



DEALING WITH BARKING DOGS A GUIDE FOR DOG OWNERS

WHY DO DOGS BARK?

There can be many reasons why a dog barks. Some of the reasons dogs bark can be:

- Territorial
- Playfulness
- provoked intentionally or unintentionally by humans,
- wildlife or other domesticated pets
- hungry or thirsty
- boredom
- being neglected
- sickness or poor diet
- attention seeking or communication
- lack of space or exercise
- Separation anxiety.

HELP ELIMINATE THE BARKING DOG HABIT

- Dogs should be engaged in training or puppy school at a young age to prevent them from learning the nuisance barking habit. Dog training isn't just useful for your dog; it's also useful for you to understand how to discipline your pet properly.
- Exercise and attention should be your first step in trying to stop the barking. The amount and intensity of the exercise will depend on the breed and size of the dog. For example, a large border collie would need a lot more exercise than a small Maltese.
- Consult a professional such as a vet to eliminate out any

medical conditions that could be the cause as to why your dog is barking excessively.

- Give your pet a kennel of some sort to give them shelter and warmth. You may also like to keep your pet inside at night.
- A large, raw bone will draw their attention for hours on end. Chew toys may also have the same effect.
- Move your pet to the backyard or away from the direct line of vision from people walking past. Most dogs are territorial and bark when people walk past to protect their home.
- You must NEVER reward or induce barking. Ignore your dog until they stop, otherwise they will recognise that barking equals attention. Giving comments like "What is it?" or "Go get it!" will make the dog think that barking is a game.
- Reward your dog when it is quiet, and never when it barks

BARKING DOGS AND THE LAW

Under the Companion Animals Act 1998 nuisance barking is defined 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.

The Community Safety Team at the Hills Shire Council has several tools to assess and make determinations of nuisance barking. During the course of an investigation into nuisance barking allegations, council officers aim to determine if nuisance barking is evident beyond reasonable doubt.

If council officers are satisfied that an offence has been committed under the Companion Animals Act 1998 Section 32A, then a Notice of Intention to Declare the dog a nuisance may be issued. Upon receiving representations from the owner of dog(s), the Manager of Regulatory Services will make a determination if a Nuisance Order is to be issued.

INVESTIGATION PROCESS (FIRST COMPLAINT)

1. Upon receipt of a complaint, a Council Officer from the Community Safety Team will send a notification letter to the owner(s) of the alleged barking dog(s) via post or email. The officer will use standardised templates and will provide the relevant factsheets in conjunction with the notification letter to the owner(s).
2. A Council Officer will notify the complainant via email, post or phone advising them of the action taken. Complainants will be provided with a factsheet and a barking survey to complete.
3. The task can then be closed at this time and re-opened in the future should the complainant provide feedback in the form of a signed barking survey or diary.
4. The complainant then must give the owner of the dog two weeks to attempt to rectify the issue.

INVESTIGATION PROCESS (SECOND COMPLAINT)

1. Upon receipt of a signed barking dog survey or diary over a two week period, Council Officer from the Community Safety team will speak with the owner(s) of the dog(s) in question and explain that a second complaint has been received. They will outline the barking complaint process, the owners' rights and responsibilities and provide advice on how to rectify the situation.
2. A Council Officer will then contact the complaint and provide them with feedback from the owner in relation to the complaint.
3. Once feedback has been received and any evidence provided by the complainant has been assessed, the investigating officer can elect to do the following:
 - a. If the feedback/evidence provided suggests that the barking is not considered a nuisance, no further action will be taken.
 - b. If the feedback/evidence provided suggests that the barking may be considered a nuisance, an active investigation will commence by the Council Officer.
4. Over the course of the investigation the Council officer will advise the complainant what evidence (if any) is required to assist the investigation. The officer will also perform patrols when practicable in order to gather further evidence. This will allow the officer to assess the complainant's claims. Complainants may be asked to provide further logs and supporting sound/ video files of barking instances during the monitoring period.
5. After the monitoring period has finished the investigating officer can elect to do the following:

- a. If the evidence collected suggests that the barking is not considered a nuisance, no further action will be taken (in some cases further monitoring will be required).
 - b. If the evidence collected suggests that the barking is considered a nuisance a Notice of Intention to declare the dog(s) a Nuisance will be issued to the owner.
6. Upon receiving a Notice of Intention to declare their dog(s) a nuisance, an owner has 18 days to respond to council. Once all the evidence has been considered the Manager of Regulatory Services will make a determination and both the complainant and owner will be advised in writing.
 7. If an order is made for nuisance barking, it will remain in force for six (6) months. During this time any further instances of nuisance barking can be recorded and documented by residents and Council Officers. If nuisance barking is established fines may be issued to the owner of the dog. Repeated instances of barking may result in court action being taken by Council against the owner.

WHAT IF MY DOG(S) ARE FOUND TO BE A NUISANCE?

In the first stages of a barking dog investigation the Council officer will work closely with the owner(s) regularly if they are willing, and discuss ways in which these issues can be handled. It is ultimately the responsibility of the owner to correct and nuisance barking, and their choice to how that is achieved, however council officers are happy to assist in any way possible.

If you receive a Notice of Intention to declare your dog(s) a nuisance you will firstly have a chance to write representations into council and explain why the order should not be made. Upon receiving the representations, Councils Manager of Regulatory Services will make a decision after considering all evidence provided. Should a Nuisance order be made against your dog(s) there is no recourse for an appeal in NSW courts.

