

## WAIMAKARIRI DISTRICT COUNCIL

### MINUTES OF THE MEETING OF THE LAND AND WATER COMMITTEE HELD IN THE COUNCIL CHAMBER, 215 HIGH STREET ON TUESDAY 27 SEPTEMBER 2022 AT 1PM.

#### PRESENT

Councillors S Stewart (Chairperson), N Atkinson, K Barnett, N Mealings, P Williams and Mayor D Gordon.

#### IN ATTENDANCE

Councillor P Redmond.

G Cleary (General Manager Utilities and Roading), K Simpson (3 Waters Manager), H Proffit (Water Safety and Compliance Specialist), and A Connor (Governance Officer).

There was one member of the public present.

#### **1** APOLOGIES

Moved: Councillor Stewart

Seconded: Councillor Atkinson

**THAT** an apology for absence be received and sustained from Councillor Blackie.

**CARRIED**

#### **2** CONFLICTS OF INTEREST

There were no conflicts of interest declared.

#### **3** CONFIRMATION OF MINUTES

##### **3.1** Minutes of a meeting of the Land and Water Committee held on Tuesday 17 May 2022

Moved: Councillor Stewart

Seconded: Councillor Mealings

**THAT** the Land and Water Committee:

- (a) **Confirms**, as a true and correct record, the circulated Minutes of the meeting of the Land and Water Committee held on 17 May 2022.

**CARRIED**

#### **4** MATTERS ARISING

In response to a question from Councillor Stewart, G Cleary confirmed that staff had contacted E Harvie regarding the Northbrook Trail, however he had not received any progress updates.

#### **5** DEPUTATION/PRESENTATIONS

Nil.

## 6 REPORTS

### 6.1 Analysis of Recent Reports Covering Regional Water Quality Trends and Issues – H Proffit (Water Safety and Compliance Specialist)

H Proffit noted that the purpose of the report was to provide the Committee with a summary of key points from reports recently presented to the Waimakariri Water Zone Committee (WWZC). She highlighted the following points:

- Nitrates had been increasing in water sources over time.
- Prime Ministers Chief Science Advisor stated there was no clear or consistent evidence showing a link between nitrates in water and bowel cancer.
- 85% of the district drinking water supplies were Council owned. Nitrate levels were all half the maximum acceptable value in those supplies. Levels were regularly monitored and the information was available to the public.
- The remaining 25% of the district were served by private supplies or their own individual water supplies. There was less information available regarding those supplies.

G Cleary clarified that Taumata Arowai had been clear that its role was not to speculate on the health impacts. If information was required it would request information from the Ministry of Health.

G Cleary also specified that recommendation (g) in the report, would be left to the incoming Council to decide whether it wished to provide staff with funding.

Councillor Atkinson noted that several workshops on a range of topics would need to be required to inform the incoming Council of current matters. He questioned how staff would progress this matter for the incoming Council. K Simpson agreed there would need to be significant work done on this to reach a point of decision. He noted that the Council already did some nitrate sampling as a trial and that would feed into how staff could upscale the work needing to be done.

Councillor Williams sought clarity on whether recommendation (g) should be there as current safe nitrate levels were unknown. G Cleary clarified that the recommendation was to recommend that the new Council give consideration to funding an assessment of wells in the district. As part of that guidance it was expected the Council to give staff direction on further progress and what budget would be made available.

Councillor Mealings questioned if any thought had gone into educating the public who own private wells on their responsibility to test their wells. K Simpson confirmed there had been thought put into educating private well owners. A pamphlet had been produced in consultation with the Canterbury Drinking Water Reference Group which provided information and responsibilities of establishing and owning a private well. He suggested staff could look into some sort of annual reminder for people to test their private wells.

Councillor Redmond sought information on how often the Council owned water supplies were tested for nitrate levels, how long the Council had been testing them and what trends had emerged from the testing. H Proffit noted the majority of the water supplies were tested annually. When the Poyntz Road well was in use it was tested monthly. Trends were generally low with Oxford showing slightly higher levels. Where the hydrogeology differed trends in nitrate also differed due to the arsenic levels. G Cleary confirmed that all public water supplies were within arsenic limits. It was a known issue in shallow ground areas especially coastal areas but levels were monitored regularly.

