



REQUIREMENTS FOR CONTROL OF BIRD SCARING DEVICES

1 November 1989

1 Exempted Areas

Bird scaring devices may be operated without hindrance in any area of the Tasman District zoned "Rural A" except as follows:

- (a) Where the property on which the device is operated bounds onto a main public highway, the device shall be sited in compliance with the minimum distance and other requirements applicable to public roads and highways.
- (b) Where the property on which the device is operated bounds onto any area of the Tasman District zoned "Residential", no device shall be operated within 800 metres (0.5 mile) of the residential area except in compliance with these general requirements.

2 Total Prohibition

No bird scaring device shall be operated within a radius of 800 metres (0.5 mile) of any public hospital, registered private hospital, registered convalescent home, or registered old people's home.

3 Operational Siting

No bird scaring device shall be sited within:

- (a) 90 metres (100 yards) of any public highway.
- (b) 90 metres (100 yards) of any residential dwelling, and where sited at this minimum distance from a public highway or dwelling, shall be so fixed that the muzzle of the device points directly away from the public highway or dwelling.
- (c) 275 metres (300 yards) of any other bird scaring device, whether or not such other device be sited on the same property or not.

4 Operational Usage

No bird scaring device shall:

- (a) Be set for automatic operation at any greater frequency than twelve (12) times in any period of one (1) hour.

OR

- (b) Where the automatic scaring device is supplemented by foot patrols firing shotguns, at any greater frequency than six (6) times in any period of one (1) hour.
- (c) Be operated during the hours of darkness, such hours being defined as from eight (8.00) pm in the evening until seven (7.00) am in the morning.
- (d) Be operated unless, at all times during operation, the device has affixed to it a legible notice giving the name, address and telephone number of the person responsible for operating the device.
- (e) Be operated in conjunction with shotgun firing except where the possession and use of a shotgun is restricted to the legal requirements for public safety.

The Council seeks the co-operation of all parties in complying with these standards, which are designed for the protection of growers and the public, and would regard failure to comply as sufficient cause for action under the nuisance provisions of the Health Act 1956.