

# Notice of Exemption

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In accordance with section 220 of the Health and Safety at Work Act 2015, HWR Hydrogen Limited is exempted from compliance with regulations 17.17(1)(a) and 17.17(4) of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) for their four hydrogen storage MEGS pods located at 10 Lake Street in Clifton, Invercargill, subject to the following conditions:

HWR Hydrogen Limited must –

- (1) ensure the stationary tanks comply with Plant and Building Safety Limited Design Verification Certificate A5083V/01, and the associated drawings; and
- (2) ensure the stationary tanks are separated from each other by a minimum of 40mm and are positioned to enable visual inspection over the total surface area; and
- (3) aggregate the capacities of the individual cylinders within the MEGS pods for the purposes of calculating all relevant separation distances, with the separation distances applied from the outermost cylinders; and
- (4) inspect the vapor walls around the MEGS pods and Tube Trailer area every 12 months, maintain documentation of these inspections and any repairs conducted; and
- (5) ensure the site is constructed in accordance with '*Structural Drawings*' (Sheet numbers S.0.01 – S.5.11, issued by Procerto on 2024.05.17), unless any proposed deviation from or addition to the concept drawing has been advised to WorkSafe and has been approved by WorkSafe in writing; and
- (6) ensure that the integrity of the flame and gas detection systems are inspected as per the manufacturer's guidelines, and are present in the locations outlined in "*P03-00-00-001-Flame Gas Detection Map*", provided to WorkSafe 10 August 2025, unless any proposed deviation from or addition to the drawing has been advised to WorkSafe and has been approved by WorkSafe in writing; and
- (7) ensure a copy of this exemption is provided to any compliance certifier engaged to issue a location compliance certificate; and
- (8) ensure a copy of this exemption is held at the site.

This exemption takes effect on 29 September 2025 and expires on 29 September 2030 unless it is replaced sooner or revoked. This exemption is given the reference HS2403.

Signed at Wellington this 25th day of September 2025

A handwritten signature in blue ink, consisting of a stylized 'S' followed by a large loop and a horizontal stroke.

Sharon Thompson  
Chief Executive  
Worksafe New Zealand