

Application to register a premises for keeping pigeons

To The Chief Executive Officer

I..... (FULL NAME IN BLOCK LETTERS) of
..... (FULL RESIDENTIAL ADDRESS) being the
owner/occupier (delete one) of the premises situated at
hereby make application for approval to keep up to
pigeons excluding the young birds of those pigeons on the above premises.

Plans and specifications are attached in accordance with Sub-section 80(2) of these Local Laws.

The premises are zoned as Residential YES NO

Dated this day of 20

Signature of Applicant.....

FEES

- Up to 20 pigeons (excluding young birds) \$16.00
- More than 20 pigeons and up to 150 pigeons (excluding young birds) \$27.00

PAYMENT INFORMATION

Cheques made payable to “City of Fremantle”

Payment can be made by the following options:

BY MAIL:

Environmental Health Services
City of Fremantle
PO Box 807, FREMANTLE WA 6959

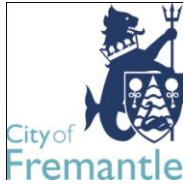
IN PERSON:

Cashier
City of Fremantle
Ground Floor, 8 William St, FREMANTLE WA 6160

Enquiries: Environmental Health Administration – 9432 9856 or health@fremantle.wa.gov.au

OFFICE USE ONLY

Application ID:	Date:
Charge ID: EHPignReg \$16.00 or \$27.00	Receipt Number:



City of Fremantle Health Local Laws 1997

Division 5—Keeping Pigeons

Interpretation

79. In this Division unless the context otherwise requires—

“**Code of Practice**” means the Code of Practice—Pigeon Keeping and Pigeon Racing, International Standard Book Number (ISBN 0 958 6677 0 5), Part 1 (ISBN 0 958 6677 2 1), Part 2 (ISBN 0 958 6677 1 3) published May 1994, amended from time to time and approved by the Pigeon Racing Federation of WA (Incorporated) and the Independent Racing Pigeon Federation Inc.

“**Grouped Dwelling**” means a dwelling which is one of a group of two or more dwellings on the same lot.

“**Scheme**” means the City of Fremantle Town Planning Scheme No. 3 and includes any amendments thereto or any review thereof.

“**the Prohibited area**” means that portion of the district bounded—

- (a) to the north by the high water mark of Victoria Quay;
- (b) to the east by Parry Street;
- (c) to the south by Essex Street, Henderson Street, Queen Street and Holdsworth Street to its intersection with Parry Street; and
- (d) to the west by the high water mark of Fishing Boat Harbour, Challenger Harbour and Bathers Beach.

“**Vector of Disease**” means an arthropod or rodent that transmits, by biological and mechanical means, an infectious agent from a source or reservoir to a person.

“**Young Birds**” means any pigeon under 24 days of age and are recognised as birds without feathers on the flesh under their wings.

Limitation on Numbers of Pigeons

80. (1) An owner or occupier of premises in the Prohibited Area shall not keep or permit to be kept on the premises any pigeons.

(2) (a) Outside the Prohibited Area:

(i) No person shall keep pigeons on any land without lodging an application to register the premises for the keeping of pigeons substantially in the form of Schedule 1, paying the annual registration fee prescribed in Schedule 14 and prior to written approval being granted substantially in the form of Schedule 2 to register the premises.

(ii) Pigeons shall not be kept on any land which is classified in the scheme—

1. for a Caravan Park;
2. as Industrial Land; or
3. as Light Industrial land.

Except where an application is received to keep pigeons on Light Industrial Land, which also includes a caretaker’s residence, such application may be considered for approval. Council or the Manager Urban Environment and Control may either approve the application with or without

conditions relating to the requirements of this section or refuse the application in accordance with this section.

