

Dear Resident

reference no: **xxxx-xxx**

RE: ALLEGED BARKING DOG NOISE NUISANCE – DIARY PACK 2

Council is currently investigating a noise nuisance complaint reported by you on **(Date)**

As per the information pack provided to you when your complaint was lodged, Council requires at least three diaries during the investigation process. Below are the actions that the Investigating Officer has taken in relation to your request:

- A Council Officer has now informed the dog owner of their obligations to not allow a nuisance to occur based on the first diary provided by you.
- Information and advice has been provided to the dog owner that may assist them in resolving any nuisance barking.

Please find enclosed **Diary Log 2** for you to complete and return to Council for follow up.

Diary 2

- This second diary will be required to establish if the nuisance is continuing.
- Should your returned diary show a continuing nuisance council will issue a Notice to Comply to the dog owner directing them to take action.
- This is the start of enforcement proceedings and you should ensure that as much detail as possible is included in this diary.
- Once the investigating Officer receives your returned diaries you will be contacted to discuss them further and the next step in the process.

Should you not wish to follow the above process please contact the Local Laws/Animal Management Department on 8470-8888 to discuss your options.

Please send the completed diary to:

City of Darebin
Animal Management Unit
PO Box 91
PRESTON VIC 3072
Fax: 9261 4815

Yours faithfully,
City of Darebin
Animal Management Unit

How to Complete a Barking Dog Diary

Your accuracy in recording the nuisance barking is of extreme importance as it may be presented as evidence in Court.

Please create a detailed diary **over a 10 day period** as the example indicated below and attach the diary to the Barking Dog Complaint Form.

Completed form **must** be returned to Council within 7 days of the last date recorded or Council cannot take action and another diary set will need to be completed.

EXAMPLE DIARY ENTRIES
(C) Continuous (I) Intermittent

Date	Time barking started	Time Barking stopped	Type of Barking How many barks and what type (C) or (I)	Reason for barking (Person walking past, another animal, weather, etc) <i>(examples)</i>	Noise How does the noise affect you <i>(examples)</i>
11/02/06	3:00pm	3:02pm	4 barks (I)	Nobody in street	Cannot sleep
11/02/06	3:10pm	3:13pm	8 barks (I)	Man walking dog	
11/02/06	3:18pm	3:18pm	2 barks (C)	Nobody in street	
11/02/06	3:28pm	3:30pm	16 barks (C)	Children in street	Unable to enjoy backyard
11/02/06	3:33pm	3:33pm	3 barks (C)	Nobody in street	
11/02/06	3:45pm	3:47pm	6 barks (I)	Plane passing over	
11/02/06	3:52pm	3:55pm	10 barks (I)	Nobody in street	

PLEASE NOTE:

- **ALL ENTRIES MUST DOCUMENT WHEN THE DOG STARTS BARKING, THEN WHEN IT STOPS BARKING. ONE DIARY FOR EACH DOG MUST BE COMPLETED.**
- Diary entries of; 'Barking all day' or 'Barking 9am – 12pm will not be acceptable evidence.
- **PLEASE DOCUMENT WHEN YOU ARE NOT AT HOME TO RECORD BARKING**
- **ALL ENTRIES MUST BE TO THE MINUTE.** This may seem excessive, but remember, you may be required to present this diary before a Magistrate as accurate and concise evidence.

Forward completed 'Barking Dog Complaint form' and 'Barking Dog Diary' to:

City of Darebin
Animal Management Unit
PO Box 91
PRESTON VIC 3072

I, _____ wish to lodge a formal complaint with City of Darebin Council in relation to the dog(s) described above which bark persistently to such a degree that it unreasonably interferes with my peace, comfort, or convenience in my premises.

I submit all documented evidence of this as being truthful and accurate and **will** give evidence on oath before a Court should the complaint not be rectified by the attending Council Officer. I also understand that this evidence may be subject to cross examination should the matter proceeds to court.

No action will be taken against the dog owner, by Council or it's Officers until the Complaint Form and relevant evidence has been signed, and the information returned to Council by you.

Signature of Complainant: _____

Date: / /

Privacy

City of Darebin is collecting the personal information on this form for the purpose of gathering information applicable to this complaint. The information will be used for investigating the complaint and will not be disclosed to any other party except as required by law. If you fail to provide the information, no action can be taken in regard to this complaint.