

# Application for an enforceable undertaking

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June 2019

Part 4, Health and Safety at Work Act 2015

The commitments in this application are offered to WorkSafe New Zealand by

Name of entity or, partnership or individual applying for this undertaking

Auckland International Airport Limited

# Application for an enforceable undertaking

Part 4, Health and Safety at Work Act 2015

The commitments in this application are offered to WorkSafe New Zealand by

Name of the person or persons who will be signing this undertaking in section 4:

Carrie Hurihanganui

On behalf of:

Auckland International Airport Limited

Name of the entity giving this undertaking (if an individual or sole trader, leave blank - complete in all other cases)

Auckland International Airport Limited

This enforceable undertaking is given on the day and date that it is accepted and signed by WorkSafe. The undertaking and its enforceable terms will operate as a legally binding commitment on the part of the person from the date it is given.

Do not refer to the victim by name in this document. Please refer to the victim/worker/employee/volunteer/or other term as appropriate.

WorkSafe respects your privacy and is committed to protecting personal information. The information provided in this document is for the purpose of an undertaking given to WorkSafe under Part 4 of the *Health and Safety at Work Act 2015*. This information will be managed within the requirements of both the *Privacy Act 1993* and the *Official Information Act 1982*.

There is an expectation that WorkSafe will generally publish the undertaking in full on its website.

TERM	DEFINITION
Contravention	An action which offends against the <i>Health and Safety at Work Act 2015</i> and/or any Regulations made under it. It includes both health and safety contraventions. A contravention also includes an alleged contravention.
HSMS	A Health and Safety Management System.
Person	An individual who or a legal entity which has a duty under the <i>Health and Safety at Work Act 2015</i> and can give a written undertaking. The term includes individuals, each partner in a partnership, corporations, trustees of trusts, and crown organisations.
Health and Safety legislation	<i>Health and Safety at Work Act 2015</i> and associated regulations.
Enforceable undertaking	An enforcement pathway that allows a duty holder to voluntarily enter into a binding agreement with WorkSafe. The agreement outlines actions the duty holder will undertake to address the contravention. It is expected to deliver activities which benefit workers, the wider industry or sector and/or the community as well as acceptable amends to any victim(s).

# 1. General information

## 1.1 Details of the person/persons/entity giving the undertaking

Name of person(s) making this undertaking: (in all cases complete with the name(s) of those who are signing this undertaking under Section 4)

Carrie Hurihanganui

Name of entity: (if applicable, leave blank if an individual)

Auckland International Airport Limited (Auckland Airport)

Type of legal entity: (complete in all cases, for example individual, sole trader, partnership, trust, company, etc)

Company

Nominated contact person: (the same person listed above/one of those listed above)

Dana Beissel  
Senior Legal Counsel

Physical address:

4 Leonard Isitt Drive,  
Auckland Airport  
Mangere,  
Auckland 2022,  
New Zealand

Postal address: (if different from physical address)

Auckland Airport  
PO Box 73020,  
Manukau 2150,  
New Zealand

Work phone: (09) 275 0789

Mobile phone: [REDACTED]

Email: dana.beissel@aucklandairport.co.nz

Industry: Transport

Workers (enter numbers):

Full-time: 549      Part time: 12      Casual: 20

Description of the products and services provided by the business or undertaking:

Facilitating aircraft, passengers, and cargo along with the provision of airport facilities and supporting infrastructure. Auckland Airport employs approximately 581 workers and operates from one location in New Zealand.

Comments:

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## 1.2 Detail of the contravention

Auckland International Airport Limited (Auckland Airport) has been charged with one offence under section 36(1)(a), 48(1) and (2)(c) of the Health and Safety at Work Act 2015 in relation to an event on 15 November 2021, which resulted in injury to an Auckland Airport employee (Injured Person).

The alleged contraventions are that Auckland Airport being a person conducting a business or undertaking (PCBU), and having a duty to ensure, so far as is reasonably practicable, the health and safety of workers who worked for the PCBU, while the workers are at work in the business or undertaking, namely operating pyrotechnic launchers did fail to comply with that duty, and in doing so, exposed a worker to risk of serious injury.

The charging document claims that in order to ensure the health and safety of its workers, Auckland Airport should have taken these reasonably practicable steps:

- (1) Ensured safe operating procedures were in place for the pyrotechnic launchers and the pyrotechnic cartridges used with the pyrotechnic launchers.
- (2) Ensured adequate training and supervision of workers on the safe use of the pyrotechnic launchers and the pyrotechnic cartridges.
- (3) Monitored workers to ensure the pyrotechnic launchers and the pyrotechnic cartridges were being used in a safe manner and in accordance with safe operating procedures.

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### 1.3 Detail the events surrounding the contravention

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Auckland Airport is a transport company. Auckland Airport owns 1,500 hectares of freehold land and is the owner of all buildings on-site, with the exception of the aviation fuel terminal, Air Traffic Control Tower, Air New Zealand aircraft maintenance facilities, flight kitchens, Butterfly Creek and parts of the Air New Zealand Domestic Terminal. Auckland Airport also operates the aerodrome.

The operations include:

- A single 3,535 metre concrete runway
- Three taxiways, one of which can be converted to a contingent runway in case of emergency or repairs to the main runway.
- Apron areas - the international apron stand allocation is managed by Auckland Airport
- Provision of fire and rescue services including marine search and rescue, including pre-hospitalisation emergency care.
- Operator of the International Terminal Building.
- Licensor of all retail activity on-airport.
- Developer of land areas to accommodate expanding commercial and industrial demand.
- Operation, planning and development of car parks.
- Provision and maintenance of roads within airport boundaries
- Provision and maintenance of utility services - electricity lines, gas lines, fuel lines, sewerage, water, local area network.
- Responsibility for airside access control systems.
- Responsibility for comprehensive closed-circuit television (CCTV) system.

Auckland Airport has a sophisticated bird hazard management programme. In addition to addressing the obvious issues, such as reduction/management of the availability of food sources (such as edible garbage), it includes detailed and programmed management of grounds maintenance (i.e., grass types planted and mowing programmes) to take account of a range of issues associated with birds, including bird migration routes, resting preferences and breeding seasons. Auckland Airport also provides roosting facilities and conducts population control measures.

In November 2021, Auckland Airport had seven full-time permanent Wildlife Rangers. Currently, Auckland Airport has nine full-time permanent Wildlife Rangers.

The Wildlife Ranger role includes:

- Being on duty/call during daylight hours (across the team covering the full week).
- Carrying out patrolling duties as rostered across the airport vicinity.
- Managing risks posed by the presence of birds, other wildlife and domestic animals.
- Eliminate birds/wildlife when deemed necessary due to aviation hazard risks.
- Use bird-scaring equipment to deter the presence of birds, other wildlife and domestic animals within the airside environment that may pose a safety threat to aviation.
- Report hazards and problems to the Grounds and Wildlife Hazard Manager in a timely manner.
- Address threats to the safety of aviation in a timely manner and according to best management practices (for example, but not limited to scaring, poisoning or shooting).

Between August 2021 and September 2021, New Zealand was in Alert Level 4 lockdown. On 22 September 2021, Auckland moved to Alert Level 3 and remained at Level 3 until 3 December 2021, when New Zealand transitioned to the Covid-19 Protection Framework ("Traffic light system"). Due to the Covid-19 restrictions (in particular, Alert Level 3), the Wildlife Ranger team worked in smaller 'bubbles', there were less experienced workers onsite and there was an impact to the Wildlife Rangers' training.

CONTINUED - Attached and marked APPENDIX A to this submission.

#### 1.4 Detail any enforcement notices issued that relate to the contravention as detailed in term 1.2

DATE	NOTICE TYPE	NOTICE NUMBER	CONTRAVENTION OR PROHIBITED ACTIVITY	ACTION TAKEN IN RESPONSE TO NOTICE
DD / MM / YEAR	N/A			
DD / MM / YEAR				
DD / MM / YEAR				

#### 1.5 Detail the rectifications to the workplace or work practices made as a result of the contravention (1.2), events (1.3) and the enforcement notices issued (1.4)

The following rectifications have occurred after the event:

1. A review of pyrotechnic and firearm cleaning procedures, as well as a review of pyrotechnic and firearm storage.
2. Change to an external provider for pyrotechnic and firearms training.
3. A review of Standard Operating Procedures (SOP's), which were updated to include:
  - (a) Firearm Storage - addition of firearm clearing units, chamber flags, trigger locks, additional safety checks, firearms sign in/sign out sheet, added new NZ Police rules around unattended firearms in vehicles and ammunition life span of 3 years.
  - (b) Amended Pyrotechnics and Safe Use of Firearms SOP's to not load or fire from inside vehicle and external training to be completed before use.
  - (c) Prioritising physical and mental wellbeing, where staff are to report any signs of stress or ill health to their line manager prior to being involved in the procedure (included in all SOPs).
  - (d) Lone working - staff to always carry a radio and main ranger phone with them in and out of the vehicle. Lone working staff must activate the 'lone ranger' application on the ranger phone.
4. New standard operating procedures added, including:
  - (a) Safe Use of Firearms (some of the information was included in another SOP, but this was changed to its own specific SOP).
  - (b) Firearms and Ammunition Storage (some of the information was included in another SOP, but this was changed to its own specific SOP).
  - (c) Safe Handling of Injured Birds
  - (d) Runway End Safety Area (RESA) and red area access (areas nearest runway)
  - (e) Working Near Water
  - (f) Working on the Mud Flats
  - (g) Safe Use of Air Compressor
  - (h) Airside Mowing for Contractor
  - (i) Airside Spraying for Contractor
  - (j) Airside Sweeping and Foreign Object Debris (FOD) for Contractor
  - (k) Safe Use of Air Rifle

CONTINUED - Attached and marked APPENDIX A to this submission.