Councillor Barnett questioned if recommendation (d) should read 'suggested' rather than 'has found' as it was contradictory to later mentioned information

and if recommendation (g) should read 'notes' rather than 'recommend'. G Cleary replied that the second sentence in recommendation (d) was the important part however without the first sentence it would not make sense. It was ultimately up to the Committee if they wished to change the wording of the recommendations.

Councillor Barnett then asked how Three Waters fitted into this if the reform went ahead, as Taumata Arowai would take over the services. If this occurred it would be premature to have funding in the Draft Annual Plan. K Simpson stated that under section 125 of the Local Government Act 2022, the Council was now obligated to assess drinking water services at least once every three years. The draft version of the Water Services Act also made mention that sanitary assessments had to be undertaken by Territorial Authorities or Water Service Entities. Allocating funding in the Draft Annual Plan would be a key consideration in the report that would go to the Council.

Councillor Stewart sought clarity on paragraph 3.18 of the report and whether it related to only the Council water supplies or included private owned wells. K Simpson clarified it did extend to private water supplies as well as the Council water supplies and that the recent amendment was to add the Water Service Entities to the draft Water Services Act as it previously only mentioned Territorial Authorities. It was also understood that if the Water Entity came into effect they would take over the responsibility of water sanitary assessments.

Councillor Stewart then questioned why the Council had not undertaken any sanitary testing since 2006/07 if it was a statutory requirement. K Simpson stated the Act previously said must undertake testing from time to time rather than specifying every three years as it did now.

Moved: Councillor Stewart

**THAT** the Land and Water Committee:

- (a) **Receives** report No: 220808135617.
- (b) **Notes** that trends for nitrate levels in both groundwater and surface water were observed as generally increasing over time throughout Canterbury.
- (c) **Notes** the significant time lag between the introduction of land use changes and the observable effects of the changes to nitrate levels in groundwater.
- (d) **Notes** that recent research had found an association between nitrate levels in drinking-water and an increase in adverse long term health effects. At present the current advice from Government was that there was no clear or consistent evidence available to support this conclusion and further studies were necessary.
- (e) **Notes** that the Council's Three Waters staff were aware of the issue, routinely monitor the Council owned drinking-water supplies for nitrate and evaluate the risk further through the Drinking-water Safety Plan (DWSP) risk assessment and planning processes. At this time nitrate levels in the Council drinking-water supplies do not present an immediate risk to compliance or human health.
- (f) **Notes** limited information was available on private and individual water supplies in the district.
- (g) **Recommends** that the Council give consideration to funding an assessment of all private and individual water supplies in the District as part of the Draft 2023/24 Annual Plan.

- (h) **Circulates** this report to the Council and Community Boards for information.

**LAPSED**

Due to lack of seconder

Moved: Councillor Williams

Seconded: Councillor Barnett

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- (b) **Notes** that trends for nitrate levels in both groundwater and surface water were observed as generally increasing over time throughout Canterbury.
- (c) **Notes** the significant time lag between the introduction of land use changes and the observable effects of the changes to nitrate levels in groundwater.
- (d) **Notes** that recent research suggested an association between nitrate levels in drinking-water and an increase in adverse long term health effects. At present the current advice from Government was that there was no clear or consistent evidence available to support this conclusion and further studies are necessary.
- (e) **Notes** that the Council Three Waters staff are aware of the issue, routinely monitor the Council owned drinking-water supplies for nitrate and evaluate the risk further through the Drinking-water Safety Plan (DWSP) risk assessment and planning processes. At this time nitrate levels in the Council drinking-water supplies do not present an immediate risk to compliance or human health.
- (f) **Notes** limited information is available on private and individual water supplies in the district.
- (g) **Recommend** that the Council educate the reasons to private well owners to periodically have their private wells tested for nitrates in Council advertising.
- (h) **Notes** the incoming Council and Community Boards consider this report.
- (i) **Circulates** this report to the Council and Community Boards for information.

