



Auckland Stormwater NDC Application

Appendix I:

Process for Surrendering Existing Resource Consents

August 2017

Healthy Waters

Infrastructure and Environmental Services

Auckland Council

Procedure for surrendering consents superseded by the Auckland Network Discharge Consent

1.0 Introduction

This Appendix outlines the procedure for reviewing stormwater diversion and discharge consents, both legacy network discharge consents and discrete consents, currently held by Healthy Waters to identify which consents can be surrendered upon granting of the Auckland Network Discharge Consent (NDC). As part of the assessment process, consideration will be given as to whether there are any specific and enduring conditions that need to be transferred to the NDC to enable the existing consent to be surrendered.

This procedure can also be used for private consents, granted prior to the NDC being granted, which have not yet been transferred to Healthy Waters but where stormwater infrastructure / devices will be vested to council.

2.0 Procedure

The NDC will supersede all the existing stormwater diversion and discharge consents that are held by council (or will be transferred to council) that are within the area covered by the NDC.

For this to occur, it is necessary to review the conditions of the existing consents to determine whether any conditions regarding environmental and performance outcomes:

1. Require on-going compliance; and
2. Are not covered or superseded by the conditions of the NDC.

Each legacy network discharge consent and discrete consent will be assessed.

A flow chart for the surrender of these consents, and consents held by private consent holders is included as Attachment A.

The outcome of each assessment will be documented using the Consent Surrendering Assessment Template (Appendix B).

2.1 Legacy Network Discharge Consents

For legacy network discharge consents each condition will be assessed to determine whether it has been captured by the NDC conditions or the NDC BPO. The outcome of each assessment will be documented listing each condition and commentary as to whether it is covered by the NDC and if not, whether it remains applicable.

Key supporting documents such as Integrated Catchment Management Plans and environmental monitoring plans (where still relevant and not superseded by the NDC), will also be reviewed to identify any key environmental or performance outcomes that are not explicitly captured by the NDC conditions. Relevant requirements from the ICMPs will be carried over to corresponding Stormwater Management Plans (SMP) for implementation through the proposed Auckland NDC conditions.

2.2 Discrete Consents

A similar process will be followed for discrete resource consents although these are smaller in scale, being project based or relating to a single subdivision/development. Again, each condition will be assessed to determine whether the conditions are standard stormwater diversion and discharge conditions or whether there are specific ongoing requirements that are required to be met. The assessment will determine whether they are captured by the NDC conditions or the NDC BPO, or whether they are required to be specifically included in the NDC.

Many discrete consents will have stormwater quality and quantity assets associated with them. It is important that these assets are included in the NDC Asset Register and hence subject to Council's operations and maintenance processes. Devices and other assets associated with the consents to be surrendered, which are to be operated and maintained by Healthy Waters, will be identified and included in the Asset Register.

3.0 Conditions not captured

Specific conditions on the existing consents that are not covered by the conditions of the NDC or NDC BPO and remain relevant will be incorporated into Schedule 7, which will form part of the conditions of the NDC.

Amendments to Schedule 7 will be certified through a Manager's Approval.

