

Submission of Suncrest Orchard and DJ Jones Family Trust.

Introduction

My name is Michael Jones

I am representing DJ Jones Family Trust (DJFT) and Suncrest Orchard Limited (SOL) who are the owners and operators of the orchard immediately adjacent to the subject Plan Change 13 property

I am a director of Suncrest Orchard and I have held the role of Orchard Manager for the last 26 years.

I am a licensed helicopter pilot and I undertake frost fighting and cherry drying at Suncrest Orchard utilising Suncrest Orchard's helicopter.

1. Investment

- 1.1. Over the last 30 years DJFT and SOL have invested considerable financial resources in our orchard, packhouse and onsite retail business, Jones Family Fruit Stall. The Jones Family have also invested heavily with their personal time and energy, and are emotionally invested in the property.
- 1.2. In the last 5 years alone, we have invested \$4,200,000 on land, trees, irrigation, packhouse technology and plant, wind machines, and other machinery and vehicles.
- 1.3. Our payroll for the last 5 years totals \$15,900,000 which has made a significant contribution to the Cromwell economy.

- 1.4. We have substantial investment plans for the future to maintain our leading edge in new varieties and training systems, as well as post-harvest packing facilities.
- 1.5. Our investment in our fruitstall has been extensive over the years and this provides a major tourist attraction to the region.

2. Productive Potential of PC13 Site

- 2.1. Based on my substantial horticultural experience, the PC13 site has considerable potential for summerfruit production. The site has free-draining soils, access to irrigation water, and most importantly it shares the same unique microclimate as surrounding orchards – providing sufficient winter chilling and warm summer conditions conducive to producing premium quality fruit. Similar sites on the lower terrace of Pearson Road already have established cherry orchards and vineyards which indicate even the lower terrace has horticultural promise.
- 2.2. This land is of considerable value for horticulture or viticulture as future climate change could limit the ability of other districts such as Hawkes Bay, Blenheim and Canterbury to produce crops requiring substantial winter chilling.
- 2.3. DJJFT considered purchasing the PC13 site, however, due to recent investment in other properties for orchard development prior to the PC13 site coming on the market, the decision was made not to purchase the property at that time. In making this decision, DJJFT and SOL firmly believed that the current zoning of the adjacent property would protect our ability to continue our lawful horticultural activities.
- 2.4. Like the DJJFT orchard, the subject site has good visibility from the main highway, which would assist any potential horticultural operation.

3. Reverse Sensitivity

- 3.1. Noise can be generated on the orchard both day and night from a number of different activities such as frost-fighting, bird control, tree drying, spraying, chainsaws, harvest crews, mowers and other machinery:

Frost-fighting – wind machines, helicopters and pumps – can occur on any night between mid –August and early January and frequently occurs on consecutive nights. This starts when critical temperatures are reached and this can be anytime from late evening though until after sunrise. There are wind machines on the south end of Plan Change 13 protecting vineyards these are also used in Autumn to protect grapes.

Bird control – gas guns, drones, quad bikes with horns, shot-guns – occurs 7 days a week from mid-November until mid-February between the hours of 6am and 9pm. This noise is constant over the entire day. By its nature, it is designed to frighten, so can be irregular and disruptive in nature. With most people not associated with horticulture finding the noise intrusive.

Cherry Drying – helicopter – occurs from mid-November until mid-February after every rain event and can occur after nightfall but also from 5am onwards. During showery days this can be undertaken several times within the same day. It currently takes 1.5 hours to dry all of the cherry trees on the orchard adjacent the PC13 site. Frequently, multiple helicopters are operating at the same time on adjacent orchards.

Spraying – tractor and airblast sprayer – occurs between August and May. Application is controlled by weather and can occur round the clock and during the weekends. During the spring, a night of frost fighting can be followed by a full day of spraying, which allows no break in the noise.

Harvesting – the harvest crews can number upwards of 150 people and they are supported by tractors, trucks and quad bikes – occurs between late November and finishes in April with our apple harvest. During

cherry season, harvest generally starts at 6am and finishes early afternoon and can be 7 days a week. This activity can produce significant amounts of noise.

Chainsaws, mowers, mulchers, chippers, hydraladders and other machinery are used year round. During summer months, work starts at 6am and work can take place during the weekend.

