

**Consents Hearing**  
**10 October 2016**

**Island Escape Cruises Limited -**  
**APP-20169132**

**Application**

# Application for Resource Consent (PART A)

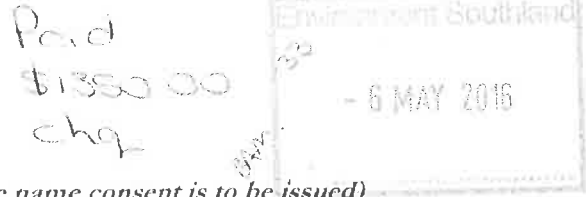


**environment  
SOUTHLAND**  
*To Teiao Tonga*

This application is made under Section 88 of the Resource Management Act 1991

The purpose of this Part A form and the relevant Part B form(s) is to provide applications with guidance on information that is required under the Resource Management Act 1991. Please note that these forms are to act as a guide only, and Environment Southland reserves the right to request additional information.

To: Environment Southland  
Private Bag 90116  
Invercargill 9840



Full name, address and contact details of applicant (*in whose name consent is to be issued*)

Name: Island Escape Cruises Ltd  
 Address: 6 Kent Street, Newmarket,  
Auckland 1023. Attn: Peter Bissett.  
 Email: peter@islandescape.co.nz  
 Phone: (021) 491 555 (09) 358 1717 Fax: (09) 358 1564  
*Preferred Additional*

Consultant contact details (*if different from above*)

Contact name/agent: Bill Chisholm, Chisholm Associates  
 Address: 67 Selwyn Street, Leeston,  
Canterbury 7632  
 Email: bill@chisholm.co.nz, ph (027) 2214739

Please tick the box for the consent(s) you are applying for and complete the relevant Part B form(s) where available:

<b>Land Use</b>	<b>Discharge</b>	<b>Coastal</b>
<input type="checkbox"/> Bore/well	<input type="checkbox"/> To air	<input type="checkbox"/> Whitebait stand
<input type="checkbox"/> Convert land to dairying	<input type="checkbox"/> To water	<input type="checkbox"/> Structures/occupation of space
<input type="checkbox"/> Effluent pond construction	<input type="checkbox"/> To land	<input type="checkbox"/> Removal of natural materials
<input type="checkbox"/> Tree planting	<b>Water</b>	<input type="checkbox"/> Disturb foreshore/scabed
<input type="checkbox"/> Gravel extraction	<input type="checkbox"/> Take and use surface water	<input type="checkbox"/> Discharge/deposit substances
<input type="checkbox"/> Hill country burning	<input type="checkbox"/> Take and use groundwater	<input checked="" type="checkbox"/> Commercial surface water activity
<input type="checkbox"/> Riverbed activity (incl streams/creeks and stopbanks)	<input type="checkbox"/> Dam water	<input type="checkbox"/> Reclaim/drain foreshore/scabed
<input type="checkbox"/> Bridges and culverts	<input type="checkbox"/> Divert water	<input type="checkbox"/> Marine farming
		<input type="checkbox"/> Other coastal activities

1 Are there any **current** or **expired** consents relating to this proposal?  Yes  No

If yes, please provide consent number(s) and description:

2 Are any other consents required from Environment Southland or **other authorities**?  Yes  No

If yes, please state the relevant authority and the type of consent(s) required:

3 For what **purpose** is this consent(s) required: (e.g. discharge of effluent, gravel extraction etc.)  
undertake charter cruises within the inland coastal waters of Fiordland from Febrero Point to Puyseger Point.

4 **Location** of proposed activity

Address:

Inland coastal waters from Febrero  
Point to Puyseger Point

Legal Description:

Coastal Seabed

Map Reference (NZTM 2000):

E

N

5 The name and address of the **owner /occupier**: (if other than the applicant)

Name:

NZ Government

Phone: (04) 4600110

Address:

c/- Minister of Lands, LINZ, PO Box  
5501, Wellington 6145

6 Please attach a map or a coloured aerial photograph, showing at a minimum, the location of the proposed activities.

See attached Assessment of Effects  
on the Environment (AEE).

## 7 Assessment of effects on the environment (AEE)

Please complete the applicable Part B form(s) for the proposed activities. For those activities where no Part B form is available, please attach a written statement that assesses the effects that your activities may have on the environment. An assessment of effects **must** include the following information:

- (a) *If it likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:*
- (b) *An assessment of the actual or potential effect on the environment of the activity:*
- (c) *If the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:*
- (d) *If the activity includes the discharge of any contaminant, a description of—*
  - (i) *the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*
  - (ii) *any possible alternative methods of discharge, including discharge into any other receiving environment:*
- (e) *A description of the mitigation measures (safeguards and contingency plans where relevant) to be undertaken to help or prevent or reduce the actual or potential effect:*
- (f) *Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any persons consulted:*
- (g) *If the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:*
- (h) *If the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).*

You should also include:

- (a) *An assessment of the activity against any relevant provisions of any relevant objectives, policies, or rules:*
- (b) *Any information specified to be included in the application in accordance with the relevant regional plan:*
- (c) *For an application to replace an existing consent, an assessment of the value of the investment of the existing consent holder:*

An assessment of effects **must** address the following matters:

- (a) *any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*
- (b) *any physical effect on the locality, including any landscape and visual effects:*
- (c) *any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:*
- (d) *any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:*
- (e) *any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:*
- (f) *any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

## 8 Affected Parties

Please attach written approval from parties who may be affected by your activity. *Written Approval of an Affected Party* forms are available on the Environment Southland website. During the processing of your application, Council may determine that additional approvals are required.

None required.

**Checklist: Have you included the following?**

- Payment of the required deposit (*see attached fee schedule*)
- Written approval from all potentially affected parties (*forms available from the Environment Southland website*)
- Site plan/location map/sketch of the proposed activity
- A copy of the Certificate of Incorporation (*where applicant is a company*)
- Part B form(s) specific to your activity and/or a separate assessment of environmental effects (AEE)

*Notes:*

- (a) *If your application does not contain the necessary information and the appropriate fee, Environment Southland must return the application.*
- (b) *Council cannot accept electronic lodgement of applications at this time.*

**Signature of applicant**

*I hereby certify that to the best of my knowledge and belief, the information given in this application is true and correct.*

*I undertake to pay all actual and reasonable application processing costs incurred by Environment Southland.*

X Name (block capitals) Peter Bissett  
Signed  Date 3/5/16  
(Signature of applicant or person authorised to sign on behalf of applicant)

## Fee Schedule

The Council's user charges are fixed under Section 36 of the Resource Management Act 1991. Refunds may be given, or additional fees are charged, where appropriate.

Deposits	
Bores and wells Whitebait stands Transfer of a consent from one person to another Administrative variation	\$100
Certificate of Compliance	\$500
Transfer an activity from one site to another Any other change/variation to an existing consent	\$1,350
All other non-notified applications ✓	\$1,350
Concurrent non-notified consent applications	\$150
Applications that require notification or limited notification	\$2,000

**Note: The fees shown in Table 1 are deposits to be paid at the time of application. Due to the complexity of these activities, this deposit will not usually cover the full cost of processing the application. Further costs may be incurred relating to staff time, disbursements, legal charges, consultation fees, and hearing commissioner fees.**

*Concurrent – means for additional permits in respect of the same site, activity, applicant, time of application, and closely related effect as the first application.*

*Environment Southland accepts payment in the forms of cash, Eftpos, cheque, or electronic transfer. All electronic transfers must include the applicant's name and "consent application" as a reference. Please make electronic payments to: Environment Southland, 01-0961-0018998-00.*

38581564



# CERTIFICATE OF INCORPORATION

## ISLAND ESCAPE CRUISES LIMITED 1679241

This is to certify that ISLAND ESCAPE CRUISES LIMITED was incorporated under the Companies Act 1993 on the 5th day of September 2005.

*Neill Harris*

Registrar of Companies  
26th day of October 2006



For further details relating to this company check [www.companies.govt.nz](http://www.companies.govt.nz)

Certificate printed 26 Oct 2006 17:05:21 NZT

# Application for a Coastal Permit (PART B)

This application is made under Section 88 of the Resource Management Act 1991



A complete Part A form needs to be provided with this Part B form. The purpose of this Part B form is to provide applicants with guidance on information that is required under the Resource Management Act 1991. These forms are to act as a guide only and Environment Southland reserves the right to request additional information. Please also refer to Chapter 18 of the Regional Coastal Plan for Southland, 2013.

To: Environment Southland  
Private Bag 90116  
Invercargill 9840

## 1 What is this application for?

- The discharge of water to water
- The discharge of contaminants to water
- Structures - erecting/placing, reconstructing, altering/extending, removing/demolishing
- Occupying space within the coastal marine area
- Removing sand, shingle, shell or other natural material
- Disturbing the foreshore or seabed - excavating, drilling, tunnelling etc
- Discharging/depositing any substance in, on, or under the seabed or to coastal waters
- Commercial surface water activities
- Reclaiming or draining the foreshore or seabed
- Marine farming
- Other activity carried out in, on, under or over the coastal marine area – please specify:

## 2 What duration of resource consent is sought?

25 years

## 3 Please describe how the activity will be carried out. For structures, you must include engineering diagrams showing the dimensions and position of the structures.

See attached Assessment of Effects on the Environment (AEE).



4 Please state the proposed date of commencement of the activity/works and the proposed date of completion.

Commencement date: 1 October 2016  
End date: 1 October ~~2014~~ 2033

5 Details of the contractor (or any other person) who will undertake the activity works.

Contracting company name: None

Contact person: \_\_\_\_\_

Phone number: \_\_\_\_\_

**Existing Environment**

6 Are any of the following features found within the existing environment of the proposed activity? Describe these features in the space below, along with details of the assessment undertaken to determine the presence of these features.