#### 1.6 Total amount of money spent on rectifications

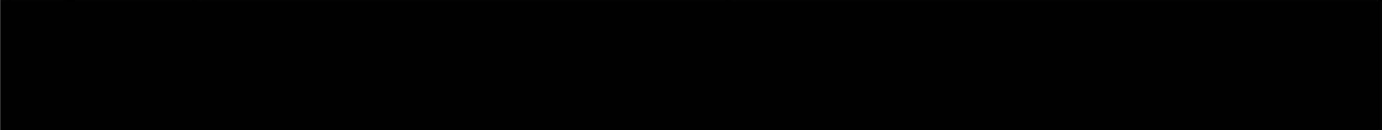
A total amount of \$199,328.14 was spent on rectifications; including (a) RocketMan training, 2 new launchers and servicing (b) Firearmsafe Training, safety training, advanced shot placement training, firearms range inspection, firearms independent audit, additional safety signs, (c) Goodwood Aotearoa Air Rifle training on-site, (d) Metropolitan Clay Pigeon Club Moving Target Training, (e) additional equipment including two weapon clearing stations, Ranger vehicle and fit-out, Air Rifle, Bird Deterrent Liquid, one Bird Deterrent Laser, two warning signs, online training for laser, (f) GPS trackers and labour from OTS, (g) additional training - Stop the Bleed, Leadership Training and Train the Trainer training.

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**1.7 Detail the injury sustained or illness suffered by victim(s) or other(s) as a consequence of the contravention or, (as applicable) the *potential* for fatal injury or future fatal illness**

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The Injured Person sustained a laceration to their right-hand palm and removal of their fingertips on their right middle and ring fingers.



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**1.8 Detail any offer of amends or payments made to the victim(s) who sustained injury or suffered illness (the total monetary amount here is also to be included in the table at 3.12.3)**

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Describe the victim(s) relationship to you/the entity in question: (eg employee(s)/shareholder/director/family member/contractor, etc. If the relationship has more than one dimension, for example a family member who is also an employee and a director and/or shareholder of the business, or an employee who is a shareholder (etc) – then please describe this)

The Injured Person is a full-time employee of Auckland Airport.

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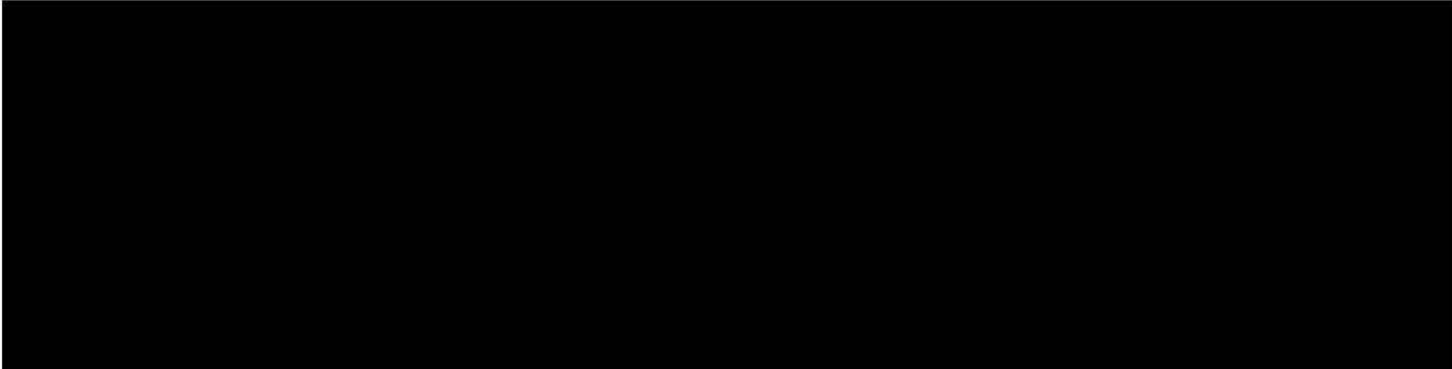
Detail offer of amends or payments:

The impact of the incident has had a profound impact on the Wildlife Ranger Team and on the business in many ways. We have made a payment of \$67,157.74 as initial amends, which includes:

- ACC top up of salary of \$17,157.74
- Reparation of \$50,000

Auckland Airport offers further amends of \$10,000 upon the execution of this Enforceable Undertaking to support the Injured Person in their return to work or other rehabilitation costs, bringing the total offer of amends to \$77,157.74.

Auckland Airport continues to top up the Injured Person's salary to 100% (the Injured Person receives 80% of their salary through ACC).



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**1.9 Detail any consultation with the victim(s) as to their views on whether an enforceable undertaking would be an acceptable alternative to prosecution**

Auckland Airport's Head of Health, Safety and Wellbeing, and Operations Performance Delivery Manager met with the Injured Person and their lawyer on 6 April 2023. At that meeting, we explained the concept and benefits of an Enforceable Undertaking. We discussed the need for the Enforceable Undertaking offering to benefit the worker/workplace, the industry and the community. We welcomed the Injured Person's feedback and took their feedback on board.

[REDACTED]

The Injured Person was consulted again on 28 June 2023 and they are supportive of the new ideas in the submission and are pleased to see the addition of mental health support to the community.

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**1.10 Detail any consultation with unions/sector/industry as to their views on whether an enforceable undertaking would be an acceptable alternative to prosecution**

The Airport has consulted with a wide range of organisations and people in the development of this undertaking. The primary consultation in development of this application has been with NZ Airports Association and the industry stakeholders identified in 3.4.1 of the Appendix.

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**1.11 Detail the support provided or proposed by the person to the victim(s), other(s)**

DATE	DESCRIPTION OF SUPPORT	COMMENTS
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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## 1.12 Detail any current HSMS implemented and maintained by the person

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Describe how health and safety risks are managed, including types of procedures or policies or standards:

Auckland Airport implemented a revised health, safety, and wellbeing strategy for the period of FY23-FY27. This strategy reflects a shift from our previous "destination zero harm" approach to fostering a culture that prioritises people, our "people first" approach, acknowledging that our employees, contractors, and stakeholders are our most valuable assets. We are committed to providing them with a work environment that ensures their health, safety, and wellbeing every day.

In accordance with CAA Part 100 regulations, we have established a Safety Management System (SMS). Our Safety and Health Management Manual (S.A.H.M) follows the Plan, Do, Check, Act model and comprises 13 elements that contribute to the continuous improvement of safety in our operations. The SMS is designed to assist all individuals associated with Auckland Airport, including those from external organisations, in operating safely and cultivating a safety culture that surpasses our Part 100 obligations over time.

Our Safety and Health Management System enables us to:

- Manage aviation and workplace safety, health, and wellbeing risks within the organisation, with a specific focus on safety-related risks.
- Identify and implement appropriate control measures for critical risks, regularly verifying, reviewing, and improving them as necessary.
- Continuously monitor and assess safety performance.
- Make ongoing improvements to the level of safety in our operations.
- Foster a leading safety, health, and wellbeing culture at Auckland Airport.

At Auckland Airport, we adopt the 'Plan, Do, Check, Act' model to manage safety, health, and wellbeing. This model recognises that effective management in these areas goes beyond mere compliance and is an integral part of overall good management.

There are 13 elements of a SMS Part 100 required by CAA for an SMS under the 'Plan, Do, Check, Act' model, and these elements include:

Plan:

- Safety-related policies
- Organisational structure
- Safety responsibilities
- Just Culture
- Fatigue Management Plans
- Planning and budgets
- Planning for emergencies

Do:

- Active hazard and risk management
- Airfield safety processes
- Aeronautical security processes
- Incident recording, reporting and investigation
- Safety competencies and training
- 3rd party safety processes
- Worker participation
- Managing change
- Document control

Act:

- Continuous improvement
- Safety communication
- Ongoing refresher training

Check:

- Monitoring and measuring safety performance
- Internal audit programme
- Management review

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### **1.13 Detail the level of auditing undertaken on the HSMS, including compliance audits and audit frequency**

As part of our Safety and Health Management System, we have a robust internal audit programme that ensures the SMS is functioning in such a manner that all Auckland Airport operations comply with the requirements, that all aspects are implemented across the business, our people are conversant with the elements that directly affect their activities, and corrective actions are completed.

The auditor compiles a written report on each audit, together with any recommendations. The appropriate manager receives the report to circulate to all relevant stakeholders and implement corrective actions.

Periodically, the company engages independent external parties to verify the effectiveness of the SMS and auditing function itself.

Internal audits are recorded in the Audit module of the company's incident recording system - Risk Manager. Risk Manager gives us the ability to develop audit templates to use for audits that are regularly repeated, or where similar risks exist in different business areas, assets or processes.

Auckland Airport has an aeronautical quality assurance system which is used to meet the internal audit programme requirements of Civil Aviation Rules (CAR) Part 003 (Quality Assurance), Part 100 (Safety Management), Part 139 (Aerodrome Certification) and other internal audits, such as Biosecurity audits, Public Health audits, Pest Management audits and Maritime audits.

In addition, business units also undertake regular inspections or checks of their own processes and areas. The frequency of these inspections and checks depends upon the level of risk and/ or how a particular asset is used. For example, public areas in the terminal are checked twice daily (as well as being continuously monitored) by the landside operations team. The airside operations team inspects the runway four times each day and has airside safety officers continuously patrolling. Engineering services undertake monthly health and safety audits of their workshop areas. In some business units (such as the terminal buildings) the checks occur both at worker level with high frequency (i.e., daily) and at Manager level at a lower frequency (i.e., weekly). For self-checks, the role of the internal audit programme is to verify that the self-checking programme is appropriate or effective, is being carried out properly, is identifying any corrective actions, and that such corrective actions are being completed.

CONTINUED - See APPENDIX A - Section 1.13

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### **1.14 Detail the consultation undertaken or proposed to be undertaken, in relation to this undertaking**

Auckland Airport has consulted with the Injured Person in relation to this undertaking. Auckland Airport intends to communicate the progress of the Enforceable Undertaking within the organisation, with the Regulator, the Injured Person, local Iwi, the industry groups (including the organisations in the Working Group) and the beneficiaries identified in section 3.4 Industry/Sector and section 3.5 Community.

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## 2. General terms

The person acknowledges and commits to the general terms set forth in the sub-terms below.

