



Barking Dogs

A guide for neighbours



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City of
Norwood
Payneham
& St Peters

Barking Dogs

A guide for neighbours

Dogs are an important part of our community and provide many residents with happiness and companionship. However, the City of Norwood Payneham & St Peters occasionally receives complaints regarding nuisance noise from barking dogs. Excessive and prolonged barking, whining, or howling by dogs can become a nuisance to neighbours and other local residents.

This guide has been created to help residents address concerns about barking dogs, either by communicating directly with the dog owner or by seeking assistance from the Council.

Why do dogs bark?

Barking is a normal behaviour for dogs and is a form of communication with other dogs and with people. However, from time to time, dogs may bark excessively for a range of reasons such as:

- boredom, loneliness or a lack of entertainment
- discomfort from irritations such as fleas
- unsuitable yards, enclosures or kennel location
- lack of adequate food, water, exercise or training
- protecting territory or feeling threatened
- protecting their owner or family
- strange or new noises or fireworks
- thunderstorms or wailing sirens
- people passing or children playing nearby

Speak to the dog owner

Residents are encouraged in the first instance to try and resolve the problem with the owner of the dog.

The owner of the dog may not be aware their dogs barking is causing a nuisance, especially if they are not at home during those times.

A calm and respectful neighbourly chat with the owner of the dog can resolve many of these issues. However, for neighbours that do not feel comfortable with the person-to-person approach, a politely worded letter can achieve similar results.

Remember, the more information regarding the nuisance barking the owner has such as times, dates and duration of the barking, the more equipped the owners will be to deal with the issue.

We've prepared a template letter for you to use to communicate nuisance barking to your neighbour, which is included at the back of this guide.

Council assistance

If you are unable to reach the dog owner or if they have not responded to or have refused to resolve their dog's behaviour, you can contact the Council's Regulatory Services staff on 8366 4555 to discuss your concerns and make a report. On the following pages, we've outlined the actions that will be taken if you make a report about nuisance dog barking.

Submitting a report

If you have not resolved your concerns with the dog owner and would like Council assistance, you can speak to Council staff by telephone 8366 4555 or submit your queries via email townhall@npsp.sa.gov.au

Information requirements

To lodge a complaint with the Council, you must submit a Barking Dog Complaint form, which is included in this guide, together with an initial nuisance barking diary record. The diary of the dog's barking habits must be kept for a minimum of seven (7) days, noting the date, start time, time ceased and a guesstimate of the number of barks per barking occurrence.

For the Council to consider your dog barking as an allegation that requires investigation, you must first show that you have contacted the dog owner and tried to resolve the problem. You can provide this information in the Barking Dog Complaint form.

Estimated Time: about 7 days

NOTE: If a completed Barking Dog Complaint form and an initial nuisance barking diary record is not provided within fourteen (14) days of the initial report, the Council will not take any further action regarding the barking dog complaint.

To assist with completing an initial investigation, Council staff may:

- meet with you at your property to assess your concerns and understand the environmental factors which may be contributing to the excessive barking; and/or
- record the dog barking; and/or
- speak to other neighbours to gather additional information

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Contact with the dog owner

If it is determined from an initial investigation that a dog is excessively barking, Council staff will contact the dog owner to remind them of their responsibilities and suggest options that may assist to resolve their dog's excessive barking. A copy of the Council's Barking Dogs: A Guide for Dog Owners will be provided to the dog owner, which includes a list of organisations that offer dog behavioural training.

Investigations and monitoring

Following initial contact with the dog owner, Council staff will monitor the barking dog's behaviour over four (4) weeks and work with the dog owner to resolve the complaint.

During this period, Council staff will review any further information obtained from their own site observations and or discussions with the other affected neighbours as well as the results of dog barking diaries and data obtained from listening posts set up to monitor excessive dog barking (if applicable).

From time to time, the monitoring stage may be extended to allow for improvements in the dog's barking behaviour, where a dog owner is being cooperative to resolve excessive barking.

Estimated time: 4-6 weeks

NOTE: If requested barking dog diaries from neighbours are not provided to the Council or they are incomplete, the Council will not take any further action with the complaint.

What happens if there is no improvement?