	Yes	No
(a) Signs of marine life (e.g. fish, mammals, native birds, shellfish, invertebrates)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Areas where food is gathered from (e.g. watercress, eels, wildfowl)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Wetlands, wildlife habitats or bird nesting habitats (e.g. swamp areas)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Other activities occurring in the area (e.g. commercial activity, fishing, swimming, boating)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Areas of particular aesthetic, cultural, heritage or scientific value (e.g. archaeological sites)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Waste discharges, water takes and/or monitoring sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

See attached AEE.

6 contd

See attached AEG.

**Please attach photographs and a map or a coloured aerial photograph showing the following:**

- the location(s) of your proposed activity;
- any nearby rivers, creeks, estuaries, drains or any other water body;
- the location of any wetland, estuary or wildlife habitats;
- the location of any other coastal activities or structures in proximity to the proposed activity;
- activities/structures occurring on adjacent land, along with the names of the adjacent landowners.

**7. In addition to the above description of the existing environment, please describe the following:**

- Is the beach aggrading or degrading (if applicable)? Are there any signs of shoreline erosion?
- What is the nature of the seabed (i.e. muddy, sandy, silty, rock etc)?
- In what way has the foreshore/seabed been altered as a result of other activities occurring in the area?

**Please provide cross sections and any other supportive evidence as required.**

N/A

Information from ESET NOD32 Antivirus, version of virus signature database 12861  
(20160113)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

*Assessment of Effects*

- 8 How will the proposed activity affect the coastal environment in the short term? For example, how do the initial stages of the proposed activity (including, but not limited to, construction and sea bed disturbance) affect the coast, particularly in terms of coastal erosion and effects on ecosystems?

See attached AEE.

- 9 How will the proposed activity affect the coastal environment in the long term? For example, through the long-term occupation of the coast.

See attached AEE.

- 10 How will your activity effect any other users of the coastal area and/or activities occurring on adjoining land?

See attached AEE.

- 11 Are there any structures near to the proposed activity? If yes, will the proposed activity have any effect on these structures? Please provide specific details including the type of structure, owner of structure, distance from proposed activity, what effects the proposed activity will have on the stability/function of the structure.

No structures are proposed.

- 12 Pursuant to Schedule 4 of the Resource Management Act, 1991, there are a number of matters that must be addressed by an assessment of environmental effects. Please discuss what effects the proposed activity will have on the following:

- (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects

See attached AEE.

- (b) any physical effect on the locality, including any landscape and visual effects

See attached AEE.

- (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity

See attached AEE.

- (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations

See attached AEE.

- (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants

No discharges are proposed.

- (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations

See attached AEE.

- 13 Please include a description of the monitoring or mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help avoid, remedy or mitigate the actual or potential effects on environmental features and values.

See attached AEE.

- 14 For construction works, please describe how you will minimise the release of silt, sediment, concrete and other contaminants into water.

No construction activities are proposed.

- 15 Please include a description of any possible alternative locations or methods for undertaking the activity and why these alternatives have not been selected.

No alternatives are available.

- 16 Please include evidence of any consultation undertaken for this application. This may include (but not be limited to) consultation with adjoining landowners, other consent holders in the immediate area, iwi (e.g. Te Rūnanga O Ngāi Tahu, Te Ao Marama Inc), government departments/ministries (e.g. DOC, Maritime NZ), territorial authorities, advisory bodies (e.g. Fiordland Marine Guardians), non-governmental organisations (e.g. Forest & Bird), industry representatives (e.g. CRA8 Management Committee and recreational associations).

No pre-application consultation has been conducted

Please note that in accordance with Schedule 4 of the RMA, you may also be required to provide an assessment of whether or not the proposed activity is contrary to any of the relevant provisions of the following documents.

*(a) New Zealand Coastal Policy Statement, 2010*

*(b) Regional Policy Statement for Southland, 1997 (and any proposed/ subsequent versions)*

*(c) Regional Coastal Plan for Southland, 2013 (and any proposed/ subsequent versions)*

*(d) Any other relevant Resource Management Regulations or National Environmental Standards*

Staff are able to advise whether this is required, as it is dependant on the location, scale and complexity of your proposal. We invite you to come in for a pre-application meeting with Environment Southland consents staff to discuss this.

END OF FORM



**APPLICATION FOR A COASTAL PERMIT TO UNDERTAKE  
COMMERCIAL SURFACE WATER ACTIVITIES IN THE  
INTERNAL WATERS OF FIORDLAND**

**ISLAND ESCAPE CRUISES LIMITED**

**May 2016**

**1. INTRODUCTION**

Island Escape Cruises Limited (IECL), a NZ registered Company, has previously been granted a consent to undertake commercial tourist operations in the inland coastal waters of Fiordland from Anxiety Point to Yates Point. A copy of this consent is appended to this application.

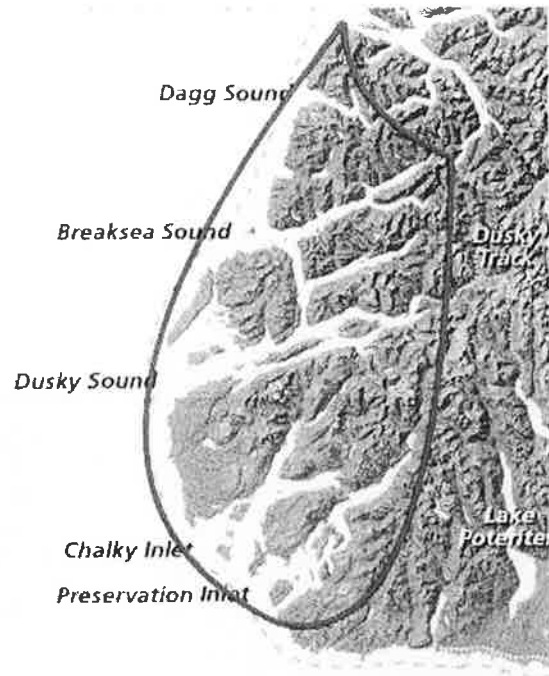
The purpose of this application is to undertake commercial multi-night charter cruises by a commercial vessel of up to 49 metres registered length in the inland coastal waters of Fiordland, from Febrero Point to Puysegur Point. The activity is undertaken in the marine and coastal area. A concession from the Department of Conservation for on-shore guiding activities in conjunction with these activities has not been sought.

**2. DESCRIPTION OF THE PROPOSAL**

This application is for one vessel to undertake commercial surface water activity in the inland waters of Southern Fiordland, from Febrero Point to Puysegur Point.

The timing of the activities is normally from October to May each year, but may occur at any time of year. The duration of each cruise will normally be 5 or 6 nights operating back-to-back within the Dagg Sound to Preservation Inlet range. Charters of longer or shorter duration and frequency may occur. Passengers and freight will arrive and depart the vessel by helicopter using the on-board helipad. Rubbish will be flown off the vessel to a sanitary disposal area, as required.

The duration of the consent applied for is 18 years to align with the existing consent to expire on 9<sup>th</sup> September 2033. No other resource consents are sought or necessary to undertake these operations.



**Location of Application area, which is all coastal waters inside the red line**

### **Vessels**

The IECL vessel operating in this region will be one commercial passenger vessel with a maximum registered length of 49 metres and a maximum of 34-passenger capacity. The vessel used may also be smaller (42 metres) and have a lesser passenger carrying capacity (24).

### **Surface Water Activities**

The vessel shall carry up to 34 passengers plus approximately 12 crew. In accordance with IECL's existing consent (#302129), one crewed 8 metre alloy tender boat shall be available to passengers for shore visits, diving and sea fishing within the inner sounds. An additional crewed 8 metre alloy tender boat shall be available for overseeing kayaking operations. "Fun kayaking" will be available to passengers within the inner sounds. All persons in fun kayaks will be required to stay within sight of the vessel, and wear life jackets and warm clothing. This application is for a maximum of 3 kayaks to be used at any one time.

### **Helicopter landings**

The vessel has a certified on-deck helicopter pad. This allows for landings of passengers by a helicopter of up to 3.6 tonnes. Southern Lakes Helicopters Ltd is the primary supplier of passenger transfer services to IECL. Helicopter service providers to IECL shall comply with all Department of Conservation, Council and CAA regulations, including using established air corridors to and from the vessel.

**Fishing**

Sea fishing may be undertaken from either the main vessel or the landing craft, depending on weather conditions. Bag limits and other regulations set by the Ministry for Primary Industries and Fiordland Marine Guardians, shall be adhered to.

**Takata Whenua issues**

Kai Tahu (Mr Rewi Anglem of Hokonui runanga) has been previously consulted about IECL consents for commercial cruising in this area in August 2008. As a result, IECL has a good knowledge of the issues relating to consent applications of this nature. For sea-based cruising activities such as those relevant to this application there are no anticipated issues relating to takata whenua including wahi tapu, wahi taoka, mahika kai, tauraka waka or customary use of water by kai tahu. There has been no further consultation undertaken with Kai Tahu.

**3. ASSESSMENT OF EFFECTS****Positive effects on people and communities**

There are benefits to the local and regional communities and their economic well-being through allowing this activity to take place. These include:

1. Allows an alternative choice of ship and service to tourists visiting the area.
2. Benefits to ancillary tourist operators (e.g. helicopter operators) and tourism service industries in the District.
3. Additional safety for travellers in Fiordland: The presence of a fully equipped vessel with helicopter landing pad will assist search and rescue capabilities in the area.

