



barking dogs information package

Barking dogs are one of the most complained about issues to Council and one of the most difficult issues to resolve.

Complaints about barking dogs are a difficult issue for Council to resolve because:

- each individual will have a different view as to what is a noise nuisance - this will vary depending on the location of the dog to the complainant, the noise tolerance level of complainant, the type and time/length of barking
- gathering evidence and completing barking dog diaries is time consuming and difficult
- Council Rangers need to investigate complaints to determine whether the barking is causing a nuisance
- Council Rangers require complainants to agree to be a witness in Court and provide evidence
- owners are often not aware that their dog is barking excessively
- barking is simply a way dogs communicate and can mean anything from playfulness to danger.

Some dogs bark because they are:

- chained to a fixed point and don't have enough room to move around
- being provoked deliberately or unintentionally by people or other roaming animals
- not getting enough exercise
- not properly trained
- bored
- suffering from separation anxiety
- lonely, sick, hungry, or generally neglected.

Chronic or excessive barking is a sign that something is wrong and can be a nuisance to others in the community. Sometimes stopping a dog from barking can be as simple as taking care of their basic needs.

WHAT CAN I DO ABOUT MY BARKING DOG?

- Exercise your dog - working off their excess energy means they are less likely to bark from boredom (simply walk your dog for at least 15 minutes each day).
- Play with your dog when you are home.
- Make sure your dog receives veterinary attention when required.
- Leave toys out for your dog to play with.
- Make sure your dog has plenty of food, water and shelter from both the sun and rain.
- Discipline your dog - take it to obedience school or puppy preschool and talk to your vet about training courses.

BUT MY DOG STILL KEEPS ON BARKING

- Confine your dog in the back yard, away from interference or provocation by passing traffic and pedestrians.
- Restrict your dog's vision through the fence and or gate.
- Consider training, talk to specialists dog trainers and or dog behaviourists.
- Insulate the kennel against noise and weather.
- Keep your dog inside or confined to an enclosure at night.



If your dog continues to bark excessively despite trying all of these suggestions you may consider using a citronella anti-barking collar. When the dog barks, it triggers a spray of strong smelling citronella under the dog's nose which deters it from barking. Citronella does not harm the dog in any way. The collars have a very high success rate and are recommended for people with persistent barking dogs, they are available to purchase online or at your local pet store.

WHAT TO DO IF TROUBLED BY A BARKING DOG

1. Discuss

Discuss the issue with the dog owner first. How you do this is your decision. You may decide to talk personally with the owner, telephone or write to the owner. The dog owner may not be aware their dog is barking, particularly if it's only doing it when they are out. In most cases owners will want to do the right thing and will co-operate.

Be courteous when contacting the dog owner. Sometimes they may not know how to go about fixing the problem so be prepared to assist with information.

Be specific and tell the dog owner if the dog is barking at certain times or at certain things and give them an opportunity to correct the problem.

If requested, Council will contact the dog owner to advise them of the complaint regarding alleged excessive barking and their responsibilities under the *Companion Animals Act 1998 (NSW)*.

2. Wait

If the owner agrees to do something about the barking please wait a few weeks to see if they have been successful in their efforts. If Council has contacted the dog owner on your behalf allow time for the owner to take action to address the nuisance barking.

3. Talk to neighbours

Pass on this brochure to other potentially affected neighbours, download at ballina.nsw.gov.au/dog-and-cat-ownership.

4. Lodge Complaint to Council

A written complaint may be lodged with Council. **Please note that two (2) written complaints must be lodged** before Council will take action regarding a barking dog.

Council also requires a **Barking Dog Information Sheet** and **Barking Dog Diary** that has been completed for at least fourteen (14) days.

The accuracy of information provided regarding the reason, time, date and duration of the barking is crucial if the matter is to proceed.

Council requires your signature on the Barking Dog Information Sheet agreeing to act as a witness in court and provide evidence if the matter proceeds to Court.

Council requires you to agree to complete a Barking Dog Diary for up to six (6) months for evidence if the matter proceeds to Court and/or a Nuisance Dog Order is issued to the Dog owner restricting the barking.

5. Contact a Community Justice Centre (CJC) and/or take Private Civil Action

Until Council receives two (2) written complaints with completed barking dog diaries, Council is unable to take further action. However, you can choose to take civil action in Court or contact a Community Justice Centre (CJC).

CJC are government-funded but independent centres that specialise in settling differences between neighbours through a mediation process. This is where you meet with the people who are making the noise, together with a CJC representative to try and solve the problem. This process will not cost you any money, and has a high success rate

To find your nearest CJC, visit www.cjc.justice.nsw.gov.au

IMPORTANT WEBSITES

epa.nsw.gov.au/your-environment/noise/neighbourhood-noise/dealing-with-barking-dogs

legislation.nsw.gov.au refer to Companion Animals Act 1998.

COMPANION ANIMALS ACT 1998

Section 32A Nuisance Dogs (excerpt)

1. For the purposes of this section, a dog is a nuisance if the dog:
 - a. is habitually at large
 - b. makes a noise, by barking or otherwise, that 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
 - c. repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept
 - d. repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, other than in the course of droving, tending, working or protecting stock) or vehicle
 - e. endangers the health of any person or animal (other than vermin and, in relation to an animal, other than in the course of droving, tending, working or protecting stock)
 - f. repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.
2. If an authorised officer of a council is satisfied that a dog is a nuisance, the officer may, after complying with section 32B, issue an order in the approved form to the owner of the dog requiring the owner to prevent the behaviour that is alleged to constitute the nuisance.
3. The order must specify the behaviour of the dog that is required to be prevented. The order can specify more than one kind of behaviour.
4. An order remains in force for 6 months after it is issued.
5. The owner of a dog must comply with an order issued to the owner under this section and must continue to comply with it while it is in force.

Penalties apply for non-compliance.

6. A council whose authorised officer issues an order under this section must notify the Departmental Chief Executive within 7 days after the order is issued.
7. An order under this section is final and is not subject to any appeal or review.

View the Companion Animals Act, Section 32A Nuisance Dogs definitions at legislation.nsw.gov.au

10 essential tips for good dog management

1. Avoid unwanted puppies and have your dog desexed at an early age.
2. Ensure your dog is microchipped and registered with Council as soon as it becomes eligible.
3. Never console a frightened, aggressive or barking dog. Reprimand undesirable behaviour and only praise good behaviour.
4. Do not allow your dog to bark at things that are not a threat to your security, such as passing pedestrians, the postman, neighbours, stray dogs, birds etc.
5. Be a responsible dog owner and remember a good watchdog makes for a happy neighbourhood.
6. Seek professional help if your dog is too difficult for you to handle, and if so, don't feel like you have failed. Humans are naturally human trainers and it takes special skills to be able to train dogs successfully.
7. Do not allow your dog to roam. Always walk your dog on a leash. It is an offence against the Companion Animals Act for any dog to be outside its own property at any time, unless it is under the effective control of a competent person by means of an adequate chain, cord or leash, that is attached to the dog and that is being held by (or secured to) the person.
8. Always carry a bag with you to pick up any dog poo.
9. Wherever possible confine your dog at night to reduce any annoyance to your neighbours.
10. Keep your dog healthy and happy.