

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 The Oily Rag Garage 2012 Ltd from compliance with regulation 11.22 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) for the filling station located in the forecourt at 94 Mōa Street, Pio Pio ('the site').

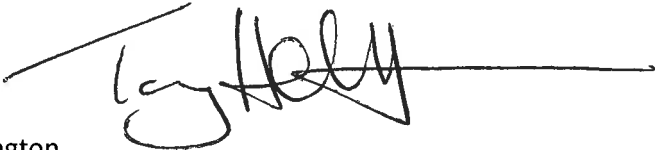
I do so having had regard to the prescribed requirements in regulation 11.40 of the HS Regulations; and being satisfied that the extent of the exemption is not broader than is reasonably necessary to address the matters that gave rise to the proposed exemption, and that the exemption is not inconsistent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

The Oily Rag Garage 2012 Ltd:

- (1) must maintain a minimum separation distance of 5.35 metres (the current separation distance) between the forecourt cylinder filling station and the retail building; and
- (2) must ensure that LPG cylinders are not stored adjacent to the forecourt cylinder filling station; and
- (3) must not use the forecourt cylinder filling station to fill cylinders with a capacity of more than 9 kilograms; and
- (4) must ensure that there are no more than two cylinders at the forecourt cylinder filling station; and
- (5) must ensure that LPG cylinders of 4 kilograms and greater are filled with the ullage tube closed; and
- (6) must provide a copy of this exemption to any compliance certifier engaged to issue a location compliance certificate for the new flammable liquids store; and
- (7) must hold a copy of this exemption at the site.

This exemption takes effect on 10 November 2020 and expires on 10 November 2025 unless it is replaced sooner or revoked.

Signed at Wellington this 10th day of November 2020

A handwritten signature in black ink, appearing to read 'Tony Hetherington', written over a horizontal line.

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