### 2.1 Acknowledgement that WorkSafe alleges a contravention occurred as detailed in term 1.2

Auckland Airport acknowledges that WorkSafe has alleged a contravention as detailed at term 1.2 above has occurred.

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### 2.2 Statement of regret that the contravention occurred

Auckland Airport sincerely regrets the harm caused to the Injured Person and it acknowledges the affect this incident has had on the Injured Person and their family.

Auckland Airport is committed to its obligations under the Health and Safety at Work Act 2015 and we acknowledge that compliance is not sufficient to justify WorkSafe accepting this undertaking in lieu of proceeding with the prosecution of the charge that has been laid against Auckland Airport.

Auckland takes its responsibility of ensuring the health, safety and wellbeing of all its employees very seriously and is remorseful that its employee suffered harm whilst working in their normal course of duties. [REDACTED]

[REDACTED] We offer this undertaking as an opportunity to support the Injured Person, their family, the industry and the community.

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### **2.3 Statement of the reasons why, on balance, the person considers this undertaking is the most appropriate response to the contravention**

Auckland Airport understands that the purpose of an Enforceable Undertaking, as stated in WorkSafe's policy, is to benefit the workers, or the workplace, the wider industry or sector and/or the community while taking into account the nature of the misconduct, submissions from any interested party (the Injured Person), past history of compliance and current commitment to remedy the misconduct. Auckland Airport is committed to ensuring that the events and the failures which led to the contravention will not be repeated.

Auckland Airport views the intent, expense and industry engagement proposed here will provide tangible benefits to the industry and community.

Auckland Airport is committed to continually identifying ways we can improve health, safety & wellbeing and grow the development of our employees. Auckland Airport is remorseful and regrets this happened to the Injured Person. We continue to offer the Injured Person our ong-going support.

In summary, Auckland Airport:

- (1) Has no previous convictions for offences under the Health and Safety at Work Act 2015.
- (2) Cooperated fully with WorkSafe in its investigation of this incident.
- (3) Paid 67,157.74 by way of amends to the Injured Person, with further amends of \$10,000 to support their return to work.
- (3) Continuously offered on-going support to the Injured Person (in many different ways since the incident)
- (4) Will benefit and support Workers/Workplace to the value of \$159,628.15 by incorporating engineering controls of innovative technology to support workers with the management of wildlife risks, and funding for additional OCP services.
- (5) Will benefit wildlife and aviation sectors, as well as environmental and safety sectors by establishing a Wildlife Working Group with key industry stakeholders by researching the minimisation of wildlife risks and publishing its findings. The benefit to the sector will include the creation of a National Annual Wildlife Hazards Conference with a focus on safety and wellbeing, and by implementing a sponsorship programme for wildlife rangers. This commitment amounts to a value of \$500,000.
- (6) Will benefit the wider community of the South Auckland region by creating better access to counselling and support for men. Additionally, support to a community-based provider that offers support to families of people experiencing mental illness and a 'walk-alongside' programme to support individuals who experience difficulty due to mental health issues. This commitment amounts to a combined value of \$200,000.

Auckland Airport believes this proposal will have a real impact to its workers, the industry and the community.

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**2.4 Statement of commitment that the behaviour, activities and other factors which caused or led to the contravention has ceased and will not reoccur**

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Auckland Airport provides a commitment that the behaviour, activities and other factors which caused or led to the contravention have ceased and will not reoccur.

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**2.5 Acknowledgment of the policy published by WorkSafe for the acceptance of an undertaking**

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(write the name of the person(s) or entity giving the undertaking)

**Auckland International Airport Limited**

has read and understood the Enforcement Undertaking Operational Policy.

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**2.6 Acknowledgement that this undertaking will be published and publicised in full**

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(write the name of the person(s) or entity giving the undertaking)

**Auckland International Airport Limited**

acknowledges that the undertaking will, if accepted, be published on WorkSafe's website in full and referenced in WorkSafe material.

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**2.7 Statement of the person's ability to comply with the terms of this undertaking and meet the projected costs of the activities**

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(write the name of the person(s) or entity giving the undertaking)

**Auckland International Airport Limited**

has the financial ability to comply with the terms of this undertaking and have provided evidence by way of

(type of evidence provided)

**Auckland International Airport Limited**

with this undertaking to support this declaration.

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In the event of impending receivership, liquidation or sale of the entity, (write the name of the person(s) or entity giving the undertaking)

**Auckland International Airport Limited**

will advise WorkSafe of the relevant circumstances and its capacity to comply with the outstanding terms of this undertaking.

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**2.8 Statement outlining any relationship between the person and any corporations, officers, employees, contractors, proposed beneficiaries of donations or scholarship or other recipient of financial benefit contained in this undertaking**

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Auckland Airport is in no way affiliated with any other company which will receive financial benefit contained in this undertaking.

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## 2.9 Statement regarding Intellectual Property

(write the name of the person(s) or entity giving the undertaking)

**Auckland International Airport Limited**

grants WorkSafe a perpetual, non-exclusive, worldwide and royalty-free licence to use, for any purpose, all Intellectual Property Rights in relation to any material developed as a result of this undertaking. This licence includes the right to use, copy, modify and distribute the materials.

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## 2.10 Acknowledgement that the person may be required to provide a statutory declaration

(write the name of the person(s) or entity giving the undertaking)

**Auckland International Airport Limited**

acknowledges that it may be necessary for WorkSafe to obtain a statutory declaration outlining details of any prior convictions (safety related) outside of New Zealand and that it will provide such declaration if required by WorkSafe

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## 2.11 Statement of commitment from the person to participate constructively in all compliance monitoring activities for this undertaking

1. It is acknowledged that responsibility for demonstrating compliance with this undertaking rests with the person.
2. Evidence to demonstrate compliance with the terms will be provided to WorkSafe by the due date for each term.
3. The evidence provided to demonstrate compliance with this undertaking will be retained by the person until advised by WorkSafe, that this undertaking has been completely discharged.
4. It is acknowledged that any failure to meet the due date for an enforceable term will result in the matter being escalated and may lead to enforcement action.
5. It is acknowledged that WorkSafe may undertake other compliance monitoring activities to verify the evidence and compliance with an enforceable term, and cooperation will be provided to WorkSafe.
6. It is acknowledged that WorkSafe may initiate additional compliance monitoring activities, such as inspections, as considered necessary at WorkSafe's expense.
7. It is acknowledged that details of all seminars, workshops and training conducted by a non-registered training provider must be notified to WorkSafe, by email, at least one week prior. Notification should include time, date, location and the trainer/facilitator.

(write the name of the person(s) or entity giving the undertaking)

**Auckland International Airport Limited**

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### 3. Enforceable terms

The person acknowledges all activities set forth in the enforceable terms below must be auditable and include a date for completion and an estimated cost for each activity.

The person commits to performing the activities below diligently, competently and by the respective completion date.

#### **3.1 A commitment by the person to perform activities that will ensure the ongoing effective management of risks to health and safety in the future conduct of its business or undertaking**

Detail the management strategies to be employed that will satisfy and demonstrate to officer/s of the person that this commitment is being met:

Auckland Airport is committed to carrying out the actions as detailed above in this application. Auckland Airport commits to perform the activities detailed in section 3.3, 3.4 and 3.5 below, which will ensure the ongoing effective management of risks to health and safety in the future conduct of the business and this Enforceable Undertaking.

Auckland Airport will ensure that the activities under this Enforceable Undertaking are performed by:

1. Appointing members to project delivery team from Operations and Health, Safety and Wellbeing.
2. Appointing members to a project governance team from Corporate Services.
3. Monthly meeting with project delivery team on project updates, completion timeframes, identifying potential issues.
4. Quarterly review with project governance team.
5. Quarterly report to the Board.
6. Six-monthly reporting to WorkSafe EU team, outside of any project milestones or monitoring requirements.



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### **3.2 A commitment by the person to disseminate information about this undertaking to workers, and other relevant parties**

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(this may include to work health and safety representatives and in the organisation's annual report, if applicable)

Dissemination will be achieved by doing the following:

**Engaging and consulting with the Injured Person no later than 10 days from the execution of the Enforceable Undertaking**

**Engage and communicate with the Wildlife Team, Airfield Operations Team and Airport Emergency Services Team no later than 15 days from the execution of the Enforceable Undertaking**

**Engage and communicate with Auckland Airport's workers no later than than 30 days from the execution of the Enforceable Undertaking.**

**Engage and communicate with the safety bodies and interest groups (identified in Section 3.3, 3.4 and 3.5) no later than 90 days from the execution of the Enforceable Undertaking.**

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Dissemination will occur by: ~~no later than 90 days~~ following acceptance of the Enforceable Undertaking

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**3.3 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for workers and/or work and/or the workplace**

ACTIVITIES	COST (\$)	TIMEFRAME
Outline the activity and the expected outcomes		
3.3.1 Purchase of remote controlled static gas canons, spread out along grass areas near runway	109,071.75	6 months
3.3.2 Purchase of 2x Bird Control MegaBlaster Pro - Sonic Bird Deterrent System	14,000	6 months
3.3.3 Purchase of Wingspan Rofalconry Drone and flight training	12,000	9 months
3.3.4 Purchase of 1 x Bird Deterrent Laser and 2 x Indoor Bird Deterrent Lasers (for use in hangars)	12,556.40	6 months
3.3.5 Additional funding for OCP (Employee Assistance Programme) for Operations Staff	12,000	12 months

See APPENDIX A - Section 3.3

<b>Total estimated cost of benefits for workers/others</b>	<b>\$ 159,628.15</b>	<b>12 months</b>
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**3.4 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for the wider industry or sector**

ACTIVITIES	COST (\$)	TIMEFRAME
Outline the activity and the expected outcomes		
3.4.1 Develop and Implement Wildlife Working Group with key external stakeholders	250,000	36 months
3.4.2 Develop and Implement National Annual Wildlife Hazards Conference	170,000	36 months
3.4.3 Develop Sponsorship Programme	80,000	36 months

See APPENDIX A - Section 3.4

<b>Total estimated cost of benefits for industry</b>	<b>\$ 500,000</b>	<b>36 months</b>
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**3.5 Activities to be undertaken to promote the objectives of the health and safety legislation that will deliver benefits for community**

ACTIVITIES	COST (\$)	TIMEFRAME
3.5.1 Fund Man Alive to expand their services in the South Auckland area	100,000	12 months
3.5.2 Fund Penina Trust to support their provision of mental health services in South Auckland area	100,000	12 months

See APPENDIX A - Section 3.5

**Total estimated cost of benefits for the community**

**\$ 200,000**

**12 months**

### 3.6 Where WorkSafe considers appropriate in the circumstances, undertaking a SafePlus Onsite Assessment

Further information about SafePlus can be found here: [worksafe.govt.nz/about-us/who-we-are/our-priorities/safeplus/about-safeplus](https://worksafe.govt.nz/about-us/who-we-are/our-priorities/safeplus/about-safeplus)

- 3.6.1 The suitability of a SafePlus assessment will be determined by the Enforceable Undertakings Panel when your application is considered.
- 3.6.2 In addition to the total cost below (3.7) all costs of a SafePlus Onsite Assessment will be met by the person making this undertaking. The fee charged for an Onsite Assessment is a commercial matter between your business and the SafePlus Accredited Assessors that you commission.

