

**BEFORE
WAIPA DISTRICT COUNCIL**

IN THE MATTER of an application for resource consent under section 88 of the Act for the establishment and operation of a sand quarry and cleanfill operation located at 928 Kaipaki Road, Cambridge

TO WAIPA DISTRICT COUNCIL

APPLICANT SHAW'S PROPERTY HOLDINGS LIMITED

Statement of Evidence of Clarke Robert Johnstone

13 November 2020

Introduction

1. My full name is Clarke Robert Johnstone
2. I am an Olympian having represented New Zealand at the Rio 2016 Olympic Games where I was individually 6th place and the highest placed New Zealander. My sport is Equestrian, Eventing. I am also on the Eventing New Zealand High Performance Olympic squad for the Tokyo Olympics to (hopefully) take place next year.
3. Some of my other career highlights include:
 - a. Team bronze medal at the World Championships in Kentucky 2010;
 - b. 5th place at the prestigious Badminton Horse Trials in England, 2016;
 - c. Winner of the 5star Australian Three Day Eventing Championships 2017; and
 - d. Team gold and individual 5th at the Aachen World Equestrian Festival in Germany, 2018.
4. I have also show jumped to FEI World Cup level and was a member of the Equestrian Sports New Zealand High Performance Futures Squad.

Code of Conduct

5. I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2014 and that I have complied with it when preparing my evidence. This evidence is entirely within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Background

6. I have known Keith and Amanda Walker for about 8 years having met them while I was living in England. As well as a passion for horses and Eventing, it was immediately obvious to me as a result of our early conversations, that Keith and Amanda had a very keen interest in health and safety, particularly in improving the safety of the sport of eventing. Since their move to New Zealand I have worked with Keith and Amanda closely, primarily as I have been training and competing some of their horses.
7. I am very familiar with the property Rivermont Park having in fact viewed the property on Keith and Amanda's behalf with the real estate agent in 2013 before they came out from England to view it themselves. I have also used the all-weather canter track as a crucial part of preparing my horses for my overseas campaigns and competitions in New Zealand. I use the facilities at Rivermont Park because it is safe for my valuable horses, particularly when the ground is too wet to gallop on grass.

Application and Equine Concerns

8. I am familiar with the location of the proposed sand quarry and, more relevant to me, proposed changes to the road layout which brings the road to within 2.5m of the canter track at Rivermont Park. This is quite clearly to me a health and safety concern and will significantly increase the risk to horse and rider when compared to the current road layout.

Horse Behaviour

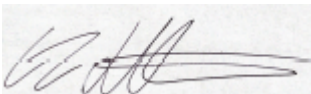
9. Horses are sometimes flighty animals and riding them towards large, oncoming vehicles is not safe. Horses are likely to be spooked by the trucks and this can cause them to stop dead, spin around, run sideways and so forth, all of which can easily lead to a rider-fall and a loose horse which can in turn damage itself.

Evidence of Stephen Marsh

10. I agree with Stephen Marsh's appraisal that horses can be spooked by a multitude of outdoor scenarios but I would argue that an oncoming truck is likely to have a far higher risk of causing a health and safety accident than, for instance, a bird flying out of the grass. Although competition horses do need to be desensitised to sights and sounds that could spook them, it would never be the case that a horse would come within metres of moving vehicles in a competition as it is simply not safe.
11. I also note that in Mr Marsh's submission he cites an example of heavy machinery coming within 20m of his training operation during construction of the expressway and experiencing no interference, however in this case the trucks are to be within 2.5m of the horses galloping which is obviously much closer. The now operational expressway also has a large visual barrier between it and the training track facilities which would significantly reduce the risk of spooking the horses in my opinion.

Conclusion

12. Being a regular user of the training track at Rivermont Park myself, I do believe that the proposed road changes will make the track unsafe to use for a great many horses as it will be unsafe and the Walkers are right to ask the applicant to pay the costs of moving that portion of the track further into the property where it will be safe.



Clarke Johnstone

13 November 2020