If the dog owner does not satisfactorily address the excessive barking or is uncooperative and there is sufficient evidence of persistent barking nuisance, the Council may issue a Warning Letter, expiation or a Control (Barking Dog) Order.

Control orders

The Council may issue a Control (Barking Dog) Order if it is satisfied, on the balance of probabilities, that the dog is a nuisance and where the barking noise created by the dog meets the test of "persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of a person".

A Control (Barking Dog) Order is a legally-enforceable way in which the Council can place restrictions and or specify requirements on a dog owner.

A Control Order generally requires the dog owner to take all reasonable steps to reduce the nuisance barking. This may include undertaking specific training courses or to seek professional assistance to address the dog's barking.

Documenting evidence

If the Council proceeds with enforcement action by issuing a Control (Barking Dog) Order and/or an expiation, supporting evidence will be required to prove persistent unreasonable barking and its impact on neighbours. This evidence can be in the form of:

- audio or video recordings;
- a diary with date, time and duration of barking recorded;
- a affected party impact statement; or
- a combination of all of the above or other relevant evidence.

Our Regulatory Services staff will talk you through this process and assist you with information on completing diaries.

NOTE: The Council will only commence legal action if:

- the owner of the dog is not complying with Council requests; and
- the dog barking continues to be persistent and a nuisance; and
- the complainant is prepared to support their evidence in court.

If the complainant is not prepared to be a witness and appear in court and the council does not have sufficient other evidence to warrant legal action, the Council may terminate its investigation.

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Can councils seize and detain barking dogs?

In situations of excessive barking, the council cannot seize and detain dogs for barking.

Serving and monitoring of a Control (Barking Dog) Order can take between two (2) to three (3) months.

Further action

The Council may consider taking further action if a Control (Barking Dog) Order has been ineffective and all other efforts have failed to resolve the excessive barking.

If the dog owner fails to meet the requirements of the Control Order:

- an expiation notice may be issued for breaching the control order; and/or
- prosecution may be initiated through the Magistrates' Court, which can lead to strict controls being imposed on the dog.

The process for obtaining a Court ordered direction may take 12–18 months and there is no guarantee that the Council's legal action will be successful.

If Court action is successful, the Council will ask the Magistrate to order that specific controls be placed on the owner of the dog to take certain actions to reduce the occurrence of barking.

Resolution of complaints

The complaint will be resolved once the Council determines that persistent barking has been addressed and the barking no longer persistently interferes with the peace, comfort or convenience of a person.

Once the barking issue is resolved, the affected parties will be informed in writing and the dog barking complaint will be closed.

If the excessive barking recommences the Council may re-open the investigation, starting at the relevant stage of the investigation process.

Alternative approaches

Civil legal action

The Dog and Cat Management Act 1995, provides the legislative framework from which civil action can be taken against a dog owner. Any person can take civil action; however, this course of action can only be initiated by the complainant.

The Council cannot take civil action against a dog owner, on your behalf.

For more information you may consider contacting:

- your own solicitor; or
- Legal Services Commission of South Australia
Ph: 1300 366 424

Mediation

Mediation can help to resolve conflict and disputes at an early stage, with a view to avoiding the expense and stress of drawn-out legal proceedings.

Uniting Communities offers free mediation services in Adelaide to help resolve neighbour conflicts. Ph: (08)202 5960.

'Dear Dog Owner' note

Print the note on the next page, fill it in and leave it in your neighbour's letterbox.

The note can also be downloaded from the Council's website.

Privacy

Please be aware that the Council does not disclose your details to the dog owner, however at any stage throughout the process the dog owner does have the right to lodge a Freedom of Information application, which may result in your details being obtained.

Dear Neighbour/Dog Owner,

Date _____

I wanted to reach out with a friendly message regarding your dog.

