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**THE ANIMAL ORDINANCE, 1962**

THE ANIMAL ORDINANCE  
(CONTROL OF LIVESTOCK ACTIVITIES) RULES, 2002

[Made under section 66 (r)]

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# THE ANIMAL ORDINANCE, 1962

## THE ANIMAL ORDINANCE (CONTROL OF LIVESTOCK ACTIVITIES) RULES, 2002

[Made under section 66 (r)]

In exercise of powers conferred by Section 66 (r) of the Animal Ordinance, 1962, the Yang di-Pertua Negeri has made the following Rules;

### PART I

#### GENERAL

1. These Rules may be cited as the Animal Ordinance (Control of Livestock Activities) Rules, 2002.

2. The objectives for the Rules are to control the establishment, expansion and alteration of livestock farms in order to secure appropriate location, prevent and minimize nuisances and achieve standardized administration of livestock farming.

3. (1) The Rules lay out the requirements and conditions for control and licensing of livestock farming in Sabah according to Section 66 (r) of the Animal Ordinance, 1962.

(2) All livestock farms in Sabah, as defined in Section 3 (3), are covered by the Rules.

(3) Livestock farms are defined as:

<i>Type of livestock</i>	<i>Standing livestock population</i>
Dairy cattle	20
Pigs, incl. wild pig	50
Cattle, buffalo, horse	50
Goat, deer, sheep	100
Chicken, duck, goose, ostrich	500

(4) The Rules shall be used in relation to livestock farm premises, sties and similar buildings used for the breeding, keeping, rearing, maintenance or treatment of livestock for commercial purposes, including location, and all forms of storing, use and disposal of waste from livestock farms.

4. In these Rules -

“approving authority” means the Department of Veterinary Services and Animal Industry;

“alter or extend” means any alteration or extension in a bearing wall or partition or column, beam girder or other supporting member of a building or structure or any increase in the area, volume or capacity of a building or structure, but shall not include a building repair required solely to repair damage due to an accidental cause;

“building” includes any house, hut shed, stable or enclosure, whether roofed or not, used for sheltering or confining any livestock and any pen, cage, wall, gate, pillar, post, paling, frame, hoarding, fence, platform, roadway, path,

steps, staging, slip, wharf, dock, piles, jetty, landing stage or bridge, or any structure connected with the foregoing;

“Director” means the Director of the Department of Veterinary Services and Animal Industry;

“existing” means existing on the date of passing of these Rules;

“license” means a license issued under Section 14 (1);

“livestock” means a pig, chicken, duck, goose, goat, sheep, cattle, buffalo, horse, deer and any other animal or bird as the approving authority may, by notification in the Gazette, stipulate as a livestock for the purposes of these Rules;

“livestock farm” means any place, premises or establishment used for the breeding, keeping, rearing, maintenance or treatment of livestock;

“livestock farming” means the breeding, rearing, caring and treatment of livestock as a commercial undertaking or for sale, other than for personal consumption and the standing livestock population exceeds the numbers laid out in Section 3 (3);

“manure storage facility” means an earthen, steel, concrete or synthetic material containment system, with or without a roof or covering enclosing the surface area of the container, used for the storage of liquid or solid livestock manure;

“operator” is a person who owns the livestock, or is responsible for the care, control and management of the livestock;

“owner” means (i) in relation to land, the registered proprietor thereof and any person in occupation of land by virtue of any license issued or rights recognized under the Land Ordinance, Sabah Cap 68; and (ii) in relation to livestock, any person who owns the livestock or is responsible for the management, care, breeding or keeping of livestock;

“standing livestock population” means the total number of livestock kept in a livestock farm at any time;

“waste” means the excreta, faeces, urine, carcass or body parts of livestock, and includes wasted feeds, water used for the washing, bathing or cleansing of livestock, water or any liquid used for the flushing and cleansing of any livestock farm;

“watercourse” includes any river, stream, canal, drain, well, spring, pond, pool, waterfall, reservoir, lake and any part of the sea abutting the foreshore, and any other body of water, including water on wetlands.

