



13 December 2019

WorkSafe
PO Box 165
WELLINGTON 6143

Via email to: guidanceandeducationdevelopment@worksafe.govt.nz

Dear Sir/Madam

Re: Bird Scaring Guide

Please find attached a submission from the kiwifruit industry on WorkSafe's proposed bird scaring guide

Please do not hesitate to contact us if you require any further information on this submission.

Yours sincerely

Sarah Cameron
Senior Policy Analyst

TO: WorkSafe

SUBMISSION ON: Proposed Bird Scaring Guide

NAME: NZ Kiwifruit Growers Inc (NZKGI)

ADDRESS: PO Box 4246, Mount Maunganui South, 3149

1. The kiwifruit industry in New Zealand

The kiwifruit industry is a major contributor to regional New Zealand returning \$1.8b directly to rural communities in 2018/19. There are ~3000 growers, 14,000ha of orchards, 10,000 permanent employees and up to 25,000 jobs during the peak season. Approximately 80% of New Zealand's kiwifruit crop is grown in the Bay of Plenty and the industry is expected to grow its global sales to \$4.5b by 2025 which is an increase from \$3.1b in 2018/19.

Zespri is a New Zealand company owned by New Zealand kiwifruit growers which exports and markets kiwifruit to more than 50 countries around the world. New Zealand Kiwifruit Growers Inc is a grower advocacy organisation that advocates, protects and enhances the commercial and political interests of New Zealand kiwifruit growers.

2. General comments

The industry was initially confused on the release of this document and the context to which it applies. It wasn't until the industry contacted WorkSafe that the relevant context was provided, and a better understanding established. It would have been helpful if WorkSafe had provided the appropriate context when the document was initially released.

The industry makes the following comments on the document.

3. Overall document

The industry would like to see this context provided in the introduction that provides the reader a good understanding of the purpose of the document.

The industry submits that at 38 pages, the document is too long and will not hold the reader's attention. The industry proposes that the document is separated into factsheets for each bird scaring method. That way the reader can select a fact sheet that is relevant to their on-orchard practice.

There seems to be lots of general hazard management comments throughout the document. The industry submits that these comments should be related to the topic at hand which is bird scaring devices.

4. Control Guidance

The industry submits that the guidance on controls is not overly comprehensive and could provide an unsafe environment for the reader. Examples are noted below:

- i. The controls for gas powered cannons are missing some obvious controls (soap test for leakage check)
- ii. Sniff test for a gas leak (some gas is unscented)

- iii. No guidance or requirement for notification or signage for the use of chemical substances. Reference to the Hazardous Substance Regulations and the WorkSafe Hazardous Substances toolbox should be referenced in the document
- iv. No reference to high frequency, low volume devices, that operate in the 15,000 to 20,000Hz range
- v. Shotguns are noted as the only firearm used – is this the only firearm used and would there be additional safety measures for the different type of firearm?
- vi. There should be a reference under explosive devices that netting used on crop protection structures could be potentially flammable.

5. Alignment with District Plans

While the document does refer the reader to consider district plans for regional regulations there is a reference in the document to decibel levels:

- Equivalent to 85 decibels averaged over eight hours, or
- A peak noise level over 140 decibels.

While the industry understands that these decibel ratings meet the workplace exposure standards, it is important to note that most district plans have a decibel level which cannot exceed 65 decibels. This is a higher degree of control. Noting the workplace exposure standards could create confusion and lead to growers thinking they are compliant. It is suggested that a link to each relevant section of a District Plan is noted in the document.

6. Additional comments

While the industry is supportive of guidance that positively impacts on the health and safety of a grower's operation, the guidance needs to be clear, concise and in a format that engages the grower. In the form of the current draft, we do not believe that the guidance meets this standard and significant change is required for the guidance to be used by the industry.

The industry welcomes the opportunity to discuss the guidance document further.