



**Shire of Esperance**

**Barking Dog  
Information Pack**

**July 2024**



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**Revision History**

Date	Version	CM Reference	Reason for Change	Next Review
Jul 2024	1	D24/4357	New document	Jul 2029

## The Purpose of this Pack

The Shire of Esperance (the Shire) Barking Dog Information Pack (the Information Pack) has been developed to assist residents in responding to nuisance barking within their neighbourhood.

This Information Pack is designed for residents being affected by a barking dog, but it also has information for owners of barking dogs including their obligations and tips to reduce excessive barking.

The Information Pack also includes several resources including templates and resources contacts lists and a tip sheet.

Living in harmony with neighbours makes for a safer and more pleasant environment for everyone. As will be reiterated throughout this Information Pack, the Shire strongly encourages residents to approach their neighbour in a friendly way to bring the issue of their dog's excessive barking to their attention and exercise patience as they try to fix the problem.

## Why Dogs Bark

Barking is a natural behaviour for dogs; they bark for many reasons. Even if it appears they are barking at nothing at all, they are communicating something to their owner, other people, other dogs, or other animals.

All dogs bark, but some barking dogs can become a nuisance. Excessive barking is often a sign that something is wrong and it can become a disruptive neighbourhood issue.

Some reasons dogs bark -

- Boredom or lack of mental and/or physical stimulation;
- Lack of exercise;
- Not enough yard space;
- Not enough human interaction;
- Inadequate shelter from weather;
- Hunger or thirst;
- Pain, illness or discomfort;
- Provocation or disturbances; or
- Change to family structure/separation anxiety.

Dogs may also be attempting to alert their owner to an intruder. For a dog this could be cats, rabbits, birds, visitors, other dogs, people walking across the road. A dog's idea of an intruder is very different to their owner.

## **B.A.R.K Principles**

If a neighbourhood dog is excessively barking, the first step is to approach the dog owner/s in a friendly way to bring the issue to their attention and give them a chance to fix the problem.

- The dog's owner may not realise the barking is causing an annoyance to other people;
- The dog may only bark excessively when the owner is not home;
- The owner may not hear the barking from various areas within the house;
- The owner may be a very sound sleeper and not woken when the dog/s bark; or
- The owner may be hearing impaired or unwell.

## **'B.A.R.K.' Principles**

The Shire recommends that all parties – the residents being disrupted by the barking, and the dog owner/s – follow the 'B.A.R.K.' principles in all communication and engagement about the issue.

### **B.A.R.K.**

**Be** understanding - Listen to your neighbour's concerns.

**Accept** your neighbour's perspective and be considerate of their situation.

**Respect** the other person's position, show empathy; this can be a stressful time.

**Keep** communicating so everyone understands what is happening with the issue.

## **I am the dog owner. What can I do?**

Dog owners are responsible for ensuring their dog is not creating a public nuisance by barking excessively. This includes public places adjoining the premises.

While a certain amount of dog barking is acceptable, it is the owner's responsibility to train the dog not to bark at non-threatening occurrences such as cats, birds etc. Barking excessively at normal movement/noises from adjoining properties is considered unacceptable behaviour.

There is no quick fix or easy solution to problem barking. Do not yell at or hit the dog for barking, as this may cause other behavioural problems or exacerbate the problem. Some dogs have behavioural problems, such as separation anxiety, which requires specific treatment and behavioural modifications. Consult your local vet or a dog obedience club for advice on the best approach.

*Page 8: Dog-Friendly Resources in Esperance*

## **Tips to reduce persistent barking**

Dogs bark for many reasons, if these tips do not reduce your dog's barking, please seek further advice.

### **Behavioural**

- Reward the behaviour you want to encourage and ignore the behaviour you don't;
- Make sure you do not reward your dog for barking;
- Don't reward the behaviour by letting the dog inside or giving it attention when it barks. Instead, give the dog attention when it stops or is quiet;
- Teach the dog to stop barking on command. When the dog is barking give a firm command such as 'cease' and call the dog to you. Mark the behaviour with praise or a food reward; and
- Attend an accredited dog obedience training.

### **Physical**

- Ensure the dog has adequate exercise e.g. daily walks;
- If the dog is barking at people or noises on the other side of a fence, move the dog to another part of the yard, or put up a barrier to keep the dog away from that area;
- If the dog barks at regular disturbances such as children walking to school or rubbish trucks, keep the dog inside or in an enclosed area at these times;
- If the dog races along a path or fence barking at passing distractions, put barriers or obstacles in the dog's way to slow it down;
- Make sure the dog has food, water and shelter from the weather;
- If the dog is barking at gaps and cracks in the fence, fill them in; and
- If the dog is barking at people, it can see passing by, try blocking the dog's view.

