

Water Services Act 2021 (Exemption No. 003, Department of Conservation) General Exemption 2024

This exemption is granted pursuant to section 57 of the Water Services Act 2021 (“Act”), by the Head of Systems, Strategy and Performance of Taumata Arowai—the Water Services Regulator (“Taumata Arowai”) acting under delegated authority.

1. Commencement

The exemption comes into force on 10 June 2024.

2. Exemption

The Department of Conservation is exempt from compliance with the requirements listed in section 57(1) of the Act in relation to any drinking water supply or supplies that meet all of the following criteria:

- (a) Is owned by, and is operated by or on behalf of, the Department of Conservation; and
- (b) Is located on land that is administered by the Department of Conservation for conservation, recreational, scientific, or other related purposes, including any land administered under any of the following:
 - (i) the Conservation Act 1987;
 - (ii) the National Parks Act 1980;
 - (iii) the Reserves Act 1977; and
- (c) Is intended to provide overnight shelter to any person who may visit and who carries their own food, bedding, clothing, and outdoor equipment; and
- (d) Contains only basic facilities, which may include (but are not limited to) any or all of the following:
 - (i) sleeping platforms or bunks;
 - (ii) mattresses;
 - (iii) food preparation surfaces;
 - (iv) appliances for heating;
 - (v) appliances for cooking;
 - (vi) toilets; and
- (e) Does not have mains power, or it is not reasonably practicable to maintain another source of power that is sufficient to operate a treatment plant; and
- (f) Is not permanently staffed.

The exemption is subject to the following conditions:

For all huts or campsites with drinking water supplies to which this exemption relates, the Department of Conservation must ensure:

- (1) Adequate signage advising consumers to boil drinking water is installed in a visually prominent place at each site; and
- (2) The Department of Conservation website includes information advising consumers to boil drinking water for each hut and campsite; and
- (3) Maintenance checks are carried out and documented, annually where reasonably practicable and otherwise at a frequency of no less than every two years, for each hut and campsite to ensure the following:
 - (a) Boil water signage remains in place:
 - (b) Tanks are secure from animal ingress:
 - (c) Any guttering, pipes and screens that are part of the drinking water supply remain intact and functional; and
- (4) Adequate written procedures are in place along with training to ensure that Department of Conservation staff or agents can competently carry out maintenance checks; and
- (5) Any necessary maintenance or replacement work identified during maintenance checks, or that the Department of Conservation otherwise becomes aware of, is carried out as soon as reasonably practicable.

3. Reasons for granting the exemption

The exemption has been granted for the following reasons:

- (a) Having regard to the scale, complexity and risk profile of the drinking water supplies that meet the above criteria and subject to the conditions above, the general exemption applied for by the Department of Conservation is consistent with the main purpose of the Act (other than the duty to have a drinking water safety plan).
- (b) It is impractical for the Department of Conservation to comply with the statutory duties that would otherwise apply in regard to drinking water supplies that meet the criteria of this exemption.

4. Term

This exemption expires on the close of the day that is 5 years after the date on which it takes effect, unless it is sooner replaced or revoked.

5. Secondary legislation

This exemption is secondary legislation as defined in the Legislation Act 2019.

6. Administering agency

The administering agency for this exemption is Taumata Arowai.

Dated at Wellington this 7 day of JUNE 2024



Sara McFall
Head of Systems, Strategy and Performance
Taumata Arowai