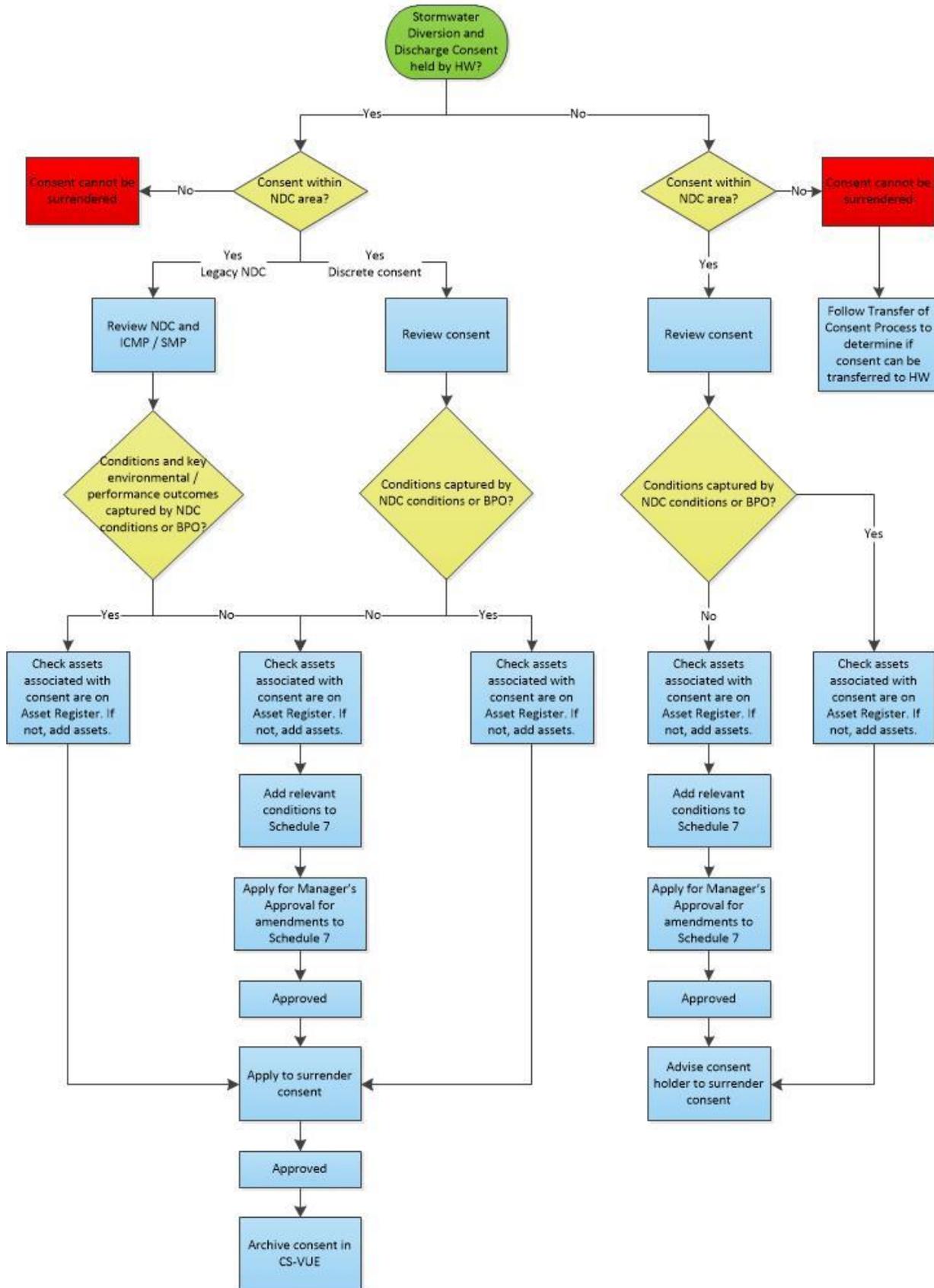
While this process is adding conditions to the NDC, the nature and scale of the consent is not amended, and the effects of the consent are not being changed. As such, it has been agreed that the addition of conditions to Schedule 7 / the NDC can be achieved through Manager's Approval rather than a consent variation under s127.

4.0 Surrendering consents

Once all current consents have been assessed, the surrender of the consents will be requested from Auckland Council Resource Consents, providing copies of documentation associated with each consent.

Attachment A: Condition Assessment and Surrendering Process

Process for surrendering consents authorised by the Auckland Network Discharge Consent



Attachment B: Consent Surrendering Assessment Record

Auckland Stormwater NDC: Consent Surrendering Assessment Record

Resource Consent Information			
Resource Consent Number		File Number	
Granted date		Expiry Date	
Legacy TA		Catchment	
Site address/location			
NDC/Discrete Consent		Within NDC Area?	
Purpose of consent			
Consent Type	Stormwater diversion & discharge Stormwater diversion only Stormwater discharge only Other?		
Asset Register Check			
Are there assets/devices	Y/N	If yes, are they on register	Y/N
Stormwater assets/devices to add to register			
Assessment			
Authorised by Auckland NDC	Y/N	Conditions to transfer to Schedule 7	Y/N
List conditions/requirements requiring transfer			
Conclusion			
Surrender consent	Y/N	Manager's Approval Required	Y/N
Comments			
Assessed by:		Date:	