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-BC.01

A resource consent:

- Under section 13(1) of the Resource Management Act 1991 and Rule BW R36 of the Regional Natural Resources Plan to undertake a discretionary activity being to reclaim streams, excavate and disturb the bed and banks of streams, to place use and maintain culverts, bridges and discharge structures in, on, under or over the bed of a stream; and
- Under section 14(2) of the Resource Management Act 1991 and Rule WQ R21 of the Regional Natural Resources Plan to undertake a discretionary activity being the permanent damming or diversion of water; and
- Under section 14(2) of the Resource Management Act 1991 and Rule WQ R21 of the Regional Natural Resources Plan to undertake a discretionary activity being the temporary damming or diversion of water; and
- Under section 13(1) of the Resource Management Act 1991 and Regulation 71 of the National Environmental Standards for Freshwater to undertake a discretionary activity being to place and use culverts in, on, under or over the bed of a river; and
- Under section 14(2) of the Resource Management Act 1991 and Regulation 45(4) of the National Environmental Standards for Freshwater to undertake a discretionary activity being to temporarily and permanently dam or divert water within or within a 100 metre setback from a natural inland wetland for the purpose of constructing specified infrastructure; and
- Under section 14(2) of the Resource Management Act 1991 and Regulation 47(3) of the National Environmental Standards for Freshwater to undertake a restricted discretionary activity being to permanently dam or divert water within or within a 100 metre setback from a natural inland wetland for the purpose of maintaining or operating specified infrastructure

subject to the following conditions

1. Purpose
1.1 The purpose of this consent is to authorise and set conditions:
(a) To excavate and disturb the bed and banks of streams; and
(b) Temporary diversion of streams during instream works; and
(c) Reclaim streams associated with the installation of culverts and permanent diversion structures; and
(d) Use and maintenance of new bridges, abutments and erosion protection infrastructure; and
(e) Use and maintenance of new culverts and erosion protection infrastructure; and
(f) Permanently divert streams; and
(g) Installation and maintenance of discharge structures
for the construction, operation and maintenance of the Takitimu North Link Stage 2.

2. Location

2.1 The activities authorised by the 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.

3. Consent Lapse and Expiry

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

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

4. 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. Discharge structures ~~Installation~~

5.1 At least 40 Working Days prior to starting any site-specific discharge structure works (excluding site investigations and Enabling Works) authorised by this Consent, the Consent Holder shall submit to BOPRC the following to the Bay of Plenty Regional Council for written certification by an environmental engineer:

~~(a) Written certification from a SQEP that the following is in accordance with good engineering practice and in accordance with the conditions of this Consent, and the Culverts and Stream Hydraulic Design Report required under Condition 38.2:~~

(a) Final detailed engineering discharge structure sizes and designs and requirements for erosion protection, including design calculation and methodology; and

(b) Final detailed design of all discharge structures including erosion protection and, where appropriate, the fish passage methods to be used when discharging flows of perennial streams, or where viable fish habitat exists upstream of the discharge structure.

(c) A schedule to identify locations of all discharge structures to be installed across the Project.

(d) Written certification shall be to ensure compliance with the conditions of this consent.

(e) No works to install discharge structures shall commence until written certification has been received.

5.2 Where discharge structures release into sensitive environments, such as Watercourses, Natural Wetlands and Wetlands, the discharge structure must be designed to distribute the flow in a manner that prevents scour downstream of the discharge structure.

5.3 All discharge structure works authorised under this Consent shall be constructed in accordance with the plans, design and reports submitted under the conditions of this consent. ~~Condition 34.1~~.

5.4 Within 20 Working Days of completion of all discharge structures authorised by this Consent (including embankments, headwalls, aprons and erosion protection), the Consent Holder shall forward documentation to BOPRC, for written certification by an environmental engineer, covering the discharge structure as set out below:

(a) Written certification from an appropriately qualified and experienced Chartered Professional Engineer ~~SQEP~~ confirming that the discharge structure has been built in accordance with good engineering practice and in accordance with the conditions of this Consent and the Stream Hydraulic Design Report required by condition 7.2 of this consent; and

(b) A schedule of structures identifying the locations of each discharge structure and full design details.

