



Responsible pig ownership: information for local councils and pig owners

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Introduction

The keeping of pigs by small landholders varies in popularity, according to relative pig and feed price. Pig ownership can be popular in peri-urban areas: 'peri-urban' is defined as the area within a 100 km radius of a capital city, and a 20 km radius of a regional centre with a population of 30 000 people or more.

Different ethnic groups also have differing preferences in terms of pork products. For example, some prefer the small carcass (10 kg) oven pig for celebrations, while others like the large adult barrow (castrate male) to use in salami and sausage making. The desire to grow their own food or to cater for the needs of their local community can be strong. Pigs are very productive animals, and can be a good choice for an extra income enterprise on a small farm.

Pigs are gregarious, funny animals, and can make great pets. The ownership of pigs as pets is gaining popularity, but people must realise that the regulations that apply to commercial piggeries also apply to pet pigs.

Unfortunately, not everyone is aware of the legislation and Regulations that affect pig ownership and farming in Australia. Many of these regulations exist to protect the Australian pig industry and other livestock industries from devastating exotic diseases, such as foot and mouth disease and African swine fever. This Primefact aims to highlight the key legal requirements, including the legislation and Codes of Practice that apply in NSW. Industry organisations are listed with contact phone numbers and web addresses.

Summary of key legal requirements for small-scale pig farmers

('Small-scale' is defined as less than 20 sows or 200 pigs.)

1. Council approval to keep pigs – a council may order that the occupier of particular premises may only keep a specified number of pigs, and that those pigs must be kept in a specified manner. A council will take particular interest if your premises are in a sensitive area, such as a catchment area. See section 124 of the *Local Government Act 1993*.
2. Distance of piggery from human habitation – Schedule 2 (Part 5, Division 1) of the *Local Government (General) Regulations 2005* specifies a distance of 60 metres from the piggery (or pig manure) to the nearest human habitation.
3. Feeding pigs – it is traditional to feed food waste (swill) to pigs. Some food wastes are prohibited substances. It is illegal to feed meat, meat products or anything containing meat to pigs. Restaurant or bakery waste that contains meat products is also prohibited. The fine is \$11 000. See section 20FB of the *Stock Diseases Act 1923* and clause 60 of the *Stock Diseases Regulation 2004*.
4. Selling pigs – swine brands. It is a legal requirement that all pigs greater than 25 kg body weight should be branded with a registered swine brand before sale in a saleyard or slaughter in an abattoir. See Part 3 Division 2 of the *Stock Diseases Regulation 2004*. Rural Lands Protection Boards handle applications for swine brands. If a farmer does not have their own registered swine brand, they may apply to the RLPB for application of the crown brand.
5. Selling pigs – PigPass National Vendor Declaration (NVD) and PigPass Quality Assurance (QA). All pigs going for sale in a saleyard or slaughter at any abattoir must be



accompanied by a PigPass NVD. This includes pigs being killed at service abattoirs for a person's own consumption. Anyone carrying out an emergency or once-only sale can apply to the Rural Lands Protection Board for an emergency PigPass NVD. Anyone wishing to regularly sell pigs or utilise the services of a service abattoir must apply to Australian Pork Limited for PigPass NVD and PigPass QA.

6. Feral Pigs – feral pigs are a declared pest under Part 11 of the *Rural Lands Protection Act 1998*. Under the Act, it is an offence to transport, keep or breed from feral pigs in NSW – substantial fines apply. More information on regulations applying to feral pigs may be obtained from the Rural Lands Protection Board or NSW DPI.

Pet pigs

All the regulations applying to pigs in commercial piggeries and small-scale farming also apply to pet pigs. It is stated in Schedule 2 of the Local Government (General) Regulation 2005 that pigs or their manure must not be within 60 metres of a dwelling or other public building; therefore, pigs do not belong in NSW suburbs. Also, there are a number of pig behaviours which can be unwelcome in situations where people have no previous experience with pigs.

A pig's normal vocal pattern consists of grunts and squeals. When excited or stressed, the noise can be very loud, and anticipation of food can be one of the noisiest times. Feeding the pig whenever it squeals in an attempt to keep it quiet will only make the problem worse.

Pigs also exhibit rooting behaviour. This is where the pig digs around with its snout and chews at the dirt, looking for anything edible. Pigs are also very curious animals, and will repeatedly poke and nose around at things they find interesting. They are capable of creating a lot of damage in a very short time, though curiosity is usually the reason.