## PART II

### LICENSING OF LIVESTOCK FARMING

#### *License requirements*

5. (1) No person shall carry out any livestock farming except under the authority of a license granted by the approving authority in accordance with these Rules.

(2) The livestock farms shall not be altered or extended, including aspects of waste production, in a way that results in increased pollution until a license has been granted for the extension or alteration.

(3) If an alteration or extension is undertaken in order to fulfil requirements in other Rules, for example the Conservation of Environment (Control of pig farming pollution) Rules, 200x, a new license is not required, if the alteration or extension is undertaken within the limits and conditions, for example for location, as laid out in the said Rules or in these Rules.

6. (1) The requirement for licensing cover all activities resulting in pollution on the livestock farm. If the livestock farm undertakes one or several secondary activities, not covered under Section 3(3), these secondary activities, if causing pollution, shall also be covered by the license.

(2) If livestock farming is undertaken as a secondary activity to a non-license required activity, these livestock activities shall also require a license under the present Rules.

7. (1) Decisions taken by the approving authority as to whether the operator is obligated to obtain a license for the establishment, alteration or extension of an activity or livestock farm cannot be appealed to any other administrative authority.

(2) Cases of doubt as to whether the operator is obligated to obtain a license may be submitted to the Environmental Conservation Department for comments before the approving authority decides the matter.

#### *The role of the authorities*

8. (1) The approving authority shall be the competent approving authority for granting licenses for livestock farming.

(2) The relevant authorities shall be consulted before the license is issued. The Regional Town and Country Planning Department, the Lands & Survey Department and the Environmental Conservation Department shall be consulted for zoning, land use, land condition, location and pollution issues.

#### *Application for license*

9. (1) Applications for the issue or renewal of license to carry out livestock farming shall be in writing and be accompanied by the information specified in Form A prescribed in the First Schedule.

(2) Applications for licenses shall be submitted to the license approving authority or the Land and Survey Department as the competent authority for issuance of land titles and changes in land conditions. The application procedures for applicants with land conditions already specified as Livestock, and for applicants without land title or with

land title conditions other than Livestock, are provided in Flowchart A of the Second Schedule.

(3) If the livestock farm wants the license to cover planned alterations or extensions, the application shall also include information relating to such alterations or extensions.

(4) For applicants with land conditions already specified as Livestock, the application shall be accompanied with a processing fee of fifty ringgit.

10. (1) If the application does not include the required information, the approving authority shall in writing request the applicant to submit the additional required information. The request shall include a timeframe for resubmission, and if the information is not received within this timeframe, the application shall not be processed.

(2) A license shall not be given if key information has not been submitted to the approving authority.

11. (1) In cases, where the Environmental Conservation Department shall comment upon the approval, the approving authority shall within two weeks after the application has been received, forward the application to the Environmental Conservation Department, including comments from the approving authority.

(2) Where applications concern livestock activities likely to have significant negative effects on people or the environment in another country, or likely to present a risk of transboundary effects of major accidents, the approving authority shall notify the Minister for Tourism, Environment, Science and Technology.

#### *Relation to EIA procedures*

12. (1) In cases where the approving authority decides that an Environmental Impact Assessment is required, the approving authority shall forward the application to the Environmental Conservation Department, with the request to have an EIA undertaken according to Section 5 (1) of the Conservation of Environment Enactment, 1996.

(2) Approval of the application will then await the approval of the Environmental Conservation Department as per Section 6 of the Conservation of Environment (Prescribed Activities) Order, 1999.

#### *Public hearing*

13. (1) The approving authority shall not make an approval concerning establishment, alterations or extensions of livestock farms, in cases where the approving authority regards there are major public concerns or where it finds the application might have a major adverse or serious impact on people or the environment, before the public has had an opportunity to make comments to the application and the draft decision made by the approving authority.

(2) If a livestock farm is required to undertake a public hearing, other activities for which the operator is obligated to obtain a license, shall also be included in the requirement covered by Section 13 (1).