There are specific economic benefits to the Te Anau/Manapouri community. These economic benefits include increased use of Southern Lakes Helicopters for in and out-bound passenger flights, increased tourist spend while passengers transfer through Te Anau and Manapouri airport, and increased servicing activity (provisioning, transport etc) resulting from the additional passengers. The additional IECL spend for services from the Te Anau/Manapouri area (including extra helicopter flights) is estimated at \$35,000 per week. This is separate to the additional spend by individual IECL passengers while they are in transit through Te Anau.

**Current uses of the area, amenity and intrinsic values and natural character of the coastal marine area**

The application area currently supports a range of outdoor recreational pursuits. Those within the coastal-marine area are principally boating (including recreational sailing and sea-kayaking), fishing and diving. Those activities in the adjacent Fiordland National Park are principally hunting and

tramping (including wilderness-exploring), with bird watching, photography and nature appreciation as ancillary to these activities.

The effects of commercial cruise vessels on these uses and values are discussed in Policy 16.2.8 of the Regional Coastal Plan. The Policy states that the Plan will:

*Protect the opportunity for remoteness and wilderness experiences in all of the principal Arms, Inlets and Fjords of Fiordland apart from Milford Sound.*

This application provides for some of these experiences. It is therefore consistent with this Policy. Rule 16.2.1 explains:

*Within other locations, the status of backcountry activities is dependent upon the ability of the environment to absorb those activities while protecting the natural character and amenity of those areas, and providing for a range of different experiences within Fiordland.*

This application meets the intent of this Rule through providing quality tourism experiences in Fiordland that are not provided elsewhere. The Plan describes that the effects of commercial (and recreational) backcountry activities will be monitored, and where necessary, limits will be placed on the level of these activities to protect the intrinsic wilderness and amenity values of the area. To date, no such limits on numbers of boats have been imposed in the application area, as a result of Council monitoring.

There are no anticipated adverse effects on historical values in the application area (i.e. the coastal-marine area within the inland waterways of the Sounds).

### **Boat Wakes**

Disturbance of the seabed and shoreline can occur through boat wakes and propeller washes, especially in estuarine areas and shallow waters. The vessel is unlikely to enter shallow waters of less than 5 metres. Under normal operating conditions, and in accordance with safety-at-sea practices, IECL restricts the speed of its vessels and tender boats to a non-wake 6 knots within 200m of the shoreline, or within 500m of a seal rookery or penguin colony.

### **Biosecurity**

**Marine Biosecurity:** The vessel will undergo maintenance in New Zealand, usually each October, where the underwater hull is cleaned and/or water blasted and all fouling organisms are removed. The ship would then proceed to Fiordland. This process will prevent the introduction of marine pests such as *Undaria*.

**Freshwater biosecurity:** The freshwater pest of most concern is didymo. IECL has obtained from the Southland Fish & Game Council permission to become a didymo cleaning station so that all passengers can be vetted and cleaned from any potential didymo (and other freshwater pests).

### **Rubbish**

All boat waste will be stored on board until such time as it is able to be transported off-vessel to an approved disposal system.

### **Effects on Marine Mammals and other indigenous flora and fauna**

This application does not include marine mammal viewing or interacting in any way. IECL will comply with all present and future Department of Conservation regulations and codes of practice, with regard to marine mammal interactions. IECL keeps its own records of cetacean sightings within its present cruising area (from Yates Point to Anxiety Point). A copy of this cetacean sightings data is available from IECL on request.

Similarly, this operation does not include interacting with penguins or other seas birds. Condition 3, and IECL's Code of Practice provide measures to prevent adverse interactions with marine mammals and sea birds.

### **Noise Effects**

**Boat noise:** Noise readings of the vessel and tender boats have been measured and assessed in accordance with the provisions of accordance with the provisions of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound". These readings are within the Regional Coastal Plan guidelines for noise from boating vessels within the Fiordland Sounds (should not exceed 77 dba). It is recommended that these levels are set as a condition of a coastal permit.

**Aircraft Noise:** Passenger transfers are by helicopter from Te Anau township, or Manapouri airport. These will be direct flights to the vessel, which will be anchored within the application area. They will generally follow existing flight corridors and will normally be a maximum of 25 minutes each way.

### **Safety in the Fiordland Environment**

The objectives of IECL are to ensure safety at sea, prevent human injury or loss of life, and avoid of damage to the environment, in particular to the marine environment, and to property. In meeting safety objectives the company will ensure that the vessel is 'Fit For Purpose' and is compliant with all applicable Maritime & Marine Protection rules. Any person going ashore will be given a full safety briefing prior to departure.

### **Anchoring sites**

This application is not for occupation of the coastal marine area, other than use of occasional anchoring sites. In August 2008 IECL undertook the full range of sea-going trials in the MV "Island Passage", with the assistance of Harbourmaster Mr John Henderson. A copy of Mr Henderson's report on this trip is attached to this Assessment of Effects. During these sea-trials, suitable anchoring areas were identified within the Application area, and are

intended to be used under this proposal. These anchoring areas include (but are not limited to) the following:

#### Dagg Sound

- Anchorage Cove

#### Breaksea Sound

- Sunday Cove
- Stevens Cove
- Second Cove
- Beach Harbour
- Stick Cove

#### Dusky Sound

- Luncheon Cove
- Cascade Cove
- Duck Cove

#### Chalky Inlet

- North Port
- Cliff Cove

#### Preservation Inlet

- Weka Island
- Cemetery Island
- Useless Bay
- Isthmus Sound

IECL vessels will not anchor in Marine Reserves or sensitive "China Shop" areas where the unique benthic fauna may be adversely affected. Other areas may be used due to weather conditions or other extenuating circumstances. In the Sounds these anchoring sites have only limited usage by other charter operators, so congestion at anchoring sites is quite unlikely. There is radio communication between commercial charter vessels, as is required.

#### **Sewage**

The vessel has a modern on-board sewage treatment plant and storage facility. Discharges will not occur in the application area.

#### **Use of Hazardous Substances**

IECL has systems in place to reduce the potential for accidental pollution from hazardous substances to near zero.

The only external cleaning compound (e.g. for deck cleaning, window washing etc) used is "Simple Green" washing fluid. This is non-toxic, non-flammable, biodegradable and non-abrasive.

All other hazardous chemicals are stored on board in sealed and banded compartments. Any spillage from containers is confined to these compartments and cannot escape from the vessel.

There are no alternatives to this use and storage of hazardous substances.

**Other effects, alternatives and proposed conditions**

IECL intends to mitigate potential and cumulative effects to the extent that they become no more than minor, through suggesting the following conditions be placed on this consent. These are the same conditions which are placed on its existing consent #302129 for charter cruises in the Northern Fiords (from Yates Point to Anxiety Point). IECL has been operating in this area for the last three summers in full compliance of this consent, without complaint. It is intended to operate charter cruises in the same manner and under the same additional conditions as consent #302129. The conditions to consent #302129 are as follows:

- **This consent authorises the undertaking of commercial surface water activities, in the coastal marine area adjacent to Fiordland National Park from Yates Point to Anxiety Point, for one vessel, of up to 49 metres registered length, two tender craft, and three kayaks, with up to 24 passengers plus crew for backcountry trips, as described in the application.**
- **Passengers or crew of the vessel shall not land on, nor shall the vessel moor adjacent to, any foreshore within 50 metres of New Zealand fur seal colonies.**
- **Whenever kayaks are being used pursuant to this consent, a second tender craft associated with the main vessel may be launched for the purpose of providing supervision.**
- **No kayaks shall be used in Harrison Cove.**
- **The consent holder shall maintain a log of all operations, including:**
  - **the location of sewage discharges and whether or not the sewage is treated, in accordance with condition 9;**
  - **timing, location, number of passengers and purpose of all activities; and**
  - **inspections for hull fouling organisms, in accordance with condition 14 of this consent.**

**A copy of the entries in this log shall be furnished to the Due Before Council's Compliance Manager every three months in accordance with the following schedule: Quarter Finish**

<b>31 March</b>	<b>30 April</b>
<b>30 June</b>	<b>31 July</b>
<b>30 September</b>	<b>31 October</b>
<b>31 December</b>	<b>31 January</b>

- **The consent holder shall provide a navigational safety assessment for the activity authorised by this consent. The navigational safety assessment shall be prepared by a suitably qualified person; shall be provided to the Council's Compliance Division within six months of the use, under this permit, of the 49 meters registered length vessel as**

described in the application dated 5 November 2015; and shall be to the satisfaction of the Council's Harbourmaster.

