

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

Under	The Resource Management Act 1991 (the Act)
In the Matter	of an Application for a Land Use Consent to construct a dwelling, shed and vehicle access in the Rural Resource Area and Outstanding Natural Landscape (RM250353)
Between	ANDREW WALSH DUNCAN Applicant
And	CENTRAL OTAGO DISTRICT COUNCIL Local Authority

BRIEF OF EVIDENCE OF ANDREW WALSH DUNCAN

DATED 27 JULY 2026



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BRIEF OF EVIDENCE OF ANDREW WALSH DUNCAN

Introduction

1. My full name is Andrew Walsh Duncan, I am currently a builder constructing commercial properties for a Cromwell based construction company and renting in Cromwell. I am 49 years old. I was a Civil Engineering cadet and had an extensive career with a legacy Civil Engineering consultancy in Auckland, I later worked at Watercare in the Sewer Network Department, I have been a guest lecturer at Auckland University Civil Engineering School and wound out my career in Civil working for a Civil Construction Contractor in NZ and Australia. Since then and interspersed with the responsibility of homeschooling our children as they came of school age I have owned a small residential building company doing group housing and private builds. For a period I was the Operations Manager for a medium sized food production factory supplying to all supermarkets in NZ.
2. I am giving this evidence on behalf of my Family including my wife Jesse Chalmers and our children Kea, Kahu, Sol and Zev. We dearly hope to achieve a successful outcome through this process so that we may have certainty regarding our future.

Background

3. We arrived in Cromwell from the North Island on Otago Anniversary Day 2023. We had purchased the block of land that we dream of living on in early 2022. We wanted to be closer to the alpine environment to provide the most diverse range of experiences and opportunities for our family.
4. Since arriving in Cromwell our children have continued to be homeschooled. However, they continue to participate in team sports for Cromwell teams and we are members of Cromwell Pony Club,

competing regionally for CPC in Dressage, Jumping, Cross Country and Mounted Games.

5. We chose the land because we really wanted a larger piece of land that we could live on and care for, providing a rich environment for teaching our children about how to be stewards of the environment. We had been taking our annual holidays in the Cromwell Valley and surrounding areas for several years prior to deciding we would like to try and make a go of living where we choose to go for holidays. The property gives us sufficient scope to provide the opportunity for our boys to really engage in the activities they are most interested in. We believe it will provide a really rich learning environment for them.
6. We contemplated living in the existing buildings for a time, but with a small baby Zev who was born very shortly after our arrival in Cromwell we elected to rent in Cromwell where we could be warmer and have sufficient space for the whole family. We hoped to do this for about a year allowing us to see how the property behaved during the full range of seasons before selecting a location to build our home.

Site Selection

7. We have now spent the intervening years travelling up to the site several times a week and getting to know it well. We have considered other locations for a potential building platform however after seeing the way various weather patterns interact with the wider landscape we settled on the location that is in this application.
8. On our visit to Cromwell in March 2022 we visited the block with the Land Agent and viewed the existing Hut. I took a short walk out onto the block and viewed the actual site of the proposed house, it being not far from the existing hut. I was able to immediately perceive that here was a nestled valley that one could put a house in and not be a menace to the wider Cromwell Valley as this perched valley was

almost fully enclosed and mostly flat on its base. The location allows us to be just a bit further out into the block and on one of the larger flat areas that exist without too much additional access track earthworks.