(3) To enable the public to submit comments, the approving authority shall make a public announcement in the local newspaper upon receipt of the application. Such an announcement shall as a minimum provide the following:

- (i) name and address of the approving authority
  - (ii) name and address of applicant
  - (iii) purpose of application
  - (iv) a statement that anyone has the right to obtain access to the application
  - (v) a statement that anyone has the right to submit comments on the application within a specified time limit of 3 to 6 weeks from the date of announcement
  - (vi) a statement that anyone within the period of 3 to 6 weeks, can request to have the draft decision, when this has been prepared, forwarded
  - (vii) that everyone has the right to comment upon the draft decision within a period of 2 weeks from when the draft decision has been received.
- (4) For applications covered by an Environmental Impact Assessment, refer Section 12, public announcement as mentioned in Section 13 may be omitted.

### **PART III**

#### **APPROVAL OF LIVESTOCK FARMING**

14. (1) The approving authority can approve establishments, extensions and alteration of livestock farms, including buildings and storage facilities, within the location conditions provided in Section 15 and other conditions provided for in Section 17. The approval shall be in the form of a license, refer First Schedule, Form B.

(2) Farm alterations and extensions outside the Section 15 location requirements that does not result in increased pollution or nuisance can be permitted without approval from the Environmental Conservation Department.

(3) When a license permitting livestock farming on the said location has been given, establishment and operation of livestock farming on that particular location is finally decided given that the accompanying conditions are adhered to. Only in extraordinary cases, and provided serious reasons and justifications exists, can a license be revoked.

#### *Approval of location*

15. (1) The approving authority shall, before approval, secure that the livestock farm is located within an approved land zone for livestock farming. Livestock farming is only allowed in areas zoned as rural/countryside areas, and not permitted in other areas zoned for example as residential, commercial, industrial, government, open space, protected or water catchment.

(2) The approving authority shall, before approval, secure that the land condition in the land title is for livestock farming. Livestock farming is only allowed on land, which land conditions as specified in the land title, is livestock farming.

(3) Livestock farms, as defined in Section 3 (4) shall be located at least 200 m from neighboring houses, from other existing or draft planning zones and from areas in the rural/countryside zone that in the local plan has been planned for housing, institutions, etc.

(4) Livestock farms with more than 100 livestock in pigs, cattle, buffalo or deer, or space for more than 10,000 chickens or other poultry, shall be located at least 500 m from neighboring houses, from other existing or draft planning zones and from areas in the rural/countryside zone that in the local plan has been planned for housing, institutions, etc.

(5) Livestock buildings, waste storing facilities and discharge points shall be located at least:

- (i) 200 m from potable water supply intake point
- (ii) 100 m from streams, rivers, lakes
- (iii) 20 m from public road, private shared roads and neighboring land titles
- (iv) 20 m from houses on the same land title.

16. (1) If a livestock farm cannot comply with the location conditions in Section 15, the approving authority can give exemption. This might be the case for existing livestock farms. Specific condition for number of livestock, premises, waste storing facilities, operation and maintenance can be made in order to minimize adverse environmental impacts and nuisance for the surroundings. Specific conditions shall be made if exemptions are given in relation to Section 15 (3-5).

(2) If compliance with location conditions do not sufficiently secure a reduction in pollution or nuisance, the approving authority can decide, that the livestock farming activities shall be moved to more appropriate locations. This decision can be appealed, refer Section 23.

(3) Existing livestock farms, fulfilling the location conditions set in Section 15, can continue to be located at the same location.

#### *Approval conditions*

(17) (1) A license granted to locate a livestock farm pursuant to Section 14 (1) of the Rules shall determine the conditions applying to the establishment and operation of the livestock farm, refer First Schedule, Form B.

(2) The conditions shall demonstrate,

- (i) that the livestock farm has taken the measures required to prevent and control pollution by means of the best available techniques,
- (ii) that the livestock farm can be operated on the site without negative effects on the environment that are incompatible with consideration of the vulnerability and quality of the surroundings, refer Section 2.

(3) In the assessment of whether the applicant has taken the measures required to prevent and control pollution, refer Section 17 (2), special attention shall be given to preventative measures including the following aspects,

- (i) the potential for optimizing the production processes has been exploited, for example, by using closed systems,
- (ii) that the production of waste has been avoided, and where this is not possible, that the potential for reuse and recycling has been exploited.
- (iii) the potential for reducing the consumption of energy and other raw materials (e.g. water) has been exploited.

