I hereby make the Non-Financial Performance Measures Rules 2013 on this day, the 12th day of November 2013

Colin MacDonald
Chief Executive
Non-Financial Performance Measures Rules 2013

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NON-FINANCIAL PERFORMANCE MEASURES RULES 2013

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

RULES

1. Title

These rules are the Non-Financial Performance Measures Rules 2013.

2 Commencement

These Rules come into force on 30 July 2014.

3 Interpretation

In these rules, unless the context otherwise requires, -

abatement notice means a notice served under section 322 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 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

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 of the Resource Management Act 1991 for any of the purposes set out in section 314 of that Act; and includes an interim enforcement order made under section 320 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 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) of the Local Government Act 2002

road has the same meaning as in section 315 of the Local Government Act 1974

sealed local road network means all roads having a sealed or paved surface within a territorial authority’s district subject 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 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**

(1) **Performance measure 1 (safety of drinking water)**

The extent to which the local authority’s drinking water supply complies with:

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

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

(2) **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).

(3) **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:

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

(b) 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.

(c) 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

(d) 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.

(4) **Performance measure 4 (customer satisfaction)**

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

(a) drinking water clarity
(a) drinking water taste
(b) drinking water odour
(c) drinking water pressure or flow
(d) continuity of supply, and
(e) the local authority's response to any of these issues

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

(5) **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**

(1) **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.

(2) **Performance measure 2 (discharge compliance)**

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

(a) abatement notices
(b) infringement notices
(c) enforcement orders, and
(d) convictions,

received by the territorial authority in relation those resource consents.

(3) **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:

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

(b) 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.

(4) **Performance measure 4 (customer satisfaction)**

The total number of complaints received by the territorial authority about any of the following:
(a) sewage odour

(b) sewerage system faults

(c) sewerage system blockages, and

(d) 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**

(1) **Performance measure 1 (system adequacy)**

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

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

(2) **Performance measure 2 (discharge compliance)**

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

(a) abatement notices

(b) infringement notices

(c) enforcement orders, and

(d) convictions,

received by the territorial authority in relation those resource consents.

(3) **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.

(4) **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**

(1) **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

(1) 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.

(2) Performance measure 2 (road condition)

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

(3) Performance measure 3 (road maintenance)

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

(4) 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).

(5) 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.

Date of notification in Gazette: 21 November 2013
Date laid before the House: 3 December 2013