9. There are other similar locations on the block perhaps not quite as enclosed but with more flat area. However, these would require pushing an access track more than twice the distance we are currently proposing out onto the block. We felt that the access track construction would be more visible resulting in greater effects and would incur greater cost from access track construction.
10. We considered the site around the existing hut. However, that would require much more significant benching out of the hillside to create a building platform. The somewhat meandering route of the proposed access track onto the site beyond our property boundary is chosen also because it allows the landscape to almost fully enclose the construction earthworks until it grasses over and all that remains is a mildly upgraded looking metal surfaced farm access track.
11. We also considered lower locations using Ritchies Rd. However, the topography within the site from Ritchies Road is extremely challenging for access establishment due to a steep gully and there is no enclosed valley available for a building on the lower slopes. Generally, the land is much steeper down in that corner and the access would be a significant scar on the landscape, any buildings would be readily visible, lacking an enclosing landform and requiring significant earthworks to construct building platforms. It would also require additional significant track establishment through steep terrain to gain access to the wider site.
12. Given that we feel we have selected the best site. It minimises works required to establish both access and building platforms, and makes use of the site topography to screen the proposal effectively. I believe this has been borne out by the expert assessments also.

13. After we selected the site, we set about designing the house. I have done most of this work myself. The house design is deliberately simple. This achieves a number of things:
 - (a) Helps the building integrate into the environment by having a simple rural form. It is designed to look as much like a vernacular style farm building as it could be. The one thing that we have added is a wool shed style veranda around some of the sides of the house to soften its shed form and provide some shade in summer.
 - (b) The building design manages building costs as the exterior is colour steel, utilises the most basic timber frame and gable truss construction, all roof pitches the same, no eaves therefore as mentioned if ever viewed it will look from a near distance it will look like just what it is, a simply homestead for this family farm.
 - (c) Simplicity in overall design manages operational costs by allowing us to spend money where it counts to create a home that has a high performing thermal envelope and a therefore a building that is highly efficient to heat.

14. The house will be 100% off grid for obvious reasons. We have previously built and lived in an off-grid home. We know what is required to do this, and have always liked the idea of being self-sustaining and resilient. Our children benefit from the understanding and knowledge that our electricity and heating resources are limited to that which the system can capture for our use and understanding of the seasonal variation in solar gain locks in the understanding of living with seasonal variation and the work flow and planning that must be completed and planned for through the year. We expect being off-grid in this location will present some additional requirements associated with the temperatures borne out by the elevation. But they are both things that

we are excited about, we have experience with and solutions are readily available.

15. The proposed gable shed will house our farm equipment, tools, workshop etc similar to any other farming property.

Aspirations for the property

16. I think it would be fair to say that when we purchased the property, we didn't quite appreciate the significance of it being entirely located within an Outstanding Natural Landscape. However, it was the natural qualities of the site and its elevation that attracted us to it. When we visited the site prior to purchase we could envision establishing our home in harmony with the site. It is a large site at 200ha and we felt confident that we would be able to achieve what we needed for our family, within the constraints of the property. We have always in all of our applications for Consent sought to comply with as many of the district plan requirements as possible. We do not wish to be a menace to others in the surrounding landscape. We need to live in this Valley alongside the wishes of the other residents and therefore designed our Homestead location as best we can to be as invisible and or not likely to bother, irritate, or offend anyone as we possibly could.
17. We think we have been quite successful in this regard, with there being no submissions in opposition. We have only received submissions in support or neutral in the case of FENZ.
18. We have learnt through this process about the importance of the ONL's under the resource management framework which has been a really interesting exercise for us. In our view our proposal aligns with the landscape qualities. Whilst we want to establish buildings, we also want to be stewards of the land. It has always been our intention to care for the property and enhance its values and to ensure that we leave it better than we found it. Doing this provides an amazing

learning opportunity for our children. We can teach them further and in a hands-on way about our indigenous flora and fauna, invasive species, horticulture and agriculture and high-country farming skills and techniques.

19. For that reason, we are very happy to offer the ongoing management of natural values of the site as a condition of consent. These things are fully aligned with our aspirations for the property. Indeed, my original letter of Intent to CODC Consenting Officers dated 31/3/24 that accompanied our original Consent Application (RC240084) set this out. That informal intent is now formalised through the proposed conditions. I include this letter of intent to CODC again as a component of my evidence here to demonstrate the consistency of our intentions.
20. We have been doing what we can for our goals of stewardship from town. However, our progress is much slower when we are not established onsite. Taking the children up the hill walking out to a particular wilding pine we are targeting getting setup and cutting it down and grubbing out all its babies can easily be cut short if one of the youngest gets tired etc. We need to be living on the land to properly take care of it.
21. We are working hard on the goats, cats and stoats. We also know that there are pigs present that we will need to trap and those traps will need to be checked daily. All of that work will become significantly easier if we are living there.

