



# Barking dog management

A guide for dog owners and neighbours





Dogs are an important part of our community but if excessive barking goes unchecked, it can become a nuisance and lead to friction between neighbours.

Dog owners must ensure their dogs do not annoy neighbours by barking excessively. It's one of the duties of being a responsible pet owner.

This guide outlines why a dog might bark, how to address a barking dog and the steps to follow if you wish to seek assistance from Council.

## Why dogs bark


Dogs bark for many reasons. Even though they may appear to be barking for no reason, they are in fact trying to communicate something to their owner or anyone who is willing to pay attention.

Sometimes it's a warning, sometimes it's a sign of excitement or affection, and sometimes it's due to unhappiness.

It's worth considering that:

- the dog may only bark excessively when the owner is not home
- the dog's owner may not realise the barking is an annoyance to other people
- the owner may not hear the barking from different parts of the house or
- the owner may be a very sound sleeper and not wake up when the dog barks.

For more information about why dogs bark:

 [portphillip.vic.gov.au/animal-nuisance](https://portphillip.vic.gov.au/animal-nuisance)

### City of Port Phillip

99a Carlisle Street  
St Kilda, VIC 3182

If you require a large print version contact ASSIST on **03 9209 6777**.



### Language assistance

廣東話 9679 9810 Ελληνικά 9679 9811  
普通話 9679 9858 Русский 9679 9813  
Polska 9679 9812 Other 9679 9814

**National  
Relay  
Service**

If you are deaf or have a hearing or speech impairment, you can phone us through the National Relay Service (NRS):

- TTY users dial **133677**, then ask for **03 9209 6777**
- Speak & Listen users phone **1300 555 727**, then ask for **03 9209 6777**

 [accesshub.gov.au](https://accesshub.gov.au)



# The first step

**Good communication between neighbours can help resolve barking dog situations. If your neighbour's dog's barking is causing intrusion on your life, the first step towards a solution is to talk with your neighbour prior to lodging a complaint with Council.**

Neighbours can help identify potential reasons for excessive barking by noting what is happening in the area at the time when the dog is barking.

In most cases, neighbours may be able to find a solution together by establishing a good relationship and having open and friendly communications.

You may like to send your neighbour a letter to initiate the conversation. Some suggested wording for your letter:

*Dear Neighbour,  
You may not be aware, but your dog is currently causing a noise nuisance in our neighbourhood.  
Before I discuss this with the City of Port Phillip's Animal Management Unit, I am writing to you to express my concerns and give you an opportunity to address them.  
Your cooperation is greatly appreciated, and is all that is needed to avoid this matter progressing any further.  
Kind regards,  
Your neighbour*

If talking to your neighbour or sending them a letter did not resolve the issue, you may lodge an official complaint to Council. See page 6 for details of lodging an official complaint.



## For dog owners

You may not be aware of the extent of your dog's barking or how it intrudes on your neighbours.

If a neighbour approaches you about your dog's barking, listen sympathetically to their concerns and discuss how you can work together to remedy the situation.



## For neighbours

Start by approaching your neighbour and politely asking to discuss the issue with them. Listen to their side of the story and see how you can work together to resolve the situation.

# Lodging a complaint

If communication with your neighbour is unsuccessful and you have allowed sufficient time for your neighbour to address the barking (at least a week), you may now lodge an official complaint for a barking dog.

- 1. Identify** Find the correct address of the offending dog. You will need to live in close proximity to the barking dog in order to lodge a complaint.
- 2. Write down** Keep a diary of the dog's barking habits for a period of two weeks, noting the date, time and duration of barking, and the possible reasons for barking. You also need to document the impact the dog's barking is having on you.
- 3. Send** Forward your barking dog complaint form and completed 14-day diary documenting the dog's barking behaviour and signed by you, to Council's Animal Management Unit.
- 4. Update** An Animal Management Officer will contact you to discuss your complaint and any further action required. You may need to keep a diary for a further period of time.

If these steps are not taken or the diary is incomplete, the case will be closed and Council will not take any further action until a completed diary is received.

**If you have read and understood these requirements, and wish to proceed in lodging an official complaint, please contact Council to receive the barking dog complaint form and diary.**



## For dog owners

If you and a neighbour are unable to resolve a dog barking issue, the neighbour may escalate the issue to Council for action.



## For neighbours

If you and a neighbour are unable to resolve a dog barking issue, you can seek assistance from Council.

# Council action

Once Council receives an official complaint and accompanying barking dog diary, our Animal Management Unit will:

- study the diary to establish barking patterns and try to determine the reason for the dog barking
- attend the area to confirm barking is occurring
- confirm that neighbouring residents are being affected by the dog's barking
- advise the dog owner of the complaint, discuss possible solutions and inform them of their responsibilities.

If Council believes that there is a barking dog problem, officers will work with the owner until they believe that the owner has done everything possible to help correct the barking behaviour.

If a Council officer determines that the barking is not unreasonable, you will be informed in writing and the complaint will be closed.

You may choose to use the following for any civil action.

## **Dispute Settlement Centre of Victoria**

Level 4, 456 Lonsdale Street, Melbourne 3000

☎ 1300 372 888

✉ [dscv@justice.vic.gov.au](mailto:dscv@justice.vic.gov.au)

🌐 [disputes.vic.gov.au](http://disputes.vic.gov.au)



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

# Court action

Under the *Domestic Animals Act 1994* a dog or cat is considered to be a nuisance if:

- it injures or endangers the health of any person or
- it creates a noise, by barking or otherwise, which 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.



## For dog owners

- If a complaint about your barking dog proceeds to court, you should treat the matter seriously.
- If you do not participate in the court process, a determination may be made in your absence.
- You may wish to seek legal advice to prepare for court.

Council will only start taking court action if it believes the dog's owner has exhausted all avenues to resolve the problem or is not complying with Council's request for action, and the complainant is prepared to go to court.

If your case is presented to court, a Magistrate will make a determination that will legally bind both parties. You should seek legal advice if you are unsure about any aspects of this process.



## For neighbours

- It is your responsibility to convince a Magistrate that the dog is a nuisance to you, and you will need to provide all the required information to support your case.
- If at any time Council believes you are not taking an interest in the complaint and have not done what Council officers have requested of you, the complaint will be closed and you will need to seek civil action.
- You may wish to seek legal advice to prepare for court.



Council is limited by the provisions of the *Domestic Animals Act 1994*. The only way Council can facilitate an outcome once all other avenues have been exhausted, is to present the case to a Magistrate for a determination that will legally bind both parties.



Scan the QR code

For more  
information



**For more information:**

 **ASSIST** 03 9209 6777

 [portphillip.vic.gov.au/pets-and-animals](https://portphillip.vic.gov.au/pets-and-animals)