

File Ref: CAS-28978-V6J6L3 / 20026

9 July 2026

Ballance Agri-Nutrients (Kapuni) Limited
309 Palmer Road, RD 28,
Kapuni,
Hawera, 4678

Attn: [REDACTED], [REDACTED]

Sent by email

Dear [REDACTED],

Formal warning

WorkSafe New Zealand (**WorkSafe**) has decided to issue a formal warning to Ballance Agri-Nutrients (Kapuni) Limited (**Ballance**) in relation to the incident that occurred on 15 July 2025 at Ballance's Kapuni facility.

WorkSafe considers that Ballance has likely breached sections 36(1)(a) and 48 of the Health and Safety at Work Act 2015 (**HSWA**) by failing, so far as was reasonably practicable, to ensure the health and safety of workers during a pump change-over activity. In particular, after reviewing the evidence obtained during the investigation, WorkSafe has formed the view that:

- (a) On 15 July 2025, a significant ammonia release occurred in the Uraca Pump House at Ballance's Kapuni facility during a pump change-over activity.
- (b) Three workers were exposed to serious health and safety risks.
- (c) The release occurred when duty pump A was not stopped before standby pump B was started.
- (d) The discharge valve of pump A was subsequently closed while it was still operating, leading to overpressure and loss of containment.
- (e) There were deficiencies in Ballance's hazard identification, risk assessment, and operational controls, including that not all deadheading scenarios for the ammonia pumps had been fully assessed.

Ballance has not disputed the facts and has consented to this matter being dealt with by way of a formal warning.

Reason for issuing this formal warning

While WorkSafe considers the likely breach to be serious, we have taken into account that the workers were well trained and carried ammonia escape hoods for use in such an incident, none of the workers reported any injuries, Ballance cooperated with WorkSafe throughout its investigation and has completed significant remedial actions following the incident.

Having regard to those factors and taking into account the Solicitor General's Prosecution Guidelines, WorkSafe's [How we make prosecution decisions](#) and [How we use formal warnings](#) policies, WorkSafe has decided to issue a formal warning rather than commence a prosecution.

Consequences of the warning

The consequences of this warning are as follows:

- This warning does not amount to a finding that an offence against HSWA has been committed, as only the courts can make such a determination. However, this warning, and the facts, may be taken into account in any future proceedings.
- If Ballance carries out similar conduct in the future, WorkSafe may proceed with a prosecution.
- WorkSafe may take this warning into account when making future decisions about Ballance, including when considering future enforcement.
- WorkSafe may draw this warning to the attention of any court dealing with relevant proceedings involving Ballance.
- Details of this warning will be published on our website for three years and WorkSafe may issue a media release about the outcome of this matter.
- A copy of this warning will be kept by WorkSafe and held on record for three years. We may share the outcome of the investigation following an Official Information Act request, or as part of information sharing with other regulators.

Your rights

If you have concerns about the details of this warning being published on the WorkSafe website, you may write to us at the address given below with reasons why we should not make this publication within ten working days from the date of this letter. If we do not receive a request from you by then, WorkSafe will publish the warning. If you do write to us within this timeframe, we will consider your reasons before making a final decision on publication and advise you of our decision.

Reviews

In some circumstances, we may review and reconsider warnings if new evidence has been found. Reviews are undertaken independently of the original decision-maker, and we seek legal advice as part of the review process.

You may request a review of our decision to issue a warning. This can be made via our [website](#) within ten working days of this letter being issued.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Darren Handforth', with a long horizontal flourish extending to the right.

Darren Handforth

National Manager High Hazards Energy and Public Safety

WorkSafe New Zealand

PO Box 165, Wellington, 6140

Email: Darren.Handforth@worksafe.govt.nz