

Rural and Urban Environment and Nuisance Local Law 2026 submission

Comment	Response
I write to strongly oppose the proposed provisions in the draft Rural and Urban Environmental and Nuisance Local Law that would make it easier for the City to restrict or effectively ban the keeping of roosters. This proposal appears to be another example of unnecessary regulation driven by complaints rather than evidence. Instead of protecting the rural and semi-rural character that many residents deliberately chose when they bought their properties, the City seems intent on regulating it out of existence. Roosters crow. That is what they do. Anyone choosing to live in areas where poultry and livestock have long been part of the landscape should not expect complete suburban silence. If every natural aspect of rural living becomes grounds for enforcement because someone complains, where does it end? Will livestock be next? Working dogs? Farm machinery? The City already has adequate powers to deal with genuine and unreasonable nuisance. There is no compelling evidence that broader powers are needed. What this draft does is shift the balance away from property owners and towards whoever is prepared to complain the loudest. That is poor public policy. Responsible poultry keepers should not have to fear losing their animals because a neighbour has unrealistic expectations. A rooster is not a nuisance simply because someone dislikes hearing it. The threshold should be demonstrably unreasonable behaviour, not subjective annoyance. The City frequently promotes its rural heritage and unique hills lifestyle, yet proposals such as this steadily erode the very character that makes Kalamunda different from surrounding metropolitan councils. If Council continues down this path, it risks turning rural living into little more than suburbia with larger blocks. I urge the Council to remove or substantially amend these provisions and retain the rights of responsible residents to keep roosters. Local laws should address genuine problems, not create new ones at the expense of longstanding and accepted rural practices. I respectfully ask each Councillor to consider whether this proposal genuinely serves the broader community or merely rewards intolerance of normal rural living.	The submission refers to clause 2.11 of the proposed local law, which notably refers as follows: <i>“Other than on land within a rural zone, an owner or occupier of land must not keep or permit to be kept any roosters, geese, turkeys, or peafowl.”</i> The prohibition on keeping roosters is predicated on the land being zoned other than rural (i.e. zoned residential and any other zone than a rural zone). This continues a regulatory measure that has existed in the district since 2011 with the existing Keeping and Control of Animals and Nuisance Local Law 2011, which provides, at clause 4.6(2): <i>“(2) An owner or occupier of land shall not keep —</i> <i>(a) any poultry, pigeons or restricted poultry on a small residential lot;</i> <i>(b) more than a combined total of 6 poultry or pigeons on a medium residential lot;</i> <i>(c) any restricted poultry on a medium residential lot;</i> <i>(d) more than a combined total of 20 poultry or pigeons on a large residential lot; or</i> <i>(e) more than 1 restricted poultry on a large residential lot, without first obtaining approval of the local government.”</i> In that local law, the definition of ‘restricted poultry’ includes roosters. This differs slightly from the proposed local law in that it appears the 2011 local law would allow one “restricted poultry” on a “large residential lot” which that local law prescribes at cl. 4.1 as meaning “...<i>any residential land comprising a lot with an area greater than 2,000 square metres</i>”. The entitlement to keep one “restricted poultry” on a “large residential lot” was still contingent on obtaining approval from the City. The proposed local law does not operate on the basis of lot size – it operates on the basis of zoning of the land. The basic premise put forward in the objection that noise associated with crowing roosters is something people in residential zones should simply tolerate, is not considered to be a reasonable basis to modify the proposed local law. The submission is not supported.