To the extent that pollution cannot be prevented, refer Section 17 (2) (i-iii), the potential to use the best available techniques to reduce the pollutions shall be emphasized.

(4) The assessment shall also include an evaluation of whether transport to and from the livestock farm can be carried out without significant environmental nuisance to the people living nearby.

(5) The fee for a license is fifty ringgit.

18. A license can include conditions on -

(1) *size, design and operation of the livestock farm* required to ensure that the livestock farm does not cause significant pollution in the surroundings. This might be condition on -

- (i) the size of the livestock farm, for example that the license includes x number of sows, x standing livestock population, x production per year,
- (ii) the design of the livestock farm, for example that the license if given according to the specification given by the operator, refer First Schedule, Form A,
- (iii) the operation of the livestock farm, for example frequency of emptying sedimentation ponds, discharge of liquid manure, cleaning of livestock sties, not keeping, rearing or breeding livestock outside the licensed livestock farm area, operational procedures in case of accidents.

(2) the *transportation to and from the livestock farm*, securing transportation of livestock or livestock waste without serious environmental nuisance to the people in the surroundings. This might be condition on -

- (i) the use of specific routes to be used, for example no transport through specific village areas,
- (ii) the timing of transportation,
- (iii) certification of transportation vehicle by the approving authority to prevent spillage of livestock waste.

(3) *storage and disposal of livestock waste*, securing storage and disposal of livestock waste without serious environmental nuisance to the people in the surroundings. This might be condition on -

- (i) design and maintenance of livestock waste storage facilities and drainage ways, for example storage capacity, construction materials, covered storage, treatment systems used,
- (ii) location and permission for discharge and disposal of liquid and solid livestock waste, for example discharge to waterways, open areas, recycled, agreements with disposal sites,
- (iii) for pig farms, the conditions for storage and disposal of manure shall follow the Rules set in the Conservation of Environment (Control of pig farming pollution) Rules, 200x,
- (iv) the Conservation of Environment (Control of pig farming pollution) Rules, 200x, may also be used in part or full in relation to other livestock farming activities.

(4) *reduction of odour and noise nuisances*, securing acceptable levels of odour and noise for the people in the surroundings. This might be condition on -

- (i) distance to nearest neighbors.

(5) *protection of surface and drinking water*, securing acceptable levels of water quality and safe drinking water supplies. This might be condition on -

- (i) maximum quantities for each outlet discharging polluting substances to watercourses, lakes or the sea,
- (ii) location of discharge points in relation to water intake points.



(6) *handling of hazardous waste*, securing safe handling and disposal of hazardous waste. This might be condition on –

- (i) management, storage and disposal of oil and chemicals,
- (ii) disposal of dead livestocks, including that no carcass of livestock shall be thrown, dumped or deposited into any watercourse or on any public road, but be buried in a manner that would not cause pollution, nuisance or endanger public health.

19. (1) The license shall contain information stating that the license will lapse if it is not utilized before the expiry of a specified time limit, normally not exceeding 2 years from the time that the license is granted.

(2) If a license includes authorization to carry out planned extensions or alterations, the time limit for the utilization of this part of the license shall not normally exceed 5 years from the time the license is granted.

20. (1) If a livestock farm has more than 100 livestock in pigs, cattle, buffalo, etc. or space for more than 10,000 chickens or other poultry, the approving authority shall periodically and at least once every 10 years review the overall conditions for the license for the livestock farm and, if necessary, change the conditions by issuing a new license pursuant to Section 14 (1) of the Rules.

(2) If the approving authority, based on the review, does not find reason to change the conditions of the license, the approving authority shall make a separate decision that this reconsideration will not cause changes in the license.

(3) The approving authority shall conduct the first periodic review when 5 years has elapsed from the date a license was granted for the first time.

(4) The approving authority shall establish the date for the next periodic review in the decisions mentioned in Section 20 (1-2).

21. (1) A license, both the license as a whole and individual parts thereof, may in special cases, be granted for a limited period of time. If time limits are specified, the license shall contain precise justification for this.