- (iii) Pigeons shall not be kept on any land that is occupied by grouped dwellings.
 - (b) The occupier of any Commercial premises so classified in the Scheme and approved as a Pet Shop, may keep up to 10 pigeons for immediate retail sale.
 - (c) The occupier of every other premises approved to keep pigeons shall make an annual application in writing to the Council substantially in the form of Schedule 1 and pay the Council an Annual Registration Fee as shown in Schedule 14 on or before 30 June each year.
 - (d) With every application for original registration there shall be lodged with the application plans, specifications, drawings, particulars and information as the Council or the Manager Urban Environment and Control may require.
 - (e) Upon receipt of an application the Council or the Manager Urban Environment and Control shall cause such premises for which the application is made to be inspected by an Environmental Health Officer who shall report upon the sufficiency of such premises and the compliance with all Acts, Regulations, Local Laws, Orders and Rules in force within the District at the time in regard to the premises.
 - (f) If upon such application and report being submitted, it shall appear to the Council or the Manager Urban Environment and Control that the application for registration be granted, it shall, subject to the person complying with these Local Laws and all other Acts, Regulations, Local Laws and Rules as shall be in force at the time and upon being paid the registration fee prescribed in Schedule 14 register such premises by issuing a certificate substantially in the form of Schedule 2 for such premises.
- (3) All pigeons shall be kept confined continuously in cages, enclosures or lofts which are approved by the Manager Urban Environment and Control except that registered homing pigeons may be released in accordance with sub-section (9).
- (4) (a) No cage, enclosure or loft shall be located nearer than 1.2 metres from the boundary of the land in other occupation, 9 metres from any dwelling house, church, school room, hall, factory, dairy or food premises, 18 metres from any street or road, except in the case of a corner property or a cul-de-sac street, or a property which abuts two streets, when the minimum distance from any street or road reserve shall not be less than 9 metres.
- (b) Where an application is received in accordance with subsection (2)(a)(i) and the number of pigeons exceed 10 in accordance with subsection (8) Council may increase the 9 metre minimum distance of the loft from any premises specified in paragraph (a) by virtue of the number of pigeons to be kept, the location of other premises including residential premises or any other reason that is likely to cause a nuisance to contiguous owners or occupiers as identified via the consultation process required under subsection (8)
- (5) (a) The cage, enclosure or loft used to house the pigeons, shall be constructed to at least the following specifications and approved prior to registration, by the Manager Urban Environment and Control—
- (i) The floor shall be smooth impervious concrete, not less than 50mm thick and graded evenly to the front. The floor in the case of an elevated loft, shall be made from other smooth impervious material in compliance with the Code of Practice and at least 20 cm off the ground.
 - (ii) The frames and box perches shall be flat sided sawn timber, finished to a smooth surface allowing for robust cleaning using a sharp implement.
 - (iii) Cladding shall be smooth corrugated fibro cement sheeting, sheet metal, brick or other smooth material and which can be easily cleaned. Where applicable, the cage, enclosure or loft used for the keeping of pigeons shall be lined internally in accordance with the Code of Practice.

