

State Planning Guide

This Table is a GUIDE ONLY of planning requirements on a state by state basis. *In most cases outdoor pig production fits under the definition of keeping pigs and requires approval.* Additional approvals, consents or licenses may also be required. This information was accurate at the time of preparation. Readers should check the latest version of the Acts and regulations in their local state and councils to confirm current requirements at the time of establishing, building or expanding a piggery.

State	Definition of keeping pigs	Premise / relevant Acts / Policies	Includes	Excludes	Requirements & References
Queensland	Intensive Animal Husbandry	<p>Intensive production of animals or animal products in an enclosure that requires the provision of food and water either mechanically or by hand. Includes the storage and packing of feed and produce.</p> <ul style="list-style-type: none"> Queensland Environmental Protection Act 1994 – pig keeping is an environmentally relevant activity (ERA). Environmental Protection Regulation 2008 – pig keeping consists of keeping more than 400 Standard Pig Units (SPU). Sustainable Planning Regulation 2009 sets out application fees (\$2922). 	Feedlots, piggeries (Indoor and Outdoor), poultry and egg production.	Animal husbandry, aquaculture, drought feeding, milking sheds, shearing sheds and weaning pens.	<ul style="list-style-type: none"> Less than 400 SPU¹ - A Development Approval may be needed depending on the local government planning scheme. Must check at the time! More than 400 SPU – Development Approval needed and an Environmental Authority issued under the Environmental Protection Act 1994. This is administered by the Department of Agriculture and Fisheries. https://www.daf.qld.gov.au/environment/intensive-livestock/piggeries http://www.statedevelopment.qld.gov.au/resources/policy/state-planning/qpp-3-1.pdf https://www.legislation.qld.gov.au/legisln/current/e/envprotr08.pdf http://www.ehp.qld.gov.au/assets/documents/regulation/pr-es-piggery.pdf
New South Wales	Intensive Livestock Agriculture (Generally)	<p>The keeping of breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses or other livestock that are fed wholly or substantially on externally sourced feed.</p> <ul style="list-style-type: none"> Local Government (General) Regulations 2005 Protection of the Environment Operations ACT 1997 – a piggery more than 2000 growers or 200 breeding sows requires an EPA licence. 	Dairies, feedlots, piggeries, poultry farms.	<p>Extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.</p> <p>Extensive agriculture means: The production of crops or fodder for commercial purposes.</p> <p>The grazing of livestock for commercial purpose.</p> <p>Pigs (including Free</p>	<ul style="list-style-type: none"> Under the Local Government (General) Regulations 2005, a piggery (or pig manure) must be at least 60 m from the nearest human habitation. Council approval is required to keep pigs. Development approval is required where more than 20 sows or 200 pigs are to be kept. A Statement of Environmental Effects (SEE) must be prepared. A council may also limit the number of pigs kept by a small-scale operator (less than 20 sows and 200 pigs) and may prescribe the way they are kept. http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+155a+2006+cd+0+N http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+825+1989+cd+0+N http://www5.austlii.edu.au/au/legis/nsw/consol_reg/lgr2005328/ http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0006/449538/Consent-requirements-for-small-scale-piggeries.pdf

¹ SPU – Standard Pig Unit

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				range pigs) do NOT typically fit this definition.	<p>Under the Environmental Planning and Assessment Regulation 2000, designated developments require an Environment Protection Licence. Piggeries are designated developments if they:</p> <ol style="list-style-type: none"> a. accommodate more than 200 pigs or 20 breeding sows and are located: <ol style="list-style-type: none"> i. within 100 metres of a natural waterbody or wetland, or ii. in an area of high watertable, highly permeable soils or acid sulphate, sodic or saline soils, or iii. on land that slopes at more than 6 degrees to the horizontal, or iv. within a drinking water catchment, or v. on a floodplain, or vi. within 5 kilometres of a residential zone and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, odour, dust, traffic or waste, or (b) Accommodate more than 2,000 pigs or 200 breeding sows. An Environmental Impact Statement (EIS) will be needed. <p>http://www.austlii.edu.au/au/legis/nsw/consol_reg/epaar2000480/sch3.html</p>
Victoria	Intensive Animal Husbandry	<p>Land used to keep or breed animals, including birds, by importing most food from outside the enclosures.</p> <ul style="list-style-type: none"> • Victorian Planning Provisions. • An outdoor piggery could only fit the extensive animal husbandry definition if the pig's main food source is obtained by grazing, browsing or foraging on plants grown on the land. 		Abattoir or saleyard, emergency and supplementary feeding if incidental to the use of the land for extensive animal husbandry; or the penning and housing of animals, including birds, for brooding, weaning, dipping or other husbandry purposes if incidental to the use of land for extensive animal husbandry.	<ul style="list-style-type: none"> • Under planning schemes established under the Planning and Environment Act (1987), a planning permit is needed to operate a piggery. • Under the Environment Protection Act 1970, any piggery with >5000 pigs needs an EPA works approval. http://www.dtpli.vic.gov.au/_data/assets/pdf_file/0019/245341/Code-of-Practice-Piggeries1992.pdf http://planningschemes.dpcd.vic.gov.au/schemes/vpps/74.pdf http://www.dtpli.vic.gov.au/_data/assets/pdf_file/0007/290275/Animal-Industries-Discussion-Paper-Revision-1.PDF
South Australia	Intensive animal keeping	Keeping or husbandry of animals in a broiler shed, chicken hatchery, feedlot, kennel, piggery, poultry battery or other	Horse keeping		<p>Council Development Approval is required and:</p> <ul style="list-style-type: none"> • when considering Development Applications for piggeries fitting the definition as given in Schedule 21, Councils must have regard for the EPA's advice.

