

Authorisation under the NDC

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2.1 Introduction

The regionwide NDC replaces 116 different consents and multiple authorisations with a single consent containing a comprehensive set of requirements for use across all of Auckland.



Instead of getting a private discharge and diversion consent, developers can come under the council's consent provided they meet the NDC requirements.

Auckland Council's Healthy Waters department will work closely with developers seeking to utilise the NDC about how best to provide stormwater management for their development. This will ensure that the significant stormwater assets and other facilities they build on behalf of the community and then vest to the council, are of good quality and fit for purpose.

2.2 Authorisation process

Developers who wish to have the stormwater diversion and discharge associated with their proposal authorised by the NDC held by Healthy Waters will need to demonstrate that they meet the performance requirements in [Schedule 4](#).

Although diversion into the public stormwater network is a permitted activity in the AUP, connections still must meet the performance requirements of the NDC. This is so network operations perform to a level that enables Healthy Waters to comply with the NDC - and improve water quality.

There are different performance requirements for different development scenarios:

- [Large brownfield](#) and [greenfield](#) developments will require a Stormwater Management Plan to be prepared and then adopted
- [Small brownfield](#) developments will not require a Stormwater Management Plan if their proposed stormwater management is consistent with [Schedule 4](#)
- Where there is an adopted SMP, development must comply with that SMP in order to be authorised under the NDC. Adopted SMPs will be *publicly available*.

Healthy Waters as the stormwater network operator and consent holder approves development and connections to the network. SMPs can be adopted if they meet the *requirements* of the NDC.

The process of getting a stormwater management plan adopted under the NDC runs in parallel to the process of applying for other resource consents.

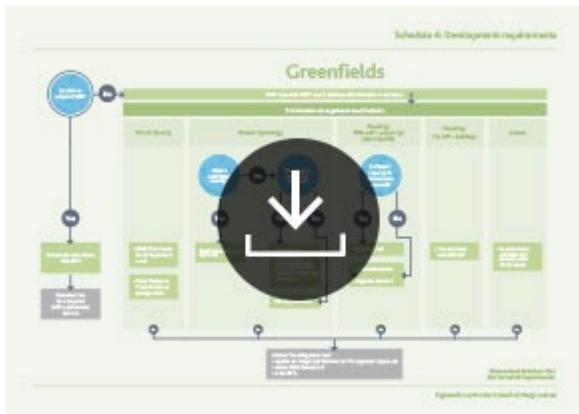
To avoid delays it is essential to discuss the content of the SMP and the proposed stormwater management with Healthy Waters well in advance of lodging resource consents. Please email us at HWDevelopment@aucklandcouncil.govt.nz

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Greenfield Development Authorisation Process



