



Audible Bird Scarer Rules

Bird control in kiwifruit is important, particularly at bud burst during spring. Loss of kiwifruit flower buds to birds can occur very quickly and can be devastating to orchards, causing reduced yield and loss of revenue. There are a range of bird scaring options available to growers including audible devices which can be restricted in their use due to noise.

BIRD SCARING RULES

| Region | Rules |
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| Opotiki | <p>An audible bird scaring device shall:</p> <ul style="list-style-type: none"> • Be operated only from half an hour before sunrise to half an hour after sunset. • Not exceed 65dB LAe at any point within the notional boundary of any dwelling on another site in the Rural Zone, or at any point of any Residential Zone (excluding any dwelling/s located on the same site as the device is being operated), unless the adjacent landowner has provided written approval to the activity and a copy has been provided to the Council. • Only be operated when the horticultural crop is at risk from bird damage. • Non-compliance shall be assessed as a Restricted Discretionary Activity |
| Whakatane | <p>An audible bird scaring device shall:</p> <ul style="list-style-type: none"> • Only be operated half an hour before sunrise to half an hour after sunset • A legible notice is to be fixed to the road frontage of the property on which the device is being used, giving the name, address, contact telephone number of the person responsible for the operation of any such device(s). • Devices that Generate Discrete Sound Events Discrete sound events from an audible bird scaring device, including shots or audible sound shall: <ul style="list-style-type: none"> i. shall not exceed 100dB LZpeak ii. not exceed 3 events within a 1-minute period and shall be limited to a total of 12 individual events per hour. • Devices that generate short or variable sound events: where audible sound is used over a short or variable time duration, no event may result in a sound level greater than 50dBA SEL. • Audible bird scaring devices which do not comply with this rule are a restricted discretionary activity. |
| Western Bay of Plenty | <p>An audible bird scaring device shall:</p> <ul style="list-style-type: none"> • Only be operated from half an hour before sunrise to half an hour after sunset • Shall be set to operate at no greater frequency than 12 times in any period of one hour, that is 12 single discharges or four groups of three discharges • Shall not be operated for any continuous period exceeding two seconds |

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| | <ul style="list-style-type: none"> • Shall only be operated when the horticultural crop is at risk from bird damage • Shall not exceed 65dB ASEL at the notional boundary of any Rural, Rural Residential, Future Urban or Lifestyle dwelling or at the boundary of any Residential Zone (excluding any dwelling/s located on the same site as the device is being operated) • Where those persons who experience noise levels over 65dB ASEL as described in above, have provided written approval to Council then the activity shall be permitted • Use of any audible bird scaring device not in compliance with the above performance standards shall fall to be considered as a Restricted Discretionary Activity. | |
| Waikato | | |
| Waikato | Waikato Section | Franklin Section |
| | <p>An audible bird scaring device shall not exceed permitted activity noise limits</p> <p>Any activity is a permitted activity if it is designed and conducted so that noise from the activity measured at any other site does not exceed:</p> <p>50dBA (L10), 7am to 7 pm any day, and 45dBA (L10), 7pm to 10pm any day, and 40dBA (L10), and 65dBA (Lmax) at all other times.</p> | No noise limits in the Rural Zone |
| Waipa | <p>Any audible bird scaring devices shall be operated as follows:</p> <p>(a) Only between sunrise and sunset; and (b) At a frequency of not more than six clusters of up to three shots from gas operated devices or three multiple shot from firearms in rapid succession per device in any 60-minute period of the day; and (c) At a maximum density of one device per 10ha of crop.</p> <p>The noise from any bird-scaring device shall not exceed 85dBA unweighted peak level at a Residential Zone boundary or the notional boundary of a dwelling on any Rural Zone property.</p> <p>Activities that fail to comply with these rules will require a resource consent for a discretionary activity.</p> | |
| Auckland | | |
| Auckland | <p>An audible bird scaring device shall:</p> <ul style="list-style-type: none"> • Not operate between the hours of sunset and sunrise; and • At a frequency of more than six times in any 60-minute period with no more than three shots in rapid succession; and • Where the noise level measured within the notional boundary on any other site exceeds 85dB LZpeak. <p>The standard above does not apply to bird scaring devices that generate a noise level less than 70 dB LZpeak measured at the notional boundary on another site</p> | |