(c) Certification shall be for the purpose of ensuring compliance with the conditions of this

consent.

5.5 Discharge structures releasing into Te Puna Stream must be located to prevent damage and/or change in the salinity of the existing Wetlands within the tidally influenced portion of the stream.

5.6 All discharge structures shall have erosion protection installed.

6. Bridges

6.1 (a) At least 40 Working Days prior to starting works authorised by this Consent (excluding site investigations and Enabling Works), the Consent Holder shall submit to BOPRC written certification from an **appropriately qualified and experienced chartered professional engineer** ~~SQEP~~ that the detailed bridge design (including final design and scour calculations) is in accordance with good engineering practice and in accordance with the conditions of this Consent, and the Culverts and Stream Hydraulic Design Report required under Condition 7.2 ~~38.3~~, for the following bridges:

1. Bridge SH2-530
2. Bridge TNL-6870
3. Bridge TNL-7240
4. Bridge SH2-990
5. Te Puna Stream Bridge TNL-9210
6. Bridge AIN-1275
7. Bridge SH2-5380
8. Bridge SH2-6170

(b) Certification is for the purpose of ensuring compliance with the conditions of this consent.

(c) Works must not commence until written certification has been received.

6.2 Within 20 Working Days of completion of all bridge structures authorised by this Consent (including embankments, bridges, abutments, associated support structures and erosion protection), the Consent Holder shall ~~provide~~ submit, in writing, to BOPRC, complete and accurate as-built plans of the structures (embankments, bridges, abutments, associated support structures and erosion protection) authorised by this consent, prepared by an appropriately qualified and experienced Chartered Professional Engineer ~~SQEP~~ confirming that the bridge structures have been built in accordance with the detailed bridge design certified under Condition 6.1 ~~35.1~~.

6.3 Stormwater runoff from the completed bridge decks shall be directed to a stormwater treatment device prior to being discharged to the receiving environment, in a manner that does not cause bank or abutment erosion.

7. General works

7.1 The consent holder shall undertake all works authorised by this consent in accordance with the following documents and plans:

1. The Substantive Application; and
2. The certified Construction Management Plan required by the conditions of RM25-0466-LC.01; and
3. The certified Biosecurity Management Plan required by the conditions of RM25-0466-LC.01; and
4. The certified Ecological Management Plan required by the conditions of RM25-0466-LC.01; and
5. The certified Wetland Management Plan required by the conditions of RM25-0466-LC.01; and
6. The certified Aquatic Fauna Management and Monitoring Plan required by the conditions of RM25-0466-LC.01; and
7. The certified Avifauna Management Plan required by the conditions of RM25-0466-LC.01; and
8. The certified Stream Management Monitoring Plan required by the conditions of RM25-0466-LC.01; and

9. The certified stream baseline monitoring and methodology plan required by the conditions of RM25-0466-LC.01; and
10. The certified Biosecurity Management Plan required by the conditions of RM25-0466-LC.01; and
11. The detailed plans required by conditions 7.2, 9.1, 11.1, 12.1 and 15.1 of this consent; and
12. The certified Culvert and Stream Hydraulic Design Report required by Condition 7.2 of this consent; or
13. Any subsequent document or plan certified in writing by a Bay of Plenty Regional Council SQEP.

