

GUIDELINES

Keeping of Farm Animals

The purpose of these guidelines is to provide information in simple easy to read terms so that persons interested in keeping animals are made aware of relevant Local Authority requirements and to clarify how to apply for approval to keep farm animals.

Am I allowed to keep farm animals?

Farm animals must be kept in accordance with the provisions of any local planning scheme applicable to your area/zone. Farm animals are not permitted to be kept in a residential and special residential zone.

In addition, all pigs, including miniature pigs, are **not permitted** to be kept within a residential and special residential zone or within the Jandakot UWPCA.

Planning approval

Under [the City of Kwinana Local Planning Scheme No. 2](#), the keeping of farm animals maybe considered as intensive agriculture use. Only Rural A Zone are permitted for intensive agriculture use and this is subjected to planning approval with stocking rates determined under the Department of Primary Industries and Regional Development [Stocking Rate Guidelines for Rural Small Holdings](#).

A stock management plan maybe required as part of the planning approval. The purpose of a stock management plan is to ensure that stock are being managed in such a way as to maintain their general wellbeing and provide for their nutritional needs without causing a nuisance or degradation of the land.

Please contact the City's Planning Department on 9439 0200 or email planning@kwinana.wa.gov.au prior to lodging a planning application.

Building approval

A building permit maybe required to construct any stable or animal shelter on the land. These structure must comply with the Building Act 2011 and associated Regulations.

Definitions

farm animal includes cow, sheep, goat, pig or other hoofed mammal, excluding a horse;

Jandakot UWPCA means the Jandakot Underground Water Pollution Control Area, a gazetted public drinking water source area under the *Metropolitan Water Supply, Sewerage and Drainage Act 1909*.

vermin include rats, mice, flies, fleas, mites, lice, cockroaches and any other animal, whether vertebrate or invertebrate, which is known to be a vector of disease or is likely to cause damage to human food, habitation or possessions.

Please contact the City's Building Department on 9439 0200 or email building@kwinana.wa.gov.au for further information.

General requirements for keeping of farm animals.

- You must keep your property free from excrement, filth, food waste and all other matter which may cause a nuisance, become offensive or injurious to health or to attract vermin and where possible, free from flies or other vermin, by spraying with a residual insecticide or other effective means.
- All farm animals must be prevented from approaching within 18 metres of any dwelling, public building, building used for commercial purposes or food business.
- Any stable, enclosure or shelter provided for the keeping of farm animals must be situated at least 18 metres away from any dwelling, public building, building used for commercial purposes or food business, and at least one metre from any land boundary, and maintained in a manner to provide adequate shelter, drainage, and ventilation.
- The land on which the farm animals are enclosed must be fenced or walled in a manner that can confine the animals, depending on species, age, size, and condition of the animals, can prevent the animals from escaping.

- Livestock that are found to wander on roads or in public places may cause accidents and has the potential to a serious threat to the animal, biosecurity and public safety. Wandering livestock maybe impounded by the City's Rangers Team and maybe rehomed if the owner is unable to be identified. Fees and charges may apply.

Public health risks associated with keeping of farm animals

- A risk to public health is something that is known to cause or potentially cause disease or harm to the public health or wellbeing of humans. Public health risks can arise from noise, odour, dust, disposal of animal carcasses, release of pathogens, chemicals, effluent or solid waste or air emissions that can pollute the water, land and air.
- Any person keeping farm animals must take all reasonable and practicable steps to prevent or minimise any harm to public health that might foreseeably result from anything done or omitted to be done by the person. Industry guidelines and code of practices and standards are used to assist businesses in achieving best practice e.g. [Guideline for the management of public health risks associated with offensive trades in Western Australia](#).

What do I do if my animal has passes away?

Other than a veterinary practice, if you have a deceased animal, you must dispose of the deceased animal as soon as possible and in a manner that does not create a nuisance, become offensive or attract vermin.

A deceased animal must not be disposed of within 100 meters of any water resources or within the Jandakot UWPCA. A map of the Jandakot UWPCA can be found within the [State Planning Policy 2.3 – Jandakot Groundwater Protection](#).

- Your local veterinarian may provide a service where you can have your pet/animal cremated and returned to you in a container of your choosing at your cost.
- For large, farm animals and horses, Veterinarian hospitals that provide a service for farm animals and horses do provide services which can include cremation and disposal at your cost.

For any sick or injured wildlife, please contact Wildcare Helpline on (08) 9474 9055.

Slaughter of farm animals

You are not permitted to slaughter any farm animal on your land unless the euthanasia is carried out by veterinarians, abattoirs, animal food processing premises, vermin control, or any premises approved for slaughtering purposes.

Requirements by other State Agencies

- Livestock registration and identification: All livestock owners within WA must be registered and their stock identified in accordance with the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*. Please visit the [Department of Primary Industries and Regional](#)

[Development website](#) for further information.

- Animal welfare: A person in charge or control of an animal is responsible for the health, safety, and welfare of the animal. The *Animal Welfare Act 2002* (the Act) contains a number of provisions directly and indirectly related to the provision of care to livestock. Reasonable care for animal includes but not limited to provision of adequate food and water, suitable living conditions including appropriate shelter, prompt treatment of illness or injury, appropriate handling, restraint and transport. Please visit the [Department of Primary Industries and Regional Development website](#) for the Animal Welfare Code of Practice. Animal cruelty complaints should be reported to RSPCA on 9209 9300 or 1300 278 3589 (emergencies only).
- Industrial premises: Livestock saleyard or holding pen (category 55) and intensive piggery (category 2 and 69) are prescribed premises listed in the *Environmental Protection Regulations 1987* and is subjected to approval by the Department of Water and Environmental Regulation.

Complaint investigation

- Should the City of Kwinana receive a complaint regarding a property where livestock and/or farm animals are kept, Authorised Officer(s) may conduct an inspection of the property and take appropriate action to ensure appropriate nuisances and/or public health or environmental risks are managed, building structures are compliant and/or farm animals are kept in accordance with the planning approval.
- General nuisances associated with the keeping of farm animals are managed under the City's *Animal, Environment and Amenity Local Law 2024* (Local Law). Authorised Officers may undertake one or more of the following actions under this Local Law:
 - direct an owner or occupier of the land upon which the animal is kept to clean and disinfect the affected land;
 - issue a notice of breach to the requirements for keeping of farm animals;
 - issue infringement notice(s) with modified penalty for first offence or subsequent offence(s);
 - issue Local Government Act Notice(s);
 - undertake legal proceedings in accordance with the *Local Law and Local Government Act 1995*.
- Should the City of Kwinana receive a complaint regarding a property where livestock and farm animals are kept, Authorised Officer(s).
 - Public health risks associated with keeping of farm animals are managed under the *Public Health Act 2016* and the Authorised Officer(s) will consider if the person or business involved has taken all reasonable and practicable steps to prevent or minimise harm prior to taking appropriate enforcement actions.