

An Overview of the Water Services Act 2021

This document is intended to provide guidance and information to MPTA Members around some of the requirements of the [Water Services Act 2021](#) (the Act) in relation to Small Drinking Water Supplies within the rural sector.

(NB: This is not the “Three Waters Bill”, which is titled the Water Services Entities Bill which, as at 18/12/22, has not yet been fully enacted into law.)

Requirements of the Water Services Act 2021:

The Water Services Act 2021, which is regulated by Taumata Arowai, establishes drinking water standards and regulates all persons and organisations that supply drinking water.

Under the Act, if a water supply provides drinking water to more than one household or dwelling, then the owner / operator of that water supply is considered a Drinking Water Supplier.

Drinking Water Suppliers now have significant new duties including:

- Registering their supply
- Complying with Drinking Water Standards, including Aesthetic Values
- Providing sufficient quantities
- Having a Drinking Water Safety Plan
- Notifying Taumata Arowai and local authorities of any risk or hazard to the water
- Maintaining records of supply, compliance and monitoring (to be done via an accredited lab)
- Providing specified information and a complaints process for those using / operating the water supply and consuming the water; plus more...

What some of the components within the Act cover (with links to webpage):

The [Drinking Water Quality Assurance Rules](#) provide the minimum requirements drinking water suppliers must comply with to demonstrate they are supplying safe drinking water and include monitoring and reporting requirements. Some additional [Rule Clarifications](#) have been provided.

The [Drinking Water Standards for NZ 2022](#) set Maximum Acceptable Values for contaminants in drinking water.

The [Drinking Water Aesthetic Values](#) are measured by the look, taste and odour of the water. They do not directly indicate the safety of the drinking water.

The [Acceptable Solutions](#) allow eligible suppliers to meet compliance obligations under the Water Services Act, and will not need to provide a Drinking Water Safety Plan. They apply to particular supply types and situations and must be implemented in their entirety.

A [Drinking Water Safety Plan \(DWSP\)](#) is a risk management process that aims to ensure a safe, reliable and resilient supply of drinking water to consumers. A DWSP records the hazards and risks to a drinking water supply and how it will be managed to ensure that drinking water is safe. A separate DWSP is required for each drinking water supply on a property. A Drinking Water Supplier who wasn't registered under the Health Act 1956 immediately before 15 November 2021, has up to November 2025 to register their supply, and up to November 2028 to complete and submit the DWSP.

[Registering a Drinking Water Supply](#) – the owner of the water supply is responsible for ensuring the supply is registered before November 2025, and annually thereafter; and that the water supplied is compliant with the Drinking Water Standards.

There is significant detail contained in the documents mentioned above and the links provided in this communication and it is highly recommended that if you are involved in the provision of, installation of, or servicing of equipment used to provide drinking water that you download, and make yourself familiar with, these documents from the [Taumata Arowai website](#).

What you need to know for Small Drinking Water Supplies:

1. If the water supply is from the roof of a single domestic dwelling and stored in a tank(s) within the boundaries of the dwelling, then it is a domestic self-supply and these rules do not apply, however the Drinking Water Standards for NZ 2022 & the Health Act 2005 do apply which requires that safe drinking water is always provided.
2. If the water is supplied (or supplemented) from an external source such as a bore, creek, spring etc, then the requirements within the Act will apply. If the owner / operator provides a water supply (that they know, or ought reasonably to know) is being used as drinking water, they are a Drinking Water Supplier and will have responsibilities under the Act. In this scenario the Supplier needs to be (become) a Registered Water Supplier.

There are several Drinking Water Supply categories as defined below, each of which have multiple Rule modules that are applied to the various categories. The Rule modules are further detailed in the Drinking Water Quality Assurance Rules.

Drinking Water Supply Categories are:

- Very Small Community up to 25 people (excludes domestic self-supply)
- Small Supply 26 – 100 people
- Medium Supply 101 – 500 people
- Large Supply >500

Looking at the Rule modules for Very Small Communities (VSC), which would cover most farm / rural supplies, the following is required:

- A Drinking Water Safety Plan
- Compliance with Drinking Water Standards for NZ 2022
- Compliance with the table below (List of [IANZ Accredited Laboratories](#))

Rule Number	Requirement	Assurance/Monitoring	Compliance Period
VSC.1	A sample of water collected from the distribution system of the supply must be analysed for <i>E. coli</i> and total coliforms every 6 months. There must be a period of at least 5 months between sample collection dates.	Monitoring	1 Year
VSC.2	All water samples analysed for <i>E. coli</i> and total coliforms must be analysed by a laboratory accredited by IANZ for those tests and samples must be collected according to the requirements provided by the laboratory.	Assurance	1 Year
VSC.3	The results of the samples collected and analysed under Rule VSC.1, must be promptly made available to the owners/occupiers of all properties connected to the supply.	Assurance	1 Year

NB: If the supply is to more than 25 people the Rules are more extensive and you should refer to the requirements in the Drinking Water Quality Assurance Rules.

3. [Acceptable Solutions](#) have been published by Taumata Arowai which offer alternative practical ways for Drinking Water Suppliers to provide safe drinking water that are proportionate to the scale, complexity, and risk profile of the supply. The Acceptable Solutions apply to the following three sources:
- Roof Water Supplies (multiple dwellings)
 - Spring & Bore Drinking Water Supplies
 - Mixed-use Rural Water Supplies (i.e. water used for stock water, irrigation & domestic drinking water)

NB: If a Drinking Water Supplier complies with an Acceptable Solution a Drinking Water Safety Plan (including a Source Water Risk Management Plan) is not required, and the Drinking Water Supply categories do not apply.

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All users of this guidance should satisfy themselves concerning its application to their situation and, where necessary, seek expert advice.