I have a few concerns and wanted to share them with you:

- ☐ barking ☐ howling
☐ crying/whining ☐ growling

This mainly occurs on:

- ☐ weekdays ☐ weekends

Time of day this occurs:

- ☐ morning ☐ daytime ☐ evening/night

This is worse when you are:

- ☐ home ☐ not home

This continues for periods of up to:

_____ minutes / hours

This occurs at the:

- ☐ front ☐ rear ☐ side of yard

My contact details (optional)

Name: _____

Phone: _____

Quick tips to help manage your dog's barking:

- Restrict your dog's vision through fencing and gates.
- Confine your dog to the rear yard, away from passing traffic.
- Ensure your dog gets plenty of exercise and mental stimulation.
- Provide adequate shelter, food, and water.
- Use toys and puzzles to keep your dog occupied.
- Create a calm environment with reduced noise levels.
- Maintain a consistent daily routine for your dog.
- Seek advice from a vet or animal behaviourist



MORE INFO

www.npsp.sa.gov.au



Barking Dog Complaint Form

175 The Parade, Norwood SA 5067
PO BOX 204, Kent Town SA 5071

Telephone 8366 4555
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au
Socials  /cityofnpsp  @cityofnpsp
ABN 11 390 194 824



City of
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& St Peters

APPLICANT DETAILS

Name:

Your Address:

Your Phone/Mobile:

Your Email:

Residents are encouraged in the first instance, to try and resolve the problem with the owner of the dog.

Have you contacted the owners?

- ☐ Yes (if yes, please detail the steps you have taken directly with the owner of the barking dog to resolve the problem?)

- ☐ No (if no, please visit our website to find a template letter to provide to the owner of the barking dog)

Please fill in as much of the below information as possible to assist us with your complaint submission.

BARKING DOG DETAILS

Owner Name: (if known)

Their Address:

Number of dogs involved:

Description of dog/s:

Colour:

Breed:

Size: ☐ Small ☐ Medium ☐ Large

Other:

INCIDENT/S DETAILS

1. Barking occurrence: ☐ Once ☐ Twice ☐ Several times per day

2. Barking may last for: _____ Minutes _____ Hours

3. Barking increases when: ☐ Owners leave property ☐ Owners are home

Other:

4. When does the barking occur? ☐ Morning (midnight-8am) ☐ Daytime (8am-5pm)

☐ Evening (5pm-8pm) ☐ Night (8pm-Midnight)

5. Dog is barking at: ☐ People passing by ☐ Dogs passing by ☐ Neighbours

Other:

6. Dog is barking at: ☐ Front of property ☐ Rear of property ☐ Side of property

Other:

7. When dog barks it will: ☐ Run along fence line ☐ Jump onto fence

Other:

8. How would you describe the barking? ☐ Whine ☐ Howl ☐ Yap ☐ Bark

Other:

9. Where can you hear the barking from: ☐ Street ☐ Yard ☐ Inside residence

10. How does the barking cause a nuisance to you?

11. Other relevant information:

I acknowledge that the information provided by me in this Complaint Form is true and correct to the best of my knowledge and belief. I understand that in making this complaint and any related statement that:

- I may be required to attend a Court or Tribunal as a witness; and
- this information may be disclosed by the Council to a third party as required by law, including for use in connection with prosecution or other legal proceedings.

YOUR SIGNATURE BELOW INDICATES THAT YOU ARE WILLING TO GIVE EVIDENCE IN COURT IF NECESSARY.

Signature: _____ Date: _____

Print Name: _____

Please return this completed and signed form by either of the following methods:

- In person at the Norwood Town Hall, 175 The Parade, Norwood
- By email to townhall@npsp.sa.gov.au
- By post to PO Box 204, Kent Town, 5071



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Barking Dog Noise Diary



City of
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Complete the following diary by recording the noise times during a 14 day period. Ensure that this sheet is signed and dated on each page where indicated. Be accurate and precise in recording times.

Dogs Location: _____

Completed By: _____

Address: _____

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Sign: _____

Date: _____

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Sign: _____ **Date:** _____

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Sign: _____ **Date:** _____

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Sign: _____ **Date:** _____

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Day: _____ **Date:** _____

Start Time	Time Ceased	Reason for Noise	Noise Level	Intermittent/Constant

Legend

Noise Level	Reason for Noise (if known)
Loud	Nothing
Whining	People walking by
Yapping	Bored
Muffled	Owner Out
Unknown	Unknown

Additional Comments

Sign: _____ **Date:** _____

I acknowledge that the information provided by me in this Complaint Form is true and correct to the best of my knowledge and belief. I understand that in making this complaint and any related statement that:

- I may be required to attend a Court or Tribunal as a witness; and
- this information may be disclosed by the Council to a third party as required by law, including for use in connection with prosecution or other legal proceedings.

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