7.2 (a) At least 40 Working Days prior to starting any specific stage of works (excluding site investigations and Enabling Works), the Consent Holder shall submit to the Bay of Plenty Regional Council, a finalised Culvert and Stream Hydraulic Design Report, certified by an appropriately qualified and experienced Chartered Professional Engineer, for written certification by an environmental engineer to ensure compliance with the conditions of this consent. Works shall not commence until written certification has been received.
(b) The Culvert and Stream Hydraulic Report shall be based on the Substantive Application, Stormwater Assessment TNL 2 dated 2 July 2025 (Appendix 9.4.9 of the Substantive Application) and the drawings attached to the Substantive Application as Appendix 9.6,

(c) The Culvert and Stream Hydraulic Report shall include:

1. Final detailed engineering culvert sizes and designs and requirements for erosion protection, including design calculation and methodology;
2. Final detailed design of all site-specific culverts including erosion protection and the fish passage methods to be used at each site; and
3. Culvert embankments to be constructed at a safe batter slope.

7.3 The Consent Holder shall ensure that temporary diversions are installed prior to any instream works under this consent being undertaken.

7.4 The Consent Holder shall ensure:
(a) Any contaminant storage, refueling and maintenance areas shall be carried out in a location where there is no risk of the discharge of contaminants to land where it may enter water or directly to water; and
(b) Machinery shall be kept out of waterbodies except when in use; and
(c) Machinery is cleaned in accordance with condition 30.5 of RM25-0466-LC.01.
(d) ~~The Consent Holder shall ensure that the~~ Stream banks are not damaged and that their erosion resistance is not compromised by Construction Works ~~and/or structures~~. Should any damage occur, the stream banks shall be remedied as soon as safely practicable.

7.5 The Consent Holder shall ensure:
(a) All works are undertaken above water level where practicable, with works scheduled to be undertaken during a forecasted period of fine weather.
(b) Works within streams are not undertaken during periods where the flow in the existing stream exceeds the bank full flow.

7.6 All works shall be undertaken in a manner that minimises discolouration of waterbodies.
7.7 No vegetation, soil, slash or other debris shall be deposited in a water body or left in a position where the material could enter water.

~~Any erosion and scour of stream channel or banks resulting from discharge structure and/or bridge works under this Consent shall be Stabilised as soon as practicable.~~

7.8 The Consent Holder shall take all practicable measures to prevent liquid concrete or cement

based substances from entering surface water in accordance with the certified Site Specific Erosion and Sediment Control Plan(s) SSESCP required by the conditions of RM25-0466-LC.01.

7.9 (a) Any exposed area of ground resulting from the works above the water table associated with this Consent shall be Stabilised as soon as practicable, following completion of those works.

(b) Any bank / bed stabilisation and armouring shall be undertaken in a manner that maintains natural bank materials.

(c) The installation works shall be undertaken to prevent damage to stream banks or beds outside of the works footprint and to prevent their erosion resistance from being compromised by the Construction Works. Any erosion and scour of stream channel or banks resulting from works under this Consent shall be Stabilised or remediated as soon as practicable.

7.10 The Consent Holder shall ensure that erosion protection installed provides for fish passage, when discharging flows of perennial streams or where viable fish habitat exists upstream of the structure.

~~Where discharge structures release into sensitive environments, such as Watercourses, Natural Wetlands, and Wetlands, the discharge structure must be designed to distribute the released flow in a manner that prevents scour downstream of the discharge structure.~~

7.11 The Consent Holder shall not block land drains or otherwise prevent interconnectivity of agricultural drainage networks during Construction Works.

7.12 The Consent Holder shall ensure that no water associated with the mixing, pouring, placing and cleaning of structures and/or equipment is released into a Waterbody, unless that water has been treated and the pH of the water discharged is between 5.5-8.

7.13 (a) The consent holder shall ensure that rock protection, used for erosion protection/outlet structures is clean, sound, angular rock that is well graded to achieve adequate interlocking, and complies with the relevant class of rock in the Bay of Plenty Regional Council Hydrological and Hydraulic Guidelines (Guideline 2012/02) or alternative class of rock that has been certified in writing by a Bay of Plenty Regional Council Environmental Engineer.

(b) The rock is to be tapered into the banks of streams and be structurally stable with minimal risk of collapse into the stream bed; and installed so that it is able to settle and effectively stabilise any scour erosion of the channel including along the toe of the rock protection.