### 3.7 Minimum spend

(write the name of the person(s) or entity giving the undertaking)

3.7.1 **Auckland International Airport Limited**

commits to a minimum spend of \$ 936,785.89 for this undertaking.

(write the name of the person(s) or entity giving the undertaking)

3.7.2 **Auckland International Airport Limited**

agrees to spend any residual amount arising from an original term not being completed or being less costly than estimated in this undertaking. Agreement on how to spend this residual amount will be sought from WorkSafe

(write the name of the person(s) or entity giving the undertaking)

3.7.3 **Carrie Hurihanganui**

Acknowledges the minimum spend comprises of the:

TOTAL COST	MINIMUM SPEND
Financial amends paid to victims (if applicable)	\$77,157.74
Benefits to workers/others	\$159,628.15
Benefits to industry	\$500,000
Benefits to community	\$200,000
<b>Estimated cost of the undertaking</b> Plus GST (if any)	<b>\$ 936,785.89</b>

## 4. Execution

### Authorised representative of an organisation

Undertaking given by (name of authorised representative)

Carrie Hurihanganui

In my own right and in my capacity as (eg President, Chairperson, etc)  
Chief Executive Officer

of (eg organisation name) Auckland International Airport Limited

On the (day) 21 day of (month) July, 2023 (year).

Undertaking given before me:

Witness name: Dana Beissel

Witness address:

Pakuranga, Auckland

Witness signature:

## 5. Acceptance

This undertaking is accepted by WorkSafe.

On the (day) 25 day of (month) July, 2023 (year).

Signature of person accepting

(or WorkSafe representative (General Manager, WorkSafe (or delegate))

Catherine Gardner

Undertaking given before me:

Witness name: Mark Horgan

Witness address: 19 Bower Street  
Napier, 4110

Witness signature:

## APPENDIX A

*Additional information in respect of Auckland Airport's Enforceable Undertaking application is set out below*

### 1. General Information

#### 1.3 Detail the events surrounding the contravention

##### The Event

The Injured Person was employed by Auckland Airport on 30 August 2021 as a Wildlife Ranger.

On the day of the event, 15 November 2021, the Injured Person commenced work around 6:00am.

The event occurred on the south side of the runway, on the perimeter ring road (see **Figure 1** below).



**Figure 1: Location of incident – on the perimeter ring road identified by a yellow circle.**

The Access Gates Airside CCTV shows that the Injured Person headed to the patrol vehicle (Vehicle AP28 – **Figure 2**) at 6.16am. The Injured Person proceeds to check that all the vehicle signal lights, and hazard lights are working. At 6:18am, the Injured Person gets into the vehicle and drives to the airfield.

The same CCTV camera reveals that the Injured Person's supervisor arrived at his designated patrol vehicle at 6:53am. The supervisor carries out vehicle checks and then starts the vehicle to drive to the airfield at 6:56am.

Between approximately 6:00am and 8:30am, the Injured Person collected a radio for communication, drove around the ring road of the airport to carry out an airside perimeter check, uplifted a pyrotechnic launcher and cartridges from the Wildlife Ranger Hut and stored it in the centre console of the vehicle, and carried out a check of fences, gates and traps.

The Airfield Perimeter AES Training Multi-North CCTV camera shows that at approximately 9:06am, the Injured Person met up with his supervisor (Supervisor), who was in a separate vehicle, near the hovercraft ramp.



**Figure 2 – Vehicle involved in the incident**

The Injured Person and Supervisor observe Canada Geese in the area of Wiroa Island and AES training school. The Wildlife Ranger and Supervisor observe the Canada Geese land on the water near boat-ramp Foxtrot. The Injured Person and Supervisor discussed the risk and decided that the Injured Person would monitor the Canada Geese while the Supervisor went to the Wildlife Ranger Hut to collect rifles. The Canada Geese take off and start to fly west along the sea. The Supervisor handed the Injured Person a screamer and banger cartridge for the pyrotechnic launcher. As the Supervisor drove to the Wildlife Ranger Hut, the Canada Geese started to fly.

At approximately 9:12am, the Injured Person pulled the vehicle to the side of the road and remained in the driver's seat while preparing a Rohm Pyrotechnic Launcher, a device used to deter bird activity on the airfield (see **Figure 3** below). The Injured Person was the sole occupant in the vehicle. The Injured Person positioned their hand and launcher outside the vehicle, through the open driver's side window. As per common practice at Auckland Airport at the time, the Injured Person fired the pyrotechnic launcher out of the driver's side window of the vehicle they were in, aimed at the Canada Geese.



**Figure 3: Rohm pyrotechnic launcher**

The exact method leading to the deployment of the pyrotechnic launcher cannot be ascertained from the recollection of the Injured Person. As a result of firing the pyrotechnic launcher, the Injured Person sustained a laceration to their right-hand palm and loss of their fingertips on the right-middle and ring finger.



The Injured Person contacted the Apron Tower Airfield Operations Team (AOT) for assistance at 9:14am, who in turn notified the Incident Control Room (ICR), resulting in the activation of Airfield Emergency Services (AES) at 9:17am.

When AES arrived at the site of the incident, Wildlife, AOT and an Airfield Safety Officer (ASO) were already there and had begun to administer on-scene first aid. At 9:42am, the Injured Person is driven to landside to meet the ambulance. The Injured Person was taken by ambulance to Middlemore Hospital and had to undergo surgery.

WorkSafe were notified on the day. Support was offered by Auckland Airport to those who responded to the incident.

## **1.5 Detail the rectifications to the workplace or work practices made as a result of the contravention (1.2), events (1.3) and the enforcement notices issued (1.4)**

### **Background**

At the time of the event, there was no standardised use of pyrotechnic launchers. The wildlife team had not undertaken any formal external training or competency assessments for using or cleaning pyrotechnic launchers. Prior to the event, pyrotechnic training had been provided internally by experienced staff members. Previously training passed on within the Wildlife Team through mentoring responsibilities. There was no formal competency sign-off process for new wildlife rangers.

Prior to the event, new wildlife rangers completed a two-week initial online training (rather than in-person) due to Covid-19 restrictions, with ongoing training continuing in smaller work 'bubbles' due to Covid. As a result of Covid-19, updating of training records was delayed which prevented early identification of areas where training might be improved.

The pyrotechnic launchers used at the time of the event were in black casing and therefore were not clearly distinguishable from firearms. All black pyrotechnic launchers have been decommissioned and now the only pyrotechnic launchers used by Auckland Airport are in orange casing to distinguish them from firearms. The orange casing enhances the integrity by reducing exposure to weather elements.

Whilst many of our employees receive annual first aid training across all business units, it was identified that this did not include the wildlife rangers at the time of the event (first aid was administered by AES).

Following the event, on 22 March 2022, Rocketman undertook an examination and cleaning of the existing pyrotechnic launchers. Rocketman's examination identified a level of residue build-up within the internal workings of the launcher. The build-up was within limits for operational use, however this indicated a need for more regular cleaning procedures (which was implemented a few days after the event).

As a result of the above, the following rectifications have been implemented:

1. Training is provided by external companies.
2. Standardised training of pyrotechnic launchers for all wildlife rangers including general safe usage, trouble shooting and daily cleaning.
3. All pyrotechnic launchers used by Auckland Airport are orange to clearly distinguish them from firearms (see **Figure 4** below).
4. All wildlife rangers are first-aid trained.



**Figure 4: Orange Pyrotechnic Launcher**

Further rectifications to the workplace/work practices as a result of the contravention are detailed below:

Date	Action
15 November 2021	All pyrotechnic launchers secured immediately following incident until after investigation and external training had been completed.
19 November 2021	Changed firearms / pyrotechnics cleaning procedure – previously cleaning had been done every Sunday. New procedure changed cleaning to the end of every shift. A check sheet implemented for pyrotechnics and firearms to ensure adherence to new cleaning procedure.
December 2021	Reviewed and updated all existing SOP's and added further SOP's. Made an addition to all SOP's which stated that all staff are to report any signs of stress or ill-health to their line manager prior to being involved in this procedure.
9 December 2021	<p>Wildlife Manager informed Airfield Operations Team (AOT) Leaders that Wildlife will no longer be responsible for their pyrotechnics training.</p> <p>Any pyrotechnic training to be organised directly with (RocketMan) if pyrotechnics were to continue to be used.</p> <p>The pyrotechnic launcher used by AOT was surrendered to the Wildlife Team pending an appropriate business case to justify reinstatement.</p>
16 December 2021	Rangers attended and completed the "Stop the Bleed" course. A course designed to cover large impact wounds e.g., from firearms. Split into two sessions – December 2021 and February 2022, so that all Wildlife Rangers could attend.
20 December 2021	All Wildlife Rangers have had onsite training with RocketMan. This will be an ongoing annual training session.
21 December 2021	<ul style="list-style-type: none"> <li>• RocketMan removed all single-shot pyrotechnic launchers. Auckland Airport no longer uses single-shot pyrotechnics.</li> <li>• RocketMan removed all six-cap pyrotechnic launchers. Auckland Airport no longer uses six-shot pyrotechnics, leaving the Team with 1x newly serviced 10 cap launcher.</li> <li>• The Wildlife Team only uses RG300 10-shot launchers. These were removed for cleaning on 21 December 2021.</li> </ul>
February 2022	#Firearmsafe worked with the Wildlife Manager to create a specific course for firearms safety at airports.