- 3.2. Noise created from our current lawful horticulture activities as portrayed by acoustic expert, Marshal Day, is substantial. The use of wind machines and helicopters for frost protection during the night, and potential consecutive nights, disrupts the sleeping patterns of neighbouring residents. The proposed mitigation measures of the proponent - the 3m high acoustic fence and the acoustically insulated houses - will not prevent disrupted sleep patterns on neighbouring residents on the PC13 site as the noise is generated at a height well above the proposed fence – SOL's wind machine towers are 10.4m high and helicopters hover at the inversion level which is generally in the range of 80 feet AGL. Of particular concern is the proposed 3m high fence not allowing cold air to drain out of our property on cold nights. This means critical temperatures will be reached earlier and wind machines and helicopters will be used more and will be less effective.
- 3.3. The proposed No Complaints Covenant will only lead to increased frustration for nearby residents, who will look for any other options to stop their source of frustration, such as getting other residents in close locations to complain or just approaching orchard staff and management to vent their frustration.
- 3.4. Spraying is an essential part of any horticultural operation. Whilst we adhere to all regulations controlling the application of horticultural sprays, many people have concerns regarding the use of horticultural sprays and potential spray drift. Some people will take exception, regardless of the contingencies we undertake to avoid spray drift and regardless of the fact if there actually is spray drift, and complain to orchard management or the Otago Regional Council despite the no complaints covenant. We will then have to prove that no spray drift over our boundary has occurred. We have concern over who holds the burden of proof over what constitutes noxious and objectionable between a rural environment and residential environment. We would contend

that the current rural zoning produces a different expectation from the residents on what is acceptable when compared to residential. This magnified by the sheer density of the proposed change from rural to high density residential.

- 3.5. Of major concern, with regards to spraying, is changing laws and regulations – the spraying we currently undertake is permitted in the rural environment. The introduction of a residential area adjacent to the orchard and the potential introduction of compulsory buffer zones for horticultural spraying around residential addresses could result in SOL having to create the buffer from within the orchard - eroding the ability to undertake our current lawful horticultural operations. The proponent has not provided any meaningful relief for reverse sensitivity issues in relation to spraying. The fence and hedge are not a buffer zone. Residents of proposed PC13 will find a way to complain regardless of the so called no complaints covenant. If chemical companies, Work Safe or Otago Regional Council decide in the future a minimum buffer zone is required to protect residential areas and we cannot spray parts of our orchard, our business will be jeopardised.

- 3.6. Our boundary with PC13 is approximately 1km long. Under current zoning no dwelling can be built within 25m of our boundary and it is more likely that a rural homestead would be built at least 50m or more from the current large shelter belt to maximise sunlight and views. Plan Change 13 would remove this current legal buffer on their property and place it on ours which would mean, at a minimum, we would lose 2.5 hectares of productive land and at a conservative estimate, the profits of around \$125,000 PA would be lost. Again the proponent has not provided meaningful relief for reverse sensitivity issues in regards to healthy legal current buffer zones being removed and placed on us so they can jam as many houses as possible on their site.

4. Summary

- 4.1. When commissioners debate the option which best provides for people and a community's ability to provide for their social and economic wellbeing, please have careful consideration to the real effects that will result from a change of zoning away from rural to one that will introduce high numbers of residential lots amongst this unique Cromwell rural landscape.

- 4.2. Two of Central Otago's largest tourist attractions lie adjacent to Plan Change 13, Jones Family Fruit Stall and Highlands Motorsport Park. Both businesses will be affected dramatically in a negative way if this proposal goes ahead. These established business have spent millions of dollars establishing themselves in this community, and pride themselves on the economic wellbeing they provide to the district through jobs, tourism, export grade produce and helping to promote Central Otago.

- 4.3. Tony Quinn invested a huge sum of money into the Cromwell community when he created Highlands Motorsport Park, at a time when the Cromwell economy was desperate for investment and what he created attracts tourists to Cromwell every day. If you travel in New Zealand invariably if asked where you come from usually people know of or have been to the motorsport park. This has helped put Cromwell on the map.

- 4.4. One of the best examples of a Mum and Pop business I know and I am extremely proud of is Suncrest Orchard. My parents have employed so many people from Cromwell and all over the world since the mid 1960's. My father was one of the first to export wild venison from New Zealand to Germany and he created a business from scratch exporting wild venison, pork, hares, crayfish, whitebait and other fish all around the world only to see his factory drowned by the Clyde dam. Both my Mother and Father along with everyone else that works with them, created Jones Family Fruitstall and Suncrest Orchard through sheer hard work and determination, and helped put Cromwell on the tourist map. We were there right at the start of NZ cherry exports and contributed to the growth of that industry. For years they have been creating export earnings for New Zealand. Supporting the local economy and continuing to grow their own business .

- 4.5. Please don't drown these businesses with neighbours, maintain their current protection offered by land zoning. Please dont allow a large corporate to make a quick buck then move on and leave others to deal with the tsunami of negative issues that will ultimately be created.