8. In Bed Erosion and Sediment Control

8.1 The Consent Holder shall ensure that temporary erosion and sediment controls are installed prior to works commencing, in accordance with the Erosion and Sediment Control Plan (ESCP) or SSESCP required by the conditions of RM25-0466-LC.01.

8.2 The Consent Holder shall ensure that the temporary erosion and sediment controls are maintained in good working order and remain in place until such time as the works are completed as the site is fully stabilised.

9. Temporary Stream Diversion

9.1 (a) Twenty working days prior to works to install a temporary diversion, the consent holder shall submit to the Bay of Plenty Regional Council detailed design of the temporary diversion(s) and design details for the temporary diversion, including the duration the diversion, to be installed on site for written certification by an Environmental Engineer.

(b) Written certification is for the purpose of ensure that the conditions of this consent are complied with and works must not commence until written certification is received.

(c) The consent holder shall ensure that the works to temporarily divert streams are undertaken in accordance with the ESCP(s) and SSESCP(s) required by the conditions of RM25-0466-LC.01.

9.2 The consent holder shall ensure that works to install the temporary diversion(s) are undertaken in accordance with the detailed design required by condition 9.1, in a timely manner and during a period of fine weather and low stream flow.

9.3 The temporary diversion structure(s) to divert stream(s) away from excavation works shall remain in place for the duration of works. The temporary diversion(s) shall not be removed and the stream(s) flow reinstated until streambed works have been completed.

9.4 The consent holder shall ensure that the temporary diversion is in place, the stream bed diverted away from the works area before any excavation or construction works within the stream bed(s) begin.

9.5 Temporary stream diversions must provide for full fish passage if the diversion is in place for a duration of ten (10) working days or more.

9.6 The consent holder shall:

(a) Monitor the weather forecast prior to installing a temporary diversion and daily for the duration that a temporary diversion is in place.

(b) If a severe weather warning is identified for the local region flood management protocols must be applied, including removal of equipment, machinery and materials susceptible to flooding, stabilisation of ground surfaces and securing of materials where possible, and removal of temporary works if necessary having regard to the nature of the weather warning.

(c) Following heavy rainfall or flooding the consent holder shall assess the site as soon as practicable and within 24 hours and carry out remedial works necessary to ensure that the temporary diversion can operate as intended.

(d) A contact person(s) is available at all hours and has necessary access to staff to attend the site at short notice to carry out preparation and remedial works in case of a severe weather warning.

10. Te Puna Stream Bridge

10.1 The Consent Holder shall ensure that temporary signage is installed upstream and downstream of the Te Puna Stream Bridge site to warn users of the Te Puna Stream of Construction Works and to advise them of any navigational safety restrictions.

10.2 The Consent Holder shall ensure that unimpeded access is maintained to the Te Puna Stream, except through areas where unimpeded access to the Stream would endanger the safety of the public as a result of Project Works.

11. ~~Culvert Installation~~ Permanent Culverts

11.1 No less than 20 working days prior to the installation of each permanent culvert structure and associated reclamation works authorised by this consent, the consent holder shall submit the following to the Bay of Plenty Regional Council for written certification by an environmental engineer and/or an environmental scientist:

(a) The provision of fish passage in accordance with the New Zealand Fish Passage Guidelines (Franklin *et al.*, 2024) and the Specimen Design Report (BBO, 2025) or subsequent updated certified version of this report; and

(b) Written certification from an appropriately qualified and experienced Chartered Professional Engineer(s), with the appropriate specialities to be certified in writing by the Bay of Plenty Regional Council, that the following is in accordance with good engineering practice and the conditions of this consent:

1. Final detailed engineering culvert sizes and designs and requirements for erosion protection, including design calculation(s) and methodology(s); and

2. Final detailed design of all culverts including erosion protection and the fish passage methods to be used at each site; and

3. Detailed design of all culverts located under fill embankments (if applicable); and

4. Geotechnical assurances from a Category 1 Geotechnical Engineer that culvert embankments will be constructed of a safe batter slope and constructed to avoid failure; and

5. A schedule to identify locations of all culverts to be installed across the TNL Stage 2 alignment.

(c) Works to install the culvert structure(s) and associated reclamation within the beds of streams must not commence until written certification has been provided by the Bay of Plenty Regional Council.

