

**BEFORE THE COMMISSIONERS APPOINTED ON BEHALF OF
CENTRAL OTAGO DISTRICT COUNCIL**

Under	The Resource Management Act 1991 (the Act)
In the Matter	an application for subdivision consents and boundary adjustment RC250259
Between	AO MARAMA LIMITED Applicant
And	CENTRAL OTAGO DISTRICT COUNCIL Local Authority

**BRIEF OF EVIDENCE OF PHILIP HUNTER MURRAY ON BEHALF OF
AO MARAMA LIMITED**

DATED 4 SEPTEMBER 2026



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BRIEF OF EVIDENCE OF PHILIP HUNTER MURRAY

Introduction

1. My full name is Philip Hunter Murray. I am a director of Ao Marama Limited. I am retired and reside at 1130 Earnsclough Road, Earnsclough.
2. I hold a Bachelor's degree in Ag Com (Valuation farm management) and a Masters in Resource Management (Hons).
3. During my working life I have held roles including overseeing land development, developing farm parks, providing advice to the Commissioner of Crown Lands (CCL) in administering pastoral leases, working on developing the Rabbit and Land Management Programme, high country tenure review and rural valuation. I also ran my own resource management consultancy. I am currently involved in a community group supporting landowners with wilding pine control.
4. During my time working for the CCL I worked closely with Earnsclough Station to develop their Rabbit and Land Management Plan. At that time the application site was part of Earnsclough Station and was known for its significant rabbit infestation. Ultimately the owners of Earnsclough Station sold the block along with the majority of its rabbit prone land because its limited productivity did not offset the significant rabbit control costs. Since that time it has lain largely fallow, with some very limited extensive grazing.
5. I have had a long professional history working with indigenous vegetation in the high country and have a reasonable knowledge of native plants.
6. Ao Marama was established in 2022 to purchase the Applicant site. It is a partnership between three couples, myself and Lynne Stewart, Dr

Garry Nixon and Arlene Nixon and Mike Olsen and Dr Helen Brown. The property is one that we were all familiar with before we purchased it as we looked out on every day and, in the case of Arlene, walked over regularly. As mentioned previously, I have had a long professional history with the property.

7. We purchased the property with the specific purpose of facilitating our vision, that being to restore and protect a significant piece of local landscape that we all know and love.
8. To achieve this vision, we first had to acquire the property. This meant outbidding purchasers who we understood to be also intending to subdivide albeit more extensively than we are proposing.
9. Protecting and enhancing the unique character of the landscape is our overarching goal. Achieving it will involve extensive weed control, notably wilding pines but also broom, cotoneaster and sweet briar. We have already made considerable progress in this regard, but the work will be ongoing for a significant period. We also intend carrying out an extensive planting programme of native species that would have originally been present on this landscape. We have begun this works already.
10. This work all costs money. To make such a project workable and affordable we are proposing subdividing 4 rural residential lots at the less visibly prominent southern end of the property with associated building platforms which afford the occupants views without being overly prominent. We are also proposing to create 3 half hectare lots in the middle of the property to be held by the respective partners with modest sized building platforms associated. These sites have a low visibility on the landscape. The owners of each of these titles (proposed Lots 2-4) will also hold an undivided third share in the balance land (Lot 1) which will be protected by a QEII covenant. This covenant will support the ecological restoration of the covenant area

and prevent future subdivision. None of the partners currently intend residing permanently on the property, the present intention being to establish modest cottages from which weed control and restoration work can be undertaken. That is not to say that at some future date owners may wish to reside here.

The application

11. We are proposing 7 new titles with building platforms with the balance allotment being within a title which will not include a building platform. This title (being lot 1) will be held in 1/3 shares by the owners of Lots 2-4. The proposed rural residential lots 5 – 8 are on the same footprint as a proposed subdivision proposed by the previous owners which was submitted to the council in 2022 but was not pursued.
12. The 3 lots (Lots 2 – 4) proposed in the middle of the property are to be retained by the 3 shareholder interests of the Applicant company. These .5 hectare lots will not be included within the QEII covenant. They are purposefully smaller than the 2-hectare minimum lot size for this zone to minimise the area that would be outside the QEII covenant. This maximises the area that will be managed as a coherent whole. We believe this better supports the protection and enhancement of the natural character, landscape and amenity values of the site. It also reduces the potential for cumulative effects to arise from a wider variety of potential land-uses possible within Lots 2-4. Access to and enjoyment of the balance land by the three title holders would be secured by way of a covenant.
13. It would be possible for the subdivision to be redesigned to achieve the proposed district plan averages and minimums, but it would undermine our goal of maximising the protection and enhancement of the land's ecological and natural character values, values which are identified as the principal objective to be protected within the SAL zone under the District Plan.