Access to the property

22. I understand that the Council wish to have us seal some of the steeper sections of the access. We have a strong preference to avoid that. This is primarily because we don't think it will necessarily be safer for us and the costs will be significant. It will in fact be more dangerous during frosts or snowfall events. It is important that the running surface

is constructed in gravel only to allow it to move slightly under the weight of vehicles and break up any frost or ice that has formed preventing sheet ice or black ice from forming.

23. We have been using the existing access several times a week since we arrived in 2023. We have been maintaining it alongside the other landowners that use it. Building our house on the site will make very little difference to the level of use that the access experiences. This being just ourselves and our neighbour's lease farmer, and the new Hensman Property.
24. The critical period is during the winter when, due to altitude there are frequent frosts and at times snow. The existing gravel formation works particularly well in these conditions, maintaining good and reliable traction even in frosty conditions.
25. There is no requirement for us to be sealing the steeper sections. The decision to seal is a maintenance cost benefit analysis question. The access serves only us, the backcountry hut being established by Mr Hensmen and the lease farmer at Double Rock. Traffic volumes are minimal and will remain that way. None of us want sealing. Mr Hensman expressed similar concerns when he obtained his consent. We neither have the high traffic volumes that might lead to short to medium term washboard creation leading to a need for regular grading nor do we have the issue of steep public roads being subject to use by inexperienced drivers using unsuitable vehicles. Our strong preference is to manage and maintain the utility of the access track surface ourselves through good maintenance and driving technique as we have done to date. Given that the access is a right of way over which there is no public access I feel our perspective and experience on this should carry weight.
26. The additional earthworks required for formation of a sealed roadway are both cost prohibitive to our dreams of being allowed to live on our

land and are at odds with our overall wishes to provide an access track that has the smallest footprint and smallest landscape environmental effects as practicable. The additional concentrated runoff created by sealed sections will need to be managed whereas gravel surface is more permeable.

Sprinklers

27. The section 42A report has suggested a condition that we install sprinklers. I do not support this being imposed as an obligation, although it is something that we will investigate further.
28. I also note that the FENZ suggestions predominantly about how we manage the exterior of the building and surrounding curtilage to reduce risks from wildfire. The internal sprinkler system is more about the house in the event of an internal fire (which is a low risk in a new build such as we are proposing).
29. I have undertaken some initial investigations to understand the implications of the proposed condition for us. The costs of the system would be significant – upwards of \$80,000. I had hoped that this cost might translate into a reduction in our insurance premiums. However, my broker advises that such discounts only apply to commercial buildings.
30. I also understand that there are some significant ongoing costs associated with the system. They require annual pressure testing and certification. This is because if they are not calibrated correctly, they are prone to 'going off' and effectively flooding the house. On balance, that seems to be a case of exchanging one risk for another.
31. Given the location of the site, we want to have additional water storage so the provision of the standing storage for fire fighting is not a problem

for us. We have strong preference stick that that solution, rather than being obligated to install a sprinkler system.

32. We recognise that if the house was to catch fire it is unlikely that emergency service would get to site fast enough to save the building and we accept that.

Conclusion

33. The opportunity cost to our family of this process attempting to be allowed to live on our land is already significant. Consultant and other fees associated with this application and our previous application that got returned have run to ~90K so far. The cost of renting in Cromwell for an extended period, renting grazing for our 5 horses etc has added another \$100K. This represents a very significant portion of our available capital that we had hoped to use to build our life here in Cromwell.
34. The ongoing uncertainty has been hard for us to manage. We dearly wish to be able to crack on with our now long held dreams for this site.

