

Notice of Decision

In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), Challenge Lake Rd 2012 Limited is exempted from compliance with regulation 11.22 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) for the LPG dispenser at 67 Lake Road, Frankton, Hamilton ('the site') subject to the following conditions.

Challenge Lake Rd 2012 Limited must –

- (1) maintain at minimum a separation distance of at least 5.6 meters (the current distance) between the forecourt cylinder filling station and the retail building; and
- (2) ensure the forecourt cylinder filling station continues to fill by weight with electronic controls; and
- (3) not use the forecourt cylinder filling station to fill LPG cylinders with a capacity of more than 9 kilograms of LPG; and
- (4) ensure that there are no more than two LPG cylinders at the forecourt cylinder filling station; and
- (5) ensure that LPG cylinders with a capacity of 4 kilograms of LPG or greater are filled with the ullage tube closed; and
- (6) provide a copy of this exemption to any compliance certifier engaged to issue a location compliance certificate for the new flammable liquid store; and
- (7) hold a copy of this exemption at the site.

This exemption takes effect on 30 August 2022 and expires on 30 August 2027 unless it is replaced sooner or revoked.

Signed at Wellington this 26 day of August 2022.



Darren Handforth
Head of High Hazards, Energy and Public Safety