14. Through this process we also propose regularising an existing adverse occupation by our neighbours, the Buchanan's, where three of their sheds, lawns and amenity plantings occupy our property. This matter is being addressed at the same time to take advantage of the cost saving in council consenting and surveying being addressed at the same time as the subdivision.
15. The application land does not hold water rights for irrigation purposes. This along with the nature of the land, being mainly class VII, and the low rainfall climate that exists means that it has limited productive potential. As mentioned previously, this land was run as part of Earnsclough Station when that property was a Pastoral Lease. However, most of the lower rabbit prone land of Earnsclough Station was sold following tenure review and later subdivided to a number of large blocks of a similar size. Several of these blocks were purchased by adjacent orchardists who developed the portions suitable for orcharding. This was the case with this block where approximately 4 hectares was developed into cherries. As set out in the application, it was agreed at the time of purchase that this area be surveyed off and incorporated in the vendor's orchard by way of a boundary adjustment. This had already occurred. There is no further land within the block suitable for horticultural use.
16. At the time of purchase, the land was being leased for extensive grazing by approximately 60 merino sheep. Sheep grazing, particularly with merinos that tend to hang on sunny faces, makes the land more rabbit prone and conflicts with our vision of protecting the landscape and restoring the native vegetation. Managing and encouraging a succession back to a native shrubland cover which would have existed prior to European settlement will in turn enhance the landscape values and make the land less rabbit prone.
17. The 'value' of the land now lies in its visual amenity and ecological potential and not in extensive pastoral farming as had been the case

when the district plan was first written. However, if it is not actively managed for those purposes those values will be lost to invasive weed species, particularly wilding pines, broom and cotoneaster. If left uncontrolled, these weeds have the potential to have serious adverse effects on neighbours as was the case with wilding pines when we purchased the property. Cotoneaster is known to host fire blight which is a significant pest for orchardists. Broom was on the brink of being out of control when we purchased the property, but now this is no longer the case. We intend to steward this land back to health by controlling invasive weeds and supporting the ecological enhancement by planting species that would naturally occur here and by controlling pests. To fund such activities, we are proposing releasing a small portion of the total site for rural residential purposes within lot sizes consistent with neighbouring properties used for the same purpose.

Proposed QEII Covenant

18. The partners sought a way of ensuring that the investment they will make in achieving their vision endures in the long term. We subsequently approached Rob Wardle, the QEII representative for the area, about registering a QEII covenant on Lot 1 identified in the application. In September 2024 Rob undertook a brief inspection of the property and later indicated his positive support for the proposal indicating that in his opinion, a QEII covenant would receive approval. In his email (attached to the application) he listed the attributes of the proposed area that in his opinion would qualify it for a QEII covenant. He listed a number of “At Risk” and “Nationally Vulnerable” species present within the proposed covenant area, habitats of denuded pavement, rockland and rock tor landscapes and noted the relative dearth of similar areas protected by the protected land network. It is noted that none of the species identified by Rob are included in the District Plan.

19. Whilst a detailed ecological survey has not been completed, the ecological information we have from Rob Wardle's inspection and my own knowledge of the property confirms that the threatened species listed in Rob's email all predominantly exist within the covenant area and not within the proposed new lots. *Olearia lineata*, *Pimelea aridula*, matagouri and kanuka are all located within the covenant area with none being in the proposed lots 5-8. Spring annuals mentioned in DoC's submission exist on denuded gravel pavement along ridge crests and on sunny faces. This land type is found predominantly at the central and northern end of the property and less so at the southern end of the property where the proposed sections are.

20. DoC submits that the application should not be approved until such time as a detailed ecological survey be carried out on account of the possibility that threatened species may be present on sites that may experience disturbance from such as building sites and driveways. They cite the known presence of threatened species within Blackmans conservation area approximately 1.5km from the site and gecko and skink 10km from the site. They submit this despite the application proposing protecting Lot 1 (~87%) of the property under a QEII covenant, a commitment from the us as Applicants to carry out a vegetation restoration planting plan and to carry out pest control of possums and feral cats etc, both of which are known to prey on native lizards. A calculation of the likely disturbed area from the construction of driveways and building sites shows it to be approximately .003% of the total property against 87% of the property being protected from such disturbance. The majority of the access tracks are already formed and will simply require upgrades. These areas have already been disturbed.

21. In the circumstances, DoC's request seems unreasonable to us. Our preference is to focus on what can be done within the Covenant Area which contains the vast majority of the sites and the areas that contain

the highest quality existing indigenous vegetation and habitat types which most likely contain the species highlighted by DoC.

22. From our perspective, the QEII covenant will ensure that the investment we make in achieving our vision of protecting the unique landscape character of the area and restoring the indigenous vegetation cover will endure. It will also open up the possibility for acquiring some funding for carrying out weed and pest control that supports nature conservation on the block.
23. Our approach to the habitat and landscape restoration programme will be two pronged. It will firstly involve controlling and containing the major weeds on the block and secondly, planting suitable native species that would have existed in this landscape originally as a seed source for natural succession.
24. As the owners of the property, we have been very willing to share the amenity values of the property with the community by allowing access to locals to walk and ride their horses over the block and have hosted several multisport events on the property. We recently had approximately 300 people orienteering over the property. We intend continuing with this approach to public access.

Wildfire Risk

25. We have considered the submission filed by Fire and Emergency and have met with the Rural Fire Chief, Mark Marwhinney regarding those matters. We intend to adopt their recommendations regarding management around the curtilage of the buildings and materials etc. These are simple and sensible steps to take to help reduce risk.

Stormwater Management at the access to Lot 5-7

26. The notification report identified that stormwater management at the proposed access was still to be addressed. Marcus Brown from Calder Surveyors provided a plan to the council showing the natural water flows off the land onto adjoining properties. He has proposed stormwater from the ROW in a typical storm event be managed and disposed of by way of an appropriately sized soak pit. The council engineer, in response to this assessment, has agreed with this solution.
27. This will be achieved by establishing culverts sufficient to carry a 1%AEP flood flow beneath the access. We are comfortable proposing conditions to this effect.

Dated 4 September 2026

A handwritten signature in dark ink, appearing to read 'P H Murray', with a long horizontal stroke extending to the left.

P H Murray