## Ways to keep your dog stimulated

If your dog barks most when you are not home, give it plenty of activities and challenges such as –

- Leave a large bone, kangaroo tail or pig's ear;
- Freeze dog bones or treats to create more of a challenge;
- Toss a handful of biscuits into the yard for the dog to sniff out;
- Cut up cubes of cheese and/or dog treats and roll them in an old towel, then roll that in a coil;
- Place treats in an empty plastic soft drink bottle, place it in an old sock (from the op shop) and tie a knot in the end;
- Fill a bowl or ice cube tray with dog treats and freeze it the night before;
- Fill a muffin tin with treats and cover each one with a tennis ball;
- Tie rope toys to the clothesline or a tree;
- Fill a kid's wading pool with water;
- Purchase multiple treat dispensing toys and fill them each morning;
- Leave a radio or TV on;
- Leave your dog with a range of toys to keep them occupied;
- Organise a dog walker or book your dog into dog day care;
- Fit your dog with a barking control collar; or
- Keep your dog inside the house.

## Dog-friendly Resources

Local Resources	
<b>Swans Vet</b>	83 Sheldon Rd, Esperance WA 6450 Ph: (08) 9071 5777 <a href="http://www.swansvet.com">www.swansvet.com</a>
<b>Esperance Dog Club</b>	<a href="mailto:esperancedogclub@gmail.com">esperancedogclub@gmail.com</a> Facebook: Esperance Dog Club
<b>Wildcherry Ave Dog Park</b>	23 Wildcherry Avenue, CASTLETOWN
<b>Animal Exercise Areas</b>	<a href="http://www.esperance.wa.gov.au/animal-exercise-areas">www.esperance.wa.gov.au/animal-exercise-areas</a>
<b>Mad Paws (Dog Sitters)</b>	<a href="http://www.madpaws.com.au/doggydaycare/esperance-wa">www.madpaws.com.au/doggydaycare/esperance-wa</a>
Dog Behaviour Info	
<b>RSPCA Website</b>	<a href="http://www.rspcawa.org.au">www.rspcawa.org.au</a>
<b>The Dog Line</b>	<a href="http://www.thedogline.com.au/">www.thedogline.com.au/</a>

### I am the neighbour. What can I do?

Before a formal complaint can be lodged or actioned by the Shire Rangers, you must first address your neighbour.

#### Talk to the owner of the barking dog

Using the B.A.R.K. Principles (page 4), the Shire recommends these steps –

- Approach the dog owner as soon as the problem arises. Early interaction makes it easier to address a dog's behaviour. Habitual barking and a neighbour dispute are more difficult to resolve and are time consuming for all parties;
- State your case calmly, clearly and politely focussing on the dog's behaviour e.g. when the dog is barking and how it is affecting you;
- Assist your neighbour by identifying potential triggers or reasons for excessive barking and when it is happening, e.g. when mail is delivered, when a person walks past, when a school siren sounds; and
- Try to resolve the issue face to face. If you are not comfortable, use the Shire's 'Dear Neighbour' letter template.

*Page 10: 'Dear Neighbour' letter template or download it from our website.*



**Tip:** If you like dogs, are able, and your neighbour needs support, offer to walk their dog when the owner is unable. This will improve your relationship with the neighbour and the dog.

Behavioural change in people AND dogs takes time. If you have raised the issue and the owner has said they will attempt to fix the issue, be patient. It may not be resolved right away.

### **Don't aggravate the issue**

The following actions may feel better at the time but they are more likely to reinforce the behaviour –

- Hitting the dog or the fence;
- Verbally abusing the dog in an aggressive manner;
- Teasing the dog through the fence (including children teasing the dog); or
- Hosing or throwing objects at the dog.

### **Identify other neighbours**

In a calm manner, enquire with neighbours of surrounding properties in case the barking is a nuisance to them too. If the case isn't resolved by contacting the neighbour, a formal complaint may need to be lodged and your neighbours may be able to verify the complaint. This could include them completing a Barking Dog Diary or, giving evidence if the matter proceeds to Court.

## Template – Dear Neighbour Letter

Copy the text below or download the template from the Shire website [here](#).

Dear Neighbour,

I wanted to advise you that your dog is causing a nuisance to me by barking. The intention of this letter is to advise you of the nuisance so you may resolve the situation.

I understand this may be the first contact you have received bringing this issue to your attention.

Please find below some notes on when the barking occurs and some information (on the back of this letter) that may help resolve it.

Your dog barks during the	Day / Night / Both
Barking occurs	Once / Twice / Several Times
The barking continues for periods of up to	_____Hours/Minutes
The barking is worse when you are	Home / Not home
The dog barks at the	Front / Rear / Side
Your dog appears to be barking at	_____
e.g. Australia Post, children walking by, storms	
The dog barking is	_____
(If more than one dog)	

If you would like to discuss this situation further, my contact details are:

---

*Leave blank if you wish to remain anonymous.*

I hope this information is of use and helps you address the nuisance barking so the matter can be resolved amicably.

