

Barking Dogs

Information Pack

Why dogs bark

Barking is a normal instinct for dogs and an important means of communication. Dogs may bark excessively for different reasons including anxiety, boredom, distress, excitement, fear and territorial defence. Dogs may also bark excessively if they are chained or fixed to one point, being provoked deliberately or unintentionally by people or other roaming animals, not getting enough exercise and not being properly trained.

What is considered nuisance barking

When living in a community with dogs some barking will be expected and should be tolerated. The *Companion Animals Act 1998* defines **nuisance** barking as “a dog that 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.” Refer to the *Companion Animals Act, Section 32A* to learn more about this legislation.

What should I do before contacting Council

Attempt to resolve the situation by raising the issue with the dog owner. Remember, the dog owner may not be aware the dog is barking, particularly in their absence.

Be courteous. Sometimes the dog owner may not know how to go about fixing the problem, so be prepared to assist with helpful information. Be specific. Tell your neighbour if the dog is barking at certain times or at certain things, and give them the opportunity to rectify the situation.

Patience and tolerance from both parties is important whilst attempting to resolve these issues. Animal noise nuisances often come about from underlying behavioural issues which cannot be fixed overnight.

What to do if your dog barks



Exercise your dog for at least 15 minutes each day



Play with your dog when you are home



Leave toys out for your dog to play with



Make sure your dog has access to food, shelter, water and adequate room to move



Restrict your dogs vision through the fence or gate



Insulate the kennel and consider keeping your dog inside overnight



Talk to a specialist dog behaviourist/trainer



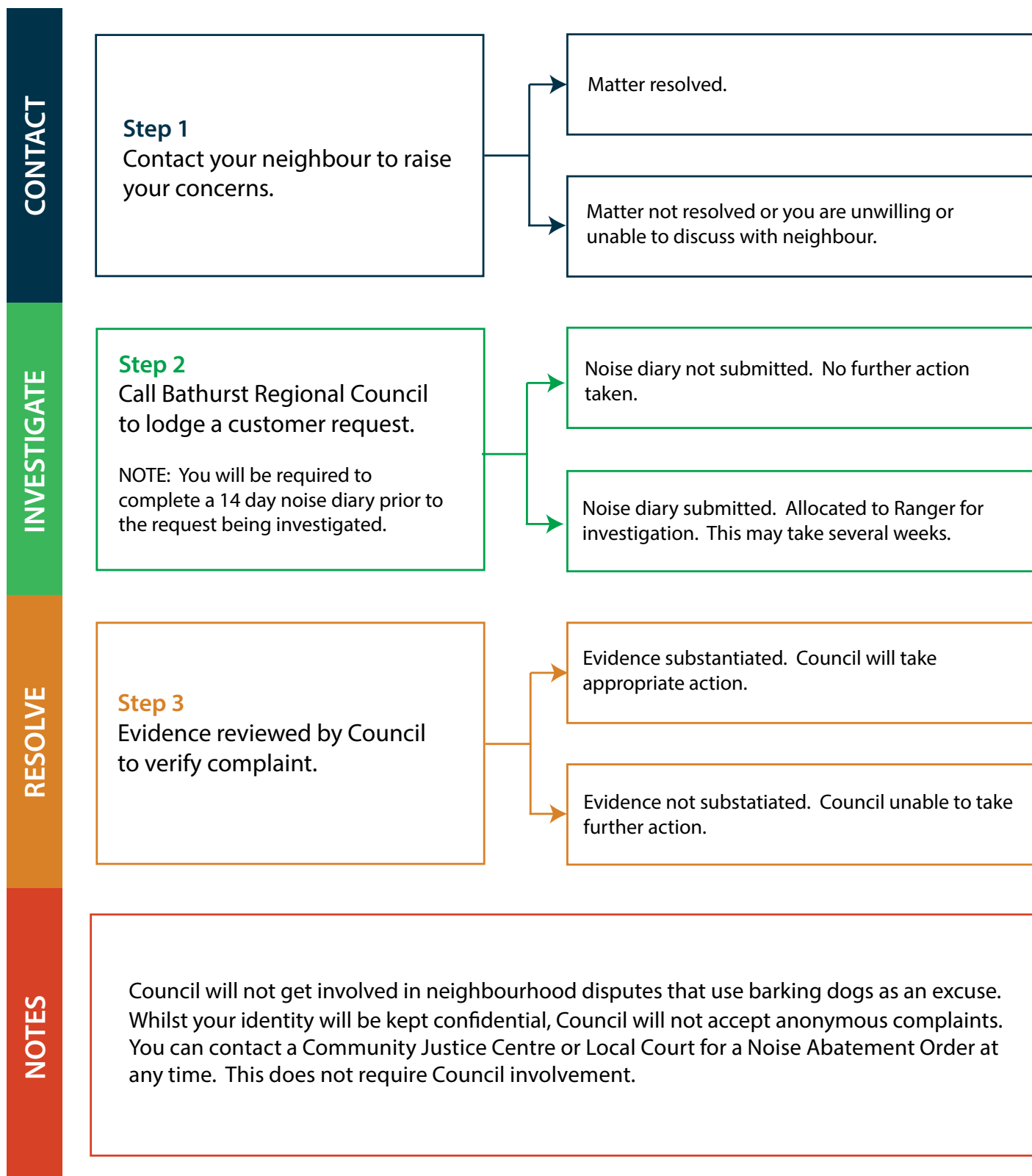
Purchase an anti-barking citronella collar

DISCLAIMER

The information contained in this Information Pack is general in nature and should not be relied upon as the complete source of information to be considered. This document is not intended as a substitute for consulting relevant legislation or for obtaining appropriate professional advice relevant to your particular circumstances.

