

## **Exemption from provisions of Health and Safety at Work (Hazardous Substances) Regulations 2017**

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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 from compliance with regulation 11.22 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) for the LPG cylinder filling station at 56 Langley Road, Wiri, Auckland ('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—

- (1) Rockgas Limited must maintain the walls to the LPG cylinder filling station so they have a fire-resistance rating of at least 120/120/120 minutes and are vapour tight; and
- (2) Rockgas Limited must maintain the vapour barrier that extends to the west from the LPG cylinder filling station and along the boundary with 80 Langley Road so that it is vapour tight; and
- (3) Rockgas Limited must test and maintain the water deluge system protecting the LPG cylinder filling station in accordance with the requirements of NZS 4541:2013, Automatic fire sprinkler systems; and
- (4) Rockgas Limited must maintain the automatic detection of a loss of water supply to the site accompanied by an audible alarm and ensure all LPG filling operations cease until water supply is restored; and
- (5) Rockgas Limited must maintain the existing excess flow controls at the bulk tanks and cylinder filling equipment; and

- (6) Rockgas must ensure only vapour withdrawal LPG cylinders as well as liquid withdrawal LPG cylinders that are fitted with excess flow protection are filled in the LPG cylinder filling station such that they will operate in the event of a loss of containment of LPG liquid; and
- (7) Rockgas Limited must not store any combustible materials, or LPG cylinders unless they are gas free, on the platform immediately to the west of the LPG cylinder filling station; and
- (8) Rockgas Limited must maintain a clear means of egress, in more than one direction and at least 1 metre wide from any filling point to where cylinders are stored; and
- (9) Rockgas Limited must provide a copy of this exemption and the covering letter from WorkSafe to Rockgas Limited (dated 3 July 2019, file reference SEP1906) to any compliance certifier engaged to issue a location compliance certificate for the site; and
- (10) A copy of this exemption and the covering letter from WorkSafe to Rockgas Limited must be held at the site; and
- (11) Rockgas Limited must maintain layout of the area of the site that is within 15 metres of the perimeter of the LPG cylinder station in accordance with the site plan by BD Group Design Limited, Hazardous Substance Location and Control Zones, drawing number 2012-E006, revision D, dated 12/2012.
- (12) The site plan by BD Group Design Limited, Hazardous Substance Location and Control Zones, drawing number 2012-E006, revision D, dated 12/2012 forms part of this decision.

This exemption takes effect on 7 July 2020 and expires on 7 July 2025 unless it is replaced sooner or revoked.

Signed at Wellington this 3rd day of July 2020



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