

## **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 **Z Energy Limited and OJI Fibre Solutions (NZ) Limited** from compliance with regulation 11.28 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 for the 30,000 litre above ground, double skinned Class 3.1 tank at OJI Fibre Solutions (NZ) Limited located at 85-89 Shands Road, Hornby, Christchurch.

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
- subject to the conditions specified on the following page.

This exemption takes effect on **14 December 2018** and expires on **14 December 2023** unless it is replaced sooner or revoked.

Signed at Wellington this 14<sup>th</sup> day of December 2018



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

## Exemption Conditions

The exemption is granted to Z Energy Limited and OJI Fibre Solutions (NZ) Limited (the Parties) for the 30,000 L above ground Class 3.1D tank located at OJI Fibre Solutions (NZ) Limited, 85-89 Shands Road, Hornby, Christchurch to have reduced separation distance to protected places.

The site plan by ECL Group Ltd, drawing number Z-HAZ-F-001, revision 2, dated 10 June 2015 forms part of this decision.

The exemption is subject to the following conditions:

1. The Parties must install and maintain a door that meets at least FRR -/240/60 replacing the existing personnel door into the boiler house.
2. The Parties must construct and maintain an intervening return wall to protect the roller door on the South East wall of the boiler house that:
  - i. meets at least FRR 240/240/240; and
  - ii. has a height of at least 0.6 from the top of the tank; and
  - iii. the horizontal distance from the tank, around the end of the wall, to the roller door is at least 4.2 m.
3. The parties must update the site plan site plan by ECL Group Ltd, drawing number Z-HAZ-F-001, revision 2, dated 10 June 2015, to include the existing roller door, return wall and the fire rated personnel door.
4. The Parties must maintain the layout of the site as shown in the Land Use Intensity Plan section of the site plan by ECL Group Ltd, drawing number Z-HAZ-F-001, revision 2, dated 10 June 2015 as per (3).
5. The Parties must provide a copy of this exemption to any compliance certifier engaged to issue a location compliance certificate for the class 3.1D tank at OJI Fibre Solutions (NZ) Limited, 85-89 Shands Road, Hornby, Christchurch.
6. The exemption is revoked if:
  - a. there is a change to the layout of the area of the site that is shown in the Land Use Intensity Plan section of the site plan by ECL Group Ltd, drawing number Z-HAZ-F-001, revision 2, dated 10 June 2015 (with the addition of the intervening wall); or
  - b. there is a change of use in the area of the building that is closer than 4.2 metres from the shell of the tank as shown in the site plan by ECL Group Ltd, drawing number Z-HAZ-F-001, revision 2, dated 10 June 2015 (with the addition of the intervening wall); or
  - c. the tank is used for a substance that is not class 3.1D; or
  - d. any of the conditions are not complied with.