22. (1) The license shall include an obligation of the owner of a livestock farm to each year submit a report to the approving authority. The report shall be submitted in Form C prescribed in the First Schedule and shall contain information pertaining to the standing livestock population, and such other particulars relating to the livestock farm as may be required by the approving authority.

(2) The report shall cover the period 1 January to 31 December, and shall be submitted before 31 January each year.

#### **PART IV**

#### **ADMINISTRATIVE PROVISIONS AND APPEALS**

23. (1) Before the approving authority makes decisions pursuant to section 14 (1) of the Rules, the authority shall send a draft of the decision to the applicant and inform the applicant about the right to access administrative files and to make statements in accordance with Section 23 (3).

(2) When the approving authority publicly announces that it has granted a license, the authority shall inform that anyone has access to the administrative files showing the results of the operator's measures to obtain and supply the data required for checking compliance with the conditions governing operation that is in the possession of the authority competent to supervise compliance with the conditions of the license and to any other administrative files related to the case in general.

(3) Any person aggrieved by the decision of the approving authority may, within twenty-one days from date of receipt of the notification of such decision, appeal to the approving authority.

(4) The Environmental Conservation Department shall act as the appellate authority in the event of any appeal against the decision of the approving authority and such decision by the Environmental Conservation Department shall be final.

(5) Any appeal shall be submitted in Form D in the First Schedule and lodged with the approving authority or the Environmental Conservation Department.

## **PART V**

### **INSPECTION AND ENFORCEMENT**

24. The approving authority is responsible for inspection and enforcement according to the rules set forth in the Animal Ordinance, 1962 and the present Rules.

25. An operation review is required undertaken at least every two years for each licensed livestock farm by the approving authority. Each livestock farm has to be inspected for compliance with the license agreement, other permits and the conditions laid out in the present Rules.

26. (1) Mandatory reporting is required for the following violations:

- (i) any direct discharge of livestock waste into waterways
- (ii) any deterioration or leak in livestock waste storage facilities that poses an threat to the environment
- (iii) failure to maintain adequate livestock waste storage capacity
- (iv) disposal of livestock waste in excess of the limits permitted or in areas without agreement
- (v) disposal of livestock waste where runoff enter waterways
- (vi) any discharges that bypasses the livestock waste storage facilities.

(2) Reports of the violations are to be made to the owner or operator of the livestock farm.

(3) If the approving authority during inspection assesses a risk for leakage or the like of livestock waste storing facilities, an Order to implement mitigation measures or a stop-operation Order shall immediately be issued by the approving authority.

(4) If the livestock waste storage facilities are located in such a way, that operation failure or accidents can lead to serious damage to water intake point or waterways, the approving authority can require specific conditions imposed.

## **PART VI**

### **OFFENCES AND PENALTIES**

27. (1) For the purpose of ascertaining whether any offence against these Rules has been or is being committed, the approving authority may at any time -

- (i) enter and examine any livestock farm or any land, building or premises in respect of which he has reasonable cause to suspect is being used for livestock farming and the owner or occupier of such farm or land, building or premises, as the case may be, shall render all necessary assistance and furnish such information as may be required by the approving authority,
- (ii) collect and remove any sample or evidence from the livestock farm,
- (ii) stop, detain, enter and examine any conveyance used for the carrying of any livestock.

28. (1) The holder of a license who contravenes any of the conditions or restrictions as imposed in these Rules shall be guilty of an offence.

(2) Any person, who gives to the approving authority, for the purposes of any application or report, information that is false, shall be guilty of an offence.

(3) Any person, who without lawful excuse obstructs or impedes or assists in obstructing or impeding the approving authority in the lawful exercise or performance of any of his powers or duties under these Rules, shall be guilty of an offence.

(4) Where an employer of a body corporate commits an offence or does anything or omits to do anything (which if done or omitted to be done by the body corporate would constitute an offence under these Rules), that body corporate shall, notwithstanding that it has no knowledge of the offence, be deemed to be guilty of the offence and shall be liable to punishment for the offence unless it proves that -

- (i) the act or omission complained of was not within the ordinary scope of the employment of the servant or of the agency of the agent,
- (ii) the act or omission complained of was done or committed without its consent or connivance and that it had taken reasonable precaution to prevent the commission or omission as it ought to have taken having regard to all the circumstances of the case.

