

Discharge of Stormwater Permitted Activity Checklists

- Activities that discharge stormwater that are not connected to the City or District Council reticulated stormwater network may need resource consent from Hawke’s Bay Regional Council.
- New outlet structures in the beds of rivers and drains and within 6m of the beds of rivers and drains may need resource consent from Hawke’s Bay Regional Council depending on the size and location. Check with the consents team at Hawke’s Bay Regional Council.
- Different rules relate to discharge of stormwater depending on where the discharge is occurring:
 - o Rule TANK 21 of proposed Plan Change 9 has legal effect and is relevant for activities within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū (TANK) catchments¹,
 - o Rule 42 of the Regional Resource Management Plan (RRMP) is relevant outside of the Coastal Environment, along with TANK 21 if within a TANK catchment.
 - o Rule 25 of the Regional Coastal Environment Plan (RCEP) is relevant within the Coastal Margin², but not within the Coastal Marine Area³, along with TANK 21 if within a TANK catchment.
 - o Rule 163 of the Regional Coastal Environment Plan is relevant for discharge to the Coastal Marine Area³.
 - o Discharge of stormwater to the Coastal Marine Area cannot be a permitted activity.
- Where an activity cannot comply with the permitted activity standards/terms/conditions, resource consent is required from Hawke’s Bay Regional Council.
- Use the Consents Hub on the Hawke’s Bay Regional Council website to find out how to apply for resource consents: <https://www.hbrc.govt.nz/services/resource-consents/>
- Use the following checklist to determine whether you can discharge stormwater as a permitted activity.

Project Information

Date	
Applicant	
Agent (if applicable)	
Address of Site	
Activity being undertaken	

I confirm that the information I have provided below is accurate and complete to the best of my knowledge and that where necessary, I have sought information from Hawke’s Bay Regional Council (HBRC) to confirm resource consent is not required from HBRC

Signed

Print Name

Date

¹ See map of TANK catchments here: <https://www.hbrc.govt.nz/hawkes-bay/projects/the-tank-plan/tank-maps/>

² Means an area of the coastal environment identified by the RCEP to manage activities and the effects of activities occurring within the coastal environment. It does not include any part of the coastal marine area.

³ The area of foreshore and sea bed below mean high water springs

Rule 42 of the Regional Resource Management Plan and Rules 25 and 163 of the Regional Coastal Environment Plan

The activity must comply with the below requirements to be considered permitted under Rule 42 of the RRMP or Rules 25 or 163 of the Regional Coastal Plan.

Requirement	Complies?	Comment
<p>The activity is the diversion and discharge of stormwater from an open drainage system or piped drainage system.</p> <p>Note: Stormwater is defined as '<i>runoff of water that is not absorbed by the land</i>'. If the discharge includes other discharges (i.e. greywater, process water, other contaminants etc.) it is likely regulated by other rules in the relevant regional plan.</p>		
<p>The activity does not involve undertaking any vegetation clearance, earthworks, land disturbance, taking or using water, damming or diverting water, or discharging within 100m of an identified natural inland wetland.</p> <p>Note: See requirements under the National Environmental Standard for Freshwater, 2020 (NES-F). A map of identified wetlands is available here: https://www.hbrc.govt.nz/environment/farmers-hub/essential-freshwater-package-farmers-guide/wetland-management/</p>		
<p>The activity is to the CMA and either:</p> <ol style="list-style-type: none"> 1. The activity drains from a site that is not an industrial or trade premise (i.e. commercial, residential etc), or 2. The activity drains from an industrial or trade premise, provided that the industrial or trade premise is not used for the storage of hazardous substances. 	<ol style="list-style-type: none"> 1. 2. 	
<p>The activity is not to the CMA and either:</p> <ol style="list-style-type: none"> 1. The activity drains from a site that is not an industrial or trade premise (i.e. commercial, residential etc), or 2. The activity drains from an industrial or trade premise that is under 2ha in size, provided that the industrial or trade premise is not used for the storage of hazardous substances. 	<ol style="list-style-type: none"> 1. 2. 	
<p>The activity shall not cause any permanent reduction of the ability of the receiving channel to convey flood flows.</p>		
<p>The activity shall not cause any permanent bed scouring or bank erosion of the receiving channel.</p>		
<p>The discharge shall not cause the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials in any receiving water body after reasonable mixing.</p>		

Rule TANK 21 of Proposed Plan Change 9

The activity must comply with each of the below requirements to be considered a permitted activity in a TANK catchment. It is up to the person undertaking the activity to ensure they can comply with the requirements below, Hawke’s Bay Regional Council may ask the person undertaking the activity to demonstrate how compliance with the below requirements has been met.

Existing activities that do not comply with the requirements below would be allowed to continue with an existing use right until the proposed TANK Plan becomes operative, however changes to these existing activities as a result of development on site may be required to apply for resource consent⁴.

Requirements	Complies?	Comment
<p>The activity is the diversion and discharge of stormwater.</p> <p>Note: Stormwater is defined as ‘runoff of water that is not absorbed by the land’. If the discharge includes other discharges (i.e. greywater, process water, other contaminants etc.) it is likely regulated by other rules in the relevant regional plan.</p>		
<p>The activity does not involve undertaking any vegetation clearance, earthworks, land disturbance, taking or using water, damming or diverting water, or discharging within 100m of an identified natural inland wetland.</p> <p>Note: See requirements under the National Environmental Standard for Freshwater, 2020 (NES-F). A map of identified wetlands is available here: https://www.hbrc.govt.nz/environment/farmers-hub/essential-freshwater-package-farmers-guide/wetland-management/</p>		
<p>The discharge is from a property that contains less than 1000m² of impervious area.</p>		
<p>The diversion and discharge shall not cause any permanent bed scouring or bank erosion of land or any water course at or beyond that point of discharge.</p>		
<p>The diversion and discharge shall not cause or contribute to flooding of any property</p>		
<p>The diversion and discharge shall not cause any permanent reduction in the ability of the receiving environment to convey flood flows</p>		
<p>The diversion and discharge shall not contain hazardous substances or, be from a site used for the storage, use or transfer of hazardous substances</p>		
<p>The diversion and discharge shall not contain drainage from a stockyard</p>		

⁴ See s20A of the Resource Management Act
Revision Date: January 2026

<p>The diversion and discharge shall not cause to occur or contribute to any of the following after reasonable mixing:</p> <ul style="list-style-type: none"> - production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials - any emission of objectionable odour - any conspicuous change in colour or the visual clarity of the receiving water body (including the runoff from bulk earthworks) - any freshwater becoming unsuitable for consumption by farm animals 		
<p>The diversion and discharge shall not cause to occur or contribute to the destruction or degradation of any habitat, mahinga kai, plant or animal in any water body or coastal water</p>		
<p>The diversion and discharge shall not cause to occur or contribute to the discharge of microbiological contaminants including sewage, blackwater, greywater or animal effluent.</p>		
<p>Any structure associated with the point of discharge or diversion is maintained in a condition such that it is clear of debris, does not obstruct fish passage and is structurally sound.</p>		