11.2 All works to install the permanent culverts must be undertaken in accordance with the following:

(a) The certified ESCPs and / or the SSESCPs required by the conditions of RM25-0466-LC.01; and

(b) The certified Ecological Management Plan required by the conditions of RM25-0466-LC.01; and

(c) The certified Aquatic Fauna Monitoring and Management Plan required by the conditions of RM25-0466-LC.01; and

(d) The certified Stream Management Plan required by the conditions of RM25-0466-LC.01; and

(e) The certified stream baseline monitoring and methodology plan required by the conditions of RM25-0466-LC.01; and

(f) 7.12 to 8.1 (inclusive) of this consent; and

(g) The detailed design required by condition 11.1 of this consent;

(h) The certified Culverts and Stream Hydraulic Design Report required by condition 7.2 of this consent.

11.3 The permanent culverts shall be inspected annually (or at an alternative frequency agreed to in writing by a Bay of Plenty Regional Council Regulatory Compliance Officer) to ensure that fish passage through the structure is maintained.

11.4 The Consent Holder shall submit a schedule to BOPRC at each Stage of Work to identify locations of all culverts to be installed across the relevant Stage of Work.

11.5 All culvert works authorised under this Consent shall be constructed in accordance with the plans, design and reports referenced in condition 11.1. ~~submitted under Condition 38.3 above~~.

~~The Consent Holder shall ensure compliance with the *NZ Fish Passage Guidelines, Version 2.0, 2024*, including in relation to:~~

~~(a) Culvert design, when conveying flows of perennial streams or viable fish habitat exists upstream of the culvert; and~~

~~(b) Erosion protection in structures where passage is required under the *NZ Fish Passage Guidelines, Version 2.0, 2024*.~~

~~The Consent Holder shall set the inverts and outlets of culverts a minimum of 50 mm and a maximum of 100mm below the streambed or overland flowpath, where the *NZ Fish Passage Guidelines, Version 2.0, 2024* do not apply.~~

11.6 Within 20 Working Days of completion of a culvert structure authorised by this Consent (including embankments, headwalls and erosion protection), the Consent Holder shall provide to BOPRC as-built plans prepared by a SQEP confirming that the culvert structure has been constructed in ~~general~~ accordance with the design certified under Condition 11.1 ~~38.3~~.

11.7 Whenever practicable, the installation of culverts shall be through an off-line construction

methodology. Where works must be undertaken in the stream channel (on-line construction methodology) the works shall be undertaken in a manner that minimises the time machinery is in the channel as far as practicable.

12. Permanent Diversion / Stream Realignments

12.1 Forty working days prior to undertaking any permanent diversion / stream realignment works the consent holder must submit the following to the Bay of Plenty Regional Council for written certification by an Environmental Engineer and / or a suitably qualified and experienced Freshwater Ecologist:

(a) Details of how the stream realignments will provide for fish passage, including:

1. The target species for fish passage design; and

2. How the New Zealand Fish Passage Guidelines (Franklin *et al.*, 2024) have been applied to the design and, where they have not, a justification as to why; and

3. Design details and features of the design that will enable the passage of the target species.

(b) As-built diagrams, certified by a Chartered Professional Geotechnical Engineer for any embankments installed as part of the permanent diversion of floodwaters to the Chief Executive within 20 Working Days of the completion of each individual embankment.

