

KEEPING OF PIGEONS OR DOVES IN THE SHIRE OF CAPEL Info Note 15

Interpretation

In this Division, unless the context otherwise requires-

"Affiliated Person" means a person who is a member of a properly constituted Pigeon Club;

"Code of Practice" means the Code of Practice – Pigeon Keeping and Pigeon Racing, published May, 1994 and amended from time to time and approved by the Pigeon Racing Federation of WA (Incorporated)

"Miscellaneous Birds" includes all birds other than poultry and registered homing or racing pigeons;

"Young Birds" mean any birds under 24 days of age and are recognised as birds without feathers on the flesh under their wings.

Pigeons or Doves

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 maintained in such a manner so as not to create a nuisance by the emission of dust, effluvia or odours.

Certificate of Registration

- (1) A person shall not keep pigeons or doves on any land in the district without having first obtained a certificate of registration from the Council on payment of the fee as fixed from time to time by Council under Section 344C of the Act.
- (2) A certificate of registration shall be valid from its date of issue until the next 30 June.

Application for Certificate of Registration

An application for a certificate of registration shall be:

- (1) lodged by the applicant on the form approved by the Council from time to time
- (2) lodged with specifications, site and construction plans of proposed cages, enclosure or lofts; and
- (3) lodged with the registration fee set by the Council.

Renewal of Registration

A person who keeps pigeons or doves, which are registered under this Part, shall-

- (a) during the month of June in each year apply to the Council for the renewal of the certificate of registration; and
- (b) pay the fee as fixed from time to time by Council under Section 344C of the Act at the time of making each application for renewal.



Approval Limitations

- (1) Pigeons or doves shall not be kept within a caravan park or on any land on which is situated a group dwelling or multiple dwelling except for land on which 2 grouped dwellings are permitted; and
- (2) Unless previously approved by the Council prior to these local laws coming into effect, pigeons or doves shall not be kept on any land which has an area of less than 600m².

Duties of Certificate Holder

The holder of a certificate of registration to keep pigeons or doves shall:

- (a) keep all pigeons or doves confined continuously in cages, enclosures and lofts approved by the Council except that homing pigeons and racing pigeons or doves registered in accordance with this Division may be released in accordance with this Division;
- (b) keep all cages, enclosures, lofts and their immediate surrounds clean and maintained in good order and condition at all times and the minimum standard to be adhered to shall be that which is specified in the Code of Practice; and
- (c) dispose of all loft litter by immediate burial or by being bagged and deposited in a household rubbish bin to ensure no nuisance occurs.

Limit on Number of Pigeons or Doves

- (1) Subject to subclause (2), the maximum number of pigeons and doves which shall be kept on land the subject of a certificate of registration pursuant to each certificate of registration shall not exceed 20, excluding young birds.
- (2) A Person who on or before 30 June each year, produces to the Council satisfactory proof that the person is a current member of a recognised incorporated pigeon racing body or is a registered pigeon or dove fancier, may be permitted by Council to keep up to 150 pigeons or doves, excluding young birds, in any residential area or special rural area.

Cage, Enclosure of Loft Requirements

- (1) An approved cage, enclosure or loft used to house pigeons or doves shall, be constructed of new materials and shall be constructed to the following minimum requirements.
 - (a) the base floor of any loft shall be of 50mm thick concrete;
 - (b) in the case of an elevated loft the suspended floor shall be constructed and maintained in accordance with the requirements of the Code of Practice.
 - (c) cladding of loft including the roof shall be of smooth fibro cement sheeting sheet material or other smooth material;
- (2) A cage, enclosure or loft shall not be located nearer than:
 - (a) 1.2 metres from the boundary of any land adjacent to the land, the subject of an application;
 - (b) 9 metres from any dwelling house, church, school room, hall, factory, dairy or food premises; or
 - (c) 9 metres from any road reserve or street.

Exercise of Pigeons

- (1) A person who is approved to keep registered homing pigeons or racing pigeons may only release such homing pigeons or racing pigeons for exercise between the hours set out in the Code of Practice, unless otherwise authorised by the Council.
- (2) A person shall not release more than 60 registered homing or racing pigeons for exercise or training at any one time.

Alteration, Cancellation or Refusal of Certificate of Registration

- (1) At any time the Council may amend the conditions contained in or relating to a certificate of registration and without limiting the generality of the same, where any complaint of a nuisance is received, the Council may vary the hours for release of pigeons and impose other conditions deemed necessary to minimise any nuisance from the keeping of pigeons or any associated activity.

- (2) The Council may cancel, refuse to approve or refuse to renew a certificate of registration for any one or more of the following reasons:
- (a) the land is not maintained in accordance with this Division;
 - (b) the cages, enclosures or loft have fallen into disrepair, are unclean or infested with vectors of disease;
 - (c) the pigeons are being released outside the times permitted in section 5.5.10;
 - (d) a condition imposed in accordance with this Division or a certificate of registration has not been complied with in time limits set out for doing so;
 - (e) the applicant or holder of the certificate of registration as the case may be, has two or more convictions under these local laws relating to keeping of pigeons or doves; or
 - (f) non payment of registration fees.

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

DISCLAIMER

THIS INFORMATION SHEET IS A GUIDE ONLY. VERIFICATION WITH ORIGINAL BY-LAWS, ACTS AND OTHER RELEVANT DOCUMENTS IS RECOMMENDED FOR DETAILED REFERENCES. THE SHIRE OF CAPEL ACCEPTS NO RESPONSIBILITY FOR ERRORS OR OMISSIONS.