

## STABLES IN THE SHIRE OF CAPEL Info Note 13

### INTERPRETATION

“Stables” means a building for the keep, care and feeding of horses: and

“Stall” means a single building compartment for one horse in a stable.

### CONDITIONS FOR KEEPING OF AN ANIMAL

#### Stables

- (1) The owner or occupier of premises, who has an approved animal may provide for its use a stable which shall—
  - (a) not be situated within 30 metres of a house or other premises;
  - (b) have a proper separate stall—
    - (i) for each horse or cow; and
    - (ii) the floor area of which shall be minimum of 6 square metres;
  - (c) have each wall and roof constructed of an approved impervious material;
  - (d) have on all sides of the building between the wall and the roof a clear opening of at least 150 millimetres in height;
  - (e) have a floor, the surface of which shall—
    - (i) be at least 75 millimetre above the surface of the ground;
    - (ii) be constructed of cement, concrete or other similar impervious materials;
    - (iii) have a fall of 1 in 100 to a drain which shall empty into a trapped gully situated outside the stable and shall discharge in a manner approved by the Council.
  - (f) subject to subsection (2), have a floor, the upper surface of which shall—
    - (i) be at least 75 millimetre above the surface of the ground;
    - (ii) be constructed of cement, concrete or other similar impervious materials;
    - (iii) have a fall of 1 in 100 to a drain, which shall empty, into a trapped gully situated outside the stable and shall discharge in a manner approved by the Council.
- (2) A stable constructed with a sand floor may be permitted by the Council, subject to the following—
  - (i) the site must be well drained with the highest known water table at least 1.5 metres below the sand floor level, which may be achieved artificially;
  - (ii) a 200mm thick bed of crushed limestone shall be layed under the sand of the stable;
  - (iii) sand, whether natural or imported, must be clean, coarse and free from dust;
  - (iv) footings to each stable shall be a minimum of 450mm below ground level;
  - (v) the stable design must allow for the access of small earth moving machinery, such as a skid steer loader, into each individual stall, to maintain the correct floor height;
  - (vi) the minimum floor are of each stall shall not be less than 28 square metres and walls shall not be less than 3 metres vertically or 4 metres horizontally;
  - (vii) the roofed area of each stall shall not be less than 50 percent of the floor area of the stall.
- (3) The owner or occupier of any premises on which a stable is located shall—
  - (a) maintain the stable in a clean condition and when so directed by an Environmental Health Officer clean, wash and disinfect it;
  - (b) keep all parts of the stable so far as possible free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and



- (c) when so ordered by an Environmental Health Officer, spray the stable or such parts as maybe directed, with a residual insecticide

### **Manure Receptacle**

An owner or occupier of premises on which an approved animal is kept shall—

- (a) provide in a position convenient to the stable a receptacle for manure, which is constructed of smooth, impervious, durable, easily cleanable materials and, provided with a tight-fitting cover, and with no part of the receptacle base being lower than the surface of the adjoining ground;
- (b) keep the lid of the receptacle closed except when manure is being deposited or removed;
- (c) cause the receptacle to be emptied at least once a week and as often as may be necessary to prevent it becoming offensive or a breeding place for flies or other vectors of disease;
- (d) keep the receptacle so far as possible free from flies or other vectors of disease by spraying with a residual insecticide or other effective means; and
- (e) cause all manure produced on the premises to be collected daily and placed in the receptacle.

### **Exemptions**

- (1) An owner or occupier of premises may apply in writing to the Council for exemption from the requirements of sections 5.2.7(2), 5.4.2(1) and 5.5.11(2).
- (2) The Council may grant an exemption from the requirements of Sections 5.2.7(3), 5.4.2(1) and 5.5.11(2).
- (3) The Council shall not grant an exemption under this Section unless it is satisfied that the number of animals or birds to be kept will not a nuisance or injurious or dangerous to health.
- (4) An exemption granted under this Section shall specify-
  - (a) the owner or occupier to whom the exemption applies;
  - (b) the premises to which the exemption applies;
  - (c) the maximum number of animals or birds which may be kept on the premises; and
  - (d) any terms and conditions under which the animals or birds shall be kept.
- (5) An exemption granted under this Section may be cancelled by the Council where, having regard to the circumstances, it is of the opinion that such cancellation is warranted.

### **Fouling of Public Places**

Any person liable for the control of a horse who permits that horse to excrete on any public place or any land within the district without the consent of the occupier of that land commits an offence unless the excreta is removed forthwith and disposed of either on private land with the written consent of the occupier or in such other manner as the Council may approve.

Enquiries may be made to Councils Principal Environmental Health Officer, Colin Dent on 97270222 or email [info@capel.wa.gov.au](mailto:info@capel.wa.gov.au)

### **DISCLAIMER**

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