

28 January 2026

██████████
Sent via email to ██████████

Request for Official Information LG26-0001 – Bendemeer Estate, Queenstown

Dear ██████,

Thank you for your request for information held by the Queenstown Lakes District Council (QLDC). On 4 January 2026 you requested the following information under the Local Government Official Information and Meetings Act 1987 (LGOIMA):

I request the following information regarding a property on Bendemeer Estate, Queenstown:

Water supply arrangements

- 1. Confirmation of the current potable water supply arrangement for Bendemeer Estate, including the point at which QLDC-owned infrastructure ends and privately owned infrastructure begins; and the respective responsibilities of QLDC and Bendemeer Management Ltd (BML) for supply, operation, maintenance, and compliance.**

Infrastructure ownership and vesting

- 2. Copies of any agreements, deeds, memoranda of understanding, correspondence, or reports between QLDC and Bendemeer Management Ltd (or its representatives) relating to the ownership, operation, maintenance, or potential vesting/transfer of water infrastructure (including reticulation) servicing Bendemeer Estate.**
- 3. Confirmation of whether QLDC has agreed in principle or formally to accept vesting of any Bendemeer water infrastructure, and if so, the terms and conditions of such acceptance.**

Council assessments and requirements

- 4. Any asset condition assessments, engineering reports, or compliance assessments commissioned or received by QLDC in relation to Bendemeer Estate's water infrastructure.**
- 5. Any requirements identified by QLDC that must be met prior to acceptance of vesting (e.g. upgrades, renewals, easements, or compliance works).**

Costs and funding implications

- 6. Any information held by QLDC regarding the estimated or actual annual costs currently incurred by BML for water infrastructure management.**
- 7. QLDC's anticipated approach to funding and cost recovery should water infrastructure at Bendemeer Estate be vested in council ownership (e.g. general rates, targeted rates, water charges).**

Future water services delivery

- 8. Information on how any vested Bendemeer water assets would be treated under QLDC's proposed or established Water Services Council-Controlled Organisation, including whether such assets would transfer to that entity.**

QLDC RESPONSE

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

Decision to release information

- 1. Confirmation of the current potable water supply arrangement for Bendemeer Estate, including the point at which QLDC-owned infrastructure ends and privately owned infrastructure begins; and the respective responsibilities of QLDC and Bendemeer Management Ltd (BML) for supply, operation, maintenance, and compliance.**

The Bendemeer Estate water supply comprises a booster pump station that draws water from Lake Hayes and pumps it directly into the subdivision's distribution network. A 200mm PVC pressure main connects the booster pump station at the QLDC connection point to the Bendemeer distribution system. There are no water storage reservoirs within Bendemeer Estate. Further details can be found in the attached [Bendemeer Water Distribution flow chart](#).

For potable water services, QLDC-owned infrastructure ends at the intersection of Wilding Road pump station, as shown in QLDC's GIS records. All downstream infrastructure within the subdivision is privately owned. Further details can be found in the attached [excerpts from GIS Maps](#).

For wastewater services, there are five privately owned pump stations. Four of these pump to the main private pump station, with wastewater then conveyed via private gravity infrastructure to the QLDC wastewater main located on Arrowtown–Lake Hayes Road.

Bendemeer Management Ltd (BML) is responsible for the operation and maintenance of the private three waters assets. Fulton Hogan is currently contracted as the operator of the Bendemeer water distribution system. This includes a 24/7 call-out service, prioritisation of faults, response to alarms, and provision of services necessary to maintain drinking water quality and continuity of supply.

Please note that the enclosed links will expire on 25 February 2026, 11:50 AM (UTC+12:00) Auckland, Wellington.

- 3. Confirmation of whether QLDC has agreed in principle or formally to accept vesting of any Bendemeer water infrastructure, and if so, the terms and conditions of such acceptance.**

QLDC has not agreed, either in principle or formally, to accept vesting of any Bendemeer water infrastructure.

- 4. Any asset condition assessments, engineering reports, or compliance assessments commissioned or received by QLDC in relation to Bendemeer Estate's water infrastructure.**

An asset condition assessment was undertaken by AR and Associates in September 2020, following a site visit in June 2020.

The potable water pump station was visually inspected, and the water mains were found to be in generally good condition, with cleaning recommended. For wastewater infrastructure, the assessment identified some minor non-compliances, including incomplete information to verify pipe depths, structural cover, and wastewater network capacity calculations. Investigations identified minor to medium defects on three wastewater pipelines and some instances of root intrusion. No severe defects were identified in the gravity wastewater network.

