

Further submission in support of, or in opposition to, submission on notified Regional Coastal Plan for Southland: Proposed Plan Change 5 – Section 16 Surface water activities on the internal waters of Fiordland from Yates Point to Puysegur Point

**The further submissions period commences on 25 October 2022 and closes on 8 November 2022.**

**Email your completed further submission to:** [consultation@es.govt.nz](mailto:consultation@es.govt.nz)

**Alternatively, you can post your further submission to:**

Attention: Regional Coastal Plan Change  
Environment Southland  
Private Bag 90116  
Invercargill 9840

**You can also deliver your further submission to:** Environment Southland's office on the corner of Price Street and North Road, Waikiwi, Invercargill.

Please contact Environment Southland using the email above or call 0800 76 88 45 if you have any questions.

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**IMPORTANT NOTE:** A copy of your further submission must be served on (i.e. received by) the original submitter/s within 5 working days of the submission being lodged with Environment Southland. The submitter address for service list containing the original submissions is available on Environment Southland's website along with the summary of decisions requested. Please follow this [link](#).

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Full Name (or name of agent if applicable): Dr Rebecca McLeod

Organisation Name (that submission is on behalf of): Fiordland Marine Guardians

Address for Service: P O Box 213 Te Anau

Postcode: 9640

Phone: 027 3312041

Email: [info@fmg.org.nz](mailto:info@fmg.org.nz)

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I am:

a person representing a relevant aspect of the public interest

*In this case, also specify the grounds for saying that you come within this category*

a person who has an interest in the proposal that is greater than the interest the general public has.

The Fiordland Marine Guardians were established under the Fiordland (Te Moana o Atawhenua) marine Management Act 2005 and our vision is "That the quality of Fiordland marine environment

and fisheries, including the wider fishing experience, be maintained or improved for future generations to use and enjoy.”

the local authority for the relevant area.

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I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

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Signature: Dr Rebecca McLeod (via email) [Click here to enter text.](#)

*Note: A signature is not required if you make your submission by electronic means.*

8<sup>th</sup> November 2022.

#### **Notes on making a further submission**

A further submission may only be made in support of, or opposition to, another person’s submission on the Plan Change.

Please note that your further submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Environment Southland will make all submissions and further submissions including names and contact details publicly available on the Council’s website. Any further submission supporting or opposing an original submission is required to be served on the original submitter after it is served on the Council and therefore contact details must be made publicly available.

Personal information will also be used for administration relating to the subject matter of the submissions, including notifying submitters of hearings and decisions. All information will be held by Environment Southland with submitters having the right to access and correct personal information.

**Original Submission**

We oppose the entire submission of:

Bill Chisholm

PO Box 125, Manapouri 9679

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**We oppose the submission in its entirety.****The reasons for our opposition are:**

We oppose this submission as we do not agree that there is considerable scope for growth of commercial Surface Water Activities (CSWA), in the Fiordland coastal marine area. We do not believe that Mr Chisholm possesses the expertise or local knowledge required to make this assessment. We are also concerned that as the submitter is a client of several CSWA operators in the Fiordland coastal marine area, he has not indicated that he could gain an advantage in trade competition were the authority to grant the decision he is seeking, namely to withdraw the entire proposed plan change immediately.

The Guardians were established under the Fiordland (Te Moana o Arowhenua) Marine Management Act 2005 and at our first meeting we adopted the following vision, "That the quality of Fiordland's marine environment and fishery, including the wider fishing experience, be maintained or improved for future generations to use and enjoy." To fulfil this vision the Guardians are a potentially affected party for all new, renewals or alterations to CSWA consents in the Fiordland coastal marine area. Over the past five years we have witnessed with concern a significant increase in applications to council for new CSWA consents for bigger vessels, an increase in associated ancillary activities and/or increased access to the traditionally more remote fiords. We are concerned not only about the current level of commercial surface water activity but also about the amount of latent effort that remains within existing consents. (consented but not yet utilised). Council currently has very limited planning mechanisms to control growth in CSWA, and especially beyond Doubtful Sound/ Patea, which is why this Plan Change has been initiated.

We also oppose this submission as the Guardian's fully support the findings of the council-commissioned 2021 study, "Wilderness and Remoteness Values of Fiordland Waters" by Kay Booth of Lindis Consulting.

**We seek that the whole of the submission be disallowed:**

For the reasons given above that will be expanded on when I speak to our submission at the hearing.