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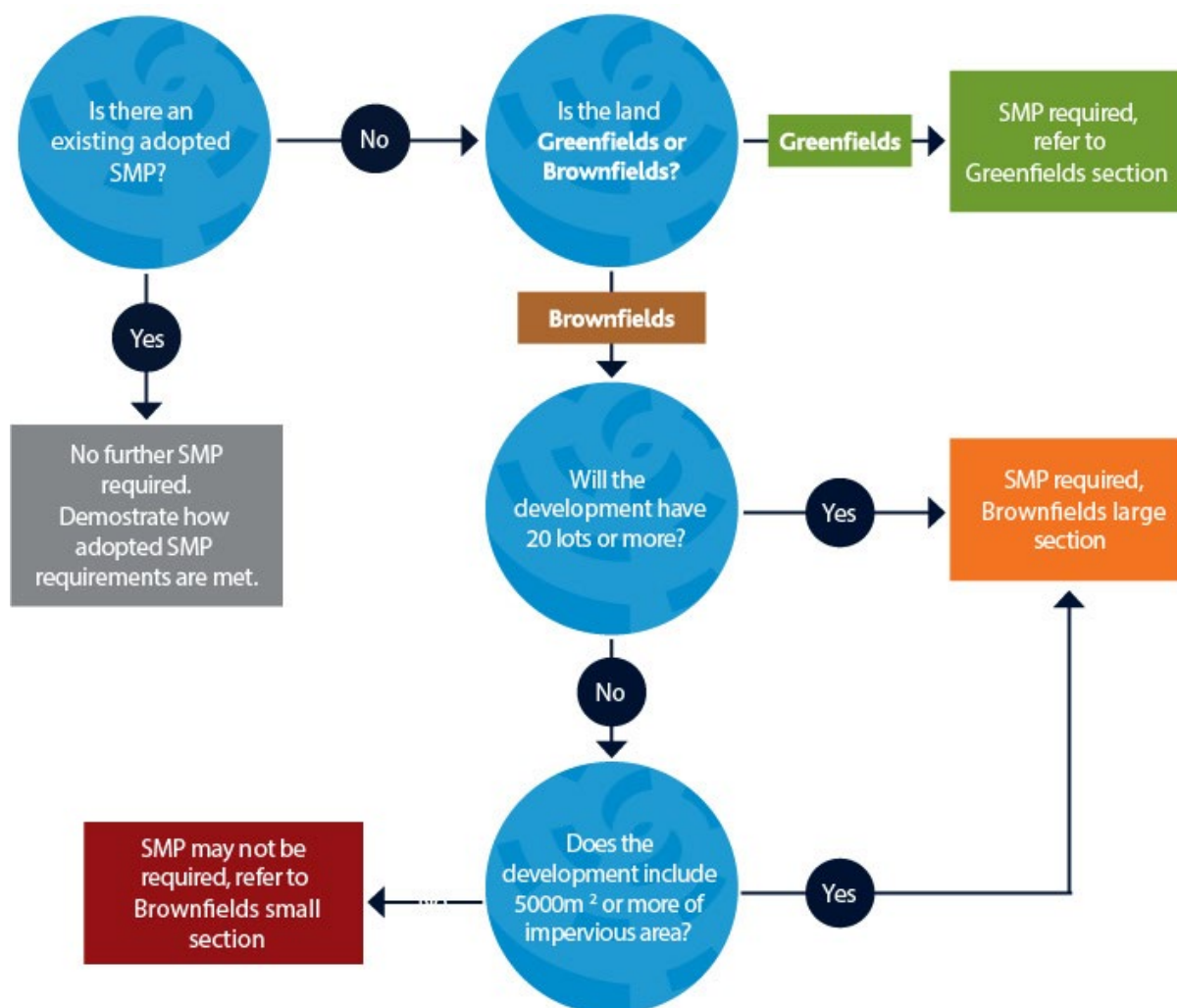
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Small Brownfield Development Authorisation Process



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2.3 When a Stormwater Management Plan is required



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Definitions

Brownfield Large - 20 lots or over new/re-developed 5000m² impervious surface.