29. (1) Any person, who shall be guilty of an offence against these Rules including the offence(s) stated at Section 28 shall, on conviction, be liable to imprisonment for a term not exceeding one year or to a fine not exceeding two thousand ringgit or to both such imprisonment and fine and in the event of a second or subsequent conviction be liable to imprisonment for a term not exceeding two years or to a fine for a term not exceeding fifteen thousand ringgit or to or to both such imprisonment and fine.

(2) Any person who, without reasonable excuse, fails to submit yearly reports or fails to submit the report within the period stipulated in Section 22 shall on conviction be liable to a fine of five hundred ringgit.

(3) Every omission or neglect to comply with, and every act done or attempted to be done contrary to provisions of these Rules, or any breach or the conditions and restrictions subject to, or upon which any license is issued or any exemption is granted under these Rules, shall be an offence against these Rules and in respect of any such offence for which no penalty is expressly provided, the offender shall be liable to a fine not exceeding two thousand ringgit.

(4) Where an offence against these Rules or any conditions or restrictions made thereunder has been committed by a company, firm society or other body of person, any

person who at the time of the commission of the offence was a director, manager, secretary or other similar officer or partner of the company, firm, society or other body of person or was purporting to act in such capacity shall be deemed to be guilty of that offence unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised, having regard to the nature of this functions in that capacity and to all the circumstances.

30. The approving authority may request the police to arrest without warrant any person reasonably suspected of committing or having committed any offence against these Rules.

31. If any person is convicted of an offence relating to livestock farming in contravention of these Rules, the court shall, in the case of an offence under Section 28 (1-4), and may, in the case of any other offence, order the person convicted to cease operation and demolish such farm or order such person to cease operation and the farm to be demolished by the approving authority.

## **PART VII**

### **ENTRY INTO FORCE AND TRANSITIONAL MEASURES**

32. (1) These Rules shall enter into force on xx xx 2002.

(2) The competence for granting a license and for supervising compliance with the conditions of the license is vested in the approving authority after xx xx 2002.

33. (1) The livestock owner responsible for an existing livestock farm that was not subject to the obligation to obtain a license before the entry into force of these Rules but that is covered by the Rules shall submit an application for a license, refer Section 9, by latest 12 months after the entry into force of the Rules.

(2) If an existing livestock farm covered by the Rules has not been granted a license in accordance with Section 14 (1) by latest 18 months after the entry into force of the Rules, the approving authority shall prohibit continuing operations, refer Section 30 and 31 of the Rules, such that the operations cease by latest 20 months after the entry into force of the Rules. If a condition in a license involves measures etc. to control pollution at the livestock farm, no time limit for fulfilling the condition may be established that is later than 36 months after the entry into force of the Rules.

## *FIRST SCHEDULE*

### **FORM A: INFORMATION REQUIREMENTS FOR THE APPLICATION FOR A LIVESTOCK FARMING LICENSE (SECTION 9)**

**A. Information on the applicant and ownership**

- 1) The applicant's name, address, telephone number, identity card no., race/ nationality
- 2) The name, address, cadastral number of the livestock farm
- 3) Information on the owner of the property on which the livestock farm is located or is desired to be constructed if the owner is not identical to the applicant: name, address and telephone number, certified copy of land title
- 4) Information on the contact person for the livestock farm: Name, address and telephone number.

**B. Information on the type of livestock farm**

- 5) The type, refer Section 3 (3), of the livestock farm
- 6) A brief description of the project and a statement indicating whether this is a new livestock farm or extension or alteration in the operation of an existing
- 7) Information on whether the project requires extensions or alteration in buildings and manure storing facilities.

