

8 August 2019

Kevin Murphy
General Manager
Greytown Trust Lands



By email: gm@greytowntrustlands.org.nz

Dear Kevin,

ACCESS TO RIGHT-OF-WAY / WORKPLACE HEALTH & SAFETY ISSUES

Thank you for your time recently to discuss a number of matters, in particular the issue of the right-of-way surrounding our site and the adjoining lot.

As you may be aware, the primary purpose of the right-of-way is to allow commercial vehicles full and unfettered access to our apron by the press hall so they may unload fruit and/or uplift oil by forklift quickly and safely.

With our expanding business, we have a growing number of large B-Trains and heavy truck/trailer units involved in goods delivery and uplift. These units typically have to do two passes through the apron and in/out the right-of-way so loading/unloading can be conducted safely by our forklift operator from both sides of the vehicle. In effect, the whole of the apron plus the right-of-way has become a workplace for the purposes of the Health & Safety at Work Act 2015, with delivery vehicles and our forklift being the two most obvious workplace hazards.

My concern is recently a car containing persons associated with the adjoining lot traversed the right-of-way and passed unwittingly through our apron from behind without warning while our forklift was unloading 500kg bins of olive fruit, thereby creating a serious hazard to our operator and themselves. While their unsafe actions may have been unintentional, they appeared unable in our subsequent brief conversation to fully appreciate the risks they had taken and presented to others.

As the defined PCBU (Person Conducting a Business or Undertaking), I have a primary duty of care under the Act to ensure the health and safety of our staff, contractors, customers and other persons visiting the site. This includes managing, mitigating or removing potential risks and hazards such as described above.

I would therefore ask you in the first instance to draw our concerns to the attention of our potential neighbours, and then meet with us to discuss the prospect of installing a more practical solution - our thinking at this stage is controlled-access barrier arms at both ends of the right-of-way, with orange hazard lights that would flash when the arms are activated.

Such a solution would have the added security benefit of discouraging access to the right-of-way and our apron after hours, and especially late at night when unknown persons have often been observed "parking up" on what, in effect, is private property.

I look forward to your advice in reply.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Rod Lingard', is located below the text 'Yours sincerely'. The signature is fluid and cursive.

Rod Lingard
Chairman