(c) Evidence to the Bay of Plenty Regional Council that the flood levels and extent outside of the Designation Boundary comply with conditions 13.1 and 13.2. Evidence shall include:

1. Scaled plans of existing Watercourses – plans and cross sections;

2. Scaled plans of proposed Watercourses – cross section, flood maps and hydraulic/hydrological calculations; and

3. Modelling of the channel sections.

(d) Hydrology, hydraulic calculations, hydraulic modelling, and scaled plans that clearly show existing Watercourses and proposed Watercourses with relevant elevations and cross-sectional areas to the Bay of Plenty Regional Council.

(e) A mitigation package, including an offsetting approach, for the loss of stream extent and values, which shall provide justification for the offsetting proposed, accounting for the risk of failure and time lags, and include detailed methods for success monitoring.

12.2 Stream realignments and diversions and ongoing monitoring and maintenance of the stream realignments and diversions shall be undertaken in ~~general~~ accordance with the Culverts and Stream Hydraulic Design Report certified under Condition 7.2 ~~38.3~~, the information required by condition 12.1 of this consent, the most recent certified version of the Stream Management and Monitoring Plan required by the conditions of RM25-0466-LC.01 and condition 16.12 of this consent.

12.3 The effective capacity of any permanent watercourse diversion shall be maintained at all times during construction and operation so that it operates in accordance with the design function.

12.4 The Consent Holder shall ensure that all works associated with the construction of embankments as part of the permanent diversion of floodwaters shall be supervised by a Chartered Professional Geotechnical Engineer.

12.5 The Consent Holder shall ensure, where practicable, that any stream diversion or realignment that connects to existing natural or modified streams is undertaken using off-line methods with the diverted or realigned channel livened only after full Stabilisation has been achieved in the new channel.

12.6 (a) The Consent Holder shall ensure that the stream banks are not damaged and their erosion resistance is not compromised by Construction Works. Should any damage occur, the stream banks shall be remediated as soon as is practicable.

(b) Planting as a result of permanent stream diversions must be completed within 12 months of the diversion (see certified EMP required by RM25-0466-LC.01).

12.7 Within 20 Working Days of completion of damming and diversion works, the Consent Holder shall submit to the Bay of Plenty Regional Council a schedule identifying the location, length, and purpose of the ephemeral flow path or streams where diversion activities have taken place.

12.8 The Consent Holder must ensure that the total length of Watercourses impacted by permanent diversion and / or realignment and culverting is no greater than 3500m, of which no more than 500m is culverting.

13. Flooding

13.1 The Consent Holder shall ensure that the Project does not increase flooding outside of the Designation Boundary, upstream of the Project for any flood event up to a 1 in 100-year ARI rainfall event.

13.2 The Consent Holder shall ensure that final downstream flooding effects, as a result of the Project are no greater than the effects identified in the Substantive Application and the Takitimu North Link Stage 2 Downstream Flood Effects Investigation dated 9 April 2025 unless written certification has been provided from all relevant affected parties.

14. Native Fish Capture and Relocation

14.1 Prior to the commencement of any instream works authorised by this consent, native fish salvage and relocation shall be caried out by a suitably qualified and experienced Freshwater Ecologist.

14.2 The consent holder shall:

(a) Ensure that native fish capture, transfer and release are undertaken in accordance with the certified Ecological Management Plan and the certified Aquatic Fauna Management and Monitoring Plan (AFMMP) required by the conditions of RM25-0466-LC.01.

(b) Keep a record of native fish captured, transferred and released for the duration of works and provide records to the Bay of Plenty Regional Council within 20 working days of completing the area of instream works.

15. ~~National Environmental Standards for Freshwater – Mandatory Conditions~~ Native Fauna and Fish Passage

15.1 Within 20 Working Days of construction of any culverts being completed, the consent holder must submit to the Bay of Plenty Regional Council the information required by regulations 62, 63 and 69 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, specifying the time and date the information was collected.

15,2 The Consent Holder shall ensure compliance with the 2024 New Zealand Fish Passage Guidelines, or subsequent guideline, including in relation to:

(a) Culvert design, when conveying flows of perennial streams or viable fish habitat exists upstream of the culvert; and

(b) Erosion protection in structures where passage is required under the 2024 New Zealand Fish Passage Guidelines.