Pigs don't sweat. Their main cooling mechanism is to lie in water or mud: a good wallow. They love nothing better on a hot day than to coat themselves in mud and then lie in the shade. Wallows can be a source of odour, which has the potential to cause problems with the neighbours.

Pig sexual behaviour can also be problematic. When a sow exhibits oestrus, she will stand still when pressure is applied to her back; this is not a problem if a boar is available and the sow is mated. However, if no boar is available some sows can become quite frustrated and react to this frustration: they have been known to chase people and bite at them. For this reason in particular, it is recommended that pet pigs be neutered.

Pigs are solidly built animals, and are not very flexible. They can also move surprisingly fast, and often think that if their snout fits the rest of them will too. Being so solid and strong, they tend to fulfil this perception at some cost to the obstacles they encounter.

Finally, there are no true miniature breeds of pig in Australia. Size has been reduced through careful breeding and selection, though not as much as some breeders claim. So-called 'miniature' pigs have been known to grow to as big as 90 kg, which, although smaller than a commercial pig, is still a hefty animal. Most are somewhere between 40 and 60 kg fully grown. An adult labrador dog weighs about 30–35 kg. Commercial pigs can grow to 120 kg in six months.

State Acts and Regulations

All NSW state legislation and Regulations may be viewed in detail at the NSW Government legislation website (www.legislation.nsw.gov.au)

Local Government Act 1993

The *Local Government Act 1993* provides the framework for the operation of local government. Section 124 of the Act specifically allows a council to prevent the keeping of pigs in sensitive areas such as catchment areas.

Local Government (General) Regulation 2005

Schedule 2 Part 5 of the Local Government (General) Regulation 2005 makes specific reference to pigs, stating that swine (pigs) must be kept in a manner that does not cause pollution to any water supply. It also states that 'swine must not be kept (and swine's dung must not be deposited) within 60 metres (or such greater distance as the council may determine in a particular case) of a dwelling, shop, office, factory, church or other place of public worship, workshop, school or public place in a city, town, village or other urban part of an area'. This indicates that pigs (whether kept as pets or otherwise) do not belong in suburbia.

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* institutes a system of environmental planning and assessment for NSW. The State Environmental Planning Policy No. 30 – Intensive Agriculture (SEPP 30) is made under this act. The SEPP 30 requires piggeries with a capacity to accommodate 200 or more pigs or 20 or more breeding sows to obtain development consent from the local council. The SEPP also sets out matters to be taken into account by the local council in determining whether or not to grant development consent to such a

piggery. Note that each local council may have its own requirements for the development and operation of piggeries.

Protection of the Environment Operations Act 1997

The *Protection of the Environment Operations Act 1997* provides for the management of water, air, odour and noise pollution through a licensing regime. Persons or corporations who carry on a livestock-intensive industry, including piggeries that are intended to accommodate more than 2 000 pigs or 200 breeding sows, must hold a licence under section 48 of the Act. An unlicensed occupier of premises with a piggery accommodating more than 2 000 pigs or 200 breeding sows is guilty of an offence, and liable for a penalty of up to \$1 million if a corporation and \$250 000 if an individual. Additional penalties apply for each day the offence continues.

Stock Diseases Act 1923

The *Stock Diseases Act 1923* regulates the control of stock diseases in NSW with restrictions on the movement of diseased stock and obligations on farmers to notify the government of certain diseases in protected areas. Owners of diseased stock will be required to comply with orders that may include quarantine, destruction or limitations on movement of diseased stock, including pigs.

Stock Diseases Regulation 2004

The Stock Diseases Regulation 2004 outlines the requirements for:

- the testing of stock, including pigs, for diseases such as anthrax and tuberculosis (Part 2)
- the identification of stock for transaction purposes (Part 3). Pigs over 25kg must be branded with a registered swine brand, which includes property identification. Pigs without this brand cannot be sold at saleyards or sent to abattoirs
- the feeding of substances to pigs (Clause 60). This clause specifically lists substances which are prohibited for feeding to pigs (also called swill feeding). This is to prevent the introduction of exotic diseases, such as African swine fever and foot and mouth disease. It is illegal to feed to pigs any meat, meat products or anything that has been in contact with meat, as well as carcasses, parts of carcasses (such as feathers or hides), or the excreta of animals or humans.

