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

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

RM25-0466-DC.01

A resource consent:

subject to the following conditions:

1. Purpose

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

(a) The temporary discharge of sediment contaminated stormwater and dewatering fluid to land, to water or to land where it may enter water.

(b) The discharge of chemical flocculants during earthworks.

(c) The discharge of cement to groundwater during piling

associated with the construction of the Takitimu North Link 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 20 years after the commencement of this consent

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

3. Location

3.1 The activity~~ies~~ authorised by ~~the~~ this Consent~~s~~ shall occur from near Loop Road (map reference: 1870005mN, 5823384mE NZTM2000) to the east of the Waipapa Stream (map reference: 1864989mN, 5827810mE NZTM2000), on land designated by the New Zealand Transport Agency under section 171 of the RMA ~~for the construction, operation and maintenance of a State highway~~.

4. Review of consent conditions

4.1 BOPRC may serve notice on the Consent Holder under section 128(1) of the RMA of its intention to review the conditions of these Consents at any time within six months of the first, second, third and fourth anniversaries of the date of commencement of Construction Works, and thereafter five yearly. The purpose of such a review is to deal with any adverse effect on the environment which may result from the consented activity and which it is appropriate to deal with at a later stage.

~~The Consent Holder shall ensure that potentially contaminated stormwater from an area of contaminated soil disturbance is contained within the works area and discharged to ground soakage at the base of excavations.~~

~~The Consent Holder shall ensure that all visible contaminated surface and ground water discharge is directed to ESC devices.~~

~~The Consent Holder shall divert uncontaminated catchment runoff away from the area of earthworks and any stockpiled soils.~~

5. Temporary Discharge Management and Treatment

5.1 All discharges generated on site shall be treated before being discharged to land, to water or to land where it may enter water in accordance with the following:

1. The Substantive Application; and

2. The Erosion and Sediment Control Plan(s) and Site Specific Erosion and Sediment Control Plans required by the conditions of RM25-0466-LC.01; and

3. The Chemical Treatment Management Plan required by condition 6.1 of this consent; and

4. The dewatering management plan required by condition 7.1 of this consent; and

5. The Construction Management plan required by the conditions of RM25-0466-LC.01; and

6. The Ecological Management Plan, including the Marine Monitoring Plan, the Wetland Management Plan and the Stream management and Monitoring Plan required by the conditions of RM25-0466-LC.01.

5.2 The discharge of sediment contaminated stormwater during the winter period (1 June to 15 September (inclusive)) shall only occur when:

(a) A winter earthworks management plan has been certified in writing by a Bay of Plenty Regional Council environmental engineer for the given year in accordance with RM25-0466-LC.01; and

(b) On-site storage equivalent to a 24 hour 1% Annual Exceedance Probability (AEP) storm event, or a suitable alternative certified by a Bay of Plenty Regional Council environmental engineer, is provided (see Advice Notes).

5.3 Discharges shall be substantially free of floatable solids, oil and grease.

5.4 (a) The concentration of Total Suspended Solids (TSS) in the stormwater discharge from any sediment retention device shall not exceed 150 grams per cubic metre; and

(b) The turbidity of any stormwater discharge from any sediment retention device shall not exceed 300 nephelometric turbidity units (NTU).

(c) The discharge shall cease if the limits in 5.2 and 6.4 are exceeded except:

1. Between 16 September and 31 May (inclusive) where a 12 hour duration 50% AEP storm event (2 year return period storm) or greater occurs; or

2. Between 1 June and 15 September (inclusive) where a 24 hour 1% AEP storm event (100 year return period storm) or greater occurs.

5.4 (a) The consent holder shall sample the discharge at the outlets of all sediment retention devices once between 16 September to 30 April (inclusive) and once between 1 June to 15 September (inclusive) of every year for the duration of this consent, and as soon as practicable if requested by the Bay of Plenty Regional Council.

