

GUIDELINES

Keeping of Horses

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

Am I allowed to keep horses?

Planning approval

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

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

An equine management plan (EMP) is required as part of the planning approval. The purpose of an EMP is to ensure that horses 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. Aspects to consider include stocking rates, paddocks, stables, fencing, waste management, vegetation, pest control, stormwater management, fertiliser management and irrigation. For further information about the information required to be included in an EMP, please visit [DPIRD's website](#).

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

Definitions

associated building or facilities includes a feed room, gear room, shoeing area, hosing down area, lunging yard, rolling yard, veterinary treatment area, and a vehicle and float storage area used in the keeping, caring or management of horses.

Environmental Management Guidelines means the Environmental Management Guidelines for Horse Facilities and Activities (WQP Guideline 13), administered by the Water and Rivers Commission, as amended from time to time.

horse includes any animal of the *Equidae* family, including a horse, ass, mule, donkey, or pony.

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*.

Stocking Rate Guidelines means the Stocking Rate Guidelines For Rural Small Holdings, Swan Coastal Plain and Darling Scarp and surrounds, Western Australia Plain and Darling Scarp and surrounds, Western Australia, administered by the Department of Primary Industries and Regional Development, as amended from time to time.

Building approval

A building permit maybe required to construct any stable, stable shelter and associated building or facilities on the land. These structures must comply with the *Building Act 2011* and associated Regulations. Please contact the City's Building Department on 9439 0200 or email building@kwinana.wa.gov.au for further information.

Can I keep a miniature pony/horse in a residential area?

You cannot keep any horse on land other than within a rural zone or special rural zone and contrary to the provisions of any local planning scheme applicable.

Requirements for construction of stable, stable shelter, paddock, yards, training/walking rings and associated buildings or facilities

Where do I build my horse stable/shelter?

- Any stable or stable shelter must be situated a minimum of **18 metres** away from any dwelling, building used for commercial purposes or food business on an adjacent lot.
- Any stable or stable shelter must be situated a minimum of **9 metres** away from any dwelling, building used for commercial purposes or food business within the same lot.
- Any stable or stable shelter must be situated a minimum of **30-metre radius** away from any private bore, well or dam.
- Any stable or stable shelter must be situated a minimum of **18 metres** away from the property boundary and minimum **9 metres** away from any street in the case of a corner site.

Any stable or stable shelter situated within the **Jandakot UWPCA** must not be situated within the minimum buffer distances as set out in the [Environmental Management Guidelines](#).

What sort of stable is required for my horses?

Any stable or stable shelter is required to have separate stall for each horse with each wall and roof constructed of an impervious material.

Any stable or stable shelter is required to have on all sides of the building between the top of the wall and the roof, a clear opening of at least 150 millimetres in height, unless otherwise approved by the Local Government and have walls that are to be a minimum of 3 metres in height and in length.

Concrete floor Stable Requirements

A stable must have a roof that covers the entire floor area of the stall and a floor with an upper surface that –

- is raised at least 75 millimetres above the surface of the surrounding ground.
- is constructed of cement, concrete or other similar impervious materials.
- has an adequate fall to a drain which shall empty into a trapped gully situated outside the stable that discharges to sewer or an approved effluent disposal system.
- has a minimum area of 12 square metres for each stall.

Table 1: Extract of the special conditions for keeping horses in environmentally sensitive areas (from Section 3.1 of the Environmental Management Guidelines).

