

GUIDELINES FOR THE KEEPING OF ROOSTERS IN RESIDENTIAL AREAS

Introduction

The Whittlesea City Council ('Council') has made General Municipal Law (No.1 of 2014) ('the Local Law') which prohibits a person from keeping or allowing to be kept any roosters on any land in an urban residential area unless Council consent is first obtained.

Clause 7.1(6) of the Local Law states:

Unless with the consent of Council, a person must not keep or allow to be kept any roosters on any land in an urban residential area.

Council has imposed this restriction in the Local Law in response to feedback received from the community regarding noise nuisance caused by the crowing of roosters.

However, Council acknowledges that in some circumstances it may be suitable to keep roosters in a residential area where there are larger properties. These Guidelines will be used to consider the giving of Council consent in such circumstances.

Guidelines

Authorised officers will be guided by these Guidelines when processing any request for the keeping of a rooster or roosters on any land in an urban residential area.

Under these Guidelines, an urban residential area is defined as *an area where the land is predominately used for housing and the size of land holdings is typically less than 3,000 square metres.*

An authorised officer must have regard to the following when processing applications for Council consent:

- (1) A maximum of two (2) roosters per property can be kept;
- (2) Roosters must be kept in a suitable enclosure;
- (3) The subject property must be greater than 3,000 square metres and the location of the rooster enclosure must be at least 35 metres from the boundary of any abutting property;
- (4) Roosters must not cause a nuisance under the provisions of the *Public Health & Wellbeing Act 2008*. Consent may be revoked at any time if noise generated by roosters creates a nuisance;
- (5) The consent of abutting property owners must be obtained; and
- (6) Council consent will be reviewed annually against these Guidelines.

Application Process

Applications for consent under clause 7.1(6) of the Local Law must be in writing on the approved application form (see attached) and made prior to the keeping of any rooster.

Applications for consent will be processed by authorised officers of Council and consent will be provided subject to the conditions in these Guidelines or any other conditions deemed appropriate by an authorised officer.

It is the responsibility of the applicant to demonstrate how the above requirements will be achieved. Once the application is submitted, a site assessment of the property and enclosure will be conducted prior to any consent being granted.

Should you require any clarification or additional information regarding the keeping of roosters in a residential area, please contact Council's Health Services Department on telephone 9217 2170.

See Application Form below

Whittlesea City Council

APPLICATION FOR APPROVAL TO KEEP ROOSTERS ON ANY LAND IN A URBAN RESIDENTIAL AREA

I.....
Full Name(s)

of.....
Residential Address

Postcode..... Phone.....

hereby apply for approval to keep rooster/s on the above-mentioned property.

I have read and understood the document entitled 'Guidelines for the Keeping of Roosters in Residential Areas'

Provide details of measures that have been taken to satisfy the requirements.

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Attach a sketch plan of the property showing

- **The dwelling and other structures**
- **Location of the rooster enclosure**
- **Proximity to houses on adjoining land**
- **Written consent of neighbours**

.....
Applicant Signature

.....
Date

<p>Privacy Notification Council is committed to the responsible collection and handling of personal information in accordance with the <i>Privacy and Data Protection Act 2014</i> and Council's Information Privacy Policy. Council collects and uses personal information to provide you with the services you require. If you wish to access your personal information or have a complaint in relation to privacy, please contact Council on 9217 2170.</p>