(b) If any water quality results exceed the maximum concentrations listed in condition 5.2 and 6.4, the consent holder must:

1. Cease the discharge as soon as practicable after receiving the test results and/or upon request from the Bay of Plenty Regional Council; and

2. Notify (in writing) the Bay of Plenty Regional Council within 24 hours of receiving the results of any exceedances; and

3. Investigate the causes of any exceedance(s); and

4. Take corrective action to address the exceedance(s); and

5. Re-test the discharge for TSS, NTU and pH after implementing corrective action; and

6. Send a report detailing points (1), (3), (4) and (5) to the Bay of Plenty Regional Council within 10 working days or receiving the test results.

(c) The consent holder shall keep all test results required by this condition for the duration of this consent and shall provide them to the Bay of Plenty Regional Council within five working days of a request.

5.5 Any accidental discharge of sediment to the coastal marine area must be managed in accordance with the mitigation and/or response measures set out in the most recently certified version of the Marine Monitoring Plan required by the conditions of RM25-0466-LC.01.

5.6 Ecological and water quality monitoring must be undertaken in accordance with the Stream Management and Monitoring Plan (SMMP) required by the conditions of RM25-0466-LC.01.

5.7 The Consent Holder shall ensure that no discharge resulting from the exercise of this Consent shall result in any of the following at a point 50 metres downstream of discharge after reasonable mixing:

(a) The production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;

(b) Any conspicuous change in the colour or visual clarity;

(c) Emission of objectionable odour;

~~Any significant adverse effect on aquatic life;~~

(d) The natural temperature of water being changed by more than three degrees celsius; and

~~Aquatic organisms being rendered unsuitable for human consumption by the presence of contaminants.~~

~~Discharging Contaminants to Water~~

~~The Consent Holder shall ensure that all sediment laden runoff from the site is treated by sediment retention structures. These structures are to be fully operational before bulk earthworks commence and shall be maintained by the Consent Holder to perform at least at 80% of their operational capacity.~~

6 Use of Chemical Flocculants

6.1 Prior to using chemical flocculants on site to manage sediment laden stormwater in the sediment retention ponds (SRPs) or decanting earth bunds (DEBs), the consent holder shall submit to the Bay of Plenty Regional Council a Chemical Treatment Management Plan (CTMP) for written certification by an environmental engineer that the requirements of this condition are met and that the methods and procedures enable compliance with the conditions of this consent.

6.2 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 SRPs and/or DEBs~~sediment retention ponds and / or decanting earth bunds~~:

1. The chemical flocculant to be used (see condition X and Advice Notes); and
2. Specific design details including methodology and timing of application of the flocculant system; and
3. Details of the chemical treatment and application methodology, including calculations, dilution and structures; and

4. Chemical storage location, including location of any water bodies; and

5. A spill management plan, including details on equipment to be kept on site to deal with any accidental spills; and

6. Details of the person that will hold responsibility for the operation and maintenance of the chemical treatment system.

(c) Chemical flocculants must be used and stored in accordance with the most recently certified CTMP.

(d) The CTMP must be reviewed and updated, if required, at least once a year for the duration of this consent.

(e) The Consent Holder may prepare the CTMP in parts to address specific activities or to reflect the staged implementation of Project Works.

(e) Any updates to the CTMP, including change in chemical flocculants to be used, must be submitted to the Bay of Plenty Regional Council for written certification prior to implementation on site.

6.3 Use of chemical flocculants is limited to the following (see Advice Notes):

(a) Cyndan Flocculent;
(b) Liqui-Floc;
(c) HY-CLOR SUPER-FLOC;
(d) Cirtex® PAC;
(e) Crystalfloc;
(f) IXOM Liquipac;
(g) Chemiclear; and
(h) Bond-Fast.

6.4 Stormwater discharges from any SRP / DEB treated with chemical flocculants shall have a pH between 6.0 to 8.0 (inclusive).

7. Dewatering Fluid Management and Treatment

7.1 (a) Prior to undertaking any dewatering the consent holder shall submit a dewatering management plan to the Bay of Plenty Regional Council for written certification by a suitably qualified and experienced person (see conditions 6.1 to 6.7 of RM25-0466-LC.01 for written certification requirements). This plan shall include the following:

1. Location(s) where dewatering is required; and

2. Proposed treatment methodology, including details on testing / sampling; and

3. Contaminants and limits; and

4. Details on rate of take and rate of discharge and discharge location(s); and

5. Details on annual volume of water taken per dewatering site.

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

(c) All dewatering activities must be undertaken in accordance with the most recently certified version of the dewatering management plan.

