

Dealing with barking dogs

This sheet explains why dogs bark, how to reduce barking, and legal steps for dealing with the noise.

Why do dogs bark?

Dogs bark for many reasons, from feeling playful to feeling scared. Dogs may bark too much when they are:

- chained up or kept in space that's too small
- reacting to people or other dogs
- getting little or no exercise
- sick, hungry, thirsty, on the wrong diet or generally neglected
- kept in circumstances that are unsuitable for their breed
- abused
- untrained
- lonely.

Dogs should not have to endure bad conditions. If you suspect a dog is being mistreated, contact the RSPCA (details next page) or local police.

What dogs need

A dog that is well cared for will usually not bark too much.

Dogs need:

- enough space to move freely. Don't leave a dog on a fixed chain for long periods. If you must use a chain, use a running chain (one that slides along a wire)

- a place of their own – a kennel or indoor area. By law,¹ a dog must have adequate shelter (from sun, wind and rain)
- regular exercise that is enough for their breed and size
- something to keep them from being bored. Give them toys to play with or a puzzle to solve (such as a puzzle feeder).

Other ways to reduce barking noise

If a well-cared-for dog barks too much:

- keep the dog where it doesn't see children and animals. Seeing them may make it bark
- take the dog to a qualified animal trainer to change its bad habits
- put noise insulation in or around the kennel
- take the dog to a vet, as it may be sick.

The RSPCA has good information about [caring for dogs](#).² The [NSW Department of Primary Industries](#) has information about caring for dogs in boarding kennels.³

Talk with the dog's owner

If a neighbour's dog is barking, first try to solve the problem by talking with its owner. Your neighbour may not have realised their dog is bothering you. Often they will be happy to help.

What are the legal options?

If talking to the dog's owner doesn't work you can try other things.

Contact a Community Justice Centre

Community Justice Centres (CJCs) help neighbours settle differences through mediation (talking). You'll meet with the dog's owner and someone from the CJC to try to solve the problem. The process is free and has a high success rate.

Contact your local council

If the dog's owner will not participate in CJC mediation, or the mediation is unsuccessful and the barking persists, contact your local council. It has legal powers to deal with barking dogs.⁴

What the council can do

If you complain to your council about a noisy dog, it can investigate. It may:

- collect evidence, such as written statements, from neighbours
- ask you to keep a diary, to record when you hear the noise
- visit the property where the dog is kept.

Your council may need complaints from many people before it can start investigating.

If the council finds your complaint is reasonable it can issue a nuisance order to the dog's owner. This declares the dog to be a nuisance.

Before the council issues a nuisance order it must send the dog's owner a notice saying it intends to do that. The notice must:

- say how the dog's behaviour need to change
- tell the owner they have a right to object.

If the owner objects, the council has to decide whether to issue the nuisance order.

Once a nuisance order is issued it remains in force for six months. The dog's owner cannot appeal against it.

The owner must comply with the order and remove the nuisance. If they don't, they can be fined.

Contact your local court

As well as (or instead of) contacting your council, you can ask your local court for a **noise abatement order**.⁵

Court staff will explain the process to you. You'll have to pay fees to apply for a noise abatement order. See the EPA guide [Seeking noise abatement orders](#) for more details.⁶

The court may issue a noise abatement order if it is satisfied that a neighbour's dog is making **offensive noise**. (This is defined in the *Protection of the Environment Operations Act 1997*. See also the EPA's [Noise guide for local government](#).⁷)

The court may order the dog's owner to stop the noise within a specified time or prevent it from happening again. If the owner doesn't do this, they can be prosecuted and fined. However, the owner can appeal against the order.

Contact details

Community Justice Centres

Phone: 1800 990 777

Email: cjc-info@justice.nsw.gov.au

Website: www.cjc.justice.nsw.gov.au

Councils

Office of Local Government website: www.olg.nsw.gov.au/public/local-government-directory

Local courts

Website: www.localcourt.justice.nsw.gov.au

NSW Police

NSW Police Assistance Line: 131 444

Website: www.police.nsw.gov.au

RSPCA

Phone: 02 9770 7555 or 1300 278 358

Website: www.rspcansw.org.au

References

1 Section 8 of the *Prevention of Cruelty to Animals Act 1979*, www.legislation.nsw.gov.au

2 www.rspcapetinsurance.org.au

3 *NSW Animal Welfare Code of Practice No 5 – Dogs and Cats in Animal Boarding Establishments*, www.dpi.nsw.gov.au

4 *Companion Animals Act 1998*, www.legislation.nsw.gov.au

5 Noise abatement orders are made under section 268 of the *Protection of the Environment Operations Act 1997* (POEO Act), www.legislation.nsw.gov.au

6 <https://www.epa.nsw.gov.au/your-environment/noise/neighbourhood-noise/seeking-noise-abatement-orders>

7 <https://www.epa.nsw.gov.au/your-environment/noise/regulating-noise/noise-guide-local-government>

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