**CARRIED**

Councillor Williams stated that education was important as the Council did not know what the situation was with many private wells. It was important for people to learn and be responsible for their well systems. As the current unsafe levels of nitrate were unknown it was better to educate rather than scare the public with unknown information.

Councillor Barnett stated she was uncomfortable with this report as it seemed to push an opinion as a fact. The Council needed to follow Government standards surrounding water quality. She had reservations regarding private wells being paid for by rate payers as not every rate payer had a private well This should be the responsibility of the land owner. The 2023/24 draft Annual Plan already had increasing cost and she was uncomfortable adding in cost for water services that were going to be taken over by the new Water Entity if the reform was passed.

Councillor Atkinson noted there were rivers and streams in the District that were not mentioned in this report for testing nitrate levels and that was concerning. Information would increase and become more factual over time. The most important point was to educate the incoming Council.

Councillor Stewart noted that when people applied for building consents part of which was to test the water supply of the property and therefore the information on private wells was already known and staff needed to collate it at little to no cost associated.

Councillor Williams replied that although private wells were tested when building consents were applied for was insufficient and regular testing to ensure any change in nitrate levels would be known. Education was key as the current safe levels were unknown and could not be regulated.

6.2 **Pinevale Farm Earthworks Incident Report – A Burton (Water Environment Advisor)**

K Simpson spoke to the report and emphasized the following:

- The Land and Water Committee had previously allocated money from the Cam River Enhancement Fund for planting at Pinevale Farm.
- None of the planting had been damaged, there had however been additional sediment loading discharged in the area. This was being followed up with by Environment Canterbury and the land owner to find a future solution.

Councillor Stewart inquired if there had been any further update since the writing of this report. K Simpson stated there had been no update at this stage however A Burton and he were meeting with staff from Environment Canterbury later during the week to discuss the matter further.

Moved: Councillor Stewart

Seconded: Councillor Williams

**THAT** the Land and Water Committee:

- (a) **Receives** Report No. 220915160331.
- (b) **Notes** that recent earthworks at Pinevale Farm do not appear to have impacted the planting previously funded by the Cam River Enhancement Fund.
- (c) **Notes** that the Environment Canterbury Incident Response Team were currently investigating the works to determine if the activity had breached any rule in the Land and Water Regional Plan.
- (d) **Notes** that the Council staff would work with Environment Canterbury, Synlait Milk Limited and the landowner/lessee at Pinevale Farm to find a solution for the future.
- (e) **Circulates** this report to the Mahi Tahī Committee and Council for information.

**CARRIED**

Councillor Stewart expressed disappointment in the contamination of the waterway which the planting was to protect and wondered what the future for this work would be. K Simpson assured her that the investigation would include what remedial works would need to be undertaken and commented on the commitment of the landowner for future works. Any future works at that location would be brought back to the Land and Water Committee.

## 7 PORTFOLIO UPDATES

### 7.1 Biodiversity – Councillor Sandra Stewart

- Attended the last Biodiversity Champions Group Meeting.
- Biodiversity Staff Hui for the Canterbury region was held where staff outlined the work being done and the levels of support they had been receiving and to gain an understanding of what other councils were doing. It was extremely valuable for all staff to come together. Discussion undertaken regarding having a team of ecologists at Environment Canterbury that could provide resources to small Councils with less resources. There was value seen in holding more regular sessions in the future.

### 7.2 Natural, Coastal and Marine Areas – Councillor Al Blackie

Nil.

## 8 QUESTIONS

There were no questions

## 9 URGENT GENERAL BUSINESS

There was no urgent general business.

## NEXT MEETING

This was the final meeting of the Land and Water Committee for the 2019-22 electoral term.

The new Council would be sworn into office late October 2022, with Council and Committee meetings resuming from mid-November 2022. Further information would be advertised and listed on the Council's website

THERE BEING NO FURTHER BUSINESS THE MEETING CONCLUDED AT 2.06PM.

## **CONFIRMED**

  
\_\_\_\_\_  
Chairperson

  
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Acting Chief Executive

1 November 2022

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Date