- The vessel operating pursuant to this consent shall not anchor in Harrison Cove, Milford Sound.
- This consent does not authorise any discharges to coastal water. Discharges may only occur pursuant to the Resource Management (Marine Pollution) Regulations 1998, or any subsequent version.
- All rubbish shall be removed from the coastal marine area and disposed of at an approved refuse disposal site.
- In the event of any spill of oil or fuel from the consent holder's vessel, the consent holder shall take immediate steps to contain the spill and recover it.
- The consent holder shall immediately notify the Council's Director of Environmental Management, or delegate that a spill has occurred. Notification shall include the type and quantity of oil or fuel spilled and the steps taken to remedy or mitigate any adverse effects. *(Note: This condition requires the consent holder to have available basic oil spill containment equipment, such as a sorbent boom. Compliance with the requirements of Safe Ship Management, in particular, the requirement to have an emergency response plans, in this case a pollution response, is relevant to this condition also.)*
- In the event of a spill of any contaminant, no dispersants or degrading agents shall be discharged to water without the approval of the Council's Director of Environmental Management or delegate.
- The consent holder shall measure and assess the noise levels emitted by the vessel at anchor, within 5 metres of the space occupied by the vessel, in accordance with the provisions of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound". The results of such measurement and assessment shall be reported to the Council's Compliance Manager within three months of the use, under this permit, of the 49 meters registered length vessel as described in the application dated 5 November 2015.
- The consent holder shall inspect the hull of any vessel operating pursuant to this consent for pests and fouling organisms, in particular *Undaria*, prior to entering the internal waters of Fiordland on each occasion, and again after a six week period to check for new growth. If such organisms are found the consent holder shall notify the Council's Compliance Manager prior to removal and disposal of the pests or organisms to a designated refuse site on land.
- To comply with Condition 14(a), the consent holder shall, prior to entering the internal waters of Fiordland on each occasion, ensure all buoys are thoroughly dried prior to use, with all mooring ropes and other equipment that may have come into contact with coastal waters



immersed in a 5% solution of bleach or acetic acid (i.e. vinegar) for 24 hours, to kill any unwanted organisms.

- The consent holder shall maintain:
  - (i) the vessel in a rodent free state while operating in the internal waters of Fiordland; and
  - (ii) at least one bait station on the vessel at all times.

In particular, the consent holder shall inspect the vessel operating pursuant to this consent, including its compartments and any cargo, for pests, in particular, rodents, on each occasion of operating, and prior to re-entering the coastal waters of Fiordland on each occasion.

- The granting of this consent does not absolve the consent holder from the responsibility to obtain any approval, permit, licence, concession or consent from any other body.

This application does not include any plantings. No effects of the proposed activity on public access to and along the coastal marine area are anticipated. No occupation of the coastal marine area is required, other than at the anchorages outlined above. The proposed activity does not involve the taking, use, damming or diversion of coastal water, or discharges to coastal water within the application area. The proposed activity will not result in the alteration of the foreshore or seabed. The proposed activity will not involve any use or alteration of any structure

#### **IECL Code of Practice**

In addition to consent conditions, IECL operates under its own voluntary Code of Practice for operating adjacent the World Heritage Area. Relevant provisions of this are:

1. **All passengers shall be briefed on toilet wastes, rubbish disposal, safety, biosecurity and general behaviour, in accordance with the conditions attached to the resource consent, and all other relevant regulations.**
2. **All rubbish and boat waste will be stored on the vessel, and disposed of outside the National Park/ Sounds area.**
3. **The storage of all hazardous substances shall be undertaken in accordance with the provisions outlined in the conditions attached to the resource consent.**
4. **The taking of any protected native flora and/or fauna from the coastal marine area is prohibited.**
5. **Encounters with marine mammals, including seals and sea lions, shall be avoided. All interactions with marine mammals shall occur in accordance with Department of Conservation guidelines and codes of practice.**
6. **IECL shall maintain its biosecurity clearance status and remain an authorised didymo cleaning station.**
7. **The vessel and tenders shall be restricted to 6 knots within 200 metres of the shoreline, or 500 metres of a seal rookery or penguin colony.**

**Monitoring**

As with consent #302129, an activity return outlining the level of activity under this consent, the cruise routes and number of passengers, will be forwarded to Environment Southland at the end of the cruise period each year.

**Consultation undertaken**

IECL has previously consulted with organisations and individuals as part of its two earlier applications for consent, and submissions were received. There is hence a good knowledge of the issues relating to consent applications of this nature. No further consultation has been conducted.



AUTH-302129-V1

Cnr North Road and Price Street  
(Private Bag 90116)  
Invercargill

Telephone (03) 211 5115  
Fax No. (03) 211 5252  
Southland Freephone No. 0800 76 88 45

## Coastal Permit

Pursuant to Section 104B of the Resource Management Act 1991, a resource consent is hereby granted by the Southland Regional Council (the "Council") to **Island Escape Cruises** (the "consent holder") of **6 Kent Street, Newmarket, Auckland 1023** from **9 September 2013**.

**Please read this Consent carefully, and ensure that any staff or contractors carrying out activities under this Consent on your behalf are aware of all the conditions of the Consent.**

### Details of Permit

Purpose for which permit is granted:	To carry out commercial surface water activities in Fiordland
Location	Breaksea and Dusky Sounds, Fiordland
- site locality	C41:591-833
- map reference	Coastal Marine Area
- receiving environment	George Sound
- catchment	
Legal description of land at the site:	Fiordland National Park (adjacent)
Expiry date:	9 September 2033
History of Amendments:	24 November 2015

### Schedule of Conditions

1. This consent is granted for a period of 20 years. In accordance with Section 125 of the Resource Management Act 1991, this consent shall lapse if not given effect to within two years of granting.

*(Note: Pursuant to Sections 123 and 124 of the Resource Management Act 1991, a new consent will be required at the expiration of this consent. The application will be considered in accordance with the plans in effect at that time, and the adverse effects of the proposed activity.)*

2. This consent authorises the undertaking of commercial surface water activities, in the coastal marine area adjacent to Fiordland National Park from Yates Point to Anxiety Point, for one vessel, of up to 49 metres registered length, two tender craft, and three kayaks, with up to 24 passengers plus crew for backcountry trips, as described in the application.

*Restrictions on Operations*

3. Passengers or crew of the vessel shall not land on, nor shall the vessel moor adjacent to, any foreshore within 50 metres of New Zealand fur seal colonies.
4. Whenever kayaks are being used pursuant to this consent, a second tender craft associated with the main vessel may be launched for the purpose of providing supervision.
5. No kayaks shall be used in Harrison Cove.
6. The consent holder shall maintain a log of all operations, including:
  - (a) the location of sewage discharges and whether or not the sewage is treated, in accordance with condition 9;
  - (b) timing, location, number of passengers and purpose of all activities; and
  - (c) inspections for hull fouling organisms, in accordance with condition 14 of this consent.

A copy of the entries in this log shall be furnished to the Council's Compliance Manager every three months in accordance with the following schedule:

Quarter Finish	Due Before
31 March	30 April
30 June	31 July
30 September	31 October
31 December	31 January

*(Note: An activity log template can be downloaded from the Council's website at [www.es.govt.nz/compliance/compliancemonitoring/forms](http://www.es.govt.nz/compliance/compliancemonitoring/forms).)*

7. The consent holder shall provide a navigational safety assessment for the activity authorised by this consent. The navigational safety assessment shall be prepared by a suitably qualified person; shall be provided to the Council's Compliance Division within six months of the use, under this permit, of the 49 meters registered length vessel as described in the application dated 5 November 2015; and shall be to the satisfaction of the Council's Harbourmaster.
8. The vessel operating pursuant to this consent shall not anchor in Harrison Cove, Milford Sound.

*Effluent Discharge*

9. This consent does not authorise any discharges to coastal water. Discharges may only occur pursuant to the Resource Management (Marine Pollution) Regulations 1998, or any subsequent version. The requirements of the current regulations are attached in Appendix 1.

*Rubbish Disposal and Contaminant Spills*

10. All rubbish shall be removed from the coastal marine area and disposed of at an approved refuse disposal site.
11. (a) In the event of any spill of oil or fuel from the consent holder's vessel, the consent holder shall take immediate steps to contain the spill and recover it.  
  
(b) The consent holder shall immediately notify the Council's Director of Environmental Management, or delegate that a spill has occurred. Notification shall include the type and quantity of oil or fuel spilled and the steps taken to remedy or mitigate any adverse effects.

*(Note: This condition requires the consent holder to have available basic oil spill containment equipment, such as a sorbent boom. Compliance with the requirements of Safe Ship Management, in particular, the requirement to have an emergency response plans, in this case a pollution response, is relevant to this condition also.)*

12. In the event of a spill of any contaminant, no dispersants or degrading agents shall be discharged to water without the approval of the Council's Director of Environmental Management or delegate.

*Noise*

13. The consent holder shall measure and assess the noise levels emitted by the vessel at anchor, within 5 metres of the space occupied by the vessel, in accordance with the provisions of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound". The results of such measurement and assessment shall be reported to the Council's Compliance Manager within three months of the use, under this permit, of the 49 meters registered length vessel as described in the application dated 5 November 2015.

*Biosecurity*

14. (a) The consent holder shall inspect the hull of any vessel operating pursuant to this consent for pests and fouling organisms, in particular *Undaria*, prior to entering the internal waters of Fiordland on each occasion, and again after a six week period to check for new growth. If such organisms are found the consent holder shall notify the Council's Compliance Manager prior to removal and disposal of the pests or organisms to a designated refuse site on land.  
  
(b) To comply with Condition 14(a), the consent holder shall, prior to entering the internal waters of Fiordland on each occasion, ensure all buoys are thoroughly dried prior to use, with all mooring ropes and other equipment that may have come into contact with coastal waters immersed in a 5% solution of bleach or acetic acid (i.e. vinegar) for 24 hours, to kill any unwanted organisms.  
  
(c) The consent holder shall maintain:
  - (i) the vessel in a rodent free state while operating in the internal waters of Fiordland; and
  - (ii) at least one bait station on the vessel at all times.

In particular, the consent holder shall inspect the vessel operating pursuant to this consent, including its compartments and any cargo, for pests, in particular, rodents, on each occasion of operating, and prior to re-entering the coastal waters of Fiordland on each occasion.

*Other Permits*

15. The granting of this consent does not absolve the consent holder from the responsibility to obtain any approval, permit, licence, concession or consent from any other body.

*Council Charges*

16. The consent holder shall pay to the Southland Regional Council an administration and monitoring charge as set out in Section 36 of the Resource Management Act 1991, on invoice.

