

# Essential Freshwater

## Feedlots and Other Stockholding Areas

### New rules around feedlots came into effect on 3 September 2020.

On **1 July 2021** new rules will come into effect for stockholding areas other than feedlots.

These new rules are part of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F). The NES-F apply to farms comprising five hectares or more of horticulture, 20 hectares or more of pasture or arable crops, or 20 hectares or more of a combination of any of these.

If you use feedlots or other stockholding areas it is important to consider the new rules and whether you will need to apply for a resource consent.

#### Key points:

- On **3 September 2020** the NES-F rules for feedlots came into force.
- Existing feedlots have until **3 March 2021** to comply. All new feedlots must immediately comply with the NES-F.
- From **1 July 2021** the NES-F rules for stockholding areas (other than feedlots) come into force.
- These stockholding areas have until **31 December 2021** to comply. All new stockholding areas must immediately comply with the NES-F.
- During your annual inspection for dairy effluent discharge consents, the Marlborough District Council will also check if you have a feedlot or stockholding area and if so, whether you need to apply for a resource consent.
- If you require a resource consent for your stockholding area please speak to the Council about your options.
- Follow the flowchart on page 3 to see whether you have a stockholding area and whether you need a resource consent. If so, you can start the process immediately - you do not have to wait until your existing use rights expire or the Council advises you to get a consent.
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## Definitions

**A feedlot** means a stockholding area where cattle:

- (a) are kept for at least 80 days in any 6-month period; and
- (b) are fed exclusively by hand or machine.

**A sacrifice paddock** means an area on which:

cattle are repeatedly, but temporarily, contained (typically during extended periods of wet weather); and

(b) the resulting damage caused to the soil by pugging is so severe as to require resowing with pasture species.

**A stockholding area:**

- (a) means an area for holding cattle at a density that means pasture or other vegetative ground cover

cannot be maintained (for example feed pads, winter pads, standoff pads, and loafing pads); but

(b) does not include an area used for pastoral purposes that is in the nature of a stockyard, milking shed, wintering barn, or sacrifice paddock .

See the flow chart over the page to see if you have a feedlot or stockholding area and whether you need a resource consent.

## Feedlots

Permitted activities (Reg 9)

You must meet all of the following conditions for a feedlot to be a permitted activity. If you are unable to meet all of these a resource consent will be required.

## Conditions

The conditions are that 90 percent or more of the cattle held in the feedlot must:

- (a) be no more than four months old; or
- (b) weigh no more than 120 kg.

## Stockholding areas other than feedlots

There are two sets of standards and conditions for stockholding areas. One is for young stock and the other is for older stock.

You must meet all of the standards and conditions for your relevant section if your stockholding area is to be a permitted activity. If you are unable to meet all of these, a resource consent will be required.

### Permitted activities: Stockholding areas for small and young cattle (Reg 12)

The use of land on a farm for holding cattle in a stockholding area (other than a feedlot) is a permitted activity if it complies with the conditions below.

## Conditions

The conditions are that 90 percent or more of the cattle held in the stockholding area must:

- (a) be no more than four months old; or
- (b) weigh no more than 120kg.

### Permitted activities: Stockholding areas for larger and older cattle (Reg 13)

The use of land on a farm for holding cattle in a stockholding area (other than a feedlot) and the discharge of contaminants from the stockholding area is a permitted activity if it:

- (a) does not comply with the condition for stockholding areas for small and young cattle to be a permitted activity; but
- (b) complies with the conditions (below) for stockholding areas for larger and older cattle to be a permitted activity.

## Conditions

The conditions are that:

- (a) the base area of the stockholding area must be sealed to a minimum permeability standard of 10-9 m/s; and
- (b) effluent expelled in the stockholding area must be collected, stored, and disposed of in accordance with a rule in a regional or district plan, or a resource consent; and
- (c) the stockholding area must be at least 50 metres away from any water body, any water abstraction bore, any drain, and the coastal marine area.

Note the NES-F also allows for stockholding areas to be managed in accordance with a certified freshwater farm plan – however Marlborough does not currently have any of these.

## Sacrifice paddocks

There are no new rules that specifically cover sacrifice paddocks and they are excluded from the definition of a stockholding area. However it is not okay to pollute waterways, even if there is no rule covering your activity.

Should your sacrifice paddock cause effluent, sediment or other contaminants to enter a waterbody you may still be subject to enforcement action under the Resource Management Act.

## Existing use rights

Existing use rights under section 20A of the Resource Management Act apply only where the feedlot or stockholding area was already existing (as at 3 September 2020), was operating legally and where the effects will be the same or similar in character, intensity, and scale. But only for a limited time.

You have until 3 March 2021 to lodge an application for consent for a feedlot and until 31 December 2021 to lodge an application for consent for a stockholding area (if you could not comply with all the permitted activity conditions and a consent is required). You can continue the activity until a decision is made and any appeals are resolved.

Where your stockholding area was not an existing activity, or the effects will increase in character, intensity or scale, make sure you comply with all the permitted activity conditions or obtain a consent before undertaking the activity.

## Contact us

If you have any questions on structures in waterbodies, reclamation of rivers or any other aspect of the NES-F please email [monitoring@marlborough.govt.nz](mailto:monitoring@marlborough.govt.nz)

Our website at [www.marlborough.govt.nz](http://www.marlborough.govt.nz) will also be regularly updated with guidance.



Do the NES-F stockholding or feedlot rules apply to me? Do I need a resource consent?