	<ul style="list-style-type: none"> <li>• #Firearmsafe instructor worked as a Firearms Instructor to the Police and the Mountain Safety Council.</li> <li>• To date the instructor has given this course to three other airports in New Zealand.</li> </ul>
February 2022	<p>Canada Geese Management Group Meeting Auckland Airport leads a group in which we share up to date Canada Geese bird count numbers within 13km radius of the Airport. This information is shared with the following entities:</p> <ul style="list-style-type: none"> <li>• Auckland Council</li> <li>• Watercare</li> <li>• Ambury Farm</li> <li>• Fish and Game NZ</li> <li>• Federation Farmers</li> </ul> <p>The group is helpful to learn additional information from these stakeholders about birdlife and migratory patterns.</p>
February 2022 – current	<p>Monthly audits on risk manager in respect of the following areas:</p> <ul style="list-style-type: none"> <li>• Landside office</li> <li>• Ranger Hut</li> <li>• Ranger Vehicles</li> <li>• ITB Firearms Storage Room</li> <li>• Firearms (general)</li> </ul>
5 February 2022	Auckland Airport decided to procure two brand new RG300 10-shot launchers and retired the old RG300 10-shot launchers.
11 February 2022	The Wildlife Rangers attended and completed the “Stop the Bleed” course.
1 March 2023	Visual guide to cleaning firearms and manufacturers guidelines put up at the Ranger Hut.
15 March 2022	Two weapon clearing stations installed (Main International Terminal Building safe and Wildlife Ranger Hut) to facilitate safe loading and unloading of firearms. These stations are enclosed, locked areas with limited access.
April 2022	<p>Shared up to date Canada Geese bird count numbers within 13km radius of the Airport with the following entities:</p> <ul style="list-style-type: none"> <li>• Auckland Council</li> <li>• Watercare</li> <li>• Ambury Farm</li> <li>• Fish and Game NZ</li> <li>• Federation Farmers</li> </ul>
April 2022	Organised tree trimming around the Airport and arranged for Auckland Zoo to collect branches for cage building and/or for feeding animals. A way for the Wildlife Rangers to have positive interactions with people from external organisations.
8 April 2022	<p>Presentation to New Zealand Aviation Wildlife Hazard Group (NZAWHG) on the dangers of pyrotechnics – covering key learnings from the incident, focusing on Health and Safety improvements.</p> <p>Learning event distributed to Auckland Airport forums and New Zealand Airport forums.</p>
June 2022	Medium-range Shell Cracker Cartridges for the Bird Fright Shotgun removed from service. Two separate occurrences of flash over. Shotgun serviced and no damage reported. After reaching out to other users, it was established that this is a knowable risk (1 in 25 will go off in the barrel). The Grounds and Wildlife Hazards Manager arranged for ammunition to be assessed by gunsmith at Gun

	City. Wildlife Team removed all Bird Fright Shotgun ammunition for destruction. Presently, Auckland Airport does not have any ammunition for the Bird Fright Shotgun.
7 – 9 June 2022	Annual firearms safety training for all Wildlife Rangers from #Firearmsafe. Annual certificate of competency issued to staff.
14 – 15 June 2022	Added an air rifle as a deterrent tool. This gives Wildlife Rangers a safer option when removing small pest species.  Training on use of air rifle given by contractor from Goodwood Aotearoa. New Air Rifle SOP created with Goodwood Aotearoa contractor. All Rangers were involved in this training, except one casual staff member, who decided they would not use an air rifle.
28 June 2022	Electronic firearms sign in/sign out sheet created.  The sign in/sign out sheet also includes: <ul style="list-style-type: none"> <li>• Section on feedback for the integrity of the firearms i.e., if there are any faults with the firearm.</li> <li>• Check that firearm has been cleaned at the end of each day – identify point of contact for last person who cleaned firearm.</li> </ul>
29-30 June 2022	Grounds and Wildlife Hazard Manager attended a Health and Safety Representative Stage 1 Essential Training course with Employers and Manufacturers Association.
July 2022	Comprehensive training plan and budget created for the Wildlife Team encompassing all aspects of the workplace environment. This includes training from external experts and certain elements by a Senior Ranger. All skills assessed annually.  There are different assessors depending on the subject. More specialist topics are assessed by external experts (i.e., Rocketman and #Firearmsafe)
July 2022	Bird deterrent liquid trialled in high-risk areas airside, which did naturally move birds away, decreasing the need for active management.
July 2022	Canada Geese Management Group Meeting Shared up to date Canada Geese bird count numbers within 13km radius of the Airport with the following entities: <ul style="list-style-type: none"> <li>• Auckland Council</li> <li>• Watercare</li> <li>• Ambury Farm</li> <li>• Fish and Game NZ</li> <li>• Federation Farmers</li> </ul>
July 2022	Wildlife Team contacted Windross Golf Course and Windross arranged for their own hunters to eliminate Canada Geese on their land.
July 2022 - current	Established new reward and recognition scheme around reporting and recording data. Monthly awards are given for most observations / count sites logged, most dispersals of wildlife and reporting of disposals of wildlife. This scheme is to encourage good reporting.
12 July 2022	Senior Ranger worked with all Wildlife Rangers one on one to assess skills and SOP adherence. All Wildlife Rangers have completed this training and were signed off.

25 July 2022	All Wildlife Rangers completed the 'Litmos' online test, which includes firearm safety and usage on the airfield modules.
September 2022	Arranged shoot with Hunters from Fish and Game at the Pukekohe Golf Course
September 2022	Canada Geese Management Group Meeting Shared up to date Canada Geese bird count numbers within 13km radius of the Airport with the following entities: <ul style="list-style-type: none"> <li>• Auckland Council</li> <li>• Watercare</li> <li>• Ambury Farm</li> <li>• Fish and Game NZ</li> <li>• Federation Farmers</li> </ul>
September 2022 – December 2022	Grounds and Wildlife Hazard Manager arranged for the landside operations staff to have ride-alongs with Rangers. This is a way for the Rangers to have interactions with other Auckland Airport staff outside of their immediate team. The Rangers also get to learn more about the other areas of operations.
November 2022	Grounds and Wildlife Hazard Manager arranged has worked with Health, Safety and Wellbeing Team to implement yearly medical checks for the Rangers as safety sensitive roles. The checks include skin tests, breathing, audio, visual, AOD and vaccinations such as Tetanus, Hep A and Hep B. This is to ensure that Auckland Airport is keeping the Rangers safe and minimise risks to their safety and wellbeing. Staff booked in for yearly check-ups.
1-2 November 2022	Rangers attended moving target training and assessment with Metropolitan Clay Pigeon Club.
5-6 November 2022	2-day LandSAR Action Orientated Team Leadership Training Course for one of the Wildlife Rangers.
8 November 2022	Train the Trainer Course completed by three Senior Rangers – this course teaches them the skills they need to train junior Wildlife Rangers.
15 November 2022	Retired existing RG300 10-shot launchers. Replaced with new RG300 10-shot launchers in orange casing procured from RocketMan.  Auckland Airport also procured two orange Pelican cases for safe storage of the RG300 10-shot launchers. These Pelican cases are fire-resistant.  Servicing routine with RocketMan has been set up every 6 months to compliment the daily cleaning as required by the Wildlife Team.
12 – 14 December 2022	6-month review of new safety training along with specialist shot planning. This review was carried out by #Firearmsafe  The training was specifically created for the Wildlife Team, looking at calculating a safe and humane shot using wind speed and wind direction.
December 2022	Addition of a new Wildlife Ranger vehicle (Toyota Hilux) with new cutting-edge bird deterrent noises and bespoke storage facilities to securely store all the Ranger's equipment.
December 2022	Selfs Lake Arranged Shoot with Hunters from Fish and Game and local farmer at Selfs Lake to decrease Canada Geese numbers.
June 2022 – to current	Improvement to storage facility at the Wildlife Ranger Hut to ensure integrity of cartridges remains within limits.

January 2023	Review of all SOP's in consultation with all Rangers. Ensuring that the Rangers are involved and understand the changes to SOP's.
13 January 2023	Swan Tracker Project – catching 12 Black Swan in the Manukau Harbour with the help of Fish and Game New Zealand. Attached Department of Conservation bands to their legs and GPS trackers to their necks to obtain valuable information about our extreme risk species and decrease bird-strikes.
7-8 February 2023	The Wildlife Team had further onsite training with RocketMan. The Rocketman instructor has said they are confident all previously trained staff are still competent.
15 – 21 February 2023	First Aid Course run by Pro Med. Split over two days and all Rangers attended the training.
March 2023	Christchurch Airport Wildlife Ranger Exchange
March 2023	Auckland Zoo Emergency Response Team (site visit with the Zoo's Firearms Team)
March 2023	Acquired bird deterrent laser – moves birds away from high-risk areas with minimal risk to staff and other airport users. Laser has in-built safety measures to decrease negative interaction with pilots and aircraft. The laser is a great tool for moving the birds around.
March 2023	Grounds and Wildlife Hazard Manager updated fatigue management plan to include time limits for driving and required walking/stretching to reduce/eliminate injury.
March 2023	Villa Maria Vineyard - meeting with pest control for the area to talk about bird deterrent methods
14 – 15 March 2023	Training with BirdCare for safe handling of birds and safe euthanasia process to minimise risk of injury or infection. Split over two days and all Rangers attended.
6 April 2023	First meeting of Working Group, with the following entities: <ul style="list-style-type: none"> <li>• Ambury Farm</li> <li>• Watercare</li> <li>• Forest &amp; Bird</li> <li>• Pattle Delamore Partners</li> <li>• BirdCare</li> <li>• Auckland Airport Iwi liaison</li> </ul>
May 2023	<p>New Wildlife Ranger Hut completed.</p> <p>Range Inspector inspected the old ranger hut and created a report detailing improvements to be made – these improvements have been incorporated into the new ranger hut.</p> <p>The new ranger hut is equipped with up-to-date facilities, including new storage safes, a humidifier, and air conditioning.</p> <p>The new ranger hut has better access to the airfield and has monitors with aircraft arrival/departure times.</p> <p>The new ranger hut has ergonomic chairs for workstations and lazy boys for breaks on shift.</p>
11 May 2023	Auckland Airport hosted New Zealand Aviation Wildlife Hazard Management Group (NZAWHMG) meeting and Auckland Airport presented to NZAWHMG on lasers being used on Swan in the Manukau Harbour.
7 June 2023	Surveillance of Canada Geese with Auckland Council in accordance with a site-specific safety plan. The sites covered were:

	<ul style="list-style-type: none"> <li>- Puhinui Reserve</li> <li>- Pukaki Lagoon</li> <li>- Otuaataua Stonefields Walkway</li> <li>- Ambury Regional Park.</li> </ul>
Ongoing	Investigating the use of a Laser (Bird Eraser Mic 2) used by a couple of New Zealand Airports.
Ongoing	Investigating use of smaller hovercraft vessels for the Rangers to use. The use of the hovercraft in harassment of wildlife will eventually change their behaviour and keep them away from high-risk areas and decrease the need for rangers to dispatch with firearms.
August 2023	<p>All Wildlife Rangers booked into for Task Mental Wellness 2-day training. <a href="https://www.taskmentalwellness.com">TASK - Home (taskmentalwellness.com)</a></p> <p>This training includes:</p> <ul style="list-style-type: none"> <li>• What is wellbeing and why is it important for organisations</li> <li>• Te Whare Tapa Wha</li> <li>• Stressors at Work</li> <li>• Anxiety and how it presents</li> <li>• Depression and how it presents</li> <li>• Anger and its management</li> <li>• Co-existing problems, including substance use</li> <li>• Wellness recovery action plans</li> </ul>

Morale/good workplace culture actions:

- Monthly 1:1's within the team to check on everyone. Set questions for them to answer, including what is going well, what is not going well, any safety concerns, any holes in training, how they think the team is going.
- **Daily wellbeing check-ins:** The Grounds and Wildlife Hazard Manager has implemented a process whereby the Wildlife Rangers meet up in the morning before going on patrol or driving around the perimeter ring road, rather than one person starting before another person arrives. This is to encourage staff to check each other's well-being before undertaking their daily duties. During consultation, the Injured Person said they want to see a culture where a Wildlife Ranger can say they are not in the best headspace and be assigned non-firearms/pyrotechnic duties that day. Auckland Airport confirms it has already made this change post-incident through the daily wellbeing check-ins.
- 2022 Pie Day Friday – Throughout 2022, Grounds and Wildlife Hazards Manager arranged for all staff to enjoy a pie for lunch on Fridays (connection time).
- In October 2021, as part of the organisation-wide fatigue management process and identification as a major risk, the wildlife operations implemented a departmental fatigue management plan that provides tools to assess individual fatigue, fitness for work, authority to stop work and company commitment to mitigating fatigue in the workplace.

**1.13 Detail the level of auditing undertaken on the HSMS, including compliance audits and frequency**

Auckland Airport has a robust internal audit programme to uphold compliance, evaluate the efficiency of our safety and health management system, and foster continuous improvements. The Internal Audit Programme itself is subject to internal audit by an Internal Auditor, using a specifically designed audit template within Risk Manager (our reporting system). The Internal Audit Programme is also independently audited by external regulators including the Civil Aviation Authority (CAA) including an annual security audit, annual operations audit, 3 yearly SMS evaluation and 5 yearly recertification audit. The following conduct annual audits: US Transportation Security Administration (TSA), Ministry for Primary Industries (MPI) audit every 12-18 months and Auckland Regional Public Health Service

(ARPHS). Auckland Airport is also subject to a programme of independent external audits which is determined and overseen by the Board Audit and Financial Risk Committee (AFRC). The AFRC audit programme includes an ongoing programme of audits of high-risk areas of activity within the company which are conducted by an independent external expert auditor (currently EY). By conducting regular internal audits and engaging external parties for verification, Auckland Airport demonstrates its commitment to maintaining high standards of safety and operational excellence.

Auckland Airport places great emphasis on its internal part 139 audit program. This program includes an annual Wildlife audit in July, assessing compliance with Expo 10, 17, and 24, which collectively address wildlife hazard management.

The MPI PoFA schedule is annexed to the Appendix as ‘**Schedule 1**’ and Part 100 internal audit schedule is annexed to this Appendix as ‘**Schedule 2**’.

### **3.0 ENFORCEABLE TERMS**

#### **3.3 Activities to be undertaken to promote the objects of the safety legislation that will deliver benefits for workers and/or work and/or the workplace**

##### **Background**

Auckland Airport’s Health, Safety and Wellbeing strategy evolves us from a destination zero harm approach to a culture of People First.

Auckland Airport has always been more than a place of arrivals and departures. It is a place of hello and goodbye. Of kia ora and haere rā. Our people; employees, contractors and stakeholders, are our most valuable assets, and because we believe that, we are committed to providing them with a working environment that ensures their health, safety and wellbeing every day.

Our overall goal is to eliminate or minimise any risk of harm to our people. To achieve this, we are dedicated to understanding the critical risks in our workplace and implementing appropriate control measures that are verified, reviewed and improved as needed.

To achieve a culture of People First, regardless of their role, every person’s contribution to health, safety and wellbeing at Auckland Airport is critical. We believe that a People First approach is vital for a thriving workplace and thriving community. Our leadership team fully embraces this view, and we are committed to providing the necessary structures, resources, and organisational effort required to achieve our vision.

We are committed to creating a health, safety and wellbeing culture where:

- Health, Safety and Wellbeing at work is a core responsibility of our directors, executives, people leaders, employees and contractors, with each of us committed to playing our part to make this a healthy and safe place to work and visit.
- Our Health, Safety and Wellbeing Strategy is embedded into our people’s everyday lives, where people are empowered to speak up and take action on health, safety and wellbeing at work concerns.
- We have a culture of Wellbeing (how we live wellbeing everyday as individuals, teams, and an organisation – establishing our habits and rituals).
- We celebrate Health, Safety and Wellbeing – even the things we consider part of an employee’s role (i.e., recognition of what we expect them to do and outstanding performance too).
- Continue to monitor, measure and report on health, safety and wellbeing work performance, so we can continuously learn and improve.



As part of the Enforceable Undertaking submission process, we considered the hierarchy of controls (see **Figure 5** below) and what Auckland Airport needs to be doing to eliminate risk for the Wildlife Rangers.



**Figure 5: Hierarchy of Controls**

Elimination is the most effective because it addresses the risk at its source, removing it completely and therefore ensuring that our people are no longer exposed to it. Elimination, where reasonably practicable, is the preferred mitigation with no ongoing need for additional control measures or ongoing monitoring. By using technology and equipment, instead of people operating firearms, we make progress towards this outcome.

If elimination is not feasible, substitution involves replacing the hazard with a less hazardous alternative. Instead of simply eliminating the hazard, substitution aims to find a safer substitute that achieves the same function or purpose. For example, substituting firearms and pyrotechnics with non-lethal deterrent devices, such as laser or acoustic devices.

Engineering controls involve modifying the work environment or equipment to reduce the risk. In the case of bird strikes, engineering controls could include modification to Airport infrastructure, such as bird netting or bird deterrent systems, to create physical barriers between birds and aircraft.

Administrative Controls focus on changing work practices and procedures to minimise risk. This can include implementing comprehensive training programs, standard operating procedures and protocols for Wildlife Rangers to ensure safe practices and increase awareness of potential hazards.

Personal Protective Equipment (PPE) should be considered as a last resort when other control measures are not sufficient.

Auckland Airport's focus is on elimination or substitution of hazards by using innovative technology.

To gain insights into effective practices employed at Airports globally, Auckland Airport conducted a review of current methods used to minimise bird strikes and protect Wildlife Rangers.

The following approaches have been adopted successfully:

- (a) **Laser Deterrence Systems:** Some airports have implemented laser systems that emit light beams to deter birds from the runway and surrounding areas. These systems are non-lethal and have proven effective in repelling birds from aircraft operations.
- (b) **Acoustic Deterrents:** Certain airports have deployed sound devices that emit predator calls or distress signals to scare away birds. These devices have demonstrated success in reducing bird populations near runways.
- (c) **Falconry Programmes:** Several airports have employed trained falcons and falconers to control bird populations. Falcons serve as natural predators, creating a safer environment for both aircraft and wildlife.
- (d) **Habitat Management:** Implementing proper habitat management strategies around airports can discourage bird nesting, which minimises the presence of birds in hazardous areas.

Some of the Airports we conducted a review of, include:

- (a) Seattle-Tacoma International Airport – installed an acoustic deterrent system that plays predator calls and distress signals to scare birds away from runways.
- (b) Portland International Airport and Edmonton International Airport – employs trained falcons and falconers to control bird populations and minimise bird strike risks.
- (c) Singapore Changi Airport – use a laser system to disperse birds and prevent bird strikes.
- (d) Sydney Airport – employs an avian dispersal system that emits loud noises to deter birds from critical areas.
- (e) Melbourne Airport – implemented a range of bird management strategies to reduce the requirement of firearms. They utilise acoustic devices that emit distress calls and predator sounds to deter birds from critical areas.
- (f) Dallas/Fort Worth International Airport – implemented an Avian Radar and laser system to detect and deter birds from approaching aircraft.

Falconry using native New Zealand Falcon is currently not allowed in New Zealand but permissions are being sought from the Department of Conservation by Kahu Conservation and Wingspan Bird of Prey Centre Rotorua New Zealand.

Investing in laser deterrence and acoustic deterrents could provide a more effective and comprehensive solution. These technologies have proven successful at other airports and Auckland Airport considers these types of deterrents will enable us to focus on elimination as our primary goal.

