

# WORKSAFE

Mahi Haumarū Aotearoa

## 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 PPG Industries New Zealand Limited from compliance with regulation 11.29, 11.30, 11.34, 11.36 and 11.37 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) at 53 Wickham Street, Bromley, Christchurch ('the site').

I do so having had regard to the considerations of regulation 11.40(2) 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—

PPG Industries New Zealand Limited must –

- (1) restrict access to the warehouse, tinting room, and dangerous goods store to –
  - (a) employees; and
  - (b) persons who are familiar with the respective substances.
- (2) ensure that the area around the doorway between the warehouse and the office is kept clear of obstacles and combustible materials; and
- (3) maintain the construction of the walls of the warehouse to have a fire resistance rating of at least 240/240/240 minutes; and
- (4) install a door between the office and warehouse to have a FRR of at least -/240/120 minutes within three months of this exemption taking effect; and
- (5) not store class 3.1 flammable substances within 4 metres of the wall shared by the warehouse and office; and
- (6) maintain the current sprinkler system in the warehouse and office in compliance with NZS 4541:2020 *Automatic fire sprinkler systems*; and
- (7) ensure the tinting room has ventilation that complies with AS/NZS 1668:2015; and

- (8) limit the amount of class 3.1B and C flammable liquids to, at most, 25,000 litres in the warehouse; 2000 litres in the tinting room; and 20,000 litres in the dangerous goods store; and
- (9) ensure the maximum container size is limited to 60 litres in the warehouse; 60 litres in the tinting room; and 205 litres in the dangerous goods store; and
- (10) not possess any quantity of 3.1A flammable liquids at the site; and
- (11) install and maintain early warning fire detection systems in the tinting room and dangerous goods store; and
- (12) must provide a copy of this exemption to any compliance certifier engaged to issue a location compliance certificate; and
- (13) A copy of this exemption must be held at the site.

This exemption takes effect on 25 January 2021 and expires on 25 January 2026 unless it is replaced sooner or revoked.

Signed at Wellington this 17th day of December 2020



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