

## NUISANCE BARKING DOGS GUIDE

### ***What is a nuisance dog?***

A dog may be considered a nuisance by law if it persistently barks to an extent that unreasonably interferes with the peace, comfort or convenience of any person.

It is natural for dogs to bark and there needs to be some level of tolerance within the community.

Nuisance barking needs to be proven to go beyond typical dog behaviour and cause undue disturbance.

## WHAT CAN I DO?

Council's expectation is that you attempt to contact the dog owner and advise them that their dog is causing you a nuisance by barking. In most cases, problems with barking dogs can be worked out between neighbours.

If direct communication is not possible, you can download **Neighbour Notification Form** from the Shire's website or cut off below. Fill it out and leave it in the dog owner's letterbox.

Give the dog owner at least 14 days to address the problem. This allows them to adjust training or make other changes to reduce the barking.

## WHEN CAN I LODGE A FORMAL COMPLAINT

If this does not resolve the issue, you may lodge an official complaint with the Shire. To make a formal complaint to Council you will need to:

- Identify the address where the dog resides
- Complete the Prescribed Barking Dog Complaint Form
- Complete a consecutive seven day barking dog diary

## DOG DIARY IS IMPORTANT

### How to Complete the Barking Dog Diary – Consecutive 7 Day Record

Complete the diary for 7 consecutive days — no gaps or skipped days.

Record every barking incident separately — each time the dog barks, howls, or hits the fence. Fill in all fields for each occurrence, including:

- Date of the incident.
- Start and finish time of barking.
- Duration of barking (e.g., 6 minutes)
- Type of barking – intermittent or continuous or number of barks.
- Possible cause – if known (e.g., person walking past, other dogs, sirens).
- Impact on you – describe how it interfered with your life (e.g., disturbed sleep, stress, interrupted work).

### Example of an Entry:

| Date   | Start Time | Finish Time | Type                         | Intermittent (I) or Continuous (C) | Impact                   | Reason for barking (if known) |
|--------|------------|-------------|------------------------------|------------------------------------|--------------------------|-------------------------------|
| 1/1/25 | 5.10AM     | 5.15AM      | HOWLING                      | I                                  | WOKE ME UP               | CAR DROVE PAST                |
| 1/1/25 | 5.45AM     | 5.55AM      | BARKING (28) & FENCE HITTING | I                                  | KEPT ME AWAKE            | JOGGER WENT PAST              |
| 1/1/25 | 8.25AM     | 8.30AM      | HOWLING                      | C                                  | COULDN'T GO INTO MY YARD | DOG OWNER WENT TO WORK        |
| 1/1/25 | 10.00AM    | 10.03AM     | BARKING (14) & FENCE HITTING | C                                  | COULDN'T HANG WASHING    | MY TODDLER PLAYING IN YARD    |
| 2/1/25 | N/A        | N/A         | NO BARKING REPORTED THIS DAY | N/A                                | N/A                      | DOG OWNER WENT CAMPING        |
| 3/1/25 | 4.45AM     | 4.52AM      | BARKING (13)                 | I                                  | WOKE ME UP               | RUBBISH TRUCK                 |
| 3/1/25 | 5.30AM     | 5.36AM      | BARKING (16) FENCE HITTING   | I                                  | KEPT ME AWAKE            | UNKNOWN                       |

**Do not use ditto marks (“”) or phrases like “as above”**—each entry must be fully completed.

**Do not leave any days blank**—ensure all 7 days are documented, even if there are no incidents - Write **“No barking observed”** to show active monitoring.

### Get Support from Neighbours

The Shire strongly recommends having another neighbour complete a diary. This strengthens the case and helps confirm the nuisance is widespread.

The Shire of Chapman Valley follows Best Practice Guidelines on the Identification, Investigation and Handling of Nuisance Dogs from the Department of Local Government, Sport and Cultural Industries and must satisfy the requirements of the *Dog Act 1976*.

## RANGERS INVESTIGATION

### Shire Rangers will

- Study the diary to establish barking patterns to try to determine the reasons for the dog barking.
- Survey and gather evidence from your neighbours and confirm if others are affected.
- Contact the dog owners to discuss the issues and work towards a solution with the owner. The dog owner will be provided details of the times the nuisance barking is occurring to provide an opportunity for the dog owner to address the barking.
- Inform the dog owner of their responsibilities
- Visit the neighbourhood when the barking is reported in the diaries to mainly occur to gather evidence.
- Schedule a visit to your property during the times when barking is reported to frequently occur to gather evidence.

If upon investigation, the dog barking is not found to be a nuisance, the Shire will be unable to continue investigating.

If at any time, Council does not receive assistance from you in resolving this issue and you have not done what Council has requested of you, the complaint will be terminated, and you may choose to take your own court action.

Council will not get involved in any domestic disputes between you and your neighbour. If this happens, Council will inform you to take your own legal action.

If upon investigation, the dog barking satisfies the requirements of nuisance the dog owner and the Authorised Officer believes there is a problem with the dog, they will work with the owners until they believe that the owner has done everything possible to help correct the barking behaviour.

The owner of the dog may be issued a caution, an Abatement Order, an infringement, or face court action.

Council can only commence court action if:

1. the owner of the dog is not complying with Council's request, and
2. the dog is a problem, and
3. the owner of the dog has exhausted all avenues to resolve the problem, and
4. the complainant is prepared to go to court.

### The Importance of Accurate Records

Detailed barking dog diaries are essential for the Shire to take action. If they are incomplete or inaccurate or do not reflect a nuisance, the Shire cannot proceed with investigating.

## WHAT TO EXPECT

**Patience is Key:** The process may take time, as dog owners are often given a chance to make adjustments or train their dog.

**Community Collaboration:** Cooperation from neighbours and accurate documentation will assist in a successful outcome.

For more information or to lodge a complaint, visit our website at [www.chapmanvalley.wa.gov.au](http://www.chapmanvalley.wa.gov.au) or call the Shire on (08) 9920 5011.

## NEIGHBOUR NOTIFICATION FORM

STREET ADDRESS

Dear Neighbour,

I wanted to bring to your attention that your dog has been barking frequently, and it is causing nuisance in the neighbourhood.

I'm sure this isn't intentional, but I thought you might want to be aware of it.

Barking ☐

Howling ☐

Crying ☐

Fence hitting ☐

|           | Morning                  | Afternoon                | Evening                  | Over night<br>10pm-6am   | Predominant<br>Times | Cause if Known |
|-----------|--------------------------|--------------------------|--------------------------|--------------------------|----------------------|----------------|
| Monday    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                      |                |
| Tuesday   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                      |                |
| Wednesday | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                      |                |
| Thursday  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                      |                |
| Friday    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                      |                |
| Saturday  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                      |                |
| Sunday    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                      |                |

The dog predominantly barking is (describe dog)

Thank you for your assistance with this.