence streamworks until the AFMMP has been certified under FF1(b).
- ~~(d) If the AFMMP has been submitted to DOC for certification and 20 Working Days has passed, and DOC has not certified the AFMMP (or amendment), or advised that the AFMMP (or amendment) is not suitable to certify, the AFMMP will be deemed to have been certified and the Dispensation Holder may commence streamworks in accordance with the AFMMP (or amendment) as submitted.~~
- ~~(e)~~(d) The Dispensation Holder may update the AFMMP by submitting the updated AFMMP to DOC for certification in accordance with FF1(b).
- ~~(f)~~(e) The AFMMP shall be implemented for the duration of streamworks and works in Natural Wetlands.

Advice Note: the resource consents for the Project include a condition that requires the preparation and implementation of an AFMMP. The Dispensation Holder may prepare one AFMMP that meets both the conditions of the resource consents and this Dispensation.

FF2 The Dispensation Holder shall take all practicable measures to manage concrete wash water and concrete or cement based substances from Construction Works from entering any Watercourse during Construction Works.

Biosecurity Management Plan

FF3 The Dispensation Holder shall prepare a **Biosecurity Management Plan (BMP)**. 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 that may adversely affect native freshwater fish and kākahi (freshwater mussels) or their habitat.

- (a) The BMP shall include:
1. Management protocols to prevent the spread of invasive freshwater and marine species (including protocols for machinery and stand down periods); and
 2. Measures to ensure compliance with the Bionet A16 (revised 2020) "Keep it clean" guidelines, as far as practicable.
- (b) At least 20 Working Days before the start of Project Works, the BMP shall be submitted to DOC for certification that the BMP satisfies the requirements of FF3(a).
- (c) The Dispensation Holder shall not commence Project Works until the BMP has been certified under FF3(b).
- ~~(d) If the BMP has been submitted to DOC for certification and 20 Working Days has passed, and DOC has not certified the BMP (or amendment), or advised that the BMP (or amendment) is not suitable to certify, the BMP will be deemed to have been certified and the Dispensation Holder may commence Project Works in accordance with the BMP (or amendment) as submitted.~~
- ~~(e)~~(d) The Dispensation Holder may update the BMP by submitting the updated BMP to DOC for certification in accordance with FF3(b).
- ~~(f)~~(e) The Dispensation Holder shall implement the BMP for the duration of Project Works.

Advice Note: the resource consents for the Project include a condition that requires the preparation and implementation of a BMP. The Dispensation Holder may prepare one BMP that meets both the conditions of the resource consents and this Dispensation.

FF4 During detailed design of the Project, the Dispensation Holder shall, to the extent practicable, follow good practice design standards as outlined in the *NZ Fish Passage Guidelines Version 2.0, 2024* in relation to the Dispensation. The Dispensation Holder shall set clear fish passage objectives and performance standards, incorporating appropriate design standards to provide passage for the target fish species that will be implemented in the final design of the Project.

Commented [EW1]: Check suitability of term "extent practicable"

- FF5 A SQEP shall inspect all permanent dam or diversion structures to monitor fish passage success. Inspections shall be carried out one year, two years and four years following completion of construction. The Dispensation Holder shall provide inspection results to DOC annually by 30 June.
- FF6 If, after the inspections at year one and year two the SQEP concludes that fish passage is unlikely to be provided by the four year inspection without intervention, the SQEP shall recommend a range of methods and interventions to support the provision of fish passage. The Dispensation Holder shall implement the recommended methods and interventions, to the extent practicable.
- FF7 Following completion of the final inspection of the structures required by FF5, the SQEP shall assess whether the structures have adequately provided for fish passage. If the SQEP concludes fish passage has not been adequately provided for, the SQEP shall recommend a range of methods and interventions to support the provision of fish passage. The Dispensation Holder shall implement the recommended methods and interventions, to the extent practicable.

Advice Note: data collected as part of the inspections required to be undertaken by the Dispensation Holder should include, but may not be limited to, the data required by the Fish Passage Assessment Tool (NIWA 2025), so that data can be uploaded to the Fish Passage Assessment Tool database.

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