



If you have a dog in your neighbourhood who is causing issues with its barking, a City of Ballarat authorised Animal Management Officer (AMO) will investigate.

When investigating an alleged nuisance, our AMOs follow the Domestic Animals Act 1994. Section 32 of the Act states a dog or cat is a nuisance if:

- it injures or endangers the health or any person or if it creates a noise, by barking or otherwise, which persistently occurs, or
- continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.

It is important you report the affect the nuisance is having based on the definition in the Act and are willing to give evidence in court if needed.

You may need to keep multiple diaries as part of the noise complaint investigation. The first diary is a seven-day noise diary. If needed, the AMO will let you know when to complete the 28-day diary.

There may be times when a matter can't be resolved quickly and needs to go before a magistrate. The person/s being upset by the dog will need to give evidence and the dog owner could be ordered to remove the dog, receive a punitive penalty, or both.

Page 5 of this guide shows how our AMOs investigate the noise complaint, the steps involved and the role of the dog owner and affected person/s in the process.

NUISANCE COMPLAINT

The first step is to talk to your neighbour as early as possible and try to resolve the problem good-naturedly. The dog owner may not know that their pet is causing a problem and may be more than happy to make changes. If this is unsuccessful, please complete the first report of nuisance diary (seven days) and return to us for investigation.

Have you contacted the dog owner?

Yes No

Comments:

.....

.....

.....

Full name:

Address:

Home phone: **Business/mobile:**

I wish to lodge a complaint of a nuisance dog at: (Address)

.....

The nuisance affects me because:

.....

I wish to have the City of Ballarat investigate this incident.

I am / am not willing to give evidence in Court/Victorian Civil and Administrative Tribunal **(please circle).**

Should you decide **not** to go to court and give evidence, the City of Ballarat will not be unable to take the matter to court.



**FIRST REPORT OF NUISANCE
SEVEN-DAY NOISE DIARY**

Please complete the following noise log sheet before submitting this form.

Please note: backdated entries will **not** be accepted.

Date	Time noise started	Duration	Your location	Description of noise	Affect on you

All information on this statement must be completed and signed before returning it to the Animal Management team.

I believe the information given to be true and correct on (date):

.....

Signature:

.....

Please return the completed noise log sheet to City of Ballarat, PO Box 655 Ballarat 3353.

Your personal information is being collected by City of Ballarat for the purpose of processing your noise collection diary. Your information will be stored in Council's Customer Database and used to identify you when communicating with Council and for the delivery of services and information. For further information on how your personal information is handled, refer to Council's Privacy Policy at www.ballarat.vic.gov.au



**SECOND REPORT OF NUISANCE
SEVEN-DAY NOISE DIARY**

Please complete the following noise log sheet before submitting this form.

Please note: backdated entries will **not** be accepted.

Date	Time noise started	Duration	Your location	Description of noise	Affect on you

All information on this statement must be completed and signed before returning it to the Animal Management team.

I believe the information given to be true and correct on (date):

.....

Signature:

.....

Please return the completed noise log sheet to City of Ballarat, PO Box 655 Ballarat 3353.

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**THIRD REPORT OF NUISANCE
28-DAY NOISE DIARY**

Please complete the following noise log sheet before submitting this form.

Please note: backdated entries will **not** be accepted.

Date	Time noise started	Duration	Your location	Description of noise	Affect on you

All information on this statement must be completed and signed before returning it to the Animal Management team.

I believe the information given to be true and correct on (date):

.....

Signature:

.....

Please return the completed noise log sheet to City of Ballarat, PO Box 655 Ballarat 3353.

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BARKING DOG INVESTIGATION PROCESS FACT SHEET