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| Far North | Bird scaring devices are exempt from noise rules |
| Kaipara | Bird scaring devices are exempt from noise rules |
| Whangarei | <p>In the Rural Environment, an audible bird scaring device shall:</p> <ul style="list-style-type: none"> • Not operate between half an hour after sunset and half an hour before sunrise; and • Each device operates at not more than six “events” per hour where an “event” includes clusters of up to three shots from gas operated devices or three individual shots from a firearm in quick succession. (This rule does not apply to bird scaring devices that generate a noise level of less than 55 dB LAE within the notional boundary of any noise sensitive activity not owned by the operator of the device); and • The sound level from any event does not exceed 65 dB LAE within the notional boundary of any noise sensitive activity not owned by the operator of the device; and • The bird scaring device is only operated when a crop is at risk from bird damage; and • The use of bird scaring devices in other environments is a discretionary activity |
| Hawkes Bay | |
| Central Hawkes Bay | <p>An audible bird scaring device shall not exceed permitted activity noise limits:</p> <ul style="list-style-type: none"> • 55dBA L10 - 6:00am - 11.00pm Monday to Saturday • 45dBA L10 - at all other times • 75dBA Lmax - at all other times |
| Hastings District | <p>Gas Guns</p> <ol style="list-style-type: none"> a) There shall be no device operated between half an hour after sunset and half an hour before sunrise. b) Devices shall not operate unless a legible notice is securely fixed to the road frontage of the site in which the device is to operate stating the name, address and telephone number of the person(s) responsible for the operation of the device. c) There are no restrictions on events or individual shots for sound levels less than 85dBCpeak either: <ul style="list-style-type: none"> • At any point within the boundary of any Residential Zone. • At any point within the notional boundary of any noise sensitive activity in a Rural Zone. d) Where sound levels are greater than 85dBCpeak but less than the limits specified in (e) below, measured at any point within the boundary of any Residential Zone or within the notional boundary of a noise sensitive activity within a Rural Zone, then: <ol style="list-style-type: none"> e) There shall not be more than 4 events in any 1-hour period, or a total of 12 individual shots in any one-hour period, received: f) <ul style="list-style-type: none"> • At any point within the boundary of any Residential Zone. • At any point within the notional boundary of any noise sensitive activity |

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| | <p>within a Rural Zone.</p> <p>Note: For the purposes of this rule, an 'event' includes no more than three individual shots within any one-minute period.</p> <p>g) There shall only be one device per every 4ha of the site, provided that:</p> <ul style="list-style-type: none"> • In the case of a single site less than four hectares in area, one device shall be permitted • In the case where a site is over 4ha but does not meet the next 4ha an additional device shall be permitted. <p>Note: As an example, a site of up to 4ha is permitted one device, a site between 4ha and an 8ha is permitted two devices, a site between 8ha and 12ha is permitted three devices and so on.</p> <p>h) Sound levels generated by an audible bird scaring device shall not exceed:</p> <ul style="list-style-type: none"> • 100dBCpeak at any point within any boundary of a Residential Zone. • 115dBCpeak at any point within the notional boundary of any noise sensitive activity in a Rural Zone. <p><u>Firearms</u></p> <ul style="list-style-type: none"> • Any firearm shall not be used for the purposes of bird scaring between half an hour after sunset and half an hour before sunrise. <p><u>Audible avian distress alarms</u></p> <ul style="list-style-type: none"> • There shall be no device operated between half an hour after sunset and half an hour before sunrise • Devices shall not operate unless a legible notice is securely fixed to the road frontage of the site in which the device is to operate stating the name, address and telephone number of the person(s) responsible for the operation of the device • Sound emitted from the device shall not exceed 50 dB LAeq (15 min) when measured at any point within the notional boundary of any rural dwelling or at any point within a Residential Zone • No device shall be placed in such a manner that in any public place receives noise exceeding 80 dB LAfmax. |
| Gisborne | |
| Gisborne | <p>An audible bird scaring device shall:</p> <p>Be allowed if the operation of audible devices (excluding firearms) for the purposes of bird scaring between sunrise and sunset provided that:</p> <ul style="list-style-type: none"> • The maximum sound exposure level (SEL) of 65dBA as measured at any residential zone boundary or notional boundary of any rural dwelling is not exceeded; and • Maximum number of events shall not exceed 6 events in any 60-minute period • An event shall not exceed three shots within a one-minute period. <p>The limit on the maximum number of events may be waived if the written consent of all adjoining property owners and/or occupiers is obtained and submitted to the</p> |

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| | consent authority prior to the commencement of the activity |
| Manawatu | <p>In the Rural Environment, an audible bird scaring devices must be operated in accordance with the following conditions:</p> <ul style="list-style-type: none"> • Devices must not operate between sunset and sunrise • Devices must not be used within 200m of the boundary of a site zoned Residential or Village • Impulsive noise from bird-scaring devices must not exceed 65dB Aweighted • Sound exposure level when assessed at any point within the notional boundary of any dwelling on any other site • There shall be no more than four noise events per hour or 12 individual shots per hour may occur within 500 metres of a dwelling. <ul style="list-style-type: none"> (a) For the purpose of this rule, a ‘noise event’ includes clusters of up to three shots from a gas operated device, or three shots from a firearm within a one-minute period. |
| Tasman | |
| Tasman | Bird scarers are exempt from noise rules |

Disclaimer: This information is valid as of September 2020. NZKGI disclaims any liability in respect to use of this information.