*Review of Conditions*

17. The Southland Regional Council may, in accordance with Sections 128 and 129 of the Act, serve notice, during the months of June to August each year, of its intention to review the conditions of the consent for the purposes of:
- (a) dealing with any adverse effect on the environment which may arise from the exercise of this consent;
  - (b) dealing with any cumulative effects that it may be appropriate to consider at a later date, in particular cross-boundary effects on the Glaisnock Wilderness Area;
  - (c) complying with the requirements of a regional plan; or
  - (d) dealing with any adverse effects on bottlenose dolphins that may arise from this activity and that may only become evident from future research.

The decision to review and the determination after a review may take into account research undertaken subsequent to the commencement of the consent on the effect of the activities on the surface of the water on remote, wilderness and recreational values of the coastal environment.

Reissued 24 November 2015 following amendments to Conditions 2, 4, 6, 7, 13 and 14.

for the **Southland Regional Council**



Hilary Lennox  
**Consents Manager**

**Appendix 1**  
**Resource Management (Marine Pollution) Regulations 1998**

**Regulation 11 Discharge of sewage in coastal marine area**

On or after 1 July 2000, no person may discharge sewage in the coastal marine area from a ship or offshore installation unless that discharge occurs -

- (a) more than 500 metres (0.27 nautical miles) seaward from mean high water springs; and
- (b) more than 500 metres (0.27 nautical miles) from a marine farm; and
- (c) in water depths greater than 5 metres; and
- (d) more than 200 metres (0.108 nautical miles) from a marine reserve; and
- (e) more than 500 metres (0.27 nautical miles) from an area that the Minister of Fisheries has declared by notice in the *Gazette* to be a mataitai reserve under regulations made under section 186 of the Fisheries Act 1996.

**Regulation 12 Discharge of Grade A treated sewage in coastal marine area**

Any person may discharge Grade A treated sewage in the coastal marine area from a ship or offshore installation, but must not discharge it within 100 metres of a marine farm.

**Regulation 12A Discharge of Grade B treated sewage in coastal marine area**

Any person may discharge Grade B treated sewage in the coastal marine area from a ship or offshore installation, but must not discharge it -

- (a) within 500 metres (0.27 nautical miles) of a marine farm; or
- (b) within 500 metres (0.27 nautical miles) of an area that the Minister of Fisheries has declared by notice in the *Gazette* to be a mataitai reserve under regulations made under section 186 of the Fisheries Act 1996.

## **Appendix 2 Regional Coastal Plan**

### **Rule 5.3.4 General noise limits**

Excluding Rule 5.3.8, unless subject to other rules in this Plan, it is a permitted activity for any activity within the coastal marine area to generate noise provided that the following noise limits are not exceeded, at any point at the landward boundary of the coastal marine area:

- (i) between 7:00 a.m. and 10:00 p.m. the L10 shall not exceed 50dBA;
- (ii) between 10:00 p.m. and 7:00 a.m. the following day, the L10 noise level shall not exceed 40 dBA;
- (iii) between 10:00 p.m. and 7:00 a.m. the following day, the Lmax noise level shall not exceed 70 dBA.

Noise shall be measured and assessed in accordance with the provisions of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound".

This Rule shall not apply to:

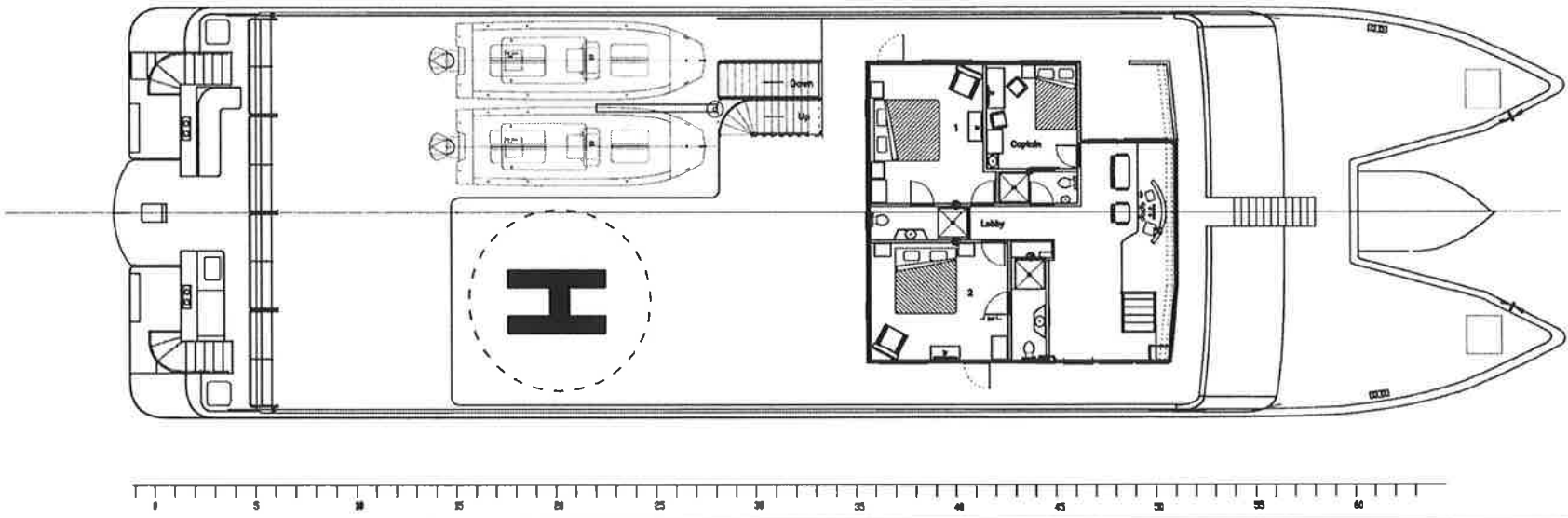
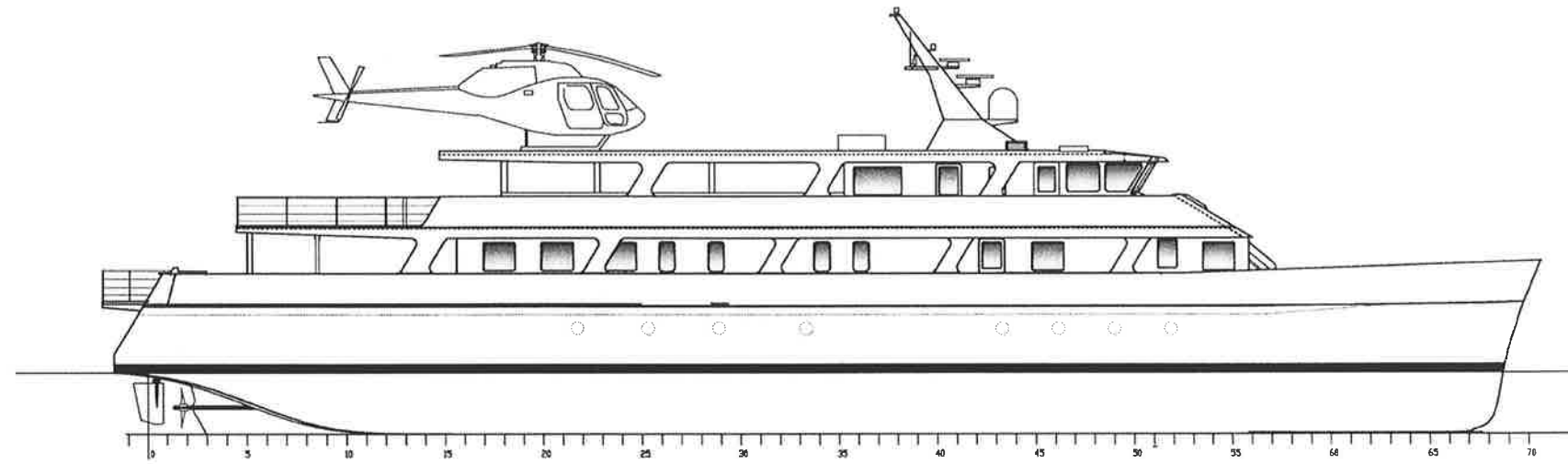
- (i) the activities specified in Rules 5.3.5, 5.3.6, 5.3.7, 5.11.1, 9.1.3 and 16.3.4;
- (ii) noise generated by safety signals or warning devices reasonably required to ensure safety provided that the best practical option for limiting noise emission is applied; and,
- (iii) noise generated by an emergency work arising from the need to protect personal safety, or to prevent loss or serious damage to property or the environment.

### **Rule 5.3.6 Noise limits for ships in motion**

It is a permitted activity for ships in motion to emit noise provided that such noise does not exceed a sound exposure level of 90 dB(A) in any single drive by at any position beyond a line situation 25 metres back from the line of travel.

Sound levels shall be measured in accordance with the provisions of NZS 6801:1991 "Measurement of Sound".





