# Non-Financial Performance Measures Rules 2024

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NON-FINANCIAL PERFORMANCE MEASURES RULES 2024

Pursuant to and in accordance with section 261B of the Local Government Act 2002, the Secretary for Local Government makes the following rules.

RULES

# Title

These rules are the Non-Financial Performance Measures Rules 2024.

# 2 Commencement

These Rules come into force on 21 August 2024.

# 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 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 quality assurance rules** means compliance rules made under section 49 of the Water Services Act 2021

**dry weather sewerage overflow** means sewage that escapes a territorial authority’s sewerage system and enters the environment during periods of dry weather

**enforcement order** means an order made under [section 319](http://www.legislation.co.nz/act/public/1991/0069/latest/link.aspx?id=DLM238550) of the Resource Management Act 1991for any of the purposes set out in [section 314](http://www.legislation.co.nz/act/public/1991/0069/latest/link.aspx?id=DLM238530) of that Act; and includes an interim enforcement order made under [section 320](http://www.legislation.co.nz/act/public/1991/0069/latest/link.aspx?id=DLM238555) of that Act

**financial year** means a period of 12 months ending on 30 June

flooding event means an overflow of stormwater from a territorial authority’s stormwater system that enters a habitable floor

flood protection and control works means physical structures owned by local authorities and designed to protect urban and rural areas from flooding from rivers, including ancillary works such as channel realignment or gravel removal

footpath means so much of any [road](http://www.lexisnexis.com:80/nz/legal/search/enhRunRemoteLink.do?ersKey=23_T18345591237&backKey=20_T18345591238&homeCsi=274497&A=0.2875899039664481&urlEnc=ISO-8859-1&&dpsi=0069&remotekey1=REFPTID&refpt=1974A66S315:ROAD&service=DOC-ID&origdpsi=0069) as is laid out or constructed by a territorial authority primarily for pedestrians or cyclists; including its edging, kerbing, and channelling, and includes dedicated cycleways

**habitable floor** means a floor of a building (including a basement) but does not include ancillary structures such as stand-alone garden sheds or garages

**infringement notice** means a notice issued under section 343C of the Resource Management Act 1991

**local authority** means a regional council or a territorial authority

**major flood protection and control works** means flood protection and control works that meet two or more of the following criteria:

a) operating expenditure of more than $250,000 in any one year

b) capital expenditure of more than $1 million in any one year

c) scheme asset replacement value of more than $10 million, or

d) directly benefitting a population of at least 5,000 people

**networked reticulation** **system** means the pipes, pumps and any ancillary infrastructure necessary for supplying drinking water from the output of a treatment plant to the point of supply

**real water loss** includes real losses through leaks in the network and apparent losses through metering inaccuracies or water theft, but does not include unauthorised consumption

**regional council** has the same meaning as in [section 5(1)](http://www.legislation.co.nz/act/public/1974/0066/latest/link.aspx?id=DLM170881) of the Local Government Act 2002

**road**has the same meaning as in [section 315](http://www.legislation.co.nz/act/public/1991/0069/latest/link.aspx?id=DLM420346) of the Local Government Act 1974

**sealed local road network** means all roads having a sealed or paved surface within a territorial authority’s districtsubject to the exclusions set out in section 317 of the Local Government Act 1974

**sewerage overflow** means sewage that escapes a territorial authority’s sewerage system and enters the environment

**sewerage system** means the pipes and infrastructure that collect, convey, pump and treat sewerage and other liquid wastes from the point of connection to a treatment facility, including single purpose or combined sewers

**smooth travel exposure** means a measure of the percentage of vehicle kilometres travelled on roads that occurs above the targeted conditions for those roads, calculated in accordance with standard industry methodology

**stormwater system** means the pipes and infrastructure (excluding roads) that collect and manage rainwater run-off from the point of connection to the point of discharge

**territorial authority** means a city council or a district council named in [Part 2](http://www.legislation.co.nz/act/public/2002/0084/latest/link.aspx?id=DLM174261) of Schedule 2 to the Local Government Act 2002

**territorial authority district** means a district in respect of which a territorial authority is constituted; and, in relation to land in respect of which the Minister of Local Government is the territorial authority, means that land

# Part 1 – Measurement Period

Any calculation, measure, number or percentage set out in Part 2 of these Rules must be calculated for a financial year (unless otherwise specified in these Rules).