CCTV inspections of stormwater pipelines identified one pipe with severe defects, including holes and a broken section, which was recommended to be repaired prior to any potential vesting into QLDC ownership.

5. Any requirements identified by QLDC that must be met prior to acceptance of vesting (e.g. upgrades, renewals, easements, or compliance works).

Based on the 2020 assessment report, the majority of the private three waters infrastructure was assessed as being in satisfactory condition. However, certain assets—particularly three wastewater pipelines and sections of the stormwater network—were identified as requiring remediation or further attention as part of any vesting process.

7. QLDC’s anticipated approach to funding and cost recovery should water infrastructure at Bendemeer Estate be vested in council ownership (e.g. general rates, targeted rates, water charges).

Any funding and cost recovery arrangements would be determined in accordance with [QLDC’s water vesting policy](#).

Decision to withhold information

2. Copies of any agreements, deeds, memoranda of understanding, correspondence, or reports between QLDC and Bendemeer Management Ltd (or its representatives) relating to the ownership, operation, maintenance, or potential vesting/transfer of water infrastructure (including reticulation) servicing Bendemeer Estate.

We have good reason under section 7(2)(f)(i) of the LGOIMA for withholding the information requested. We consider it is necessary to withhold the requested information on the basis of the following ground:

- Section 7(2)(f) - the withholding of the information is necessary to maintain the effective conduct of public affairs through—
 - i. the free and frank expression of opinions by or between or to members or officers or employees of any local authority in the course of their duty.

Section 7(2)(f)(i) of the LGOIMA is intended to uphold the effective conduct of public affairs by ensuring that members, officers, and employees of local authorities can express their opinions freely and frankly in the course of their duties. This provision recognises that open communication is essential for informed decision-making and effective governance.

In this instance, QLDC holds only draft documentation between QLDC and Bendemeer Management Ltd (or its representatives) relating to the ownership, operation, maintenance, or potential

vesting/transfer of water infrastructure servicing Bendemeer Estate. These documents comprise preliminary discussions and draft material; no finalised agreements, deeds, or memoranda of understanding currently exist.

Releasing this information could inhibit open and frank discussion among officials, leading to self-censorship and undermining the quality of advice, deliberation, and decision-making within the Council. Withholding the information ensures that officials can continue to express their views freely and that public affairs are conducted effectively and with integrity.

Maintaining an environment where officials can share their opinions without fear of public scrutiny is crucial. Accordingly, the requested information is withheld to protect the integrity of the decision-making process and to ensure the effective conduct of public affairs.

Decision to refuse information

- 6. Any information held by QLDC regarding the estimated or actual annual costs currently incurred by BML for water infrastructure management.**

- 8. Information on how any vested Bendemeer water assets would be treated under QLDC's proposed or established Water Services Council-Controlled Organisation, including whether such assets would transfer to that entity.**

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.

In this case, QLDC does not hold:

- (Ref: item 6) information regarding the estimated or actual annual costs incurred by Bendemeer Management Ltd for the management of the Bendemeer water infrastructure.
- (Ref: item 8) confirmed information regarding how any vested Bendemeer water assets would be treated under a proposed or established Water Services Council-Controlled Organisation, including whether such assets would transfer to that entity.

We have conducted reasonable searches for relevant records, but the specific information requested cannot be located.

While we are committed to providing access to information we hold; however, in this instance, no documents exist that answer your request, and therefore we are unable to release the information under section 17(e).

Public interest considerations

In assessing whether to withhold information, QLDC carefully evaluates the public interest—particularly whether disclosure would enhance transparency, accountability, or informed public engagement. This assessment includes weighing those benefits against the potential harm that could result from releasing the information.

QLDC recognises the public interest in promoting transparency and accountability of local authority members and officials, as well as the broader interest in good governance. We are committed to releasing information wherever possible. However, in this instance, QLDC considers that withholding is necessary to maintain the effective conduct of public affairs by protecting the free and frank expression of opinions between officials. Releasing this information at this time could inhibit officials from providing candid advice in the future, which would prejudice the effective and efficient conduct of Council functions.

Therefore, QLDC has determined that section 7(2)(f)(i) of the LGOIMA applies. This provision allows for the withholding of information to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between employees of any local authority in the course of their duty. In this case, no overriding public interest has been identified that would justify its release.

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 or freephone 0800 802 602.

If you wish to discuss this decision with us, please contact 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





