



Harden Shire Council
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5 February 2016

Dear Harden Shire Council

Development proposal (section 79(1) of the Environment Planning and Assessment Act 1979)

Applicant: Blantyre Farms Pty Ltd

Site: Property known as Eulie, Lots 1 and 2 DP623790 Eulie Road, Harden

Proposal: 2,200 Sow Piggery Consisting of Breeder Site on Lot 2 for 7,400 Pigs Containing 5 Sheds and a Grower Site on Lot 1 for 18,000 Pigs Containing 16 Sheds

Consent Authority: Harden Shire Council

I am writing on behalf of the Animal Defenders Office (the ADO) in opposition to the abovementioned Development Application (DA).

The Animal Defenders Office (ADO) is a non-profit, community law practice that specialises in animal law. The ADO serves the greater Capital region, including the Australian Capital Territory and neighbouring parts of New South Wales such as the Harden Shire. The ADO offers information and representation for individuals and groups wanting to take action for animals. The ADO also produces information to raise community awareness about animal protection issues, and works to advance animal interests through law reform.

The ADO is a member of Community Legal Centres NSW Inc.

The ADO has reviewed the DA. Our concerns are set out below.

Animal Welfare

The *State Environmental Planning Policy No 30—Intensive Agriculture* (SEPP 30) requires consent authorities (in this case, Harden Shire Council) to take into consideration a number of matters including:

- the adequacy of information provided, and
- measures for the health and welfare of animals (clause 2(1)(c)).

SEPP 30 also states that in determining whether or not to grant consent to a development application for a piggery, consent authorities must take into consideration:

- the measures proposed to mitigate any potential adverse impacts, and
- whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals (clause 7(3)).

In its Environmental Impact Statement (EIS), the applicant states:

E.16.b No impact is expected, as all welfare requirements will be satisfied (p43).

E.16.c ...Confidence in these outcomes is high (p44).

The applicant should not be considered to have met the animal welfare requirements in SEPP 30 regarding the intensive farming of over 25,000 highly sensitive, social and intelligent animals merely on the basis of these subjective assertions. The level of information provided in the DA to enable a proper assessment of animal welfare requirements is extremely inadequate.

Housing

A proposal to build a large new intensive piggery that will house pigs in accommodation that has been banned on welfare grounds in a neighbouring jurisdiction, and of which a ban has also been proposed in NSW,¹ should be a significant cause for concern for any consent authority.

Our concerns in detail about the proposed housing are set out below.

The development plans to house up to 2,200 female breeder pigs.

The housing of pregnant and lactating female pigs is of particular concern from a welfare perspective.

The EIS states that 'the development complies or exceeds all minimum space requirements' as set out in an unspecified 'Welfare Code' (p44).

It is difficult to determine the nature of the 'group housing' that would be used for pregnant pigs, as no legend is included in the DA annexure 'Blantyre-E-Site-plan-breeder'. There is also no indication as to whether the proposed group housing will provide the animals with access to fresh air, daylight, grass, or mental stimulation.

It is therefore difficult to comment on what physical and psychological impact this type of housing will have on these sensitive and intelligent animals during pregnancy.

Pigs who have given birth will be housed in farrowing crates.² These crates keep the mother pig isolated and without room to move or turn around. The crates would therefore be expected to have extremely low welfare outcomes for the mother pig. The EIS states that

¹ See the *Prevention of Cruelty to Animals Amendment (Restrictions on Pig Keeping) Bill 2014* introduced into the NSW Legislative Council in November 2014.

² EIS: E.16.c, p43. According to the standard in the *Model Code of Practice for the Welfare of Animals—Pigs* (3rd Edition, CSIRO Publishing, 2008), female pigs are kept in these crates for six weeks (4.1.7, p6).

the mother pigs will be kept in these crates to 'maximise piglet survival' (p44). This is an economic consideration and not a welfare consideration for the female adult pig.

Furthermore, the ADO notes that intensive indoor housing of pigs in general, and farrowing crates in particular, are banned in the neighbouring jurisdiction of the ACT under the *Animal Welfare Act 1992* (the Act). Under the Act 'appropriate accommodation' for pigs is defined as accommodation:

- (a) that allows the pig to—
 - (i) turn around, stand up and lie down without difficulty; and
 - (ii) have a clean, comfortable and adequately drained place in which it can lie down; and
 - (iii) maintain a comfortable temperature; and
 - (iv) **have outdoor access**; [emphasis added] (s9B(3))

A person commits an offence under the Act if:

- (a) the person keeps a pig; and
- (b) the pig is not kept in appropriate accommodation.

Maximum penalty: 50 penalty units. (s9B(1))

The ban was inserted into the Act in 2014 by the Animal Welfare (Factory Farming) Amendment Bill 2013 (the bill). The explanatory statement for the bill states that (p4):

The bill's aim of greater protection of animal welfare can be justified in a free and democratic society. The community expects that animals will be treated well and not be exposed to cruelty, pain or suffering.

