



Information for Affected Neighbours

Council has a process for dealing with complaints about nuisance barking.

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 to do if you are troubled by a barking dog?

1. Discuss

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 cooperate. Neighbours communicating with each other constructively can help stop the problem from escalating and make it easier to deal with other issues in the future.

If you cannot discuss your concerns directly, consider putting your concerns in writing to your neighbour. 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.

A [Sample Letter](#) is available on Council's website. If you are unsure of where the dog lives, [flyers](#) are available to download and print if you wish to do a letter box drop in your neighbourhood.

2. Contact the RSPCA

If you suspect the dog is being mistreated, contact the RSPCA on 1300 278 358 or visit rspca.org.au/report-cruelty.

3. Wait

After contacting the owner about the barking, please wait to see if they are able to adjust the animal's behaviour.

4. Contact a Community Justice Centre (CJC)

CJC can help arrange mediation between you and the dog's owner with a neutral mediator. About 80% of neighbourhood disputes mediated result in agreement and there are no waiting lists. The service is free, confidential, voluntary, easy to use and can be conducted at local venues. To find more information visit cjc.justice.nsw.gov.au or phone toll free 1800 990 777.

5. Lodge a formal complaint to Council

Efforts to resolve the issue such as mediation through CJC or contacting the dog's owner is advised before making a complaint to Council.

If attempts to resolve the matter has not reduced the barking, a written complaint may be lodged with Council in the form of a Dog Nuisance Barking Diary that has been completed for at least 14 consecutive days. Council requires evidence to commence an investigation so completing the Diary is essential. If you have neighbours that are willing to complete a Diary this will help substantiate your complaint.

[Download a Dog Nuisance Barking Diary](#) from Council's website.

Please note that Council will not become involved in neighbourhood disputes.



What happens after lodging a dog nuisance barking diary?

Council will speak with the owner/s of the dog/s in question and explain that a

complaint has been received, provide the dog owner with self-help information and offer the owner advice and assistance to help them reduce the nuisance. The owner will be provided with a Dog Nuisance Barking Diary to record their own animal's behaviour over the following 10 days.

A Council Officer will contact the complainant to confirm the owner has been informed. The complainant must give the owner of the dog two weeks from this date to attempt to rectify the issue. During this time, it is required that the complainant continues using the Dog Nuisance Barking Diary for 10 consecutive days and then submit this to Council.

If Council is satisfied that an offence has been committed under the *Companion Animals Act 1998 Section 32A*, then a **Notice of Proposed Nuisance Dog Order** will be issued to the dog owner.

Upon receiving this **Notice** an owner has seven (7) days to respond to Council. After the seven days Council will determine if a **Nuisance Dog Order** is to be issued. Both the complainant and owner will be advised in writing of the outcome.

If a **Nuisance Dog Order** is made it will remain in force for six (6) months. Once a Nuisance Dog Order is issued, the Order is not subject to any further appeal or review process. Penalties apply for non-compliance. Council will notify you in writing once the matter has been investigated.



Noise abatement order

If you wish to act independently of the Council process, you can seek a noise abatement order from the local court. The court may issue this order when a person satisfies the court that a neighbour's dog is making an offensive noise. Please note, there are fees for applying for a noise abatement order.

To apply for an order, contact the registry staff at your local court, visit localcourt.justice.nsw.gov.au or speak to your legal adviser. Further information is also available at epa.nsw.gov.au/your-environment/noise/neighbourhood-noise/dealing-with-barking-dogs