Dated 27 July 2026

Andrew Walsh Duncan

Appendix - Personal Letter from Applicant to Council

Dear CODC Planning Officer,

We are writing this letter in accompaniment to our Resource Consent Application for a farmhouse and shed at 528D Kawarau Gorge Rd, Cromwell. Context could be important in this kind of discretionary application and therefore we had in mind to write this cover letter to include with our application to the extent that we introduce ourselves and our reasons for wanting to go and take responsibility for the block of land that represents our only landholding. We describe our reasons for wanting to make our home on this land, to take responsibility for it with our young family, the efforts we have made in terms of conservation and further efforts we will continue to undertake in due course.

We are a young family with four boys, and it is just over 12 months now since we arrived in Cromwell. We purchased SEC 24 BLK IV CROMWELL SD in July 2022 and moved to Cromwell in March 2023 where our youngest was born at the nearby Cherry Tree Farm shortly after our arrival here. We are currently renting in town and our children are involved in the many sporting codes and extracurricular activities available to families in this fantastic location. We home school our children of school age and have done so since October 2019 when our oldest became of school age.

This block that we have purchased has been grazed with merino by a lease farmer up until our purchase of the block. This small farming block represents the future for our family in terms of engagement in their environment and their learning and the adventure potential as they grow up here in Cromwell. As residents of Cromwell, we understand the importance of the ONL and as residents of Cromwell we too are stakeholders in the future of this area and the landscapes broader significance as a reflection between the people of Cromwell and Central Otago and their place in this area. For this reason, we believe we have designed the access and location of our proposed buildings in such a way as to have no appreciable visual impact on the ONL. For example, in our minds it is good that we found this spot that makes the proposed house and shed virtually completely hidden and allows us access onto the farm and, although the earthworks are over the allowable, the need for the additional earthworks was to allow us to reach this spot we found for the farmhouse within a saddle and design/ location of the driveway so as to not be typically visible, and not remove any significant vegetation again, so as not to impinge on the ONL or on public spaces frequented by people.

Our move here to Cromwell was to allow us to begin to take full responsibility for this land that we own and the potential for us to be able to make our home onsite significantly increases our ability to engage our young family in the tasks of small farm homesteading and the tasks of caring for and taking responsibility for the land. Living in sympathy for and in conjunction with an area of land and in the wider region of Central Otago with all its history, geological features and varied weather and environments is an important feature of our process in homeschooling our children. An important part of our homeschool philosophy is that the physical world and hands on investigation of basic elements of the physical sciences are a fundamental part of forming a foundation of knowledge of one's place in the world. We believe this is a sound beginning that the many abstract layers of learning that may be available can be overlayed onto later in their learning development.

We were contacted by the Central Otago Wilding Conifer Control Group (CWG) in May 2023 and given the opportunity to have CWG control the spread of wilding pines on our block. However, we were unable to contribute our required component cost of this work at that time therefore we have undertaken to complete the work ourselves as a family activity. CWG Project Manager accepted that we would be competent and willing to do this work ourselves and they provided methodology advice to ensure the success of our efforts, we received data from CWG following from their aerial

survey and have kept in contact with the Project Manager of CWG in an informal manner regarding our progress in removal of the existing established conifers and their offspring that have sprung up generally in a small localised area surrounding the existing established conifers. We have begun to undertake the destruction of areas of significant infestation of weed species of thistle and other plants when we have the opportunity to spend weekends up there. We are controlling rabbits, possums, stoats and the occasional feral cat by shooting regularly and systematically. In the continuation of these activities, we look forward to potentially increasing our effectiveness if the immediate areas where these basic conservation tasks are required to be completed are 'at our doorstep' so to speak.

We hope that we will be able to make our vision a reality for our young family in collaboration and consideration for Councils requirements and we thank you for your consideration of our application.

Kind regards

Andrew, Jesse, Kea, Kahu, Sol and Zev