

Notice of Exemption

In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), Handley Industries 2022 Limited is exempted from compliance with regulation 11.29(1), 11.36(2)(c) and 11.37(4) of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) for the site at 77 Hillside Road, Glenfield, Auckland ('the site').

Handley Industries 2022 Limited must –

Type D Store

- (1) ensure the floor and walls of the store have a minimum fire resistance rating of 240/240/240 minutes; and
- (2) ensure the roof of the store has a minimum fire resistance rating of 240/240/240 minutes; and
- (3) ensure there is a parapet wall of at least 0.6 metres height between the store and the workroom; and
- (4) ensure the personnel door within the store is self-closing and has a minimum fire resistance rating of -/240/30 minutes; and
- (5) ensure the external sliding door of the store has a fire resistance rating of -/240/30 minutes; and
- (6) ensure the internal sliding door between the store and the workroom has a fire resistance rating of -/240/30 minutes; and
- (7) ensure the internal sliding door between the store and the workroom remains closed at all times, other than when raw material and/or manufactured product is to be moved between these two areas; and
- (8) ensure the store is part of a secondary containment system, compliant with the requirements of regulation 10.30 of the HS Regulations; and
- (9) limit the quantity of class 3.1B and class 3.1C flammable liquids in the store to 20,000 litres (aggregate quantity), with a maximum container size of 20 litres; and

Type 3 Workroom

- (10) ensure the floor and walls of the workroom have a minimum fire resistance rating of 240/240/240 minutes; and
- (11) ensure the ceiling of the workroom has a minimum fire resistance rating of 60/60/60 minutes; and
- (12) ensure all personnel doors within the workroom are self-closing and have a minimum fire resistance rating of -/240/30 minutes; and
- (13) despite condition (12), the personnel door in the workroom adjacent to the roller door may have a minimum fire resistance rating of -/120/60 minutes or the highest fire resistance rating currently available in New Zealand; and

- (14) ensure the external roller door on the southern wall of the workroom has a fire resistance rating of at least -/240/- minutes, where closure of the roller door is activated on the detection of temperatures in the workroom at or above 75°C; and
- (15) ensure the workroom is not occupied either in whole or part as a dwelling; and
- (16) ensure the workroom has a secondary containment system with a capacity of at least 100% of the total pooling potential of liquids permitted in the workroom; and
- (17) limit the quantity of class 3.1B and class 3.1C flammable liquids in the workroom to 7,500 litres (aggregate quantity); and
- (18) ensure the workroom is separated from the Warehouse and Office/Reception area marked as such on the site plan prepared by Environmental Resources, version number 001, dated 13 July 2021 (the 'site plan') by a distance of not less than 5 metres; and
- (19) despite condition (18), ensure that any other building shown on the site plan that is a protected place is located outside an arc of 100 degrees of a perpendicular line drawn from the centre of the workroom doorway to a distance of not less than 15 m [refer to Figure 4.4 of AS 1940; *Australian Standard – The Storage and Handling of Flammable and Combustible Liquids*, 2017]; and
- (20) maintain sufficient ventilation in the workroom to ensure that, at any time, the vapour levels do not exceed 20% of the lower explosive limit (LEL) of the class 3.1B and class 3.1C flammable liquids used in the workroom; and
- (21) maintain vapour detection monitoring to set to alarm at 20% of the LEL. On sounding of the alarm, the workroom must be shut down and operation of the workroom must not commence until adjustments have been made to return and maintain the vapour levels at less than 10% of the LEL; and
- (22) maintain a Type 3 fire alarm system (automatic fire alarm system activated by heat detectors and manual call points) in compliance with NZS 4512:2021, with direct connection to Fire and Emergency New Zealand; and
- (23) restrict use of the workroom control room situated in the workroom to the requirements of workroom product testing and quality control, and restrict use of the records storage room situated in the workroom to the requirements of receipting raw materials and filling batch sheets; and
- (24) ensure the area around the entrance and exit into and out of the workroom via the roller door is kept clear of any combustible material for a distance of 3 metres in all directions; and

General conditions

- (25) not store or use any class 3.1A flammable liquids at the site; and
- (26) not store any flammable substances, including classes 2.1.1, 2.1.2 or 3.1 substances in the building (storage shed) attached to the south-western wall of the workroom; and
- (27) provide a copy of this exemption to any compliance certifier engaged to issue a location compliance certificate for the site; and
- (28) hold a copy of this exemption at the site.

This exemption takes effect from the date specified in the *Gazette* notice required by section 221 HSWA, which will be 9 January 2025 and expires on 9 January 2030 unless it is replaced sooner or revoked. This exemption is given the reference SEP2403

Signed at Wellington this 16th day of December 2024.

A handwritten signature in black ink, appearing to read 'Kate Morrison', with a stylized, cursive script.

Kate Morrison
Head of Authorisations and Advisory
WorkSafe New Zealand