The new innovative technology and wildlife dispersal tools will all require specific Standard Operating Procedures. This will be an inherent part of their introduction to the business and managed through our robust management of change process to ensure any new risks introduced through the process of introducing new safety technologies are mitigated effectively.

### **3.3.1 Purchase of remote-controlled static gas cannons, spread out along grass areas near runway**

The optimal approach to controlling hazards is to eliminate them entirely. In the case of firearms usage, this can be accomplished by implementing sufficient engineering controls, alternative methods, or technologies that effectively deter birds from aircraft without relying on firearms or pyrotechnics. One specific engineering control is the installation of remote-controlled static gas cannons along the runway. This measure provides an immediate reduction in the requirement for firearms and pyrotechnics, while also serving as a stepping stone towards a long-term transition to alternative methods and technologies.

Purivox solutions cannons are low profile, contain an LPG bottle and fire on demand remotely. The cannons would cover the length of the runway and in high-risk areas where Herons and Starlings feed. The cannons will keep the birds further away from the Airfield or deter them from crossing, particularly over the approach lights pier.

The Purivox Double Airport Remote Controlled (DA-RC) System covers 60000m<sup>2</sup> (6ha) and the Purivox Triple Airport Remote Controlled (TA-RC) System covers 80000m<sup>2</sup> (8ha). They are fully stainless-steel versions including stainless-steel blast tubes, providing durability in harsh coastal conditions and high-wind areas. Two TA-RC and four DA-RC systems will cover the entire Airfield. The Purivox Systems include a desk remote control and a hand-held remote control. The remote control systems can be activated up to 5km from the firing unit.

Both the DA-RC and TA-RC Systems will be set up to deploy periodically throughout the day, however this setting can be overruled by remote control if Swan or Canada Geese (high-risk birds) are observed on the Airfield.

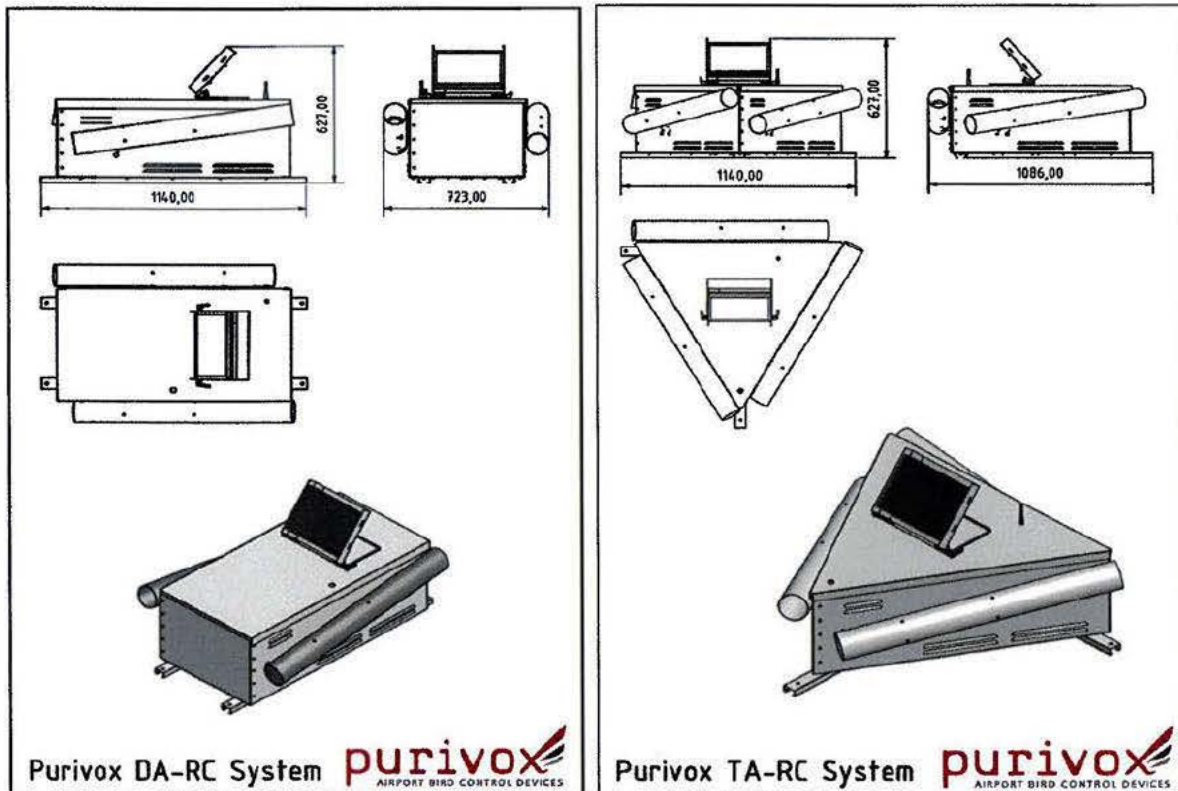


Figure 6 – Remote-controlled static gas cannons - Purivox Systems – DA-RC and TA-RC

### 3.3.2 Two large-area (30 acres) sonic bird deterrent systems

Gas cannons will provide cover along the length of the runway, however an additional engineering control measure is required at each end of the runway. The purchase and operation of Sonic bird deterrent systems will protect the airfield with constantly changing alarm and distress bird sounds, bird predator calls or harassment sounds. The MegaBlaster sonic system covers 30 acres, and two systems, one each end of the runway will provide good coverage.



Figure 7 – Sonic Bird Deterrent System



### 3.3.3 Purchase of Wingspan Rofalconry Drone

With elimination of the hazard as the primary objective, the purchasing and operation of drone technology as a wildlife control tool will support the Wildlife Team to use less of other bird deterrent methods such as pyrotechnic and firearms. The Wingspan Rofalconry drone is remote-controlled robotic prey which is designed to safely deter birds from the runway before aircraft land and take-off. The technology has been used overseas for successful pest control and bird deterrent. The drone technology is imported into New Zealand and painted to mimic Kārearea New Zealand Falcon (as predatory birds are more effective as deterrents). Wingspan provides drone flight training with an experienced pilot, and maintenance and repair. Rotorua Regional Airport purchased a bird drone from overseas and they have had great success with the implementation of this technology.

Auckland Airport will introduce this technology through our management of change process, which requires safety documentation, SOPs, Risk Assessments and Training Plans, and consultation with the wider airport stakeholders for 'on aerodrome' use of Rofalconry Drone. This information will be shared and reviewed by the CAA. If acceptable to the CAA, this information will be shared with other New Zealand Airports.



**Figure 8 – Example of a Falcon Drone**

### 3.3.4 Purchase of additional Bird Deterrent Lasers

Auckland Airport currently has one bird deterrent laser which was purchased earlier this year. The laser is highly effective in its deterrence of birds away from the airfield. The green light emitted by the laser is perceived by birds as physical danger and therefore when the light is shone on them, they fly away from the light. Given the effectiveness of the laser already being used at Auckland Airport, the addition of one external use laser, together with two indoor bird deterrent lasers (for use inside hangers and under Pier B) would support the other engineering controls we can use to mitigate risk of harm.



**Figure 9: The new Bird Deterrent Laser ('The Bird Eraser Laser') at Auckland Airport**

### **3.3.5 Additional funding for OCP for Operations Staff**

Auckland Airport's incumbent Employee Assistance Programme is OCP. Auckland Airport will fund additional OCP sessions for Operations Staff as part of the Enforceable Undertaking. This will also provide training, which is currently not funded, for managing stress and building resilience, time management, balancing work and life, dealing with challenging situations and money management. Once the information from the EU is disseminated to staff, further specialist mental health support may be needed for the Wildlife Rangers, AOT and AES staff who attended the event, as well as the wider staff, which will be arranged as required.

## **3.4 Activities to be undertaken to promote the objects of the safety legislation that will deliver benefits for the wider industry or sector.**

### **Background**

Auckland Airport actively strives to improve health and safety outcomes through collaboration and the sharing of information within the industry. Auckland Airport is the only airport (besides Christchurch Airport) that has a dedicated Wildlife Team. All other New Zealand Airports include these responsibilities with other roles, such as Airfield Officers and Emergency Services. Auckland Airport provides support to the entire industry by using our resources to help other New Zealand Airports with their wildlife risk management.

### **3.4.1 Development and implementation of Wildlife Working Group with key industry stakeholders**

With Auckland Airport's goal of critical risk management to protect its workers, Auckland Airport has created and is funding a Wildlife Working Group with key industry stakeholders. Auckland Airport employs Wildlife Rangers to minimise wildlife risks, such as bird strikes. Previously, firearms and pyrotechnics have been used by the Wildlife Rangers as a deterrent method when there is an imminent threat. There will be less need for firearms and pyrotechnics if Auckland Airport utilises other technology as set out in 3.3 above, but also if there is reduced bird activity near the aerodrome. The risk of airplanes colliding with birds increases by approximately 400% during periods of migrations<sup>1</sup>. The Wildlife Working Group will conduct research into innovative technologies, wildlife patterns and migratory behaviours, track bird roosts, and research into what food sources (i.e., plant life) is attracting birds and wildlife to the aerodrome.

The Wildlife Working Group has engaged with the following external parties:

- Forest and Bird
- Watercare
- Ambury Park
- Auckland Council
- Department of Conservation
- Local Iwi
- BirdCare
- New Zealand Aviation Wildlife Hazard Group

The first meeting was held in April 2023 and is held monthly.

This working group provides a forum for stakeholders to discuss aviation wildlife hazard management and methods for elimination/minimisation of wildlife risks and sustainably supporting the environment for wildlife and biodiversity. It also acts as an information source for organisations interested in wildlife hazard management.

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<sup>1</sup> [Planes four times as likely to hit birds during migrations | Cornell Chronicle](#)

This working group has been allocated a fund of \$250,000 which they would use over a 3-year period to develop, pilot, and implement improvement projects. This fund will be provided to the working group to oversee/manage its allocation/prioritisation.

