



Amendments to intensive winter grazing regulations

Update following the Resource Management (Freshwater and Other Matters) Amendment Act 2024 that came into force on 25 October 2024

The Government has amended the regulations for intensive winter grazing in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.

Context

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F) included regulations on the practice of intensive winter grazing. This is defined as grazing of livestock on an annual forage crop at any time in the period that begins on 1 May and ends with the close of 30 September of the same year. Annual forage crops provide feed when there is no or low pasture growth.

Those regulations permitted intensive winter grazing activities if they met default conditions or if a farm had obtained a certified Freshwater Farm Plan. Otherwise, intensive winter grazing required either:

- a restricted discretionary resource consent to continue at the same intensity as it had during a period between July 2014 and June 2019, or
- a discretionary resource consent, where expansion was proposed.

All intensive winter grazing activities were also subject to standalone regulations relating to pugging¹ and re-establishment of vegetated ground cover.

Amendments to the NES-F

The Resource Management (Freshwater and Other Matters) Amendment Act 2024 (the Amendment Act) amended the intensive winter grazing regulations in the NES-F, by:

- repealing the permitted, restricted discretionary and discretionary regulations and associated conditions

¹ The penetration of soil by hooves of grazing livestock.

- repealing the standalone regulations relating to pugging and ground cover
- introducing two new standalone regulations,² which require standards for:
 - minimum setback – that is, an area of land that is used for intensive winter grazing on a farm must be located at least 5 metres away from the bed of any river, lake, wetland, or drain (regardless of whether there is any water in it at the time)
 - critical source area³ – that is, for any critical source area that is within, or adjacent to, any area of land that is used for intensive winter grazing:
 - the critical source area must not be grazed
 - vegetation must be maintained as ground cover over all of the critical source area
 - maintaining the vegetation must not include cultivation or harvesting of annual forage crops.

Implementation considerations

The NES-F now includes two minimum requirements for intensive winter grazing relating to setbacks from water bodies and critical source areas (as set out above). All intensive winter grazing must comply with these minimum requirements.

Councils may adopt additional intensive winter grazing requirements in their regional plans, and any existing rules continue to apply. Check whether there are relevant rules in your region.

Resources

For more information on the intensive winter grazing regulations in the NES-F, including a factsheet and a link to the regulations, see Ministry for the Environment: [Intensive winter grazing: implementation guidance on Essential Freshwater policies and regulations](#).

For more information, including background information on the Amendment Act, see Ministry for the Environment: [Resource Management \(Freshwater and Other Matters\) Amendment Act 2024](#).

To view the Amendment Act, see New Zealand Legislation: [Resource Management \(Freshwater and Other Matters\) Amendment Act 2024](#).

² New regulations 26 and 27.

³ Critical source area means a landscape feature such as a gully, swale, or depression that:

- accumulates run-off from adjacent land
- delivers, or has the potential to deliver, one or more contaminants to one or more rivers, lakes, wetlands, or drains, or their beds (regardless of whether there is any water in them at the time).