

# Industry Information Sheet

*Environmental Protection Act 1994, Environmental Protection Regulation 2019,  
Environmental Protection Noise) Policy 2019*

## Environmental Nuisance -Noise - Scare/Scatter guns

*The purpose of this information sheet is to provide guidance to industry for the use of scare/scatter guns and how noise nuisance can be managed to reduce conflicts between farmers and the occupants of residential dwellings.*

**Be a good neighbour** - Noise from gas, scare/scatter guns may cause unreasonable interference to neighbours by disrupting their sleep and daily activities. If loud and/or persistent enough, noise can also affect people's health. Noise presents an ongoing occupational health and safety issue, which despite numerous studies still presents a significant risk in agriculture with high exposures prevalent. Farmers are encouraged to implement some form of noise management practice, usually in the form of buying quieter equipment.<sup>1</sup>

### The law

The [Environmental Protection Act 1994](#) (EP Act), Chapter 8, Part 3 includes requirements for noise nuisances. The EP Act defines environmental nuisance as:

- (a) unreasonable interference (or likely interference) with an environmental value caused by emissions of aerosols, fumes, light, noise, odour, particles (including dust) or smoke; or
- (b) unhealthy, offensive or unsightly conditions caused by contamination.

It is an offence under the EP Act to cause environmental nuisance unless the person causing the nuisance has a reasonable excuse. These excuses include environmental nuisances caused by safety and transport noise; caused by government activities and public infrastructure; or nuisances regulated by other laws. If a scare gun exceeds noise limits and has not followed guidance, enforcement action may be taken against the offender that could include the issuing of notices or fines with penalties for unlawfully causing environmental nuisance.

\*\*For the purposes of this guidance the dwelling occupied by the operator shall not be considered a noise sensitive receptor.

### Achieving an acceptable outcome

Potential solutions to achieve an acceptable outcome may include any or all the below suggestions.

**Avoid the use of a scare gun** in the first instance.

Options may include:

- Manual scaring of birds in early morning.
- Replace scare guns with an optical laser bird deterrent.

<sup>1</sup> Mead-Hunter, R., Selvey, L.A., Rumchev, K.B., Netto, K.J., Mullins, B.J. [Noise Exposure on Mixed Grain and Livestock Farms in Western Australia](#) (2019) *Annals of Work Exposures and Health*, 63 (3), pp. 305-315



- Kites, shaped like birds of prey.
- Chemical sprays that are unpalatable to some species of small birds.
- Plastic strips that hum in the wind.
- Nets and plastic mesh.
- Replace scare guns with an agricultural 'white noise' generator.

### **Minimise the noise impact**

In the following order of preference—

1. Employ the use of alternative methods of crop protection to be used concurrently with scare guns to maximise the effectiveness of wildlife dispersion and crop protection.
2. Use the best available technology.
3. Growers are encouraged to develop a simple communication program to ensure affected neighbours are informed of any bird scaring activities to reduce conflict. i.e., At the beginning of the growing season, provide neighbours and residents a letter drop or email that includes the following:
  - name and contact details of the farmer.
  - location of farm.
  - dates of the season.
  - times and number of blasts when bird scaring devices will be operated.
4. Engage with the local farming collective to minimise the impact by co-ordinating the use of your collective scare guns to fire blasts at the same time. it is the responsibility of the property owner(s) to co-ordinate the timing of the blasts of their scare guns to within thirty seconds of the adjacent gun(s). This will allow a minimum of at least 9 minutes between all blasts, minimising the nuisance effect at a noise sensitive receptor.

### **Manage the noise**

#### **Minimum acceptable criteria**

- Orientation of device and/or setting up the activity to be:
  - away from a sensitive receptor by using the shielding effects of natural features, buildings etc. to reduce the level of the blasts at sensitive receptors.
  - All scare guns are to be directed away from any noise sensitive place.
  - Distance between each scare gun must be a minimum of 300m for any one scare gun.
- All scare guns in use must be set on a timer to blast at the same time.
- Each scare gun must not emit more than 70 blasts in total in any one day. At all times, the interval between blasts from any one scare gun must be 10 minutes or longer.
- Operation of a scare guns or guns shall only occur between the period half an hour before sunrise and half an hour after sunset. The time of sunrise and sunset for the noise affected location will be determined from Bureau of Meteorology records.

For further information on requirements, contact your local Council in the first instance as there may be local laws in place. The Department of Environment and Science can be contacted via phone, 24/7 Pollution Hotline—1300 130 372, online via this [link](#), or via email [pollutionhotline@des.qld.gov.au](mailto:pollutionhotline@des.qld.gov.au)