Redesign and structure  
**McBRIDE**  
*design*  
 PO Box 838  
 Malibu, CA 90263  
 Tel: 310-316-8844  
 Fax: 310-316-8816  
 Email: mcb@mcbridedesign.com

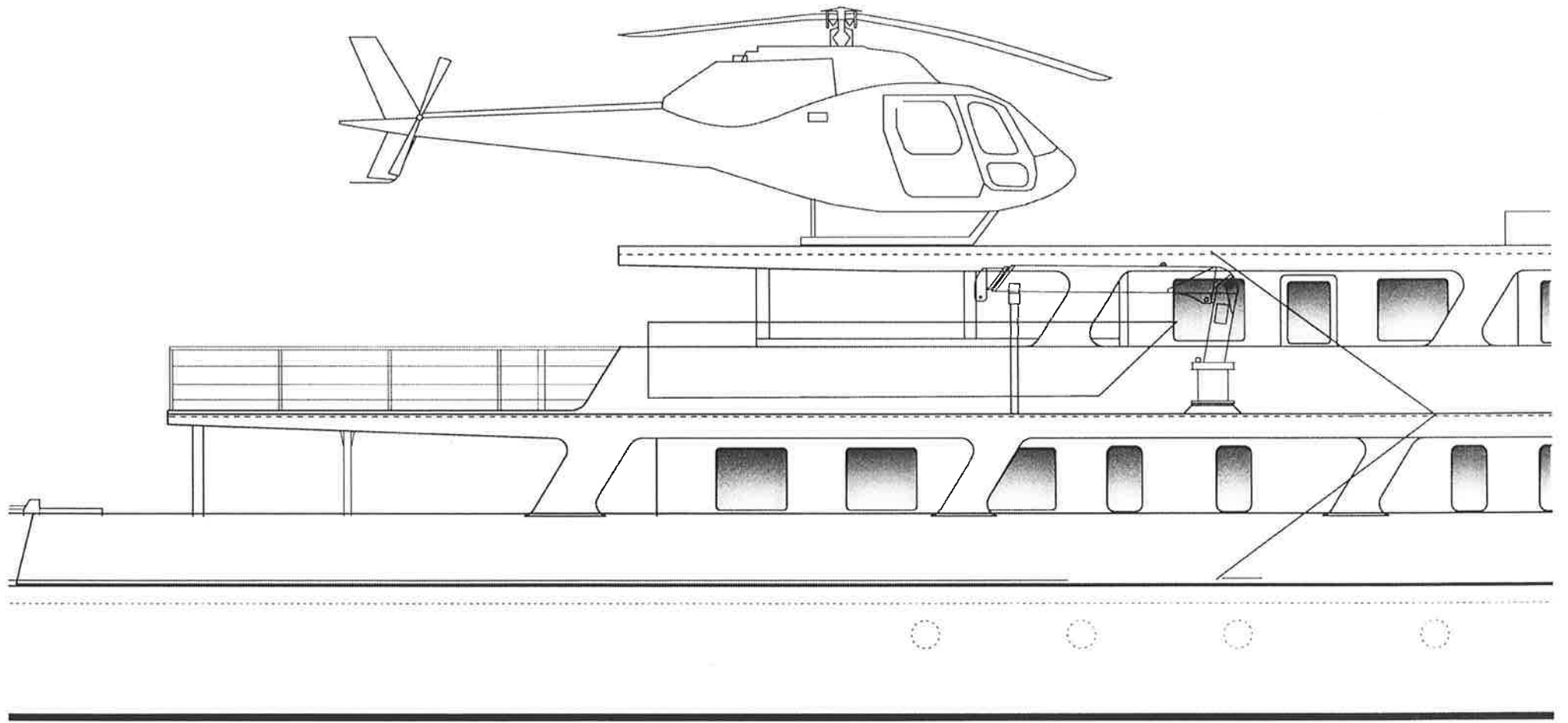


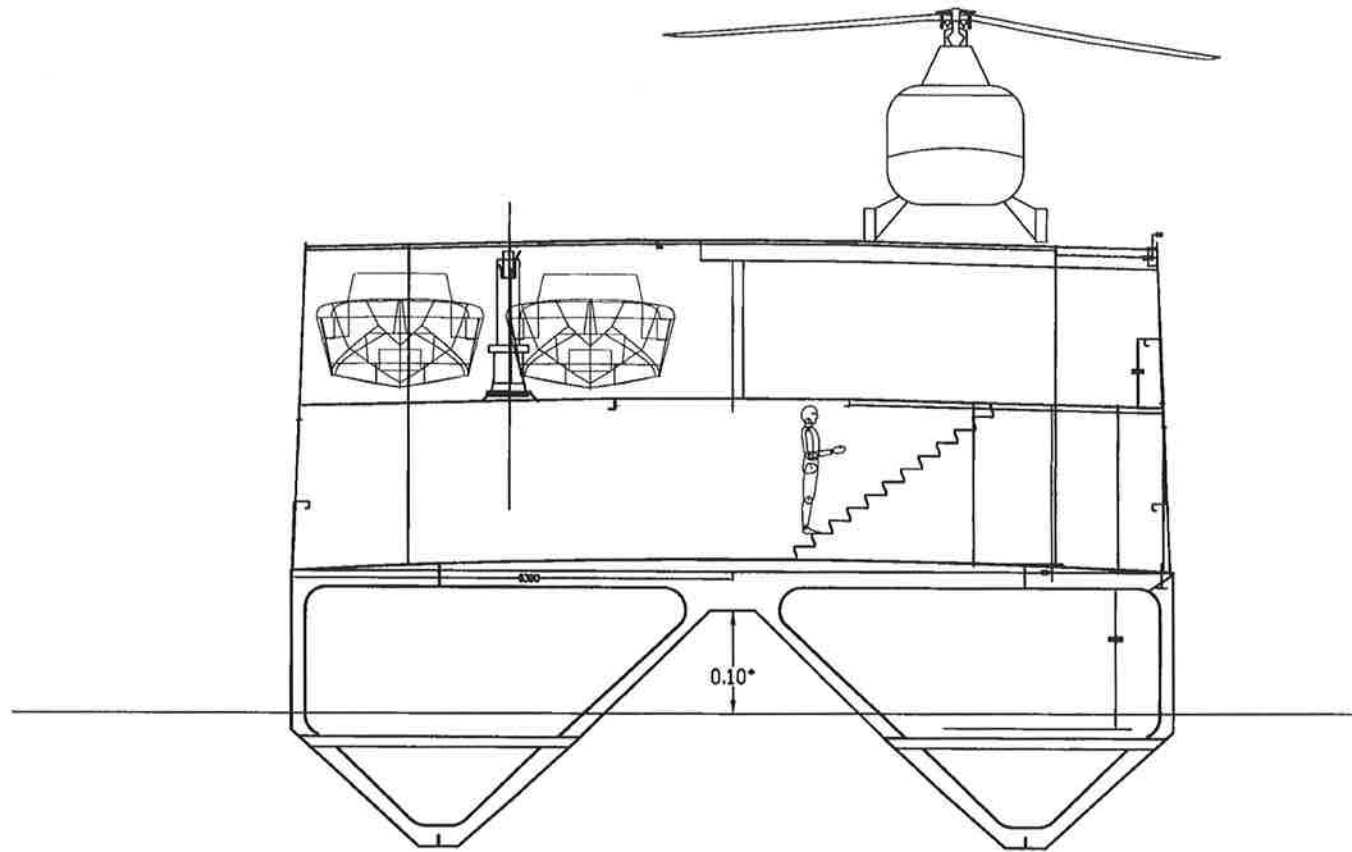
# ISLAND PASSAGE

Revisions:

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Design No: DJ355	Sheet No: 355-GA 1011	Scale:
Date: April 2016	Drawn by:	1:100
Title: Upper deck and outboard profile		





Oops, that was 0.1 of a degree!!!

**Consents Hearing**  
**10 October 2016**

**Island Escape Cruises Limited -**  
**APP-20169132**

**Submissions**



environment  
SOUTHLAND

Cnr North Road and Price Street  
(Private Bag 90116)  
Invercargill

Telephone (03) 211 5115  
Fax No. (03) 211 5252  
Southland Freephone No. 0800 76 88 45

15 JUL 2016

File No: \_\_\_\_\_  
Officer in Charge: \_\_\_\_\_

### SUBMISSION FORM

#### Submission on a Notified Application for a Resource Consent

To: The General Manager  
Environment Southland  
Private Bag 90116  
Invercargill

I: CHRIS LEONIN DEEP COOL CHARTERS (Name(s))  
of: 46 WESTMERE PLACE MANAPOKURI (Address)  
at: 032496828 (Phone) deepcool@xtra.co.nz (E-mail)

Wish to support / oppose / comment on (circle one) the application of:

Name: ISLAND ESCAPE CRUISES LIMITED

And/or Organisation: \_\_\_\_\_

File number: APP-20169132 Location: FIORLAND MARINE TO PUKI & BURBANK POINT

My reasons for comment on (circle one) are: (State in summary the nature of your submission and give clear reasons. Continue overleaf if necessary)

THE FIORLAND MARINE AREA BETWEEN DOUBTFUL SOUND AND PUKI & BURBANK POINT IS ALREADY OVER RUN BY LEGAL AND ILLEGAL CHARTER VESSELS AND PRIVATE LAUNCHES DIMINISHING THE WILDERNESS VALUES OF FIORLAND, A VESSEL THE SIZE OF ISLAND ESCAPE CRUISES LTD WILL JUST BE ANOTHER NAIL IN THE COFFIN

I wish the Council to make the following decision (Give precise details, including the nature of any conditions sought)

I WISH THE COUNCIL TO DECLINE THE APPLICANTS APPLICATION FOR THE ABOVE REASON.

I, do / ~~do not~~ (circle one) wish to be heard in support of my submission

I, do / do not (circle one) wish to be involved in any pre-hearing meeting that may be held for this application

I have served a copy of my submission on the Applicant.