# 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 the following parts of the drinking water quality assurance rules:

###### 4.4 T1 Treatment Rules;

###### 4.5 D1.1 Distribution System Rule;

###### 4.7.1 T2 Treatment Monitoring Rules;

###### 4.7.2 T2 Filtration Rules;

###### 4.7.3 T2 UV Rules;

###### 4.7.4 T2 Chlorine Rules;

###### 4.8 D2.1 Distribution System Rule;

###### 4.10.1 T3 Bacterial Rules;

###### 4.10.2 T3 Protozoal Rules; and

###### 4.11.5 D3.29 Microbiological Monitoring Rule.

## Performance measure 2 (maintenance of the reticulation network)

###### The percentage of real water loss from the local authority’s networked reticulation system (including a description of the methodology used to calculate this).

## Performance measure 3 (fault response times)

Where the local authority attends a call-out in response to a fault or unplanned interruption to its networked reticulation system, the following median response times measured:

###### attendance for urgent call-outs: from the time that the local authority receives notification to the time that service personnel reach the site, and

###### resolution of urgent call-outs: from the time that the local authority receives notification to the time that service personnel confirm resolution of the fault or interruption.

###### attendance for non-urgent call-outs: from the time that the local authority receives notification to the time that service personnel reach the site, and

###### resolution of non-urgent call-outs: from the time that the local authority receives notification to the time that service personnel confirm resolution of the fault or interruption.

## Performance measure 4 (customer satisfaction)

The total number of complaints received by the local authority about any of the following:

###### drinking water clarity

###### drinking water taste

###### drinking water odour

###### drinking water pressure or flow

###### continuity of supply, and

###### the local authority’s response to any of these issues

###### expressed per 1000 connections to the local authority’s networked reticulation system.

## Performance measure 5 (demand management)

The average consumption of drinking water per day per resident within the territorial authority district.

# Sub-part 2 – Sewerage and the treatment and disposal of sewage

## Performance measure 1 (system and adequacy)

The number of dry weather sewerage overflows from the territorial authority’s sewerage system, expressed per 1000 sewerage connections to that sewerage system.

## Performance measure 2 (discharge compliance)

Compliance with the territorial authority’s resource consents for discharge from its sewerage system measured by the number of:

###### abatement notices

###### infringement notices

###### enforcement orders, and

###### convictions,

###### received by the territorial authority in relation those resource consents.

## Performance measure 3 (fault response times)

Where the territorial authority attends to sewerage overflows resulting from a blockage or other fault in the territorial authority’s sewerage system, the following median response times measured:

###### attendance time: from the time that the territorial authority receives notification to the time that service personnel reach the site, and

###### resolution time: from the time that the territorial authority receives notification to the time that service personnel confirm resolution of the blockage or other fault.

## Performance measure 4 (customer satisfaction)

The total number of complaints received by the territorial authority about any of the following:

###### sewage odour

###### sewerage system faults

###### sewerage system blockages, and

###### the territorial authority’s response to issues with its sewerage system,

###### expressed per 1000 connections to the territorial authority’s sewerage system.

# Sub-part 3 – Stormwater drainage

## Performance measure 1 (system adequacy)

###### The number of flooding events that occur in a territorial authority district.

###### For each flooding event, the number of habitable floors affected. (Expressed per 1000 properties connected to the territorial authority’s stormwater system.)

## Performance measure 2 (discharge compliance)

Compliance with the territorial authority’s resource consents for discharge from its stormwater system, measured by the number of:

###### abatement notices

###### infringement notices

###### enforcement orders, and

###### convictions,

###### received by the territorial authority in relation those resource consents.

## Performance measure 3 (response times)

###### The median response time to attend a flooding event, measured from the time that the territorial authority receives notification to the time that service personnel reach the site.

## Performance measure 4 (customer satisfaction)

###### The number of complaints received by a territorial authority about the performance of its stormwater system, expressed per 1000 properties connected to the territorial authority’s stormwater system.

# Sub-part 4 – Flood protection and control works

## Performance measure 1 (system adequacy and maintenance)

The major flood protection and control works that are maintained, repaired and renewed to the key standards defined in the local authority’s relevant planning documents (such as its activity management plan, asset management plan, annual works program or long term plan).

# Sub-part 5 – the provision of roads and footpaths

## Performance measure 1 (road safety)

The change from the previous financial year in the number of fatalities and serious injury crashes on the local road network, expressed as a number.

## Performance measure 2 (road condition)

The average quality of ride on a sealed local road network, measured by smooth travel exposure.

## Performance measure 3 (road maintenance)

The percentage of the sealed local road network that is resurfaced.

## Performance measure 4 (footpaths)

The percentage of footpaths within a territorial authority district that fall within the level of service or service standard for the condition of footpaths that is set out in the territorial authority’s relevant document (such as its annual plan, activity management plan, asset management plan, annual works program or long term plan).

## Performance measure 5 (response to service requests)

The percentage of customer service requests relating to roads and footpaths to which the territorial authority responds within the time frame specified in the long term plan.

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Date laid before the House: [to be inserted]