Regards

Your name / A Concerned Neighbour

## When can a complaint be lodged with the Shire?

Before a complaint can be lodged with the Shire, you must demonstrate you have done the following –

- Attempted to resolve the issue with your neighbour; and
- Identified other immediate neighbours affected by the barking who are willing to support your claim (this may involve giving evidence in court).

If you have taken the two steps above or the owner of the dog disagrees a problem exists, contact Ranger Services at the Shire on 08 9083 1533 to commence the complaint process.

## What the Shire does with a Barking Dog Complaint

On receipt of a barking dog complaint, the Shire appoints an Investigating Officer (Ranger). The Ranger will –

- Identify whether the dog's barking is affecting other residents;
- Advise the owner of the offending dog/s of the complaint and discuss possible solutions to meet their responsibilities as a pet owner;
- Request that key parties complete a Barking Dog Diary for 10 days;

### *Page 14: How to Complete a Barking Dog Diary*

- Request the complainant completes: Form 7: Complaint as to a nuisance created by a dog;

### *Page 16: Form 7: Complaint as to a Nuisance Created by a Dog*

- If the Ranger determines there is an issue with the barking dog/s they will have a conversation with the owner and may issue a verbal warning or a 'Notice to Comply (Notice) to abate the barking';
- If the dog owner fails to act, the Ranger may issue an infringement notice against the owner under s.38(5) of the *Dog Act 1976* 'Failure to comply with a nuisance dog order'. These actions will normally occur after further evidence is received from you; and
- If the nuisance persists after an infringement notice has been issued, the Shire may proceed with legal action against the dog owner in a Magistrate's Court and seek a Court Order.

## What can't the Shire do?

Rangers are authorised to investigate all offences under the *Dog Act (1976)* and approach dog control as required by legislation and the community. Rangers can only follow what is permissible in this legislation.

Rangers are **not** authorised to –

- Remove the dog from the property; or
- Speak to the dog owner repeatedly without evidence of the Barking Dog Diary/s.

## Shire's Obligations and Legal Requirements for Court

The Shire must comply with the provisions of the *Dog Act 1976*. The primary method available to the Shire to abate the noise completely is to go to court and obtain a court order.

To take a barking dog complaint to court you, as the complainant, will be required to give evidence. Evidence is critical in demonstrating to a Magistrate that the dog is causing a nuisance. It is important you keep comprehensive dairies that show patterns in the dog's barking behaviour.

The Shire will only consider taking the matter to court if –

1. All other avenues to resolve the problem have been tried and attempts for reconciliation have not been successful.
2. It has established the evidence provided will support a case in court (Barking Dog Diary).
3. There is a supporting witness who is prepared to give evidence in court.

Where a Magistrate's Court has issued a Court Order, it must be complied with. Failure to do so is an offence, and a Magistrate may impose further penalties.

The Shire will not get involved in unrelated domestic disputes between neighbours. If this occurs, the Shire will inform you to take your own legal action.

The Shire will only proceed with court action if –

1. The owner of the appropriate dog/s is not responding adequately to the Shire's request;
2. The dogs/s continue to be a problem; and
3. You and another corroborated neighbour/s are prepared to go to court again.

A successful prosecution does not have a direct impact on the behaviour of the offending dog/s. Further action will need to be undertaken by the owner to address this and may be ordered by the court.

## What is a Barking Dog Diary?

A Barking Dog Diary (diary) is a record of the dog's barking – the date and time it occurred, how long it occurred, the type of barking (continuous or intermittent), the cause, and how the barking affected your lifestyle.

Read and print the [Barking Dog Diary](#)

Barking dog diaries form the foundation of any Shire action and will be used as part of a Brief of Evidence should the matter proceed to Magistrate's Court. If it does proceed to Court, you will be required to document the nuisance barking in a barking dog diary until it goes to Court.

All complaints to the Shire **must** commence with Diary 1.

### Diary 1 (10 days)

The first diary (Diary 1) is to establish and validate your complaint to the Shire. You will complete this diary prior to making a complaint to the Shire.

Once you make a complaint to the Shire, a Ranger will be assigned to assess the information provided and contact you to discuss the information. The Ranger may attend the property and discuss the issue with the dog owner. You will be contacted by the Ranger before and after this process and advised of the outcome. If required, you will be asked to commence Diary 2.

### Diary 2 (10 days)

The second diary (Diary 2) will be required to establish if the nuisance continues after the dog owner has been advised of their obligations. Should this diary show a continuing nuisance, a Notice to Comply (the Notice) will be issued by the Shire to the dog owner. The Notice is a Shire direction and must be complied with. The Ranger will inform you when the Notice has been issued and when to commence Diary 3.