[Signature]  
(Signature)

\_\_\_\_\_  
(Date)

If you have any queries about this form or its purpose please contact the Resource Consents Section of Environment Southland (03) 211 5115 or 0800 76 88 45



15 JUL 2016

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Notified Application for a Resource Consent

---

I: Richard Abernethy - Fiordland Expeditions (Name(s))

of: PO Box 300, 43 Luxmore Dr, Te Anau 9600, Fiordland (Address)

at: 03 249 9005 (Phone) Richard@FiordlandExpeditions.co.nz (E-mail)

Wish to SUPPORT /  OPPOSE submit a NEUTRAL submission on (circle one) the application of:

Name: Peter Bissett

And/or Organisation: Island Escape Cruises Ltd

Application Number: APP-20169132 Location: Fiordland- Marine and Coastal Area

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

As per the attached document

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

Decline the applicants request for the extesion/new consent

**I, am**  **am not** *(choose one)* a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\*If trade competitor chosen, please complete the next statement, otherwise leave blank*

**I, am**  **am not** *(choose one)* directly affected by an effect as a result of the proposed activity in the application that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**I, do**  **do not** *(choose one)* wish to be heard in support of my submission.

**I, do**  **do not** *(choose one)* wish to be involved in any pre-hearing meeting that may be held for this application.

I have served a copy of my submission on the applicant.

Yes

No

Signed

*Richard Abernethy*

Date

14th July 2016

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.



# Additional comments to IECL Consent Application ES Ref: APP-20169132

## Summary

Fiordland Expeditions has several concerns about the proposal for this application.

Is this an application for an additional vessel or an extension to the current consent?

During the previous consultations on IECL operating from Yates to Anxiety Points they claimed to recognise that there was a high usage of the area south of Doubtful Sound and that they did not want to interfere with the experience of the clients of those operators already undertaking activities in this area. This was their primary reason for retracting their original application and resubmitting for the northern fiords to the north of Anxiety Point. This could be suggested was a reason for limited opposition to that application.

Peter Bissett gave assurances at the previous preliminary hearing for their northern fiord consent that IECL would not seek future consents for other areas of Fiordland as they did not want to impinge on the experience of current operators' clients in these southern fiords. Had they been open and honest about their future intentions we believe there would have been a higher level of concern from users of the southern area at that time which may have affected the outcome of their application.

There has been a marked increase in use of the proposed area by charter operators, syndicate vessels, private users and cruise ships since the previous application so the value to our clients is being further eroded with each approval.

The proposal claims that their clients' requirements are not being met by current operators; we suggest they are by several, including ourselves!

The recent increases in traffic to this particular area have had impacts on:

- The visits to historic sites – crowding on occasion
- Fisheries biomass in the internal and external waters –
  - reductions in catches of most species (except lobster)
  - Scallop populations at an all-time low
- Expectations of wilderness and isolation – reduced encounters of solitary use
- Increase in potential for catastrophic events to occur in Fiordland
- Increased pressure on amenities (wharves, fuel supplies and watering) and safe anchorages.

The facilities local to this proposal, namely Doubtful Sound, are already experiencing severe pressure at times and a further addition to this will have even more impact on current users.

## Direct Concerns:

### Application

Is this an amendment to their current consent or a new consent for an additional vessel?

### Bunkering and Port facilities

Whilst there is mention of replenishing the vessel and removal of rubbish by either air or at port; there is no mention of which ports in Fiordland do they intend to use?

Where do they intend to get their fuel supplies for the ship?

### Fishing

As IECL state they will be undertaking fishing activities are they registered with MPI to allow this to take place?

Given the vast increase in use of the southern fiords by other users more recently do they recognise possible severe impacts of a vessel of that size could have on the delicate internal fish populations should they take fish from these waters, given they intend to operate all year round?

Also given the far reduced populations of scallops in these particular waters do they deem it appropriate to impact even more on this fishery?

### Policy 16.2.8

States the council must 'Protect the opportunity for remoteness and wilderness experiences in all of the principal Arms, Inlets and Fiords other than Milford Sound'.

This Policy clearly identifies that ES are responsible for protecting the remoteness and wilderness aspects of the area. How does increasing the number of operators achieve this?

IECL claim there has been no limit set for the number of operators under this clause but our interpretation is that ES do not have to set a maximum but rather manage the increase in line with demand. Given there are many operators in this area already and several offer the same opportunities what activities/opportunities is this applicant offering that are not already available within existing operators in the area?

If this applicant offers no more than is currently available amongst existing operators, then how can the granting of this consent be in line with the objectives of this policy?

### Anchorage sites.

Having operated a 40m catamaran vessel in Fiordland and having extensive experience throughout Fiordland I find myself suitably qualified to comment particularly on the proposed sites.

In my opinion the following proposed sites would be wholly unacceptable as anchorage sites by a vessel of the proposed dimensions:

- Stevens Cove – physically impossible to get in there
- Second Cove – insufficient swing room
- Stick Cove – physically impossible to get in there
- Luncheon Cove – inner and outer – insufficient swing room and/or depth limitations
- Duck Cove – insufficient swing room
- North Port – vessel beam would exclude entry
- Weka Island - insufficient swing room

Which leaves few of the proposed anchorage sites suitable for a vessel of the proposed size.

A 49m vessel in 30m of water would require 150m (5xdepth) of anchor rode to be set and more in high wind conditions. Therefore, a clear swinging circle of at least 368m would be required to accommodate such a vessel. Few of the proposed sights are suitable and in higher wind conditions they become even more limited.

#### Conclusion

Fiordland Expeditions request that Environment Southland decline the application on the grounds that:

1. There is already sufficient capacity to cater for the activities as proposed for this area as IECL are not proposing any new activities or anything that is not currently being offered by existing operators.
  - a. The introduction of yet another operator to this area will have detrimental impacts to the users of current operators with no significant advantage to their clients, that can't be accommodated within the current fleet.
2. IECL claim there are already vessels of a similar size operating in the area. There are no other vessels of that size operating throughout Fiordland. The next largest vessel in that area would be the Wanderer operated by Real Journeys; which is of 34m length. A substantially smaller volume ship we would suggest!
3. Their proposal will have significant detrimental impacts on the fishery in the proposed area, especially if they fish the inner fiords all year round!
4. The applicant recognised in previous meetings that the now proposed area already had significant usage; that their operation would have negative impacts on the then current operators and their clients and he gave assurances at that meeting that he would not seek future applications in to the now proposed area! It was partly on that assurance that we withdrew our objection and possibly others didn't object which lead to IECL being granted a consent!
5. John Henderson's report does not clarify which of the proposed anchorages are suitable and Henderson does not name any of the proposed anchorages in any part of his report. Only that many anchorages were inspected!
6. John Henderson also states that 'full account should be taken of the aforementioned regarding type and size of vessel'. His comments were for a vessel of smaller proportions than that now proposed.
7. IECL state they do not carry 'oil pollution equipment' on board. Given the size of the vessel and the isolated area of operation and the fragility of that area it shows blatant disregard for the environment that they do not have suitable equipment aboard to cope with potential spills.

Fiordland Expeditions are opposed to the granting/extension of a consent for this applicant!

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Notified Application for a Resource Consent

I: Gendy Fishburn (Name(s))  
of: 435 SH1, R.D. 3, Bienenheim, 7273. (Address)  
at: 03-5735224 (Phone) 027-4735224 (Fax) fishburn@xtra.co.nz (E-mail)

Wish to ~~SUPPORT~~ /  ~~OPPOSE~~ / submit a ~~NEUTRAL~~ submission on (circle one) the application of:

Name: i

And/or Organisation: Island Escape Cruises Ltd.

Application Number: APP-20169132 Location: Febrero Point to Puysegur Point F.N.P.

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary.)

Refer attached sheet.

The reasons for this submission are:

①

I believe that regard needs to be given to the cumulative effects that another vessel operator will have on the Fiordland environment when considered in conjunction with the already permitted activities of commercial operators and the activities of the growing number of recreationalists.

The following Regional Coastal Plan for Southland objectives and policy requires Environment Southland to weigh up these issues when considering Island Escape Cruises Limited coastal permit application.

Objective 16.1.1-

To maintain essential characteristics of the pristine coastal marine area environment adjoining the Fiordland National Park that contribute to a range of high quality experiences in a natural coastal environment.

Objective 16.1.2

To preserve the remoteness and wilderness values of the internal waters of Fiordland.

Objective 16.2.2

To limit the extent and number of commercial activities that occur within the coastal marine area of a Fiordland to a level which does not reduce natural character, landscape and amenity values, specifically remoteness and tranquillity values.

②

At present safe anchorages are at a premium during adverse weather in Dusky Sound and I am concerned that by introducing another much larger vessel to the area it will jeopardise the safety of other vessels in the area.

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

Refer attached sheet.

I, am/~~am not~~ *(choose one)* a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\*If trade competitor chosen, please complete the next statement, otherwise leave blank*

I, am/~~am not~~ *(choose one)* directly affected by an effect as a result of the proposed activity in the application that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

I, do/~~do not~~ *(choose one)* wish to be heard in support of my submission.

I, do/~~do not~~ *(choose one)* wish to be involved in any pre-hearing meeting that may be held for this application.

I have served a copy of my submission on the applicant.

Yes

No

Signed

*Landy Fin*

Date

14-7-2016

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

●I wish Council to decline this application because if its Regional Coastal Plan for Southland truly reflects the New Zealand Coastal Policy Statement:

Policy 4 Integration;

Provide for the integrated management of natural and physical resources in the coastal environment ,and activities that effect the coastal environment .This requires :

©particular consideration of situations where:

(ii) public use and enjoyment of public space in the coastal environment is affected; or

(v) significant adverse cumulative effects are occurring ,or can be ANTICIPATED.

The coastal marine area adjacent to the Fiordland National Park from Febrero Point to Puysegur Point will not sustain an additional commercial surface water activity.

