

26 January 2026

[REDACTED]  
C/- [REDACTED]  
Sent via email to [REDACTED]

## **Request for Official Information LG25-0335 – Bund Wall Built Around Disposal Field**

Dear [REDACTED],

Thank you for your request for information held by the Queenstown Lakes District Council (QLDC). On 1 December 2025 you requested the following information under the Local Government Official Information and Meetings Act 1987 (LGOIMA):

- 1. Can you tell me the date the building of the bund wall commenced? Can you also please tell me the date that Tony Avery signed the contract to authorise the building of the bund wall?**
- 2. Can you please advise whether Mr Haggath was aware or authorised the building of the bund wall and provide evidence if he did?**
- 3. Can you please advise who engaged Beaver to build the bund wall (Veolia, QLDC, or Mr Haggath), or another entity?**
- 4. I understand that a proposal was submitted by Veolia to QLDC around February 2024 for justification of the bund wall. Can you please provide the proposal that was submitted by Veolia to QLDC for the bund wall to be built together with any engineering drawings or other drawings that accompanied the proposal?**
- 5. Can you please advise whether QLDC exercised the option to demand back part of the bond to cover the cost of the bund wall given it was never stable? Alternatively, did QLDC utilise the option to deduct from future payments? If so, how much was clawed back and how was this done? If not, can you explain why this was not done?**

### **QLDC RESPONSE**

In response to your request, we consulted with the QLDC Property and Infrastructure Directorate.

#### **Partial release of information**

- 1. Can you tell me the date the building of the bund wall commenced? Can you also please tell me the date that Tony Avery signed the contract to authorise the building of the bund wall?**

A copy of the Procurement Departure Request signed by Tony Avery which relates to the approval and construction of the wall around the disposal field was provided to you in Council's response to your LGOIMA request (reference LG25-0329), dated 18 December 2025.

Various remediation activities had been carried out within the disposal field over several years due to performance issues. By late 2023, all of the plastic 'baskets' had been exposed as part of these investigation and remediation efforts. Construction of the bund wall by Veolia, subcontracted to Beaver Construction, commenced in late April 2024. The collapse referred to in the Otago Regional Council affidavit relates to earlier placement of small volumes of material by a different contractor and is not connected to the 'bund wall' construction you refer to.

- 2. Can you please advise whether Mr Haggath was aware or authorised the building of the bund wall and provide evidence if he did?**

Mr Haggath was not involved in the engagement of Veolia for the remediation and management activities at the disposal field.

- 3. Can you please advise who engaged Beaver to build the bund wall (Veolia, QLDC, or Mr Haggath), or another entity?**

Veolia subcontracted Beaver Construction to undertake the works on the disposal field.

- 4. I understand that a proposal was submitted by Veolia to QLDC around February 2024 for justification of the bund wall. Can you please provide the proposal that was submitted by Veolia to QLDC for the bund wall to be built together with any engineering drawings or other drawings that accompanied the proposal?**

A copy of the proposal submitted by Veolia to QLDC to construct a wall around the disposal field was provided to you in Council's response to your LGOIMA request (reference LG25-0329), dated 18 December 2025.

- 5. Can you please advise whether QLDC exercised the option to demand back part of the bond to cover the cost of the bund wall given it was never stable? Alternatively, did QLDC utilise the option to deduct from future payments? If so, how much was clawed back and how was this done? If not, can you explain why this was not done?**

The work undertaken was not defective. The earthworks completed under this scope remain in place and maintain their integrity. Therefore, there was no basis to withhold payment, apply penalties, or make deductions from the bond.

#### **Decision to refuse information**

- 4. I understand that a proposal was submitted by Veolia to QLDC around February 2024 for justification of the bund wall. Can you please provide the proposal that was submitted by Veolia to QLDC for the bund wall to be built together with any engineering drawings or other drawings that accompanied the proposal?**

We have good reason under section 17(e) of the LGOIMA for refusing the information requested. We consider it is necessary to refuse the requested information on the basis of the following grounds:

- Section 17(e) – that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

Section 17(e) of the LGOIMA clarifies that a local authority is not required to provide information that does not exist or cannot be found despite reasonable efforts. This ensures that the absence of information is not due to negligence but reflects its genuine non-existence.

No engineering drawings were produced for this work. A suitably competent contractor was engaged to undertake basic earthworks under an urgent response situation, with the aim of maximising soakage and reducing the uncontrolled release of treated wastewater from the site. At the time, it was understood that the works were likely to be temporary, given the performance and prognosis of the field.

There appears to be a misunderstanding that these works subsequently failed; this is incorrect.

QLDC has made reasonable efforts to identify and locate any relevant drawings but has confirmed that none exist. While the Council is committed to providing access to information it holds, section 17(e) of the LGOIMA applies where the requested information is not held or cannot be found, and we are therefore unable to provide it in this instance.

### **Right to review the above decision**

Note that you have the right to seek an investigation and review by the Ombudsman of this decision. Information about this process is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

If you wish to discuss this decision with us, please contact [Rebecca.Pitts@qldc.govt.nz](mailto:Rebecca.Pitts@qldc.govt.nz) (Engagement and Communications Manager).

We trust that the above information satisfactorily answers your request.

Kind regards,

██████

Democracy Services Team  
Corporate Services | Queenstown Lakes District Council  
P: +64 3 441 0499  
E: [informationrequest@qldc.govt.nz](mailto:informationrequest@qldc.govt.nz)