

Exemption from provisions of Health and Safety at Work (Hazardous Substances) Regulations 2017

In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), I, Nicole Rosie, Chief Executive of WorkSafe New Zealand exempt **Logical Freight Solutions (NZ) Limited**, for its warehouse at 113 Pavilion Drive, Airport Oaks, Auckland from compliance with separation distances and fire rated wall options under regulation 10.28 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 for storage of limited quantities class 4 substances.

I do so –

- being satisfied that:
 - a. the extent of the exemption is not broader than is reasonably necessary to address the matters that gave rise to it; and
 - b. the exemption is not inconsistent with the purpose of the Act; and
 - c. the risks are mitigated because the quantities are limited, the flammable solids will be held in specifically designed storage cabinets with segregation of incompatibles and marking and locating the cabinets in accordance with the requirements of AS 5026:2012 *The storage and handling of class 4 dangerous goods.*
- subject to the conditions listed in Appendix 1.

This exemption takes effect on **20 May 2019** and expires on **20 May 2024** unless it is replaced sooner or revoked.

Signed at Wellington this ¹⁷ day of May 2019.

For and on behalf of WorkSafe New Zealand:



Nicole Rosie
Chief Executive
WorkSafe New Zealand

Appendix 1

Exemption Conditions

The application to grant an exemption has been decided as follows:

The exemption is granted to Logical Freight Solutions (NZ) Ltd by WorkSafe for its warehouse at 113 Pavilion Drive, Airport Oaks, Auckland. The exemption is granted in accordance with section 220 of the Health and Safety at Work Act 2015 to accept the storage of limited quantities of class 4 flammable solids in dedicated storage cabinets.

This exemption takes effect on **20 May 2019** and expires on **20 May 2024** unless it is replaced sooner or revoked. The exemption is subject to the following conditions:

1. Logical Freight Solutions Ltd must ensure that there is no more than the following quantities of class 4 substances held in its warehouse:
 - a. 40 kg of class 4.1.1A substances;
 - b. 2 kg of class 4.2A & B substances; and
 - c. 5 kg of class 4.3A substances.
2. Logical Freight Solutions Ltd must not store at any time, any class 4.1.2 substances or any 4.1.3 substances in its warehouse
3. Logical Freight Solutions Ltd must store its class 4.1.1A substances, its class 4.2A & B substances, and its class 4.3A substances in separate storage cabinets.
4. Logical Freight Solutions Ltd must ensure that each of its class 4 storage cabinets comply with the design and construction requirements of clauses 5.7.3 and 5.7.5 of AS 5026:2012 *The storage and handling of class 4 dangerous goods*.
5. Logical Freight Solutions Ltd must ensure that each of its class 4 storage cabinets is marked in accordance with clause 5.7.4 of AS 5026:2012.
6. Logical Freight Solutions Ltd must ensure that each of the class 4 storage cabinets is located in its warehouse in compliance with clause 5.7.6 of AS 5026:2012.
7. Logical Freight Solutions Ltd must ensure that the storage of class 4 substances is in closed packages at all times.
8. Logical Freight Solutions Ltd must provide a copy of this exemption to any compliance certifier engaged to issue a location compliance certificates for the class 4 substances at its warehouse at 113 Pavilion Drive, Airport Oaks, Auckland.
9. A copy of this exemption document must be held on-site.