Lodging a customer request with Council

You can contact Council for assistance with dealing with a barking dog. This chart outlines Council's process when dealing with a customer request about a barking dog.



Step 1

Try contacting your neighbour to discuss the issue. If you would rather not discuss face to face you could drop a letter in their mailbox. An example is provided below.

Dear Neighbour/Community Member

I am not sure if you are aware, but I would like to let you know that your dog/s have been barking a lot when you are not home.

I thought it would be the right thing to do to bring this to your attention in the first instance.

It is not my intention to cause any conflict, however the barking has genuinely become a problem for us and is impacting our daily lives.

Your dog barks the most between the hours of (.....) and (.....) , on these days (.....).

Thank you in advance for trying to find a solution.

Regards

Step 2

Contact Bathurst Regional Council to lodge a customer request. Your contact details will be taken and you will be given options for accessing the Nuisance Barking diary. Your customer request will be held in 'pending' status until the completed noise diary is returned to Council. If you choose not to complete the noise diary your request will be kept on file but closed after 28 days and no further action taken. If you do lodge the completed noise diary then your customer request will be allocated to a Ranger for investigation. Please note that the investigation may take 28 days (from lodgement of the noise diary) to complete, depending on the specifics of the case.

Step 3

Council's Ranger has completed their investigation. This includes contacting the owner of the dog, monitoring of the premises, contact with other neighbours in the location, review of the noise diary and other measures.

Once the review is complete a decision on whether Council will pursue further action or to close the request will be communicated to you. If Council does find that there is a nuisance you will be requested to provide a formal statement and may be called upon to give evidence in Court. If Council finds that there is no nuisance you may elect to start mediation through a Community Justice Centre directly and/or contact the Local Court for a Noise Abatement Order.

NUISANCE BARKING DIARY

Section 1 Your details	
Full name	
Postal address	
Street address	
Suburb	
Phone Nos	
Email	
Section 2 Location of dog	
Street address	
Suburb	
Section 3 Description of dog/s	
Dog 1 (if known)	
Breed	
Colour	
Name	
Sex	
Approx age	
Identifying features	
Dog 2 (if known)	
Breed	
Colour	
Name	
Sex	
Approx age	
Identifying features	
Section 4 History	
Have you contacted the owner about your concerns	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, how was communication made and what was the outcome?	
Date initial contact was made	
Has mediation been undertaken through a Community Justice Centre?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, what was the outcome?	

Section 5 Factual account

In your own words tell us what is happening ensuring your account is factual, accurate and relevant.

Have you contacted the owner about your concerns Yes No

How long has the dog/s barking been a nuisance?

Where is the dog/s when he/she/they are barking?

What do you believe is causing the dog/s to bark?

When is the barking occurring?

When the owner is not home At night When you go outside

Dog reacts to a disturbance (e.g. lawn mower, people walking past, car, another dog barking)

Other:

What time is the barking occurring?

Morning Afternoon Night Anytime, no pattern

Is there more than one dog at the property?

One dog barks more Equal Barking increases when playing

Type of barking/noise

Barking Howling Crying Yelping

Other:

Any other relevant information

Section 6			Dog Nuisance Barking Diary – Minimum 14 consecutive days required (please use separate form per dog)				
Barking date and times			Codes to assist in this section are obtained from the field below				
Date	Start	Finish	Noise Level	Cause of barking	Action taken	Nuisance level	Location of dog
			1 Loud 2 Yapping 3 Howling 4 Yelping 5 Muffled 6 Warning	1 Nothing 2 People walking by 3 Bored 4 Owner out 5 Territorial Boundary 6 Unknown	1 None 2 Chastised 3 Dog put inside 4 Other	1 High 2 Medium 3 Low	Side of house Back yard Front yard Inside house Inside shed etc

Section 6 continued			Dog Nuisance Barking Diary – Minimum 14 consecutive days required (please use separate form per dog)				
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Section 7 Declaration

I hereby request Bathurst Regional Council investigate this noise nuisance matter on my behalf. Should it be necessary to instigate Court proceedings if the barking persists I undertake to:

- a) Give further detailed information to the Council as requested by the Authorised Officer; and
- b) Appear in Court to give evidence as a witness to the truth and validity of the reported noise nuisance.

I do hereby solemnly declare that the information provided on this form is accurate and true. I declare I will give evidence as a witness at Court if required to do so and may be subject to punishment by law for providing any willfully false statement in any such declaration.

Date	
Full name	
Signature	

The information on this form is being collected to allow Council to process your application and/or carry out its statutory obligations. All information collected will be held by Council and will only be used for the purpose for which it was collected. An individual may view their personal information and may correct any errors.