

Nuisance (Barking) Dogs FAQ Sheet

What is a Nuisance Dog?

Under the Companion Animals Act 1998: A Nuisance Dog:

- Consistently roams
- Makes persistent, excessive noise
- Endangers the health of a person or animal (other than vermin)
- Repeatedly.
 - Defecates on private property
 - Runs at or chases a person, animal (other than vermin) or vehicle
 - Causes substantial damage to anything outside the property on which is ordinarily kept

This Fact Sheet only deals with the excessive noise aspect of a Nuisance Dog.

Understanding Barking Behavior

Dogs bark for many reasons as it's their way of communicating. A bark may mean anything from playfulness to danger.

When a dog barks excessively some of the causes may be;

- Boredom
- Attention seeking
- Excitement
- Separation related behaviors
- Fear
- Limited socialisation
- Territorial barking
- Injury
- Health issues

Excessive barking can indicate that something is wrong. This can be a nuisance to others in the community so to stop a dog from barking can be as simple as taking care of their basic needs. If you suspect a dog is being mistreated, contact an RSPCA inspector on (02) 9770 7555 or 1300 278 3589, or visit the RSPCA website.

Owners of dogs have responsibilities under the *Companion Animals Act 1998* and the *Protection of the Environment Operations Act 1997* to ensure their dogs do not exhibit nuisance behaviours or emit offensive noise.





What action can you take?

Before lodging a request talk to the dog owner to try and resolve the problem.

Prior to lodging a request for investigation, you must

- Attempt to resolve the situation with the dog owner.
 - If the problem persists, contact the Department of Communities and Justice. They can help with mediation when trying to settle differences between neighbours. These services are provided for free. For further information, please refer to their website [Community Justice Centres \(nsw.gov.au\)](https://www.communityjusticecentres.nsw.gov.au)
 - It is crucial that you have attempted to resolve the issue with dog owner. Sometimes the owner does not know about the problem so be prepared to assist with the information.
 - Be courteous and specific. If the owner is aware of the situation give them an opportunity to correct the problems.
- Record your complaint in writing and have documents to support what actions you have undertaken.
- Have a barking dog diary completed which includes the frequency and the length of time that the dog barks for a minimum of three weeks (21 days).

Council needs these completed for an investigation to commence by Councils Rangers.

If an owner agrees to do something about the barking, allow the owner time to address the situation. Dogs cannot be trained overnight. Strategies that are implemented by the owner to rectify the issue can be based on a process of elimination – every dog responds differently. Extra time can be required by the owner to achieve the desired outcome for all parties affected by the barking dog.



What will Council do?

Council does not take action on an individual notification of a barking dog and will only take action on barking dog matters where there is a broad community noise impact (i.e. multiple residences) which has been verified by independent evidence.

Once a request has been received by Council, our Rangers will assess the information provided to determine if a broad community noise impact exists. If the information and evidence provided is sufficient our Council Rangers will be in contact with the complainant.

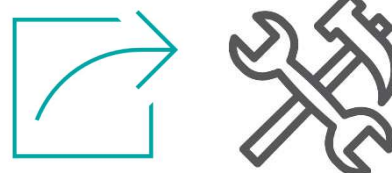
If Council determines the information and or evidence provided is not adequate, then no further action will be taken.

Reporting a Barking Dog

You can lodge an online report using the [Log it / Fix it](#) button on the website. You can also call the Customer Experience team.

You will be provided with a reference number.

Council does not accept anonymous reports for barking dog matters.



Noise Abatement Order

If you want to take action independently, you can seek a [noise abatement order](#) under [section 268 of the POEO Act](#) from the local court. Noise abatement orders, unlike nuisance orders, are set by local courts and can have a longer period of required compliance than the 6 months outlined in the Companion Animals Act for a Nuisance Order.

For further information please refer to these governing bodies

NSW Environment and Protection Authority: [Dealing with barking dogs \(nsw.gov.au\)](#)

NSW Communities and Justice: [Community Justice Centres \(nsw.gov.au\)](#)

NSW Companion Animals Act 1998: [Companion Animals Act 1998 No 87 – NSW Legislation](#)

