

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

Under

the Resource Management Act
1991

And

In the Matter of

a submission on the Proposed
Queenstown Lakes District Council
Intensification Variation by John
O'Shea, Helen Russell, John
Russell and Mary-Louise Stiasny

**Summary Statement of Evidence of
John Page Russell
for John O'Shea, Helen Russell, John
Russell and Mary-Louise Stiasny**

Dated: 27 August 2025

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INTRODUCTION

Qualifications and Experience

1. My full name is John Page Russell.
2. I have the experience set out at paragraphs 2-4 of my statement of evidence dated 8 July 2025.

KEY POINTS

3. I have owned the property at 3/61 Stratford Terrace, Wānaka (**Property**) with John O'Shea, Helen Russell, and Mary-Louise Stiasny (**Submitters**) since 2005.
4. During our ownership of the Property, we have observed several issues with the effects of development on the groundwater table in proximity of Bullock Creek. These issues have been documented by Otago Regional Council (**ORC**), Queenstown Lakes District Council (**QLDC**) and the Environment Court. Our submission seeks to avoid a repeat of these issues.
5. The impact of development in relation to the groundwater table in the vicinity of Bullock Creek is particularly highlighted by the Belvedere Apartments development (**Belvedere**) located at 25 Warren Street and the *Kreft v Queenstown Lakes District Council* consent order. A copy of this consent order is attached to my evidence.
6. The construction of the Belvedere required intensive dewatering and caused a reduction in flows in nearby natural springs including those on our Property. Ongoing dewatering via a water permit for 35 years is required to ensure that the basement car park for the Belvedere building remains dry. This requirement cannot be fulfilled at all times and is not a practical long-term solution to the shallow groundwater issues as the pump that lifts water up to the spring fed ponds on the Property breaks down. At these times, no augmentation occurs and the ponds on our Property can run dry. For example, for a period of 8 weeks during July and August 2024, the pump broke down and the pond within our Property and neighbouring ponds on 32 and 34 Warren Street ran dry.

7. For structural safety, Belvedere will need to re-apply for further water permits for the life of the buildings. To have to continually apply for water permits and undertake dewatering for the life of the building to ensure structural safety and prevent the flooding of the basement is not a practical long term solution for any building and would have on-going effects on the groundwater environment. This is why we want to ensure that QLDC recognise existing issues with groundwater around Bullock Creek in the District Plan and to make sure that these issues are not exacerbated by the Urban Intensification Variation (**Variation**).
8. These issues were highlighted by the Otago Regional Council when considering the application for Water Permit 2006.151 where ORC stated that it had concerns over developments in Wānaka proposing to remove groundwater from the Wānaka Basin Cardrona Gravel Aquifer to construct buildings.¹ ORC stated that developments in the area had resulted in spring depletion on neighbouring properties and raised issues over land stability.²
9. ORC's conclusion in the recommending report on the dewatering permit specifically stated:

The applications are to take groundwater for perpetual site dewatering to facilitate the on-going drainage for an apartment complex. Neighbouring springs have been partially or fully depleted completely as a result of the works.

*Had the applicant not been so committed to the project and already completed the works, Council would have discouraged this application from being lodged. Council would have recommended to the applicant that other building designs be investigated as it would be likely that this application, as it stands, would not have been accepted.*³
10. In the late 2000s, myself, the Submitters and others joined Brian Kreft's appeal on the (then) QLDC Partially Operative District Plan as section 274 parties.

¹ Otago Regional Council Recommendation Report for Water Permit Application 2006.151, 30 August 2006, at [2.8].

² Otago Regional Council Recommendation Report for Water Permit Application 2006.151, 30 August 2006, at [2.8].

³ Otago Regional Council Recommendation Report for Water Permit Application 2006.151, 30 August 2006, at [6.12].

11. The appeal was resolved by consent order to the extent that QLDC was directed to modify rule 7.5.4 of the Partially Operative District Plan as varied by Plan Change 10 to include an exclusion for applications involving earthworks within the Wānaka Basin Cardrona Gravel Aquifer from being able to be processed on a non-notified basis. QLDC was also directed to exclude 24 Warren Street from the general maximum building coverage rule⁴ and specify a lesser maximum building coverage requirement for the property.
12. This modification to the Operative District Plan was not carried over into the current Proposed District Plan which we consider to be an abject failure in terms of QLDC's responsibility for the environment. The reason for our submission on the Variation is to make sure that QLDC recognises the existing issues with groundwater in this part of Wānaka within the District Plan and to ensure that issues related to groundwater are not exacerbated by the Variation.
13. The Submitters and I are concerned that the amendments proposed by the Variation are inappropriate within the vicinity of Bullock Creek due to the presence of natural springs and the high groundwater table.
14. Development with increased height and density, further than that previously allowed, would require intensive dewatering. As described in the evidence of Mr Neil Thomas, this will likely have an adverse effect on the groundwater table and land stability of properties in proximity to Bullock Creek.
15. We seek amendments to the Variation which require QLDC to consider effects on groundwater when they are processing resource consent applications to ensure that issues relating to groundwater are front-footed rather than being left to fix later, as has occurred in this area of Wānaka in the past. We also seek a maximum building height of 7m in this vicinity as generally buildings over this height require more intensive foundations, which require dewatering, and in turn has negative effects on groundwater within proximity to Bullock Creek.

⁴ QLDC Operative District Plan, Rule 7.5.5.1(i)

CONCLUSION

16. We have seen firsthand how development in the area—like the Belvedere—has negatively affected the groundwater springs and groundwater levels. These issues continue today and are demonstrated by the example of our pond running dry due to the failure of the pump required for the flow augmentation. This on-going flow augmentation is required to offset the effects of Belvedere on the groundwater springs. We are concerned that the proposed changes to the District Plan will make things worse by allowing more intensive development that could further harm the groundwater and land stability. We are asking QLDC to take groundwater impacts seriously when approving new developments and to limit building heights in this sensitive area to help protect the environment and our community.

John Page Russell

27 August 2025