**Original Submission**

We oppose the entire submission of Nathan Russ

53B Montreal street  
Christchurch 8023

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**The particular parts of the submission we oppose are:**

16.2.8 Impacts on wilderness and remoteness values

The untrue comments that the Chairperson of the Fiordland Marine Guardians has had influence and control over who Kay Booth of Lindis consulting interviewed and part of her council-commissioned report, "Wilderness and Remoteness Values of Fiordland.

**The reasons for our opposition are:**

This submitter has totally misrepresented the involvement of the Guardians in this report. In no way have any of the Guardians had any influence over who was interviewed as part of this report. The methodology that the author has used is clearly documented and fairly represents the level of participation that the Guardians had as part of the consultation process.

**We therefore seek that the whole of this submission is disallowed.**

**Original Submission**

We support in part and also oppose in part the submission of Peter Edgerton.

22 Ferry Lane  
Pisa Moorings  
RD3  
Cromwell 9383

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<b>The particular part of the submission we support are:</b>
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5.1 General Comments
16.2.3 Avoid or mitigate adverse effects on Marine Mammals
We support the part of the submission that suggests that this matter could be better addressed by the issuing of a Coastal permit if supported by proven research and facts. But we suggest that Plan Change 5 is not the right mechanism to address this matter as it only applies to CSWA consent holders.

<b>The reasons for our support are:</b>
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5.1 General comments
We support Mr Egerton’s submission that people have a right to access their own country. However, we stress that it is important to have management tools in place to ensure that no one sector can expand to the detriment of others in the Fiordland Marine Area. Unconstrained growth of the commercial charter sector would ultimately reduce access for other users, including private vessel owners and commercial fishers due to limitations on space in safe anchorages. That is one of the reasons that the Guardians have advocated for this Plan Change - it addresses the balance amongst different users so no one is “pushed out”.
16.2.3 Avoid or Mitigate adverse effects on Marine Mammals.
We support the part of the submission that suggests that this matter could be addressed by the issuing of a Coastal Permit if supported by proven facts and research. But we suggest that Plan Change 5 is not the right place to address this matter as it only applies to CSWA consent holders and doesn’t apply to recreational users.

<b>The particular part of the submission we oppose are:</b>
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5.4. Policy 16.2.2
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<b>The reasons for our opposition are:</b>
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5.4. Policy 16.2.2
Whilst we agree that newer vessels are likely to have improvements in technology that reduce their environmental footprint, we do not agree with the assertion that replacement vessels must also be larger than those currently consented. Larger vessels tend to be accompanied by more ancillary activity (e.g. tender vessels) and more restricted anchoring/mooring requirements, which must be collectively considered alongside other consents in the FMA. Hence, we oppose the reasoning given by the submitter in relation to this point.

**We seek that the following part of the submission be disallowed:**

5.4; Policy 16.2.2; Delete point 2 Not granting resource consents or intensifying (above that which lawfully existed on 18th July 2022) commercial surface water activities.

**Original Submission**

**We support in part the submission of Real Journeys Ltd.**

PO Box 1  
Te Anau  
9640

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**The particular parts of the submission we support are:**

General comments

Policy 16.2.13

**The reasons for our support are:**

General comments

We support the comments made by the submitter regarding the potential for visitor pressure to be displaced to Rakiura/Stewart Island as a consequence of this plan change being adopted.

Policy 16.2.13

We support the changes this submitter is proposing to this policy as they address the concerns the Guardians have regarding the potential adverse effects of these activities that are 'spawned' by activities ancillary to the principal surface water activity. These effects include such as multiple helicopter landings on vessel-based landing pads also need to be considered and effectively managed when assessing these CSWA consents

**Original Submission**

**We support in full the submission of Te Ao Marama Incorporated.**

PO Box 7078  
South Invercargill  
9812

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**The reasons for our support are:**

This submission aligns very well with the philosophy of the Guardians and in particular our shared concerns regarding the current inability of the council to effectively manage the adverse effect of CSWA consent holder activities in the Fiordland coastal marine area.

In particular we support their long term, ki uta ki tai approach to resource management in the Fiordland marine coastal marine area.

**We seek that the whole of the submission be allowed:**

**Original Submission**

We support in full the submission of Te Runanga o Ngai Tahu.

P O Box 13046

Christchurch

8023

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**The reasons for our support are:**

This submission aligns very well with the philosophy of the Guardians and in particular our shared concerns regarding the current inability of the council to effectively manage the adverse effect of CSWA consent holder activities in the Fiordland coastal marine area.

In particular we support their long term, ki uta ki tai approach to resource management in the Fiordland marine coastal marine area.

**We seek that the whole of the submission be allowed:**