**C. Information on the location of the livestock farm**

- 8) A key plan on an appropriate scale (such as 1:4,000) that shows the location of the livestock farm in relation to min. 3 km of its surroundings. Adjacent or nearby land, neighbouring houses, land use, shall be mapped. The plan shall have an arrow indicating north
- 9) A map on an appropriate scale (such as 1:500) showing the location of all buildings and other parts of the livestock farm on the site with an arrow indicating north
- 10) A plan and cross-section on an appropriate scale showing the location and features of livestock rearing facilities, sties, drainage, manure storage facilities, other storing facilities, location of paved areas and mentioning whether activities occur outdoors
- 11) Drawings that show the location of sources of noise and odour
- 12) Information on the spatial planning provisions (district plan, local plan) applicable to the area in which the livestock farm is located or is planned to be established and for adjacent land and an account of the actual use of this land, name of jurisdiction of local authority.

**D. Information on establishment**

- 13) The dates on which construction is expected to begin and be completed and on which the livestock farm is expected to begin operation
- 14) If the application covers planned extensions or alterations, information on the expected time schedule for implementing these.

**E. Description of production**

- 15) Information on the livestock species and number of livestock, including the basis for the calculation, number of standing livestock population as per date of applications and planned, if pigs, number of sows
- 16) Information on the livestock production capacity, size of farm in acres/hectares, size of unused land for livestock farming in acres/hectares
- 17) A brief description of the livestock processes used, including material flows, energy consumption, emissions and waste production
- 18) Information on potential operational failures or accidents liable to cause substantially increased pollution in relation to normal operations.

- F. Information on odour/noise pollution**
- 19) Information on the source of odour and noise emissions from the different components of the livestock farm
- 20) Description of the methods chosen to reduce odour and noise nuisances
- 21) Drawing of the area possible impacted by odour and noise emission
- 22) Information on the transport access to and from the livestock farm and an assessment of the noise and odour likely to be produced by this.
- G. Information on livestock waste and other waste**
- 23) Information on the quantity, composition, discharge points and disposal sites of manure and other wastewater from the livestock farm
- 24) Description of the methods chosen to reduce pollution from manure and other wastewaters, including information on the design of manure storage facilities (type, size and capacity), frequency of maintenance of the treatment facilities, waste treatment system, for example pond/lagoon system (sketch the layout on the attached sheet), volume of sedimentation pit, number of ponds/lagoon, approx volume of each pond, lining, rainwater diversion system preventing runoff entering the ponds, type of separator, place of final effluent discharge
- 25) Information on the size and location of the land available for the application of manure, including both land that is part of the livestock farm and land available under manure supply contracts or leaseholds
- 26) Information of the method of disposing carcasses.
- H. Information on operational failures and accidents**
- 28) Information on special pollution associated with operational failures or accidents
- 29) Description of the measures taken to avoid operational failures and accidents.
- I. Proposed conditions of the license and control by the operator**
- 27) The operator's proposal for the conditions governing the operation of the livestock farm and governing the operator's measures to obtain and supply the data required for checking compliance with these conditions. The proposal shall at least include:
- a proposal for the registration of control measurements for manure management
  - a proposal for routines for the maintenance and control of measures to reduce pollution.
- J. Declaration**
- 30) I, (the applicants name), hereby declare that the information provided in this Form are true to the best of my knowledge; date, signature.

FIRST SCHEDULE

FORM B: LICENSE FOR LIVESTOCK FARM (SECTION 14 (1))

It is hereby certified that (I.C. No. ) of ..... is licensed to carry out livestock farming at..... and breed, rear, keep or treat the following type(s) of livestock, viz,..... at the said livestock farm, subject to the following conditions and restrictions:

General conditions, for example:

The livestock farm shall be designed, constructed and operated in accordance with the information submitted to the approving authority by the applicant.

The livestock farm shall be operated in accordance with the Animal Ordinance (Control of livestock activities) Rules, 200x and other rules governing livestock operations.

The livestock farms shall not be extended or altered, including aspects of waste production, in a way that results in increased pollution until a license has been granted for the extension or alteration, refer Section x (2) of the Animal Ordinance (Control of livestock activities) Rules, 200x.

Information on change in ownership and operator shall be forwarded to the approving authority.

Decisions by the approving authority can be appealed. The timeframe for appeals is 30 days from the license has been received by the applicant, refer Section 23 of the Animal Ordinance (Control of livestock activities) Rules, 200x.