Stock (Chemical Residues) Act 1975

The *Stock (Chemical Residues) Act 1975* seeks to prevent the slaughter for human consumption of stock (including pigs) which contain certain

concentrations of chemical residues, or which are otherwise chemically affected, and to prevent stock from becoming chemically affected. The list of regulations for this Act is contained in the Stock (Chemical Residues) Regulation 2005.

Exotic Diseases of Animals Act 1991

The *Exotic Diseases of Animals Act 1991* and the Exotic Diseases of Animals Regulation 2003 provide for the detection, containment and eradication of certain (usually non-endemic) diseases affecting livestock and other animals. The Act imposes obligations on pig farmers to notify the government if they suspect an animal may be infected with an exotic disease, such as foot and mouth disease or African swine fever.

Owners of diseased animals will be required to comply with orders that may include quarantine, destruction or limitations on movement of diseased animals, including pigs. In the event of an outbreak of an exotic pig disease, all pigs, including pet pigs, would be subject to these orders.

Rural Lands Protection Act 1998

The *Rural Lands Protection Act 1998* and the Rural Lands Protection (General) Regulation 2001 provide for the protection of rural lands within the constitution and functions of Rural Lands Protection Boards (RLPB). The RLPB charges rates based on the production capacity of rateable land. For intensive livestock operations (including piggeries), rateable land includes operations with more than 50 units of stock (one pig = one stock unit). The RLPB uses rates to manage pests and diseases, travelling stock routes and animal health issues.

All RLPB areas employ at least one district veterinarian and several rangers. These staff have duties specified under the Rural Lands Protection (General) Regulation 2001, which include stock inspections at saleyards for signs of notifiable diseases and correct transaction identifiers (e.g. swine brands), as well as on-farm inspections under the Stock Diseases Regulation 2004 for the feeding of prohibited substances to pigs. Rangers also have duties relating to the control of pest animals, including feral pigs, under Part 11 of the Act.

Prevention of Cruelty to Animals Act 1979

The *Prevention of Cruelty to Animals Act 1979* and the Prevention of Cruelty to Animals (General) Regulation 2006 prohibit acts of cruelty to animals, domestic and farmed. The object of this Act is to promote the welfare of animals, by requiring anyone in charge of an animal to provide care for the animal, treat it in a humane manner and ensure its welfare.

Commonwealth legislation

All Commonwealth legislation and Regulations may be viewed in detail at the Australasian Legal Information Institute website (www.austlii.edu.au).

Pig Industry Act 2001

The *Pig Industry Act 2001* is the legislative framework for the formation and operation of Australian Pork Limited (APL). APL is the national representative body for Australian pig producers. It is a producer-owned, not-for-profit company combining marketing, export development, research, innovation and strategic policy development for the Australian pork industry.

Primary Industry Excise Levies Act 1999 – Schedule 22

The *Primary Industry Excise Levies Act 1999 – Schedule 22* is the legislative framework for the collection of statutory slaughter levies, which provide the operational funding for the National Residue Survey Pig Monitoring Program and Australian Pork Limited.

National Guidelines and Codes of Practice

National Environmental Guidelines for Piggeries (www.australianpork.com.au)

Model Code of Practice for the Welfare of Animals: Pigs (www.australianpork.com.au)

Model Code of Practice for the Welfare of Animals: Land Transport of Pigs (publish.csiro.au/nid/22/pid/1502)

Feeding Standards for Australian Livestock: Pigs (publish.csiro.au/nid/18/bcid/2)

Australian Code of Good Manufacturing Practice for Homemixed Feeds, Feed-Milling Industry and Stock-Feed Premixes (publish.csiro.au/nid/18/bcid/2)

Industry organisations and contact details:

NSW Department of Primary Industries
Head Office Orange NSW
Phone 02 6391 3100
www.dpi.nsw.gov.au

Jayne Morgan, Livestock Officer Pigs
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Ian Kruger, Environmental Engineer
NSW DPI, Tamworth
Phone 02 6763 1100
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Rural Lands Protection Boards – 49 in NSW
www.rlpb.org.au

Australian Pork Limited, Deakin, ACT
Phone 02 6285 2200
www.australianpork.com.au

NSW Farmers Pork Committee
Jane Littlejohn, Senior Policy Officer
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