### Diary 3 (10 days)

The third diary (Diary 3) is to establish that the dog owner has failed to comply with the Notice issued by the Shire and the nuisance barking is continuing. This diary will trigger enforcement action and may result in fines being issued or an immediate progression to Court.

### Diary 4 (Ongoing)

The fourth diary (Diary 4) must be maintained until Court proceedings. The Ranger may check back with you on occasion to obtain updated information from this diary to assess any incidents during this period.

## How to Complete a Barking Dog Diary

Please create a detailed diary over a 10-day period as shown in Table 1 below and attach the diary to *Form 7 Complaint as to a Nuisance Created by a Dog*.

The completed form, along with the completed diary, must be returned to the Shire within seven (7) days of the last date recorded or action cannot be taken and another diary will need to be completed.

**IMPORTANT:** Accuracy in recording the nuisance barking is extremely important as it may be presented as evidence in Court. Remember, in a Court of Law the evidence you give may be subjected to cross-examination and you may need to explain your records.

The “Barking Dog Diary” template can be downloaded and printed from the Shire website [here](#).

**Table 1 - Example diary entries**

**(C)** Continuous **(I)** Intermittent

Date	Time barking started AM/PM	Time barking stopped AM/PM	Type of barking How many barks & type (C) OR (I)	Cause of barking Person walking past, another animal, weather, etc.	Effect barking had on you
15/2/23	3.00pm	3.02pm	4 barks (I)	Nobody in street	Woke my baby
15/2/23	5.10pm	5.13pm	8 barks (I)	Man walking dog	Can't concentrate on study
15/2/23	5.18pm	5.18pm	2 barks (C)	Nobody in street	Frightened my son playing outside
15/2/23	6.28pm	6.30pm	16+ barks (C)	Children in street	Woke my baby
15/2/23	8.33pm	8.33pm	3 barks (C)	Nobody in street	Couldn't sleep
15/2/23	9.45pm	9.47pm	6 barks (I)	Plane passing over	Couldn't sleep
15/2/23	9.52pm	9.55pm	10 barks (I)	Nobody in street	
15/2/23	9.58pm	10.03pm	16+ barks (C)	Cat on fence	

## IMPORTANT

- All entries must document when the dog starts barking and when it stops barking.
- Complete one (1) diary for each dog.
- Records stating 'Barking all day' or 'Barking 9am – 12pm' will not be considered.
- Document when you are not at home to record barking.
- **All entries must be to the minute.** This may seem excessive, but remember, you may be required to present this diary before a Magistrate so evidence must be accurate and concise.

## Form 7: Complaint as to a nuisance created by a dog

A Form 7 must be lodged with the Barking Dog Diary. It is available on the Shire website [here](#).

### Form 7 Complaint as to a Nuisance Created by a Dog



*Dog Regulations 2013 – Schedule 1  
Dog Act 1976 s. 38(2)*

COMPLAINT AS TO A NUISANCE CREATED BY A DOG			
<b>To: The Shire of Esperance</b>			
TAKE NOTICE that a dog, believed to be a			1
has created nuisance by		2	
The dog is believed to be owned by		3	
Address		4	
and is ordinarily kept at		5	
and I/we		6	
of		7	
request the local government to institute proceedings if the nuisance does not stop and undertake -			
a) to give full information to the local government as to this matter; and			
b) to appear in court and give evidence as a witness to the truth of this complaint.			
Dated the	__ day of	20__	
Signature		Date	
Signature		Date	
<i>(to be signed by complainants)</i>			
CONTACT			
Phone Number		Email	
Phone Number		Email	

<sup>1</sup> Insert breed or kind of dog and, where possible, its name, gender and identifying marks.

<sup>2</sup> Describe details of the alleged nuisance, including the kind of nuisance and, where possible, the dates and time on or between which the nuisance occurred, and where the dog was at the time of the nuisance.

<sup>3</sup> State name and address of the person believed to be the owner.

<sup>4</sup> State, if known, where the dog is ordinarily kept.

<sup>5</sup> Insert name and address of each person making the complaint.

<sup>\*</sup> SHIRE OF ESPERANCE  
[rangers@esperance.wa.gov.au](mailto:rangers@esperance.wa.gov.au) | T: (08) 9083 1533  
*This information is correct at time of publication.*

Reviewed: March 2024



## Copyright and Disclaimer



For Disclaimer and Privacy information, please scan the QR code.

Requests for further authorisation should be directed to the –

Shire of Esperance

PO Box 507

Esperance WA 6450

[rangers@esperance.wa.gov.au](mailto:rangers@esperance.wa.gov.au)