

# Stormwater drainage and disposal requirements

## Information sheet

**Under the NZ Building Code, Clause E1, it is a requirement of all property owners to control and dispose of the stormwater (surface water/natural rainfall) collected on their property.**

This does NOT include stormwater that is part of natural and original overland flows. Note, however, that where a property owner modifies the original ground levels to control stormwater on their own property, they may not do so in such a way that the discharge from these modifications creates a nuisance to adjoining properties. Modifications also include structures, such as buildings and fences, that may impede natural overland flows.

The New Zealand Building Code, clause E1.1 Objective states:

**E1.1** *The objective of this provision is to:*

- (a) Safeguard people from injury or illness, and other property from damage, caused by surface water.*
- (b) Protect the outfalls of drainage systems.*

The New Zealand Building Code, clause E1.2 Functional Requirement states:

**E1.2** *Buildings and sitework shall be constructed in a way that protects people and other property from the adverse effects of surface water.*

The New Zealand Building Code, clause E1.3.1 Performance states:

**E1.3.1** *Except as otherwise required under the Resource Management Act 1991 for the protection of other property, surface water, resulting from an event having a 10% probability of occurring annually and which is collected or concentrated by buildings or sitework, shall be disposed of in a way that avoids the likelihood of damage or nuisance to other property.*

The critical point of clause E1.3.1 refers to stormwater that is collected and/or concentrated. This is rainwater collected on a roof or hardstand driveway. This water must be disposed of within the property boundaries or to a Council approved watercourse or water table.

**It must not be discharged over a neighbouring property boundary unless there is a legal easement to do so.**