

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 **Rockgas Limited and Van Den Brink Poultry Limited** from compliance with regulation 11.21 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 for the 5,115 litre above ground LPG tank (#123115) at Van Den Brinks Poultry Limited, 175 Manion Road, Rolleston.

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

WorkSafe also note that:

- (a) The location of the LPG tank was compliant under the previous HSNO regulations; and
 - (b) the risks to the health and safety of workers and others can be managed by maintaining the existing fence on the boundary to ensure it is vapour-tight.
- subject to the conditions listed in Appendix 1.

This exemption takes effect on 22 August 2019 and expires on 22 August 2024 unless it is replaced sooner or revoked.

Signed at Wellington this 20th day of August 2019



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

Appendix 1

Exemption Conditions

The application to grant an exemption has been decided as follows:

The exemption is granted to Rockgas Limited and Van Den Brink Poultry Limited by WorkSafe New Zealand in accordance with section 220 of the Health and Safety at Work Act 2015 to accept reduced separation distance to public places from the above ground LPG tank (#123115) at Van Den Brink Poultry Limited, 175 Manion Road, Rolleston.

The site plan prepared by Rockgas Limited, LPG Tank Separation Areas, drawing number BC LPG:01 Revision 3, dated 08/2018 forms part of this decision.

The exemption comes into effect 22 August 2019 and expires on 22 August 2024 unless it is replaced sooner or revoked. The exemption is subject to the following conditions:

- (1) The Parties must ensure that the section of the existing fence along Manion Road, Rolleston (that is within 5.0 metres of the above ground LPG tank) is vapour tight and maintain its vapour tightness for the life of the exemption.
- (2) The Parties must maintain the layout of the site as shown in the site plan prepared by Rockgas Limited, LPG Tank Separation Areas, drawing number BC LPG:01 Revision 3, dated 08/2018.
- (3) The Parties must provide a copy of this exemption document to any compliance certifier engaged to issue a location compliance certificate for the above ground LPG tank (#123115).
- (4) A copy of this exemption document must be held at the site.