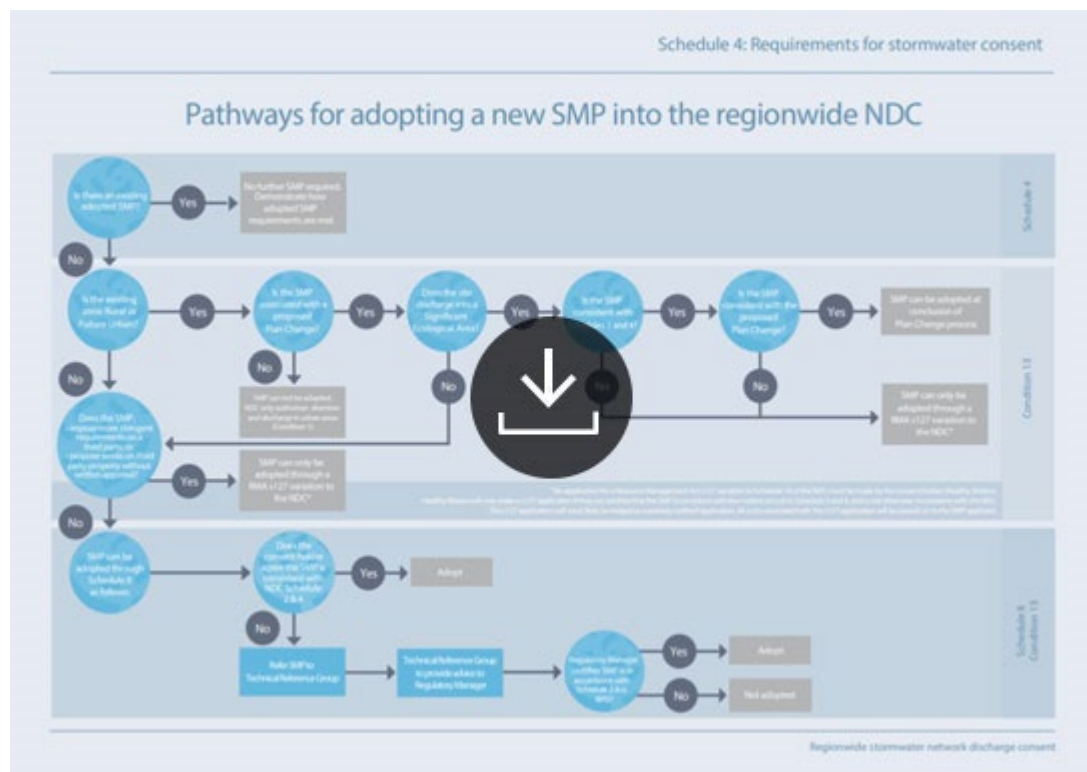
Any already urbanised land to be redeveloped, often for more intensive or different land use.

Brownfield Small - Any already urbanised land to be redeveloped, often for more intensive or different land use.

Development - Total development area including all future stages.

Greenfield - Land identified for future urban development that has not been previously developed.

2.4 SMP adoption process



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Condition 13 and Schedule 8 of the NDC provide information on the scenarios where a stormwater management plan can be adopted into the NDC – [Download Schedule 8](#).

The NDC provides for a degree of flexibility. All SMPs must be consistent with [Schedule 4](#). SMPs can be adopted into the NDC without having to go through further regulatory processes.

An exception is [Greenfield](#) development where stormwater would be discharged into a Significant Ecological Area (SEA) as defined in the Auckland [Unitary Plan](#) (AUP).

The Stormwater management plan must address the effects on the SEA and can only be adopted if:

- the SMP was prepared to support a Plan Change

or

- through a variation to the NDC

Adopted SMPs will be *publicly available*. Where there is an adopted SMP development must comply with the requirements of that SMP to be authorised under the NDC.

2.5 Status of existing and historic network discharge consents

At the time of granting of the NDC, Auckland Council's Healthy Waters department held approximately 116 historic authorisations and network discharge consents.

These will be progressively surrendered by the end of 2021. Some of the catchment management plans (CMP) which supported those consents will be summarised and *adopted as stormwater management plans* (SMP) into the regionwide NDC. CMPs and SMPs approved since 2013 will be automatically adopted into the NDC.

The process to surrender the existing NDCs and adoption of the catchment management requirements is set out in Conditions 17-19.

NDCs granted since 2013:

- The supporting CMP or SMP will be adopted into the regionwide NDC and comprise the requirements which must be met for development.
- Development in these areas can rely on the existing NDC to inform stormwater management decisions and to authorise the stormwater diversion and discharge if the SMP has not yet been adopted.

NDCs granted between 2001 and 2013:

- The supporting CMP or SMP may be adopted into the stormwater NDC.
- Please email us at HWDevelopment@aucklandcouncil.govt.nz for confirmation if development should rely on the existing NDC or the regionwide NDC to authorise the stormwater diversion and discharge or inform stormwater management decisions.