Public Drinking Water Sources Areas (PDWSAs)-Priority 1	Horse keeping is incompatible with management objectives and is opposed in these areas. The only exception where approval may be given is for horses on large pastoral leases.
PDWSAs- Priority 2	Horse facilities are considered a conditional land use, i.e. special stocking rate limits apply. For well drained yellow to brown sand, at least 1.7 hectare is required per horse for dry and irrigated pastures.
PDWSAs- Priority 3	Horses are compatible with management objectives, provided standard stocking rates are applied. For well drained yellow to brown sand, at least 1.7 hectare is required per horse for dry pasture and at least 0.5 hectare is required per horse for irrigated pasture.
Wetlands	Horses should not be kept or allowed access to within 200 metres of wetlands.
Waterways and surface water bodies	Horses should be kept away from wetlands and seasonally boggy areas, with a minimum distance of at least 30 metres from the banks of permanent or ephemeral streams and rivers which have bank slopes less than 1 in 4, and 50 metres for streams and rivers whose banks have slopes greater than 1 in 4.
Near water supply wells and farm dams	Horses should be kept as far away as practicable from these areas, with a minimum fenced buffer distance of at least 30 metres from water supply wells and farm dams.
Groundwater	Horses should be kept away from swampy or seasonally water-covered ground, with a minimum distance of at least 1.2 metres above the highest annual groundwater table level. A sand pad may be used to increase the distance from the groundwater table provided it is acceptable to the LGA and it is not located where stormwater runoff can erode the pad.
Environmental Protection Policy areas, "Bush Forever" sites and remnant vegetation	Horses should not be kept on "Bush Forever" sites. Information on "Bush Forever" sites can be obtained from the Department for Planning and Infrastructure (DPI). The keeping of horses among remnant vegetation is considered equivalent to clearing. Further advice can be obtained from the DEP about areas covered by Environmental Protection Policies and the clearing of remnant vegetation.

Sand Floor Stable Requirements

A stable or stable shelter constructed with a sand floor shall be constructed as follows –

- The site must be well drained with the highest known water table no closer than 2 metres to the sand floor level which may be achieved artificially.
- The footings to each stable are to be a minimum of 450 millimetres below ground level.
- The roof is to be not less than 50% of the floor area.
- have a separate stall for each horse.
- have each wall and roof constructed of an impervious material.
- have on all sides of the building between the top of the wall and the roof a clear opening of at least 150 millimetres in height, unless otherwise approved by the local government.
- have walls that are a minimum of 3 metres in height and in length.

Any associated building or facility shall not be closer than 9 metres to any dwelling.

Paddock, Yards, Training/Walking Ring Requirements

Any paddock, yards or training/walking rings must not be situated within –

- 8 metres of any dwelling, building used for commercial purposes or food business on an adjacent land.
- 9 metres of any dwelling, building used for commercial purposes or food business within the same land.
- 30 metres radius of any private bore, well or dam.
- the minimum buffer distances set within the Environmental Management Guidelines for land situated within the Jandakot UWPCA

Maintenance Requirements

You must ensure that stables, stable shelters and any associated building or facilities are maintained in good working order, in sound, weatherproof condition and fit for use. Including but not limited to their roofs, walls, floors, guttering, downpipes (including on-site storm water disposal systems), doors and windows.

The owner or occupier of land where any horse is kept must maintain fences, railings and gates in the stables, stable shelters, paddocks, yards, training/walking rings in good working order. Repair and ensure any paddock is fenced or walled in a manner capable of confining any horse contained therein.

Waste and Manure Management Requirements

you must ensure that manure receptacles are situated no closer than 10 metres from any dwelling on an adjacent property.

Waste and manure are not permitted to accumulate unless stored or treated so as not to create a nuisance, become offensive or injurious to health or attract vermin and manure is managed in accordance with the planning

approval under the under the local planning scheme.

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 \(DPIRD\) 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).
- Draft WA Horse Standards and Guidelines: DPIRD is currently reviewing the WA Horse Standards and Guidelines. Please refer to [DPIRD website](#) for further information.

Complaint investigation

- Should the City of Kwinana receive a complaint regarding a property where horses 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 horses are kept in accordance with the planning approval.
- General nuisances associated with the keeping of horses 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 horses;
 - issue infringement notice(s) with modified penalty for first offence or subsequent offence(s);
 - issue Local Government Act Notice(s); and/or
 - undertake legal proceedings in accordance with the Local Law and *Local Government Act 1995*.
- Public health risks associated with keeping of horses 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.



Useful links

[Environmental Management Guidelines for Horse Facilities and Activities](#)

[Stocking Rate Guidelines for Rural Small Holdings.](#)

[WA Horse Standards and Guidelines](#)

Code of Practice – Transportation of Horses in Western Australia

[Animal Welfare Codes of Practice](#)

