

Division 4 - Keeping of Poultry and Pigeons

Interpretation

73. In this Division, unless the context otherwise requires -

"Affiliated Person" means a person who is a member of -

- (a) the Pigeon Racing Federation of Western Australia;
- (b) the Fancy Utility Pigeon Club of Western Australia;
- (c) the Southern Districts Pigeon and Bantam Club; or
- (d) any other properly constituted Pigeon Club.

"poultry" includes fowls, ducks and other domestic fowls;

Limitation on Numbers of Poultry and Pigeons

74. An owner or occupier of premises-

- (a) who is not an Affiliated Person, shall not keep a combined total of more than 12 poultry and pigeons; and
- (b) who is an Affiliated Person, shall not keep a total of more than 75 pigeons and 12 poultry, on any one lot of land.

Conditions for Keeping Poultry

75. A person who keeps poultry or permits poultry to be kept shall ensure that -

- (a) no poultry is able to approach within 15 metres of a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;
- (b) all poultry is kept in a properly constructed and securely fastened structure or enclosure which is provided with a concrete floor trowelled to a smooth finish and laid with a fall of 1 in 50 to the front;
- (c) the structure or enclosure is in a yard having an otherwise unobstructed area of at least 30 square metres;
- (d) no poultry is able to approach within 18 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, Council has approved a lesser distance; and
- (e) all enclosures or cages within which poultry are kept shall be maintained at all times in a clean condition and shall be disinfected or otherwise dealt with in a way as directed by an Environmental Health Officer.

Roosters, Geese, Turkeys and Peafowls

76. (1) An occupier of premises shall not without the written approval of the Council keep or permit to be kept on those premises any one or more of the following-

- (a) a rooster;
- (b) a goose or gander;
- (c) a turkey;
- (d) a peacock or peahen.

(2) The Council may upon written application, grant approval with or without conditions to the owner or occupier of premises to keep any one or more birds as specified in sub-section (1).

- (3) A person who has been granted approval under this Section to keep a bird may keep the bird on the premises only while he is the occupier thereof.
- (4) The Council may revoke an approval granted under this Section if it is of the opinion that the keeping of the birds specified in the approval is causing a nuisance or is injurious, offensive or dangerous to health

Pigeons or Doves

77. A person who keeps, or permits to be kept, pigeons or doves shall ensure that -

- (a) none is able to approach within 15 metres of a dwelling, public building or premises where people are employed or where food is stored, prepared, manufactured or sold; and
- (b) except where registered homing pigeons are freed for exercise, the pigeons or doves are kept in a properly constructed pigeon loft or dove cote that -
 - (i) is in a yard having an otherwise unobstructed area of at least 30 square metres; and
 - (ii) is provided with a concrete floor trowelled to a smooth finish and laid with a fall of 1 in 50 to the front.

Removal of Non-Conforming Structure or Enclosure

- 78.** (1) If a structure or enclosure is used for the keeping of poultry or of pigeons or doves contrary to the provisions of Sections 75 and 77, the Principal Environmental Health Officer may direct the owner or occupier to remove it.
- (2) An owner or occupier shall comply with a direction from the Principal Environmental Health Officer under this Section.

Restrictions on Pigeon Nesting or Perching

- 79.** (1) The Council may order an owner or occupier of a house in or on which pigeons are, or are in the habit of, nesting or perching to take adequate steps to prevent them continuing to do so.
- (2) An owner or occupier shall comply with the Council order under this Section.