

Straying Pigs

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Introduction

People owning livestock for business or hobby purposes have a responsibility to their animals and their neighbours to keep their animals safe and secure on their own property.

Straying pigs can be a source of great angst between neighbours when they regularly stray and cause damage to land or property.

This fact sheet aims to outline the regulations that relate to straying stock and explain the biosecurity and safety risks to the livestock and the neighbours when stock stray.

Legislation

Owners of livestock are responsible for the welfare, biosecurity and safety of their stock. It is your responsibility to keep your stock on your property.

There are several pieces of NSW legislation which give direction on the rights and responsibilities of land and stock owners. This legislation includes:

- [Biosecurity Act 2015](#)
- [Dividing Fences Act 1991](#)
- [Impounding Act 1993](#)
- [Local Government Act 1993](#)

Biosecurity Act 2015

All land managers have a responsibility to prevent, eliminate, minimise or manage biosecurity risks that they know about, or could reasonably be expected to know about. Land managers would be expected to know about the biosecurity risks of their stock straying.

There are also additional requirements of land managers for identifying and tracing livestock for the purposes of disease control, food safety and market access under the [National Livestock Identification System](#) to help manage biosecurity risks of pig pests and diseases. Pigs that stray pose a biosecurity risk, as well as cause potential damage and nuisance.

Land managers can meet their general biosecurity duty by undertaking activities such as:

- Ensuring all boundary fences are sound and pig proof
- Regularly monitoring pigs to keep track of their welfare, health and whereabouts
- Managing pests and diseases in their pigs as soon as detected to prevent their spread
- Developing a farm biosecurity plan which would include the management of stray pigs. For ideas check out the [National Farm Biosecurity Manual for Pork Production](#), or visit the [Australian Pork Limited Keeping our Pigs Safe](#).

The biosecurity risk of stray domestic or wandering feral pigs is mostly a risk to other pig producers and includes internal and external pig parasites, zoonotic diseases such as leptospirosis and notifiable diseases such as *Brucella suis* (swine brucellosis) which can also affect dogs and people.

However wandering pigs that gain access to prohibited pig feed or swill pose a greater biosecurity risk in terms of Emergency Animal Diseases (EAD) such as Foot and Mouth Disease (FMD) or African Swine Fever (ASF) and accordingly swill feeding is prohibited under this legislation.

Dividing Fences Act 1991

The NSW *Dividing Fences Act 1991* provides direction on:

- What constitutes a dividing fence
- What constitutes a 'sufficient' dividing fence
- Cost sharing for fence construction and repair
- Procedures for disagreements and jurisdiction of Local court and Administrative Tribunals

Boundary fence management is an important aspect of farm management and an effective biosecurity plan. Fences can be upgraded through use of electric fencing offset wires to prevent escape or incursion of wandering pigs.

The responsibility for wandering pigs rests with the pig owner.

Impounding Act 1993

The NSW *Impounding Act 1993* provides for the impounding of certain animals, motor vehicles and other things left unattended. In NSW there are 19 different impounding authorities which include the Police and the Local Land Services. The impounding officer appointed by each of these authorities has a defined area of operations under this Act. These are identified in the Dictionary for the *Impounding Act 1993*. The *Impounding Act 1993* prescribes when and where animals may be impounded by impounding officers of the different impounding authorities; and how the animals must be treated.

Division 3 of this Act provides for the impounding of animals that trespass on private land, actions to be taken by the occupier of private land when the owner of the animals is known, or unknown.

When animals are impounded, there are requirements for notification of the owner, provision of food, water and veterinary care, and provision of secure well maintained accommodation with adequate shade and shelter for the prevailing climatic conditions. The maximum period for impounding animals on private property is 4 days, after which the animals should be moved to a public pound if not collected by their owner.

Where an animal has caused loss or damage due to trespass, or has been provided with feed and shelter, the owner of the animal may be required to pay an 'appropriate charge' to cover the expenses.

Injured, diseased or distressed animals may be destroyed by the impounding authority. Wandering pigs could be viewed as feral animals and destroyed as such by the landowner.

Local Government Act 1993

The *Local Government Act 1993* provides for the council to issue an 'order to fence' to keep animals from public places or roadways.

Neighbour disputes

Wandering pigs can be the cause of neighbour disputes.

Pigs by their nature:

- like to dig and can cause damage to property and vegetation;
- can be threatening to people, poultry and small animals due to their size or temperament (NB feral pigs can attack lambs)

Wandering stock is one of the 5 major complaints to councils about normal farming practices (the others are noise, odour, dust, and spray drift).

It is important that people communicate with their neighbours when pigs escape. Pig owners must accept the responsibilities that come with ownership; namely keeping the pigs at home, and looking out for their health and welfare.

Sometimes such situations can deteriorate and mediation may become the only way forward. Talk to your local council, and seek mediation through [Community Justice Centres](#). These can help with resolution of disputes and can provide interpreters when there are language difficulties.

Summing up

If you are the owner of wandering pigs, you are responsible for:

- the pig's welfare
- any damage to fences, property or vegetation when the pig was wandering

- repair of your boundary fences so the pigs cannot escape again

If pigs have been impounded there will be a charge for their return.

If you cannot prevent your pigs from wandering you should consider removal of the pigs until your facilities are upgraded to a condition that prevents escape.

If you find stray pigs on your place, your biosecurity plan can be used to guide your actions. Talk to your neighbours if you know they own pigs and alert them to the problem.

Check the boundary fences to see where they got in and make repairs.

The presence of feral pigs will require an ongoing control plan so contact the Local Land Services for advice.

Contact the local council for pigs on roadways or public places; and if there are ongoing problems with stray pigs.

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