- (iv) The roof shall be smooth corrugated fibro cement, tiles, sheet metal or other smooth roofing material approved by the Manager Urban Environment and Control and shall have sufficient slope to shed stormwater.
 - (v) The cage, enclosure or loft shall be designed with a minimum internal height from floor to ceiling of 1.65M measured at the walls and constructed in a sound weatherproof manner and be of sufficient height and size to allow easy entry for cleaning.
 - (vi) Provision shall be made to provide adequate ventilation to the cage, enclosure or loft during hot weather but all openings must be screened with metal or wooden doweling with external doweling set down into a solid splash board of minimum height above the floor of 500mm, or wire mesh with a maximum mesh size of 50mm square or 50mm diameter.
 - (vii) The size shall be sufficient for the number of birds proposed to be kept therein and allow for any shelter, food and receptacles and the minimum space per pigeon shall not be less than the requirements in the Code of Practice.
- (b) (i) If a structure, enclosure or loft is used for the keeping of pigeons contrary to the provisions of paragraph (a), Council or the Manager Urban Environment and Control may direct the owner or occupier to remove it.
- (ii) An owner or occupier shall comply with a direction from the Council or Manager Urban Environment and Control under this paragraph.
- (c) (i) The Council or Manager Urban Environment and Control may order an owner or occupier of a house or land or trees in or on which pigeons are, or are in the habit of nesting or perching, to take adequate steps to prevent them from continuing to do so. Where the pigeons are considered to be feral, Council or the Manager Urban Environment and Control may also direct that the owner or occupier eradicate the pigeons.
- (ii) An owner or occupier shall comply with a direction from the Council or Manager Urban Environment and Control under this paragraph.
- (6) All cages, enclosures and lofts shall be kept clean and maintained in good order and condition at all times and the minimum standard shall be that specified in the Code of Practice.
- (7) (a) All food shall be kept dry and protected from vectors of disease in storage containers with tight fitting lids except that where 25kg or larger bags of grain are stored in bulk, they shall be stored on racks raised 150mm off the floor and adequate rodenticide baits shall be placed to the satisfaction of an Environmental Health Officer, to control rodents.
- (b) All wastes, including husks, seed, feathers, dead birds and faecal matter shall be placed in plastic or double lined paper garbage bags, as soon as it is cleaned from the cage and the bags securely tied. The garbage bags shall be immediately deposited in an approved rubbish receptacle, pursuant to these local laws. Such receptacles shall have a tight fitting lid and be inaccessible to flies, rodents and other vectors of disease.
- (c) All food containers and rubbish receptacles shall be kept clean and maintained in good order and condition at all times.
- (d) The surrounds of every cage, enclosure or loft shall be kept clean and the premises, including every cage, enclosure or loft, food storage area and land immediately surrounding every cage, enclosure or loft, shall at all times be kept free from waste, disused matter and any material or thing which may attract or provide harbourage for flies, rodents and other vectors of disease.
- (e) The occupier shall clean, disinfect, trap or bait flies, rodents and other vectors of disease or otherwise deal with the poultry and pigeon cages, equipment and appliances, storage areas and land immediately surrounding the cage as directed by an Environmental Health Officer from time to time.
- (8) The maximum number of pigeons kept must not exceed 10, excluding the young birds on any land except that any person who on or before 30 June each year produces to the Council, satisfactory

proof that they are a current financial member of a recognised incorporated Racing Pigeon body, or are a registered Pigeon Fancier, may be permitted to keep up to 150 pigeons excluding the young birds subject to the written approval of all contiguous owners or occupiers whose property abuts the applicants property prior to the application being considered for approval in accordance with subsection (2)(f).

- (9)(a) A person who is approved to keep Registered Homing or Racing Pigeons may only release them for exercise between the hours set out in the Code of Practice, unless otherwise authorised in writing by the Manager Urban Environment and Control.
- (b) Not more than 60 Registered Homing or Racing pigeons shall be released for exercise or training at any one time.
- (c) Where the Council or the Manager Urban Environment and Control receives any objections during consultation under subsection (8), or a complaint about a nuisance after approval has been granted to keep up to 150 pigeons, Council may vary the hours for release and impose any condition deemed necessary to minimise any nuisance from the pigeons or any associated activity.

Powers of Council

81. (1) The Council may revoke an approval granted under this Division 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.
- (2) Where there is any discrepancy between this Division relating to the Keeping of Pigeons and the Code of Practice, the higher standard of construction and hygiene shall prevail and have effect from the date of confirmation in writing by Council or the Manager Urban Environment and Control to the applicant or person approved to keep pigeons.
- (3) The Council or the Manager Urban Environment and Control may cancel, refuse to approve or renew the registration of a premises for the keeping of pigeons for the following reasons—
- (a) that the premises are not maintained in accordance with these Local Laws.
- (b) that the cages, enclosures or loft have fallen into disrepair, are unclean or infested with vectors of disease;
- (c) that the pigeons are being released outside the times permitted in sub-section 80(9) or as approved by the Manager Urban Environment and Control;
- (d) that a condition imposed pursuant to these Local Laws has not been complied with:
- (e) where the person has two or more prior convictions under these Local Laws.

Non-Compliance

82. Any person who makes a false statement in connection with any application under this Division shall be guilty of an offence.