15.3 The Consent Holder shall set the inverts and outlets of culverts a minimum of 50 mm and a maximum of 100mm below the streambed or overland flowpath, where the 2024 New Zealand Fish Passage Guidelines do not apply.

15.4 (a) Within 20 working days following the installation of each culvert structure, the consent holder must submit a Fish Passage Monitoring and Maintenance Plan (FPMMP) to the Bay of Plenty Regional Council in an electronic format (see Advice Notes) for certification that the objective of the FPMMP is met and that it includes the matters listed in (1) to (6). The objective of the FPMMP is to demonstrate how adverse effects on fish passage will be avoided and to ensure fish passage does not reduce over the lifetime of the culvert structure. The FPMMP shall include the following:

1. Measures that will enable the objective of the FPMMP to be achieved;
2. Methodology for monitoring and maintenance of the structure;
3. Programme and frequency of routine monitoring and maintenance;
4. Methods for record keeping of monitoring results (including photos);
5. Reporting requirements including the frequency of reporting to the Bay of Plenty Regional Council;
6. Procedures for updating the FPMMP and providing information to the Bay of Plenty Regional Council.

(b) Any updated versions of the FPMMP must be submitted for certification in accordance with this condition.

15.5 The culvert structures must be inspected within 10 working days following a natural hazard that has potential to affect the structure's provision for fish passage.

15.6 If any monitoring or visual inspection undertaken in accordance with the FPMMP identifies that fish passage has been reduced, or that the culvert structure(s) is damaged or requires maintenance, the consent holder must undertake maintenance and/or remediation works to the structure as soon as practicable to remedy the issues identified (see Advice Notes).

15.7 (a) The consent holder must maintain a record of:

1. All maintenance and remediation works for the culvert structure(s), including the date that the works commence, how long they take, and the date the works are completed (see Advice Notes); and
2. Details of all monitoring and maintenance works undertaken on the culvert structure in accordance with the FPMMP, including photos and evidence of any maintenance works undertaken.

(b) If requested, the consent holder must provide records to the Bay of Plenty Regional Council within 10 working days of the request.

15.8 Within 20 working days of any changes to the structure or details submitted in accordance with condition 70 as a result of routine monitoring and maintenance, or following a natural hazard that has potential to affect the culvert structure's provision for fish passage, the consent holder must provide:

1. Updated information in accordance with condition 15.7;
2. Any further measures required to ensure that the structure's provision for the passage of fish does not reduce over its lifetime; and
3. An updated FPMMP if required to address changes required by (a) and/or (b).

15.9 The consent holder shall ensure that erosion protection installed provides for fish passage, when discharging flows of perennial streams or where viable fish habitat exists upstream of the structure.

~~Within 20 Working Days of construction of any culverts being completed, the Consent Holder shall provide to BOPRC the information listed in the following Resource Management (National Environmental Standards for Freshwater) Regulations 2020:~~

~~(a) Regulation 62(3) Requirements for all activities: information about structures and passage of fish;~~

~~(b) Regulation 63(3) Requirement for culvert activities: information about culverts; and~~

~~(c) Regulation 69(2) Condition of resource consent for activities: monitoring and maintenance.~~

~~The Consent Holder shall ensure that the structure(s) authorised by the Consent are maintained in~~

~~good working order, and shall undertake any maintenance work as soon as practicable if so directed by BOPRC.~~

16. Inspections, maintenance, monitoring and reporting

16.1 Inspection of bridge structures authorised by this Consent must be conducted at least annually and a report submitted on their performance and condition at intervals of five and ten years following construction of bridge structures, with an additional inspection and report required following a Large Storm Event.

