

**Before the Hearings Panel appointed by  
the Queenstown Lakes District Council**

**In the Matter of**

the Resource Management Act  
1991

**And**

**In the Matter of**

a proposed variation to the  
Queenstown Lakes Proposed  
District Plan – Urban Intensification  
Variation

**Summary Statement of  
Neil Malcolm Thomas  
for John O'Shea, Helen Russell, John  
Russell and Mary-Louise Stiassny -  
Groundwater**

Dated: 27 August 2025

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Lane Neave  
2 Memorial Street  
Queenstown  
Solicitor Acting: Joshua Leckie  
Email: [Joshua.leckie@laneneave.co.nz](mailto:Joshua.leckie@laneneave.co.nz)  
Phone: 03 372 6307

**lane neave.**

## INTRODUCTION

### Qualifications and Experience

1. My full name is Neil Malcolm Thomas.
2. I have the qualifications and experience set out at paragraphs 2-4 of my statement of evidence dated 4 July 2025.
3. I reconfirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023.

## CORRECTIONS

4. In this statement, I provide a summary of the key points in my evidence.

## KEY POINTS

5. The submission seeks targeted amendments to the proposed QLDC District Plan, particularly for the Warren Street Properties in Wanaka. The Submitters have proposed the inclusion of a new rule in the Medium Density Residential Zone (**MDRZ**) which make buildings on the Warren Street Properties a restricted discretionary activity, with matters of discretion specifically addressing groundwater and foundation design. The Submitters also propose that effects on the groundwater table be a matter of discretion for various residential and subdivision activities in the MDRZ, and that a maximum building height of 7 metres be applied on the Warren Street Properties to reduce the need for deep foundations and associated dewatering.
6. The Warren Street Properties are situated in a hydrogeologically sensitive area adjacent to Bullock Creek which is an important surface waterway within Wanaka Township and is almost entirely fed by groundwater discharge. It is located at the base of the terrace where the ground surface drops towards Wanaka township and Lake Wanaka and typical flows in the creek are in the order of 500 L/s at its confluence with Lake Wanaka.
7. Dewatering required for deeper foundations, which are more likely under MDRZ intensification, has the potential to lower groundwater levels and reduce flows in springs and streams.

8. An example of where this has occurred is at a nearby site to the Warren Street Properties (Belvedere Apartments), where foundation works required additional dewatering for construction which depleted flows in the nearby springs. Subsequently, to maintain dry conditions in the basement of the building, ongoing and long-term dewatering has been required with associated long-term effects on the nearby springs. Addressing these effects has required resource consent for a groundwater take from Otago Regional Council to control groundwater levels at the site and to augment the spring flows on neighbouring properties.
9. While the concerns raised by the Submitters are valid for the Warren Street Properties, in my opinion, similar groundwater risks likely apply more broadly along Bullock Creek. Therefore, the relief suggested by the Submitters, specifically the inclusion of groundwater-related matters of discretion in the district plan, should be extended to a wider buffer zone (100 m on the true right bank and up to 500 m on the true left bank of Bullock Creek). This would better safeguard groundwater-fed ecosystems and also prevent cumulative dewatering impacts on flows in Bullock Creek. I have attached a map to this summary (**Annexure A**) that shows the potential extent of this area, however as I noted in my evidence, the extent of this area could be refined with further information on groundwater levels and aquifer properties.
10. The Section 42A Report (**s42A**) concludes that existing provisions within the Proposed District Plan would address the relief sought by the Submitters. However, I do not believe that these existing provisions address the issues raised by the Submitters.
11. Subsequent to the s42a, the rebuttal<sup>1</sup> to the submission acknowledged that a high groundwater level may affect foundation design but effects on groundwater were a matter for Otago Regional Council. The rules in the operative Otago Regional Plan: Water for Otago generally require a consent for dewatering, but the proposed Land and Water Regional Plan (**pLWRP**) is more permissive with respect to dewatering, and unless very large scale dewatering were needed, a consent would not typically be required under that proposed plan. Therefore, the proposed LWRP would not necessarily prompt consideration of groundwater effects due to dewatering.

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<sup>1</sup> Rebuttal evidence of Rachel Grace Morgan on behalf of Queenstown Lakes District Council dated 25 July 2025, paragraphs 9.1 and 9.2

## CONCLUSION

12. Higher intensity housing such as that proposed under the MDRZ rules can require deeper foundations with associated increased dewatering requirements in areas of shallow groundwater. Effects of dewatering on groundwater can include reduced groundwater levels in the local area together with reduced stream and/or spring flows and, in some cases, ground settlement effects. Neither the provisions in the district plan nor in the pLWRP wholly address these potential issues. Given the shallow groundwater environment along Bullock Creek, and in the area of the Warren Street Properties, in my opinion, the issues raised by the Submitters are reasonable and the proposed relief is appropriate.



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Neil Malcolm Thomas

27 August 2025

## ANNEXURE A: MAP OF PROPOSED AREA WHERE RESTRICTIONS COULD APPLY



