

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 of WorkSafe New Zealand, exempts **Flint Group New Zealand Limited** from compliance with regulation 11.30 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 for the building type of its printing ink store at 6 Burrett Avenue, Penrose, Auckland.

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
 - c. subject to the conditions listed in Appendix 1.

This exemption takes effect on **31 January 2019** and expires on **31 January 2024** unless it is replaced sooner or revoked.

Signed at Wellington this ~~.....~~^{24th} day of January 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 Flint Group New Zealand Limited by WorkSafe in accordance with section 220 of the Health and Safety at Work Act 2015 to Chemical Freight Services Ltd on the basis that WorkSafe:

- a. Is satisfied that the exemption sought is not broader than is reasonably necessary to address the matters that gave rise to it (pursuant to section 220(2)(a) of the HSWA); and
- b. Is satisfied that the exemption sought is not inconsistent with the purpose of the HSWA (pursuant to section 220(2)(b) of the HSWA) subject to conditions to manage the flammability risks to workers and other persons; and
- c. Accepts the structure of the class 3.1 flammable liquids store plus the fire protection system as equivalent to a Type D store under the Health and Safety at Work (Hazardous Substances) Regulations 2017.

The site plan prepared by the Origin Fire Consultants dated 31/05/2017, drawing number 16135A-FR01 rev D forms part of this decision.

The exemption comes into effect on 31 January 2019 and expires on 31 January 2024 unless it is replaced sooner or revoked.

The exemption is subject to the following conditions:

1. The existing flammable liquids store must hold no more than 20,000 litres of class 3.1B and 3.1C flammable liquids. There must be no class 3.1A flammable liquids held in the store. There must be no more than 6,500 litres in plastic containers.
2. The containers holding flammable liquids in the existing flammable liquids store must be:
 - a. limited to package sizes of no more than 20 litres for class 3.1B and no more than 220 litres for class 3.1C substances;
 - b. limited to package sizes of no more than 20 litres for plastic containers; and
3. The plastic containers must be limited to storage racks no more than one rack above ground level.
4. The walls of the existing flammable liquids store must maintain their current fire resistance rating of 180/180/180 minutes with no penetrations through the walls.
5. The existing flammable liquids store must not have any doors opening into the interior of the building unless required for personnel escape. These doors must have a fire resistance rating of at least -/180/60 minutes fire resistance rating and must be self-closing in the event of a fire, and kept usually closed.

6. The area inside and outside the existing flammable liquids store within 3 metres of the doors of the store, must be maintained clear of combustible materials.
7. The west and east facing walls of the existing flammable liquids store must maintain the existing parapets structure and height to adjacent roof lines.
8. The foam fire protection in the existing flammable liquids store, the printing inks manufacture workroom and the canopy of the dispatch area must maintain current certification to *AS/NZS 4541 Automatic Fire Sprinkler Systems*.
9. The foam fire protection must maintain a capacity of 80,000 litres, capable of delivering 15 minutes of foam to the existing flammable liquids store.
10. Flint Group New Zealand Limited must provide a copy of this decision to any compliance certifier engaged to issue a location compliance certificate for its site at 6 Burrett Avenue (61 Walls Road), Penrose, Auckland.
11. This exemption is revoked if:
 - a. there is a change to the layout in the annotated Origin Fire Consultants Site Plan drawing number 16135A-FR01 rev D dated 31/05/2017; or
 - b. any of the conditions are not complied with.