
Rules relating to Bird Scaring Devices

The following rules apply to the use of audible bird scaring devices in the area covered by the Wairau/Awatere Resource Management Plan. (This includes all of the land in the Wairau and Awatere valleys and the Council's southern boundary).

Definitions:

AUDIBLE BIRD SCARING DEVICE

means any device that generates audible sound waves used for the scaring of birds. Devices shall fall into one of two categories:

Category A

Percussive or explosive devices (but excluding firearms as defined by the Arms Act 1983, or any Act amending or replacing that Act)

For the purpose of this Plan, 'percussive or explosive device' shall mean any device that is used to scare or disturb birds by generating a shock wave from percussion or an explosion thereby emitting noise.

Category B

Other devices (but excluding firearms as defined by the Arms Act 1983 or any Act amending or replacing that Act)

For the purpose of this Plan, 'other devices' shall mean any other device (not in Category A) which generates noise that is used to scare or disturb birds.

SINGLE LAND HOLDING

means an area of land held in either:

- One certificate of title; or
- More than one certificate of title where
 - the various certificates of title are held in common ownership and/or lease; and
 - the various certificates of title and/or lease are contiguous to each other.



Rules:

The Rules within the Rural Zones 3 & 4 are as follows:

1.4.2.2 Audible Bird Scaring Devices

1.4.2.2.1 Subject to meeting the standards specified below, the use of audible bird-scaring devices in the Rural 3 and 4 Zones is a permitted activity.

Category A Devices

1.4.2.2.2 No Category A audible bird-scaring device:

- shall be operated between 7.00pm and 6.30am prior to the introduction of daylight saving and 8.00pm and 7.00 am during daylight saving months;
- shall be operated within 800 metres of any rest home, public or private hospital;
- shall be operated within 160 metres of the boundary or notional boundary of the nearest residential dwelling (excluding a residential dwelling on the same property as the audible bird-scaring device);
- shall be operated within 100 metres of a public road;
- may emit sound at a level greater than 65 dBA weighted sound exposure level measured at or within the boundary or notional boundary of the nearest residential dwelling (excluding a residential dwelling on the same property as the audible bird-scaring device);
- shall be set to operate at any greater frequency than 12 times in any period of one hour, that is 12 single discharges or four groups of three discharges;
- shall be set at a greater density than one device per five hectares of land in any single land holding, except that in the case of a single land holding of less than five hectares in area, one device shall be permitted; and
- shall be operated unless a legible notice is fixed to the road frontage of the property on which it is being used, giving the name, and telephone number of the person responsible for its operation.

Category B Devices

1.4.2.2.3 No Category B audible bird-scaring device:

- shall be operated between 7.00pm and 6.30am prior to the introduction of daylight saving and 8.00pm and 7.00 am during daylight saving months;
- shall be operated within 160 metres of the boundary or notional boundary of the nearest residential dwelling (excluding a residential dwelling on the same property as the audible bird-scaring device);
- shall be operated within 800 metres of any rest home, public or private hospital;
- shall be operated for any continuous period exceeding two seconds or at a frequency greater than 10 times in any hour in the case of airhorns, sirens, or any amplified signal;
- may emit sound at a level greater than 65 dBA weighted sound exposure level measured at or within the boundary or notional boundary of the nearest residential dwelling (excluding a residential dwelling on the same property as the audible bird-scaring device).