

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

**I MUA I TE KOTI TAIAO O AOTERAROA
TE WHANGANUI-A-TARA ROHE**

ENV-2023-WLG-000005

Under the **RESOURCE MANAGEMENT ACT 1991**

In the matter of the direct referral of applications for resource consents
 And notices of requirements under sections 87G and
 198E of the Act for the Otaki to North of Levin Project

By **Kapiti Equestrian Advocacy Group**
 Horowhenua Equestrian Advocacy Group
 NZ Equestrian Advocacy Network

 Submitters

EVIDENCE PROVIDED BY THE SUBMITTERS

21 September 2023

MAY IT PLEASE THE COURT:

1. Firstly, our apologies for the delay in submitting our evidence. We were awaiting a response from Waka Kotahi to our proposals offered in mediation. They agreed to take our proposals back to their head office for consideration and to get back to us as soon as possible. Of course, we had hoped that our proposals would be accepted and we could therefore withdraw our appeal. However, it was only on Wednesday 13 September that one of our submitters received a negative response to our proposal. This therefore required a immediate response to provide our evidence.
2. Secondly, we submitters consist of three small voluntary organisations supporting horse riding in New Zealand. We have little formal structures, no source of income and no access to formal representation. We have tried to contact David Forrest for assistance in structuring our evidence, but as he is away we only have had telephone conversations with him. In this regard, we apologise should our evidence not meet the standards expected by the Court.

Evidence submitted by the parties

3. The Equestrian Advocacy Groups have been engaging with Waka Kotahi from the time the Otaki to north Levin (O2NL) highway was announced. We have attended untold community briefings and follow up meetings with Waka Kotahi staff. Our contention has always been that the Multi-use pathways provided along the two new highways though the Kapiti Coast should be extended through to Levin on the proposed O2NL. It seems to be common sense. We believe Waka Kotahi has not engaged with us in good faith on this issue. Their initial response was a multi-use pathway was not within the “scope” of the project. We asked why it was not and did not receive a clear response. We are concerned that Waka Kotahi is remiss in its advocacy for all road users in NZ and did not give adequate consideration of all transport modes. The current proposal for O2NL includes a shared path for pedestrians and cyclists but still does not allow for horse riders. Even today they rely on this as their main reason for not supporting a multi-use pathway.
4. Waka Kotahi states in all of its literature about the O2NL project that the key driver behind the proposed highway is **SAFETY**. Safety improvements for all road users. Yet one group of legal road users have been ignored. Reality is, it is no longer safe for horse riders on most NZ roads, where they are legally entitled to ride. While small country laneways with little traffic can still be ridden with only a small increased risk, most roads with speed limits of between 80 and 100 km per hour are definitely a clear and present danger to rider, horse and other vehicles. It appears that Waka Kotahi does not hold this belief. In a letter to Richard Schimpf, Chair of the Horowhenua Equestrian Group, dated 13 April 2023, (Attached as Appendix R1) they stated that over the past 20 years there have been

no recorded traffic crashes on part of the state highway between Otaki and north of Levin that have involved horses or equestrian users. Later in that same letter they state that there are no recorded safety concerns. It is highly likely that this is because that road is so dangerous that no horse rider in their right mind would ever consider riding on it. One of the safest places to ride is on off-road pathways. Kapiti Coast district has a number of these, Horowhenua district has only one in the area of the O2NL, the Gladstone Road Trig. The inclusion of a multi-use pathway alongside the O2NL would provide Horowhenua horse riders with the only north/south off road connection to a multitude of small relatively safe east/west feeder roads and to get to other horse riding destinations such as the Gladstone Road Trig

5. Waka Kotahi also contends in the letter quoted above that there are no real or potential adverse effects that the O2NL project may have on the equestrian community in the Horowhenua district. They suggest that both of the recent Kapiti projects cut across horse riding facilities and bridleways, giving the Kapiti Pony Club as an example, therefore it was appropriate to provide new facilities to reconnect severed connections and re-establish networks. We have challenged Waka Kotahi to provide other examples of this occurring to no avail. We have also asked Waka Kotahi to provide us with such information relating to the Horowhenua district. That information was only received in the last week. O2NL Equestrian Map (attached as Appendix R2) shows that there are 10 riding establishments located within 1 kilometre of the new road. I do not believe there are so many such establishments in the Kapiti district close to the expressway multi-use path. A key element of the Kapiti and Horowhenua districts is that, until these expressways were developed, there was only one route for north/south travel over the whole of the coast. This affects all road users including horse riders. If a multi-use pathway is not included next to the O2NL, horse riders, their children and their grand children will forever be excluded from traveling in a north\south direction in the Horowhenua. I would call that a real and potential adverse effect.

6. The Equestrian Advocacy Groups have prepared the following statements of evidence from:

- A) Shelly Warwick - History, Health and Track Design
- B) Richard Schimpf - Safety (on and off road) & north/south connections
- C) Arthur Yeo - National initiatives and Ministers direction
- D) Steve Lewis - A cyclist's perspective