

**BEFORE THE SPECIAL TRIBUNAL FOR THE NGARURORO AND CLIVE RIVERS
WATER CONSERVATION ORDER
AT NAPIER**

IN THE MATTER of the Resource Management Act 1991
(the Act)

IN THE MATTER of a Special Tribunal appointed under
s202 of the Act to consider an application
for a Water Conservation Order made by
New Zealand Fish and Game Council, the
Hawke's Bay Fish and Game Council,
Ngāti Hori ki Kohupatiki, Whitewater New
Zealand, Jet Boating New Zealand, and
the Royal Forest and Bird Protection
Society of New Zealand (the Applicants)
in relation to the Water Conservation
Order

The Special Tribunal Richard Fowler QC (Chair)
Alec Neill
Dr Roger Maaka
Dr Ngaire Phillips
John McCliskie

**STATEMENT OF EVIDENCE OF MARK APATU
FOR HORTICULTURE NEW ZEALAND**

25 January 2019



ATKINS | HOLM | MAJUREY

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INTRODUCTION

1. My name is Mike Apatu. I spent four years at Massey University studying Horticulture before starting out in our family business 30 years ago. I now manage and own the business, Apatu Farms Ltd, in partnership with my brother Paul.

CURRENT OPERATION

2. Apatu Farms is a second-generation agricultural business farming 1350 ha of irrigated horticulture and viticulture land on the Heretaunga Plains. We have a permanent staff of 45, increasing to a seasonal total of 110 currently, with projected requirement of 370 as orchards are developed from 2021.
3. As with all other horticultural producers in Hawke's Bay, our horticultural operations and farming operations rely on high quality soils, dry warm summers and the ability to efficiently supplement and irrigate crops with water.
4. Our business is a major contributor to New Zealand's export market and supplier of a range of crops to some of the biggest food brands in New Zealand. We have a long standing relationship with Kraft-Heinz, supplying them with tomatoes, beetroot, sweet corn and butternut squash.
5. We supply a large amount of NZ's fresh onion exports. We are a supplier of butternut squash to Cedenco Foods and of peas and sweetcorn to McCain Foods. We are also the largest supplier of grapes to Constellation Brands in Hawke's Bay and a supplier of apples to T&G Global and Rokit Global.
6. We are committed to embracing technology in our business. We have also been GlobalG.A.P (Good Agricultural Practice) certified since 2005, showing our commitment to sustainable and responsible practices.
7. Our operations fall within the area covered by the wider Water Conservation Order ("**WCO**") and like all other horticultural operations, the effect of the proposed WCO on Apatu Farms is catastrophic.
8. Attempting to undertake our business without the necessary security of water supply would render the business far too risky to contemplate growing crops and undertaking the horticultural and viticultural activities that we currently undertake. This would cause extremely negative economic impacts on the business, but more widely, it would also affect

the families that depend on us for their income and support. The effects flow through to more region-wide and nationwide effects, causing considerable economic hardship through lost production opportunities.

POSITION IN RESPECT TO PROPOSED ORDER

9. I support the position taken by the Hawke's Bay Vegetable Growers Association and the Ngaruroro Irrigation Society Inc, and indeed by most others involved in the primary sector, that this WCO should be rejected in its entirety.
10. Members of both the Hawke's Bay Vegetables Growers Association and the Ngaruroro Irrigation Society Inc have been active participants in the TANK process. Like those two organisations, I oppose the making of a WCO and adopt the positions and submissions that have already been made by those two organisations.
11. The Ngaruroro River and the aquifer system that it generates through hydraulically connected waters provides an essential life force for horticulture, industry and the community of Hawke's Bay as a whole. I understand the desire of the applicants to ensure that the natural resources of the Ngaruroro River and its aquifer are sustainably managed, but this should not involve "conservation" at the expense of all other uses of the water resources.
12. The principle of conservation must be balanced against the economic and social wellbeing arising from the use of the water for horticulture, viticulture, industry and the community as a whole.
13. I firmly believe that this can be achieved without there being winners and losers and that the TANK process, involving as it does a collaborative approach to the management of the resource, will provide a better outcome than this proposed application.
14. I agree with the submissions of the Hawke's Bay Vegetable Growers Association in relation to the difficulty of applying a WCO to the connected groundwater of the Ngaruroro River. The emerging science from the TANK process shows that the vast majority of the groundwater within the Heretaunga Plains is hydraulically connected to the Ngaruroro River. I submit that the extent of the coverage of the Application and the full ramifications of the Application, applying as it does to

hydraulically connected groundwater, was probably unknown at the time that the Application was made.

15. This fact highlights the importance of the TANK process, and the science and information that is coming from that process. Part of that information has arisen as a result of a better scientific understanding of the hydraulic linkages, but part of that better knowledge arises simply from the fact that all parties are having input into that process.
16. Overall, the collaborative approach of the TANK process with all stakeholders around the table to ensure that the plan change is workable and robust is a far better way of proceeding and will result in a far better outcome both for the river and for the water users and Region as a whole.
17. The proposed WCO would restrict options for the future such as water storage to augment flows and provide for irrigation in the summer by storing water from high flow periods within the winter periods. This hinders the TANK process and the Council's ability to propagate a regional plan that meets the obligations and expectations of the national policy statement for freshwater management.
18. Even if outstanding features are found to exist (which is not accepted), the interests of the community and of primary and secondary industry grossly outweigh the conservation interests. This is particularly so, given the reality that these competing interests have co-existed side by side for some time and the current state of the river system, the aquifer and the health of the primary industry reflects that this co-existence is possible.

Mark Apatu

25 January 2019