

## BARKING DOG INFORMATION SHEET

Moorabool Shire Council receives numerous complaints regarding nuisance noise from excessive dog barking.

This type of complaint may be easily resolved by approaching the dog's owner in a neighbourly manner and discussing your concerns with them.

Neighbours may be able to help each other to solve barking problems by communicating with each other their needs and concerns. Neighbours could possibly assist in identifying the reasons for excessive barking by noting what is happening in the area when the dog is barking.

**In most cases the solutions can be found between neighbours and should be sought prior to lodging a complaint with Council.**

The Department of Justice funds a Dispute Settlement Service for people who find themselves in a situation of dispute/conflict with another person. This service is free of charge and operates under strict confidentiality. **The Dispute Settlement Centre can be contacted on 9603 8370.**

### Lodging a complaint with Council:

Council will not act on anonymous or verbal complaints of barking dogs. All complaints must be received in writing, and the complainant must agree to attend Court as a witness if so required.

Complainants must identify the correct address of the offending dog.

Upon receipt of a written barking dog complaint, Council will take the following action:

1. Contact the owner of the alleged offending dog, informing them that a complaint has been received and they must take action to abate the nuisance barking within 14 days.
2. Should Council be advised that the problem persists, the complainant will be required to complete a barking dog diary for 14 days. This is necessary to prove consistent and persistent barking as required under the *Domestic Animals Act 1994*. It must also be proved that the barking unreasonably interferes with peace, comfort or convenience of another person in other premises.
3. A Council officer will undertake 3 sit offs at the complainant's property to confirm that the barking is a nuisance and collect evidence for their investigation. This may include an officer being allowed entrance inside your premises to conduct their investigation.
4. Should Council determine that the nuisance barking allegations have been substantiated, the owner of the barking dog will be notified to abate the barking.
5. Should the problem barking continue, enforcement action will be considered. The complainant may be required to submit another diary and an impact statement. **The complainant must be prepared to attend Court as a witness.**