The types of initiatives and actions the working group may undertake, but are not limited to, include:

- 1 Increasing the roost at Kohia Island.
- 2 Investigating whether a roost remains at Puhunui Reserve and can be improved on.
- 3 Grounds and Wildlife Team working with the Sustainability Team to increase biodiversity at Auckland Airport in a safe way that reduces wildlife.
- 4 Develop a re-planting project to attract native species at Oruarangi Creek and carry out water quality analysis. Oruarangi Creek development with increased planting, involving Te Ahiwaru and Auckland Council.
- 5 Working with the Mangere Community Liaison Group on increasing canopy cover in the region.
- 6 Assisting Watercare with planting plans, technical reports to assess environmental and ecological effects, wetland delineations, stream ecological value assessments.
- 7 Observing swan and geese in their nesting areas and preparing breeding surveys.
- 8 Assisting Ambury Park Rangers with re-planting foreshore areas.
- 9 Preparing landscaping document for aviation areas including best practice guidelines for acceptable plant and tree species. This document is being worked on with Christchurch Airport and is to be shared with other New Zealand Airports.
- 10 Working with the Department of Conservation to capture and band New Zealand Dotterels on the airfield to monitor numbers of adult birds and chicks. Capturing, banding and relocating Australasian Harriers.
- 11 GPS solar powered trackers applied to Black Swan which collects valuable data indicating new nesting and feeding sites across greater Auckland and beyond.

The Working Group will disseminate the information it has gathered in the following ways:

1. Write and publish a paper on the findings.
2. Present at the Annual Wildlife Conference to be hosted by Auckland Airport
3. Present at the New Zealand Airports Association Conference.

The funding includes the creation of risk information and report findings in a public, free-to-access domain for any organisation or industry with similar risks to use without any commercial gain. This risk information may include, but is not limited to, (a) prevention of bird strikes using technology, (b) revising planting/landscape near Airports, and (c) minimisation of risks in a wildlife risk management role.

### **3.4.2 Develop and implement Annual Wildlife Hazards Conference**

Develop and implement a national two-day Annual Wildlife Hazards Conference to share industry updates, information and research data. The Conference will promote health, safety and wellbeing in the industry, inviting key industry stakeholders to speak on informative topics. The Conference will help to build a wildlife hazard community across the country focusing on risk mitigation. The Conference will be open to everyone interested in New Zealand Wildlife Risk Management. A segment of the Conference will be on mental health and wellbeing.

Auckland Airport will commit to hosting the Annual Wildlife Hazards Conference for a minimum of 3 years, which is free for industry-participants to attend. The Conference is a way to recognise exemplary work in the industry and stress innovation in the sector, bringing ideas to a forum.

Auckland Airport will invite industry experts to speak at the Conference (including Working Group key stakeholders and WorkSafe NZ), covering topics including firearms/pyrotechnic safety experts, innovation with technology in the sector, mental health and wellbeing, and wildlife patterns/behaviours.

As part of the Enforceable Undertaking, Auckland Airport consulted with the New Zealand Airports Association about the Conference. Taking the Association's feedback on board, Auckland Airport will pilot the Conference for the first year as suggested above, with flexibility over the following two years to change the duration and focus of the Conference to match the interest of the industry. The Association

has its own Conference each year and it has invited Auckland Airport's Wildlife Team to speak in August this year. The amount allocated to the Annual Wildlife Hazards Conference will also include funds for members of the Wildlife Team to attend the New Zealand Airports Association Conference. This will ensure that the delivery of the Annual Wildlife Hazards Conference is complementary to the New Zealand Airports Association Conference.

### **3.4.3 Develop and implement Sponsorship Programme**

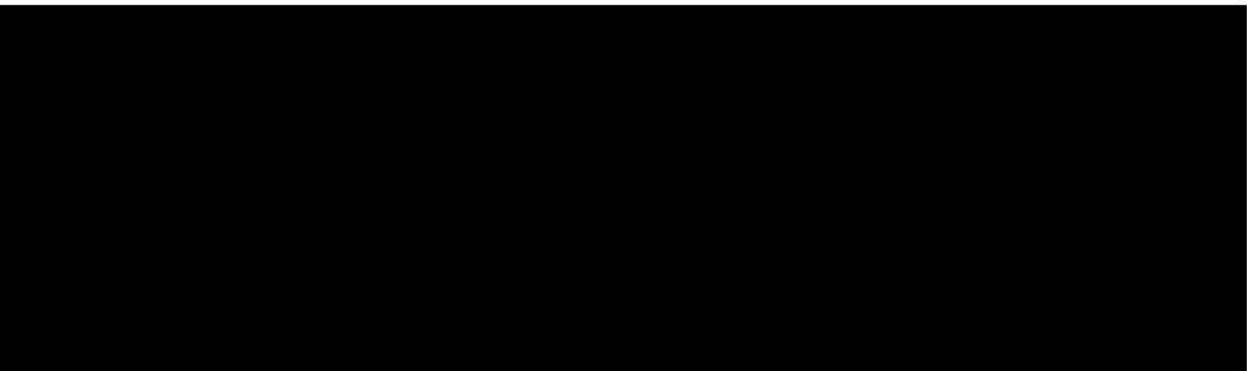
Develop and implement a sponsorship programme that will assist the development of persons involved with wildlife hazard management within the industry. The sponsorship programme aims to promote critical thinking around risk management and innovative ways to eliminate these risks. To assist with the development and growth of wildlife rangers and wildlife ranger teams across New Zealand, Auckland Airport will sponsor 8 to 10 nominated people from anywhere in New Zealand to attend the Annual Wildlife Hazards Conference. The funding for the sponsorship programme will facilitate wildlife rangers' attendance at the Annual Wildlife Hazards Conference, including travel/flights and accommodation.

Applicants can apply for the sponsorship programme (an expressions of interest process) and a panel of internal and external industry stakeholders will review applications and select participants. The sponsorship programme will include an innovative piece of equipment and/or technology relevant to their industry which will be given out to successful candidates at the Annual Conference (for example, a bird deterrent laser for wildlife rangers affiliated with other New Zealand Airports) as well as training on how to use the equipment/technology.

Auckland Airport will commit to running the sponsorship program for a minimum of 3 years.

## **3.5 Activities to be undertaken to promote the objects of the safety legislation that will deliver benefits for the community**

### **Background**



We propose a community project to:

#### **3.5.1 Fund grant to Man Alive to expand their services to the South Auckland area**

Fund Man Alive to expand their services in the South Auckland area so they can reach workplaces and community hubs within the region. Man Alive is a non-profit, secular, apolitical organisation offering a broad range of counselling services and programmes. Man Alive has many services including living without violence (including the Māori programme, Te Ara Taumata Ora), family and couple counselling, youth programmes, a men's change and support group and also offers counselling for men by men. The non-profit has offices in West Auckland, East Auckland and Northland, as well as Te Ara Taumata Ora and general counselling services in Whangarei, Kaihoke and Dargaville and youth counselling in Manukau East. It does not currently offer men's counselling South Auckland. With a focus on actively

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<sup>2</sup> [Statistics on suicide in New Zealand | Mental Health Foundation](#)

promoting positive manhood and strong relationships, Man Alive's work will have a beneficial impact on the South Auckland community.

### **3.5.2 Fund grant to Penina Trust to support their services in the South Auckland area**

During the consultation process, we reached out to the Mangere Community Law Centre about where funding was needed the most in the community, particularly the provision of mental health services. Mangere Community Law's community workers/advocates have worked with Penina Trust in the past and recommended them as providing comprehensive and professional service to the local community. There is a growing demand for mental health services in Auckland as people have had cumulative impacts arising from the pandemic.

Penina Trust is a Pasifika led non-government organisation and holds Faa Pasefika (Pacific Way) at the core of their values. They seek to empower wellness in the Pasifika Community and their mission is to provide quality support that enhances holistic wellness. Although the Injured Person was not of Pasifika descent, the Pasifika Community makes up a large percentage of Auckland Airport's Community. Penina Trust provides community-based support for families of people who experience mental illness and strengthens their ability to help their family member who needs that additional support. The Trust also offers individual services in the form of short-term support, mentoring or peer support. The Trust has a wellbeing programme called Awhi Ora (walk alongside) which supports individuals experiencing personal difficulties performing daily tasks due to mental health issues. This programme is for a 3-month period, in which the individual is helped to access community services and resources to progress on their journey to wellness. Penina is people focused, valuing people with love, compassion, care and respect; values which are aligned with our own.

Auckland Airport intends to fund both of the above organisations within 12 months of execution of the Enforceable Undertaking. Auckland Airport notes that in the unfortunate and unlikely event that the either or both of those organisations are no longer identified to be suitable (for example if they cease to exist or become insolvent) Auckland Airport will identify organisations within South Auckland that work to achieve substantially similar goals in the mental health space and will provide the same funding to those alternate organisations.





Schedule 2 – Part 100 Internal audit schedule

July	August	September	October	November	December	January	February	March	April	May	June	Total
MOC	MCC	MOC	MOC	MOC		MCC	MOC	MOC System				8
Third-party	Third-party	Third-party	Third-party	Third-party		Third-party	Third-party	Third-party System				8
Investigation	Investigation	Investigation	Investigation	Investigation		Investigation	Investigation	Investigation System				8
								Hazard Register	Hazard Register	Hazard Register	Hazard Register System	4
							Hazard Register	Hazard Register	Hazard Register	Hazard Register		4
							R-Mgt: ES	R-Mgt: Wildlife	R-Mgt: Airside Driving	R-Mgt System		4
							R-Mgt: AES	R-Mgt: Aircraft Movement	R-Mgt: Security			3
			Airport Safety Week Awareness				Desk to Work Safety Awareness				Annual Awareness Survey	3
							Planning					1
							Policy					1
							Accountabilities					1
						Safety Training: Skagrate	Safety Training: ES	Safety Training: Wildlife	Safety Training: AOT		Safety Training and Competency System	5
						Safety Training: AES		Safety Training: LCPS	Safety Training: Dued S			3
											Safety Training and Competency Mgt	1
									EPP	Monitoring and Measuring	Internal audit	3
									Document Control	Continuous Improvement		2
										Management Review		1
												60