

PH 4 – Keeping of Poultry & Pigeons

1 Objectives

To provide greater clarity to the community about the circumstances under which ‘Poultry & Pigeons’ can be kept and to Shire Officers administering the Health Local Law.

2 Policy

2.1 Background

Under the Health Local Laws, Division 4 – Keeping of Poultry & Pigeons, adopted by Council, an owner or occupier of premises within a townsite shall not keep a combined total of more than 12 poultry and pigeons, and shall not keep or permit to be kept on those premises, any more of the following fowl:

- (a) a rooster;
- (b) a goose or ganders;
- (c) a turkey;
- (d) a peacock or peahen;
- (e) a gamebird (includes emus and ostriches);

than prescribed, without the prior written approval of Council.

2.2 Approval

For the purpose of the application of the Health Local Laws, Division 4 – Keeping of Poultry & Pigeons, the following conditions set the minimum limits and circumstances poultry, fowl and pigeons, above which written approval of the Shire will be required.

A person who keeps poultry, fowl or pigeons, must ensure they are kept in accordance with the Health Local Law, in particular, in a properly constructed and securely fastened structure, with or without an enclosed yard/run, that is maintained at all times in a clean condition.

Where in the opinion of the CEO or delegated officer the keeping of poultry or pigeons causes unacceptable nuisance to surrounding land owners or residents, the approval to keep the poultry or pigeons can be withdrawn subject to a suitable notice period being given to allow their removal.

(a) A combined total of more than 12 poultry and pigeons

The keeping of a combined total of more than 12 poultry and pigeons within a townsite, will only be considered where:

- (i) the owner of the birds is a registered member of a breeders association and the birds are for the purpose of showing;
- (ii) the birds are contained in poultry run/s or pigeon loft (or dove cote), that are well maintained; and
- (iii) the circumstances under which the birds are kept is not considered a nuisance, or injurious, or offensive, or dangerous to health.

(b) A rooster

The keeping of a rooster within a townsite, will only be considered where;

- (i) the applicant is to demonstrate in the application how he/she intends to limit any potential nuisance that the keeping of a rooster may cause;
- (ii) the rooster/s is/are contained in poultry runs during the day, that are well maintained and 'night-boxes' at night to restrict crowing; and
- (iii) the circumstances under which the rooster/s is/are kept is not considered a nuisance, or injurious or offensive, or dangerous to health.

(c) A goose or gander

The keeping of a goose and/or gander within a townsite, will only be considered where;

- (i) the number of geese and/or ganders does not exceed 6 and the combined total does not exceed 12 geese, poultry and pigeons;
- (ii) the goose or gander is/are contained in a run with access to bathing water; and
- (iii) the circumstances under which the goose or ganders is/are kept is not considered a nuisance, or injurious or offensive, or dangerous to health.

(d) A turkey

The keeping of a turkey within a townsite, will only be considered where;

- (i) the number of turkeys does not exceed 1;
- (ii) the turkey is contained in a run; and
- (iii) the circumstances under which a turkey is kept is not considered a nuisance, or injurious or offensive, or dangerous to health.

(e) A peacock or peahen

The keeping of a peacock and/or peahen is not permitted within a townsite.

(f) A gamebird (includes emus and ostriches)

The keeping of gamebirds are not permitted within a townsite.

Council reserves the right to revoke an approval 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.

3 Applicable Legislation and Documents

Act	s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government's policies Part VII <i>Health (Miscellaneous Provisions) Act 1911</i> – Nuisances and offensive trades
Regulation	N/A
Local Law	Shire of Bridgetown-Greenbushes Health Local Law
Shire Policies	N/A
Related Documents	N/A
Related Procedure	N/A

4 Administration

Original Adoption Date	29 April 2010
Last Reviewed	28 April 2022
Scheduled Reviewed Date	27 April 2023