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		<p>like circumstances, but does not include horse keeping.</p> <ul style="list-style-type: none"> South Australia Development Regulations 2008. Schedule 21 – Activities of Environmental Significance; The keeping or husbandry in confined or roofed structures of: <ul style="list-style-type: none"> a. More than 1,000 but less than 5,000 pigs; or b. Where the structures are situated in a water protection area (as declared under Part 8 of the Environmental Protections Act 1993) more than 100 but less than 500 pigs at any 1 time. Schedule 22 - Activities of Major Environmental Significance; the keeping or husbandry in confined or roofed structures of: <ul style="list-style-type: none"> a. 5,000 or more pigs at any 1 time; or b. Where the structures are situated in a water protection area (as declared under Part 8 of the Environmental Protections Act 1993) 500 or more pigs at any time. 			<ul style="list-style-type: none"> councils assessing Development Applications for piggeries fitting the definition as given in Schedule 22 must refer the application to EPA and council must apply by EPA direction. These piggeries must also have an EPA licence. <p>http://www.austlii.edu.au/au/legis/sa/consol_reg/dr2008250/sch1.htm</p> <p>http://www.sa.gov.au/_data/assets/pdf_file/0020/7085/SA_planning_policy_library_terminology_list.pdf</p>
Western Australia	Animal Husbandry - Intensive	<p>Outdoor piggery - A premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots.</p> <ul style="list-style-type: none"> Piggeries Regulation 1952: A building, enclosure or yard, in which one or more pigs are kept, bred, reared or fattened for the purpose of trade. Environmental Protection Regulations 1987: An intensive piggery is a premises on which pigs are fed, bred, 			<ul style="list-style-type: none"> Planning Approval is required. This includes development approval and also land use approval when the use of the land for a piggery is outside the applicable town planning approval. The Environment Protection Act requires operators to obtain a works approval (for construction), and a licence or registration (for operation) for facilities that are prescribed in Schedule 1 of the Environmental Protection Regulations 1987 (EP Regulations), and provides for ongoing supervision by the regulators. Two categories of piggery are prescribed premises under Schedule 1 of the Environmental Protection Regulations 1987: <ul style="list-style-type: none"> >500 but < 1,000 animals (these require a works approval and registration); and ≥ 1,000 animals (these require a works approval and a licence). Offensive Trade Registration if the premises is situated in an area prescribed as one in which a piggery may be carried on only if registered. <p>http://www5.austlii.edu.au/au/legis/wa/consol_reg/tpr1967277/s27.html</p>

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		reared or fattened for the purposes of trade.			https://www.agric.wa.gov.au/feeding-nutrition/licences-and-approvals-intensive-livestock-operations https://www.health.wa.gov.au/publications/documents/HealthAct1911.pdf
Tasmania	Outdoor piggeries – generally fall under Intensive Animal Husbandry	Use of land to keep or breed farm animals, including birds, within a concentrated and confined animal growing operation by importing most food from outside the animal enclosures and includes a cattle feedlot, broiler farm or piggery.			<ul style="list-style-type: none"> Planning approval required http://www.planning.tas.gov.au/_data/assets/pdf_file/0019/280117/PD1_-_Modified.pdf
Northern Territory	Intensive Animal Husbandry	The keeping and feeding of animals, including poultry and pigs, in sheds, stalls, ponds, compounds... <ul style="list-style-type: none"> Northern Territory Planning Scheme 			<ul style="list-style-type: none"> Development Applications for intensive animal husbandry are lodged through the Development One Stop Shop. Approval may be granted within the Rural, Rural Living, Horticulture, Agriculture, Development and Future Development zones. http://lands.nt.gov.au/planning/planning-scheme

NOTE: in all states, piggeries that were built before the planning / development rules came into play may have “as-of-right” use if they have not expanded or undergone material changes.

Other useful links include:

National Environmental Guidelines for Rotational Outdoor Piggeries: <http://environmentalguidelines.realviewdigital.com/#folio=CV>

Access to a range of practical information is available at: <http://australianpork.com.au/industry-focus/environment/outdoor-product>

These links include Fact Sheets on:

- Design and management of outdoor free range areas for pigs
- The use of electromagnetic technology to determine nutrient distribution in free range pig areas
- Land and water protection measures for rotational outdoor piggeries
- Promoting more even distribution of manure nutrients in rotational outdoor piggeries
- Developing a nutrient management plan for a rotational outdoor piggery
- Soil monitoring for rotational outdoor piggeries

Also, Best Management Practice (BMP) Booklets on rotational outdoor piggeries and the environment:

- An electronic template for preparing environmental management plans for rotational outdoor piggeries.
- A nutrient balance calculator designed for use with rotational outdoor piggeries.