

WORKSAFE

Mahi Haumarū Aotearoa

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, Tony Hetherington, Head of High Hazards, Energy and Public Safety at WorkSafe New Zealand, exempt On Gas Limited from compliance with regulation 11.22 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (HS Regulations) for the cylinder filling station at 22 Porowini Avenue, Whangarei ('the site').

The site plan OnGas Whangarei Emergency Apparatus Site Layout LPG depot CD-1263-0208-0001 revision 8 (the Drawing) forms part of this decision.

I do so having had regard to the prescribed requirements in regulation 11.40 of the HS Regulations; and being satisfied that the extent of the exemption is not broader than is reasonably necessary to address the matters that gave rise to the proposed exemption; and that the exemption is not inconsistent with the purpose of the Act; and subject to the following conditions—

- (1) On Gas Limited must maintain the construction of the walls and ceiling of the cylinder filling station room at a fire resistance rating of 240/240/240 minutes; and
- (2) On Gas Limited must maintain the wall on the western boundary to extend three metres north of the cylinder filling room with a fire resistance rating of 240/240/240 minutes; and
- (3) On Gas Limited must ensure that no LPG cylinder, whether full, part full, or empty, is transported through the building; and
- (4) On Gas Limited must ensure mechanical ventilation is operational at all times; and
- (5) On Gas Limited must provide a copy of this exemption to any compliance certifier engaged to issue a location compliance certificate for the cylinder filling station; and
- (6) A copy of this exemption must be held at the site.

This exemption takes effect on 9 October 2020 and expires on 9 October 2025 unless it is replaced sooner or revoked. This exemption revokes and replaces waiver SEP1504.

Signed at Wellington this 2 day of October 2020

A handwritten signature in black ink, appearing to read 'Tony Hetherington', with a long horizontal line extending to the right.

Tony Hetherington
Head of High Hazards, Energy, and Public Safety
WorkSafe New Zealand