## Consultation on Rules Setting Local Government Performance Measures

In accordance with section 261B(3) of the Local Government Act 2002, the Secretary for Local Government intends to make an amendment to the rule specifying performance measures for the activity group of water supply.

The purpose of the performance measures is to enable the public to compare the level of service provided for each group of activities by different local authorities. The current measures, ***the Non-Financial Performance Measures Rules 2013*** (the Rules) are available on [the Department of Internal Affairs website](https://www.dia.govt.nz/Resource-material-Our-Policy-Advice-Areas-Local-Government-Policy#performance-measures).

### Proposed amendments

The Rules set specific performance measures for water supply. Performance measure 1 (safety of drinking water) currently requires councils to report “*the extent to which the local authority’s drinking water supplies comply with:*

*(a) part 4 of the drinking-water standards (bacteria compliance criteria), and*

*(b) part 5 of the drinking-water standards (protozoal compliance criteria).”*

The drinking-water standards referred to in this measure are the Drinking-water Standards for New Zealand 2005. These standards were repealed and replaced by the Water Services (Drinking Water Standards for New Zealand) Regulations 2022 following the transfer of regulatory responsibilities to Taumata Arowai.

The proposed amendment will replace the references to the 2005 standards with references to the equivalent standards in the Water Services (Drinking Water Standards for New Zealand) Regulations 2022. The current drinking water standards can be viewed on [the New Zealand Legislation website](https://www.legislation.govt.nz/regulation/public/2022/0168/latest/whole.html).

A table of proposed changes is included here:

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| Section | Current wording | Proposed changes |
| **Section 3, Interpretation** | In these rules, unless the context otherwise requires, -  **abatement notice** means a notice served under [section 322](http://www.legislation.co.nz/act/public/1991/0069/latest/link.aspx?id=DLM238562) of the Resource Management Act 1991  **conviction** means the conviction of an offence under section 343C of the Resource Management Act 1991  **drinking water** has the same meaning as in section 69G of the Health Act 1956  **drinking–water supply** has the same meaning as in section 69G of the Health Act 1956  **drinking–water standards** means —  (a) standards issued or adopted under [section 69O](http://www.lexisnexis.com:80/nz/legal/search/enhRunRemoteLink.do?ersKey=23_T18344345701&backKey=20_T18344345741&homeCsi=274497&A=0.1363728991554236&urlEnc=ISO-8859-1&&dpsi=0069&remotekey1=REFPTID&refpt=1956A65S69O&service=DOC-ID&origdpsi=0069) of the Health Act 1956; or  (b) if section 14(5) of the Health (Drinking Water) Amendment Act 2007 applies, the Drinking-Water Standards for New Zealand 2000 | In these rules, unless the context otherwise requires, -  **abatement notice** means a notice served under [section 322](http://www.legislation.co.nz/act/public/1991/0069/latest/link.aspx?id=DLM238562) of the Resource Management Act 1991  **conviction** means the conviction of an offence under section 343C of the Resource Management Act 1991  **drinking water** has the same meaning as in section 6 of the Water Services Act 2021  **drinking–water supply** has the same meaning as in section 9 of the Water Services Act 2021  **drinking–water standards** means standards made under section 47 of the Water Services Act 2021 |
| **Part 2 – Performance Measures**  **Sub-part 1 - Water supply** | Performance measure 1 (safety of drinking water) The extent to which the local authority’s drinking water supply complies with: part 4 of the drinking-water standards (bacteria compliance criteria), andpart 5 of the drinking-water standards (protozoal compliance criteria). | Performance measure 1 (safety of drinking water) The extent to which the local authority’s drinking water supply complies with Table 1 of the Water Services (Drinking Water Standards for New Zealand) Regulations 2022   * + 1. Determinand – *Escherichia coli*     2. Determinand – Total pathogenic protozoa |

**Consultation information**

The Secretary is now consulting on the draft performance measures.   
  
To provide feedback or for further information on the proposed amendments, contact the Department of Internal Affairs:

* email: [councils@dia.govt.nz](mailto:councils@dia.govt.nz); or
* post: Local Government Branch, Department of Internal Affairs, PO Box 805, Wellington 6140

Consultation closes at 5.00pm on 10 May 2024.