Communities across the greater Capital region, including both the ACT and shires such as Harden, would hold these same expectations that animals will be treated well and not exposed to cruelty, pain or suffering. This applies equally to animals kept for food as much as to the animals we keep as companions.

As mentioned earlier, a proposal to build a large new intensive piggery that will house pigs in accommodation that has been banned on welfare grounds in a neighbouring jurisdiction, and a ban of which has recently been proposed in NSW,³ should be a significant cause for concern for any consent authority.

Moreover, it is reasonable to expect that the welfare standards mandated in the ACT will also be mandated in NSW. When that happens, the proposed factory will be outdated and even viewed as barbaric.

Husbandry practices

Another key measurement of potential animal welfare outcomes is how surgical procedures will be carried out. The EIS is silent when it comes to the use of pain relief for routine husbandry practices such as castration, tail docking, and teeth clipping. These practices can

³ See the *Prevention of Cruelty to Animals Amendment (Restrictions on Pig Keeping) Bill 2014* introduced into the NSW Legislative Council in November 2014.

be extremely painful for piglets.⁴ There is, however, no information as to how these practices will be managed. There is also little information as to how the impact of such practices on the pigs' welfare will be monitored.

The EIS states that '[a]ll pigs will be inspected each day to ensure their welfare is maintained'.⁵ It is difficult to have any confidence that this will be achieved given the extraordinarily high number of pigs (up to 25,113) and the very low number of potential full-time staff (20).⁶ Moreover, the EIS states that not all of the staff will be working with pigs.⁷

The ADO therefore objects to the proposed development on the grounds that insufficient information has been provided in relation to measures for the health and welfare of animals.

Social impacts

Paragraph 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* (NSW) requires consent authorities to take into account social impacts in the locality of proposed developments.

It is reasonable to expect that there would be a number of negative impacts on people working in the proposed piggery.

Working in an intensive factory farm may expose individuals to serious health risks. Piggery workers (and nearby residents) would be exposed to harmful pathogens from pig effluent and significant odour from effluent and rotting pig carcasses.

Working in such facilities may also affect an individual's emotional and mental health and general wellbeing due to the animal suffering and death a worker would cause or witness on a daily basis. Many of the tasks workers would be expected to undertake would involve practices that would not be considered humane or ethical if undertaken on companion animals. For example, regularly delivering 'blunt trauma to the head' of piglets,⁸ or docking tails, clipping teeth, or notching or punching ears⁹ without anaesthetic or pain relief, or violently prodding mother pigs to stand up in their cramped farrowing crates, would have a psychological effect on workers, and could potentially lead to desensitisation, anger, depression and substance abuse, as occurs with abattoir workers.¹⁰

⁴ See <https://www.voiceless.org.au/the-issues/pigs> for references.

⁵ EIS: E.16.c, p43.

⁶ EIS: B.1.a, p9; and B.1.d, p10.

⁷ EIS: E.17.b, p44.

⁸ This is the method for euthanasing piglets recommended in the *Model Code of Practice for the Welfare of Animals—Pigs*, 3rd Edition, CSIRO Publishing, 2008, p29.

⁹ As permitted under paragraph 5.6.17 of the *Model Code of Practice for the Welfare of Animals—Pigs*, *ibid.*

¹⁰ 'Stress: The Psychological Consequences of Killing' by Rachel M. MacNair; *Killing for a Living: Psychological and Physiological Effects of Alienation of Food Production on Slaughterhouse Workers* by Anna Dorovskik, University of Colorado at Boulder, USA (2015).

Ongoing exposure to, and participation in, these aspects of the proposed piggery would not be consistent with a positive and healthy workplace, and could produce serious negative social impacts, including higher crime rates in the local community. A well-publicised study in the USA found an increased rate of violent crimes in communities surrounding slaughterhouses, suggesting that the victimisation of animals leads to victimisation of people. It draws a link between the inherent violence in the killing of animals and violence in human relationships, especially rape and child abuse¹¹. Other studies also point to a link between cruelty to animals and domestic violence¹² and this is the subject of ongoing research by Domestic Violence NSW and the University of Sydney.

It is understandable that consent authorities are concerned with increased employment opportunities for their communities. However, responsible authorities should foster and encourage positive workplaces that offer skills development and rewarding career paths for those in their localities and avoid the negative impacts of intensive animal farming.

Thank you for the opportunity to submit our objections to the proposed development application.

Regards

Tara Ward and Carrie Brock
On behalf of
The Animal Defenders Office

¹¹ Slaughterhouses and Increased Crime Rates: An Empirical Analysis of the Spillover From “The Jungle” Into the Surrounding Community by Amy Fitzgerald (2010).

¹² Child Abuse, Domestic Violence and Animal Abuse by Ascione, F.R., & Arkow, P. (1999); The Relationship Between Family Violence and Animal Abuse: An Australian Study by Prof. Elenore Gullone and others, Monash University, Melbourne, Victoria (2008).