NDCs granted before 2001:

- These NDCs have all been surrendered in full.
- New development in these areas must follow the requirements in Schedule 4 of the regionwide NDC.

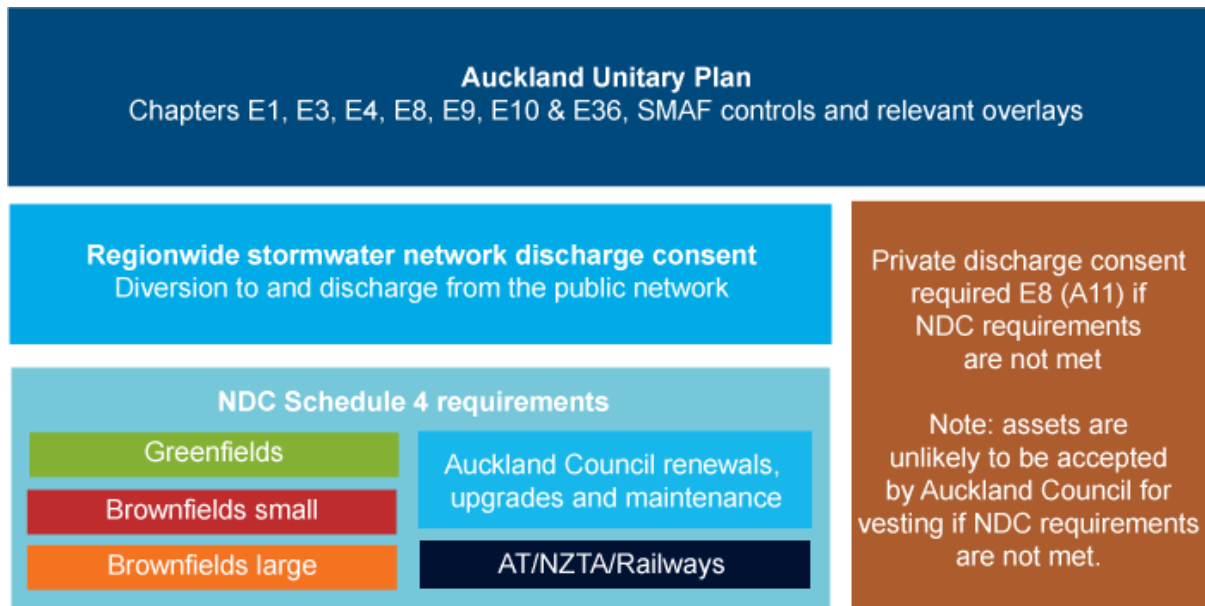
[Click here](#) for a list of the existing and historic NDCs which have been surrendered and the status of the supporting CMP or SMP.

2.6 Relationship to resource consent and plan change process

The NDC is a consent granted under the Auckland Unitary Plan and is consistent with the Resource Management Act 1991.

- The NDC authorises the diversion and discharge of stormwater from the public stormwater network
- A development still requires other resource consents under the AUP including Chapter E9 and E10
- If the discharge is into the public network, the diversion is a permitted activity under AUP Chapter E8. However, developments are required by the Bylaw to comply with the NDC
- If the discharge is directly into the receiving environment, the assets will be vested to Auckland Council, and the stormwater management is consistent with the NDC requirements, then the NDC replaces AUP Chapter E8
- If the proposed stormwater management and assets are private, will not be vested to Auckland Council and the runoff will not enter the public stormwater network, the NDC does not apply.

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The relationship between AUP and the NDC

Parallel process

The process of getting a stormwater management plan adopted under the NDC occurs in parallel to the process of applying for other resource consents.

To avoid delays it is essential to discuss the content of the SMP and the proposed stormwater management with Healthy Waters well in advance of lodging resource consents.