7.2 (a) The consent holder shall ensure that dewatering fluid is discharged, following treatment, in accordance with the dewatering management plan required by condition 21.

(b) If the dewatering fluid is disposed of at an off-site facility, then written confirmation of the disposal location must be provided to the Bay of Plenty Regional Council prior to disposal.

7.3 Dewatering fluid shall be substantially free of:

1. Floatable solids, oil and grease;
2. Separate petroleum hydrocarbons and hydrocarbon sheen;
3. Total Suspended Solids.

7.4 (a) Dewatering fluid shall be treated as contaminated and the consent holder shall undertake testing / sampling of the dewatering fluid prior to the point of discharge to the receiving environment in accordance with the dewatering management plan required by condition 22 and shall ensure that all testing / sampling is overseen by a suitably qualified and experienced practitioner.

(b) Where practicable, the site shall be effectively isolated, so that all potentially contaminated groundwater is contained within the work area(s) and discharged to ground soakage.

7.5 a) The consent holder shall ensure that no dewatering fluid is discharged directly to any surface water bodies / to land where it may result in overland flow and discharge to surface water.

(b) The consent holder shall ensure that dewatering fluid is dischargedto the discharge location(s) identified in the dewatering management plan required by condition 7.1.

7.6 Any water quality results exceeding the limits outlined in the dewatering management plan shall trigger the following:

(a) Discharge to cease as soon as practicable after receiving test results and/or upon request from the Bay of Plenty Regional Council; and

(b) Notify, in writing, the Bay of Plenty Regional Council within 24 hours of receiving the results of an exceedance; and

(c) Re-test the discharge for the contaminants listed in the dewatering management plan after implementation of corrective action (re-treatment) or dispose of via a liquid waste contractor; and

(d) Discharge can commence once the water quality limits no longer exceed the maximum concentrations listed in the detailed dewatering methodology; and

(e) the consent holder shall keep all test / sample results required by this condition, for the duration of this consent) and shall send them to the Bay of Plenty Regional Council within five working days of a request.

8. Discharge of Cement to Groundwater

8.1 (a) The consent holder shall ensure that all cement is discharged in accordance with the methodology outlined in the Final Construction Execution Procedure required by condition 5 of RM25-0466-LC.02.

(b) No cement shall be discharge to a surface waterbody, land where it may enter water or to the erosion and sediment controls during works.

(c) The consent holder shall ensure that the cement discharged is managed in accordance with the conditions of RM25-0466-BC.01 and the site specific erosion and sediment control plans(s) required by conditions 11.1 and 11.2 of RM25-0466-LC.01.

9. Discharge Analyses

9.1 Analyses required by these conditions shall be carried out:

(a) In accordance with the AS/NZS 5667.1.1991 Water Quality Sampling or any subsequent or replacement guideline; and/or

(b) In accordance with the Guidelines for Assessing and Managing Hydrocarbon Contaminated Sites in New Zealand (Ministry for the Environment 2011; and / or
(c) As set out in the latest edition of "Standard Methods for the Examination of Water and Wastewater" – APHA – AWWA – WPCF, or another method as proposed by the consent holder and certified in writing by the Bay of Plenty Regional Council; and

(d) By an IANZ accredited laboratory.

Advice Notes

1. The following could be used periodically to instantaneously check if devices are likely to be within TSS and NTU discharge limits:

(a) Test for 100 millimetre clarity (at the decant outlets from the devices).
(b) Turbidity meter.
(c) Secchi disk.

This does not preclude the requirement for sampling, but if these measures are met, TSS and NTU are likely to be within the discharge limits specified in condition 5.4

2. (a) The environmental effects of the chemical flocculants listed in condition 6.3 have been assessed and are approved for use by the Bay of Plenty Regional Council.
(b) Although these products have undergone a technical review in relation to their environmental effects, this does not equate to a recommendation or a commercial endorsement by the Bay of Plenty Regional Council.
(c) Any alternative chemical flocculant will require a variation to the conditions of this consent so that the effects of its use can be assessed.

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-DC.01,