Special conditions, for example:

Exemptions from the General Conditions, e.g.

- (i) the distance to the nearest neighboring house is allowed to be 150 m on condition that the maximum livestock kept at any time will not exceed 100, refer Section 16 of Animal Ordinance (Control of livestock activities) Rules, 200x
(ii) the distance to the public road from the manure storing facility is allowed to be 10 m. on the condition that a 2 meter high fence is installed, refer Section 16 of Animal Ordinance (Control of livestock activities) Rules, 200x.

Specific requirement for location, manure storing facilities, transportation, for example:

- (i) the livestock farm is not allowed to use the road no. xx for transportation of livestock or livestock manure, refer Section 18 (2) of the Animal Ordinance (Control of livestock activities) Rules, 200x,
(ii) the no. of liquid manure storage ponds shall be 8 each with a dimension of 10x10x4 m, refer Section 18 (1) of the Animal Ordinance (Control of livestock activities) Rules, 200x,
(iii) the sedimentations ponds shall be emptied at least every 6 month and the sludge shall be disposed of at the designated places, refer map xxx, refer Section 18 (3) of the Animal Ordinance (Control of livestock activities) Rules, 200x.

.....
Director, Approving authority

Date of Issue ; .....
Date of Expiry : .....
Fees paid : .....

*FIRST SCHEDULE*

**FORM C: YEARLY REPORT (SECTION 20)**

1. Name of farm:
2. Name of owner/company :
3. Postal Address/telephone number:
4. Period covered by this report:
5. Type of livestock(s):
6. Standing livestock population:
7. Changes in standing livestock population since last reporting:
8. Expansions/alteration since last reporting:
9. Discharge/disposal agreements attached:
10. Person furnishing the report:

Signature : .....

Name : .....

Identity Card No. : .....

Date : .....



*FIRST SCHEDULE*

**FORM D: APPEAL (SECTION 23)**

To: The Director,  
Approving authority/appeal authority  
Sabah

I/We wish to appeal to the approving authority/appeal authority against the decision of the approving authority made on the \_\_\_\_\_ day of \_\_\_\_\_ 20xx for-

- (a) refusing to issue/renew a license for livestock farming
- (b) suspending/revoking the license
- (c) amending/varying the conditions and restrictions of the license
- (d) others.

The reasons for the appeal are as follows:

Name: .....

Identity Card No.: .....

Address: .....  
.....  
.....

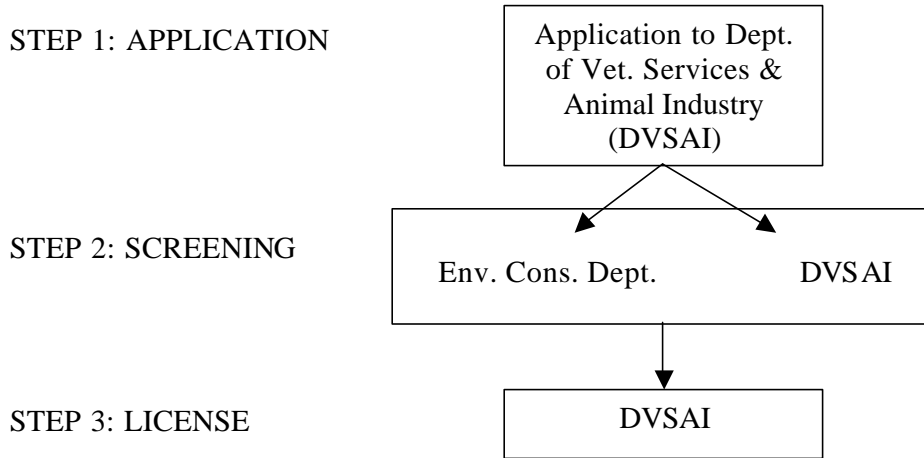
Signature: .....

Date: .....

*SECOND SCHEDULE*

**FLOWCHART A: APPLICATION FLOW CHART (SECTION 9)**

**Application procedure for applicants with land conditions already specified as Livestock:**



**Application procedure for applicants without land title or with land title conditions other than Livestock:**