16.2 ~~The Consent Holder shall ensure that the structures authorised by this Consent are maintained, and shall undertake any maintenance work as soon as practicable if so directed by BOPRC.~~ The consent holder shall undertake any maintenance works within 72 hours of the maintenance works being identified as necessary where safe and reasonably practicable to do so, or within another timeframe if so directed by the Bay of Plenty Regional Council.

~~The Consent Holder shall forward a copy of maintenance records required by Conditions 41.1 and 41.2 to BOPRC upon a request from BOPRC.~~

16.3 The consent holder shall maintain a record of:

(a) All inspections undertaken; and

(b) All maintenance and remediation works undertaken, including the date the works commence, how long they take, the date the works are completed and evidence of maintenance and remedial works undertaken (see Advice Notes); and

(c) Records shall be provided to the Bay of Plenty Regional Council within 48 hours of a request.

16.4 (a) Any erosion or scour of stream channel or stream banks resulting from the structures authorised by this consent shall be effectively stabilised as soon as practicable, to the satisfaction of the Bay of Plenty Regional Council.

(b)The Consent Holder shall check during maintenance activities that erosion protection is maintained downstream of the discharge.

16.5 The consent holder shall ensure that all structures authorised by this consent (including structural integrity, approaches and any erosion protection works) are maintained in an effectively capacity at all times, particularly after storm events so that they can continue to operate in accordance with their designed function. Any damage to the structures authorised under this consent shall be repaired as soon as practicable.

16.6 The consent holder shall ensure that the temporary diversion structures are monitored and maintained in a safe and structurally sound condition and in good working order at all times.

16.7 The consent holder shall inspect the temporary diversion(s) within 24 hours following a 10% AEP (10 year return period event) or large occurring and undertake maintenance works as soon as safely practicable.

16.8 (a) The consent holder shall undertake an inspection of the bridges, abutments and erosion protection structures in accordance with the procedures set out in the current version of the Waka Kotahi Bridges and other significant structures inspection policy NZTA: S6 2022 (see Advice Notes), and following a 5% AEP (20 year return period) or larger storm event.

(b) The structures shall be inspected for debris build up, blockages, erosion and scour.

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

16.9 The consent holder shall ensure:

(a) Accumulated debris is regularly removed from in and around the bridge structures (including abutments and soffit) and erosion protection structures; and

(b) The bridges and associated structures shall be maintained at all times so that the structure(s) can operate in accordance with the conditions of this consent (see Advice Notes).

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

16.11 Inspection of the culverts and permanent diversions authorised by this consent must be conducted at least annually and a report submitted on their performance and condition at intervals of five and ten years following construction, with an additional report required following a Large Storm Event if so directed by the by the Bay of Plenty Regional Council.

16.12 (a) The Consent Holder shall undertake annual monitoring of realigned (constructed) stream channels for the first 10 years after construction.

(b) If monitoring undertaken in clause (a) identifies that ecological values have not been achieved as intended then the Consent Holder shall implement the mitigation actions identified in the Bay of Plenty Regional Council certified Stream Management and Monitoring Plan and as required under condition 26.1(d) of RM25-0466-LC.01.

17 Review of Consent Conditions

17.1 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.

Advice Notes

1. The bed of the river is defined as, the space of land which the waters of the river cover at its fullest flow without overtopping its banks.

2. For condition 7.9 and 8.2, "stabilised" means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of basecourse, colluvium, grassing, mulch, or another method as specified in Bay of Plenty Regional Council's Erosion and Sediment Control Guidelines for Land Disturbing Activities, Guideline 2010/01. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once 80% vegetative cover has been established.

3. NZTA bridges and structures inspection policy (NZTA: S6 2022) can be found here:

https://www.nzta.govt.nz/assets/resources/bridges-structures-inspection-policy/docs/bridges-structuresinspection-policy.pdf

4. The Resource Management (National Environmental Standard for Freshwater) Regulations 2020, including the requirements of regulations 62 to 68 can be found here: https://www.legislation.govt.nz/regulation/public/2020/0174/latest/LMS364298.html

5. 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-BC.01,