●I wish council to consider that if Island Escape Cruise Limited were to purchase an existing consent and ask council to modify the conditions of the said consent, the Island Passage would be utilising an existing permit for their operation and thereby reducing the impact of their operation on the pristine coastal marine area.

I am aware of at least two permits currently on the market for sale.

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Notified Application for a Resource Consent

14 JUL 2017

I: Colin Stevenson on behalf of Puysegur Holdings Ltd (Name(s)) <sup>(Kisbee Lodge)</sup>  
of: 377 Bayley Rd, RD3, Te Awamutu 3873 (Address)  
at: 07 8722543 (Phone) admin@cknz.co.nz (E-mail)

Wish to SUPPORT  OPPOSE submit a NEUTRAL submission on (or ~~order~~) the application of:

Name: \_\_\_\_\_

And/ or Organisation: Island Escape Cruises Limited

Application Number: APP-20169132 Location: From Febrero Point to Puysegur Point

My reasons for my submission are: (State the nature of your submission and give your reasons. Continue on attached pages if necessary)

I am concerned about the adverse effects that can happen to the environment if this resource consent was to be granted. ~~to~~ The adverse effects could include.

- The contamination of waterways due to sewage and waste from the boat.
- Scuba divers damaging the fragile ecosystem.
- Over fishing in the inland Rords.
  - = Due to a large area of the Rords being protected fishing will put extra pressure on the areas you are allowed to fish.



I wish the Council to make the following decision (Give precise details, including the nature of any conditions sought)

I request that the council reject the resource consent application made by Island escape cruises Ltd.

The reasons for my request is my concern for the harm that will be caused to the local environment due to overfishing, contamination of waterways, waste disposal, scuba diving causes damage to the fragile eco system.

I ~~am~~ am not (choose one) a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

\*If trade competitor chosen, please complete the next statement, otherwise leave blank

I, am/ ~~am not~~ (choose one) directly affected by an effect as a result of the proposed activity in the application that:

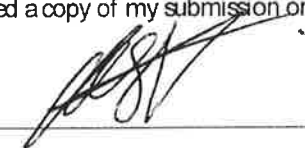
- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

I, do/ ~~do not~~ (choose one) wish to be heard in support of my submission.

I, do/ ~~do not~~ (choose one) wish to be involved in any pre-hearing meeting that may be held for this application.

I have served a copy of my submission on the applicant.  Yes  No

Signed



Date

4 July 2016

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

15 JUL 2016

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Notified Application for a Resource Consent

I: Thomas Clive Fishburn (Name(s))  
of: 435 5th B.O. 3 Bunker 7277 (Address)  
at: 03 5735224 (Phone) — (Fax) fishburn@stra.co.nz (E-mail)  
0274 331409

Wish to **SUPPORT** / **OPPOSE** / submit a **NEUTRAL** submission on (circle one) the application of:

Name: Island Escape Cruises Limited

And/or Organisation: \_\_\_\_\_

Application Number: APP-20169132 Location: Fabrero Point to Pungapung Point F.R.P.

All reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

Refer attached sheet.

The reason for my submission is:

As a charter operator I have already observed overcrowding in the area for which this application applies.

For example:

At times, in March and April of this year, it was impossible to find a safe anchorage in Breaksea or Dusky sounds because of the large number of charter and syndicate boats in the area.

It certainly diminished the values of remoteness and tranquillity that my clients expect when in Fiordland when you go to look for an anchorage and are unable to find one because there are already 14 boats each with at least 12 people on board anchored up in the area.

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

Reject attached sheet.

I, am/~~am not~~ *(choose one)* a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\*If trade competitor chosen, please complete the next statement, otherwise leave blank*

I, am/~~am not~~ *(choose one)* directly affected by an effect as a result of the proposed activity in the application that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

I, do/~~do not~~ *(choose one)* wish to be heard in support of my submission.

I, do/~~do not~~ *(choose one)* wish to be involved in any pre-hearing meeting that may be held for this application.

I have served a copy of my submission on the applicant.

Yes  No

Signed

*J. A. Lubman*

Date

14-7-2016

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

I wish council to make the following decision:

I want council to decline a new consent as there are already consents available for purchase in the area that this application applies to.

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Notified Application for a Resource Consent

I: LEANNE & STEPHEN FISUBURN (Name(s))  
of: LEGALLY FISHING MARTINS 71 KENT STREET DICTON 7220 (Address)  
at: (03) 573 6596 (Phone) m.legallyfishing@gmail.com (E-mail)

Wish to SUPPORT / OPPOSE / submit a NEUTRAL submission on (circle one) the application of:

Name: \_\_\_\_\_

And/or Organisation: ISLAND ESCAPE CRUISE LTD

Application Number: APP 20169132 Location: FEBRERO POINT TO POYSEGER POINT  
F.N.P

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

PLEASE SEE ATTACHED SHEET:

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

PLEASE SEE ATTACHED SHEET

I, am / ~~am not~~ *(choose one)* a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\*If trade competitor chosen, please complete the next statement, otherwise leave blank*

I, am / ~~am not~~ *(choose one)* directly affected by an effect as a result of the proposed activity in the application that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

I, do / ~~do not~~ *(choose one)* wish to be heard in support of my submission.

I, do / do not *(choose one)* wish to be involved in any pre-hearing meeting that may be held for this application.

I have served a copy of my submission on the applicant.  Yes  No

Signed JMP/JURVAN Date 15/07/2016

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

*The reason for my submission are as follows:*

- We believe that the increase number of vessels (commercial and recreational) in Fiordland national park is detrimental to the areas ecology and reputation as a remote wilderness.
- Anchorages south of Doubtful sound are not suitable for large vessels such as the Island passage. The weather dictates where we anchor for the evening and if there is such a large boat in these anchorages, there is no room for any other vessels. This is a safety issue for any current consent holders.
- There are quite a few existing consents that are not being used all of the time. If these consent holders do decide to use or sell their consent there would be a lot of boats operating in Fiordland. This year, at certain times, it was hard to stay out of every ones way, particularly recreational boats. We have a great relationship with other operators in the area, and we all do our best to give everyone room to explore without tripping over other vessels. I fear that another large vessel will hinder current consent holders guests experience in Fiordland National park.
- We think that this consent application is in direct contrast to some points in Fiordland National parks coastal plan.

*References to Environment Southalnds coastal plan for Fiordland National park:*

**Objective 16.1.1**

To maintain essential characteristics of the pristine coastal marine area environment adjoining the Fiordland National park that contribute to a range of high quality experiences in a natural coastal environment.

**Objective 16.1.2**

To preserve the remoteness and wilderness values of the internal waters of Fiordland.

**Objective 16.2.2**

To limit the extent and number of commercial activities that occur within the coastal marine area of Fiordland to a level which does not reduce the natural character, landscape and amenity values, specifically remoteness and tranquillity values.

*The Decision I wish the council to make is as follows:*

To Decline Island escape's application for the above reasons.

- The coastal marine area adjacent to the Fiordland National park will not sustain an additional commercial surface water activity.
- Public use and enjoyment of the coastal environment will be directly affected
- Significant adverse cumulative effects are occurring and can be anticipated.





**Head Office**  
Cnr Town Centre & Mokonui Sts,  
P O Box 1, Te Anau,  
9640  
Telephone (03) 249-7416  
Fax No. (03) 249-7817

[www.realjourneys.co.nz](http://www.realjourneys.co.nz)

15 JUL 2016

**SUBMISSION FORM**  
**Submission on a Notified Application for a Resource Consent**

To: General Manager  
Environment Southland  
Private Bag 90116  
INVERCARGILL

Real Journeys Limited wishes to oppose Island Escape Cruises Limited application for a coastal permit to undertake commercial surface water activities in the coastal marine area (CMA) adjacent to Fiordland National Park.

**File Number:** APP-20169132

**Purpose:** Commercial Surface Water Activity

**Description:** To undertake commercial surface water activities in the coastal marine area (CMA) adjacent to Fiordland National Park, for: one vessel up to 49 metres in length, with up to 34 passengers and 12 crew, for backcountry trips; two tender vessels up to 8 metres in length for safety purposes; and kayaking activities with up to 3 kayaks.

**Location:** Within the coastal marine area adjacent to Fiordland National Park, from Febrero Point (NZTM 2000 1116997E 4967872N) to Puysegur Point (NZTM 2000 1106462E 4868632N).

**Legal Description of Property:** Marine and Coastal Area

**Applicant:** Island Escape Cruises Limited

**Address for service:** Chisholm Associates, c/- Bill Chisholm, 67 Selwyn Street,  
Leeston 7632.  
[bill@chisholm.co.nz](mailto:bill@chisholm.co.nz)

**Contact Details of Submitter:**

Name: Real Journeys Limited  
Attention: Paul Norris  
Address P O Box 1  
Te Anau 9640  
[pnorris@realjourneys.co.nz](mailto:pnorris@realjourneys.co.nz)

**Our reasons for this submission are:**

We contend that the information supplied in the application is inadequate as required by Schedule 4 of the RMA. Real Journeys has concerns with respect to this application because some of the details provided in the application are unclear. For instance it is unclear if this is a coastal permit application for the existing vessel "Island Passage" or an additional vessel. Because statements such as "the vessel has a modern on-board sewage treatment plant and storage facility implies the application is for the "Island Passage" and discussion regarding the prohibition of taking mahingakai from the vessel references the "Island Passage" but other statements such as "there is no definitive design of the 49 metre vessel available" contradict this. If this is an effectively an application for an additional vessel this represents a significant increase in the scale and intensity of Island Escape Cruises Limited (IECL) activities in Fiordland and we contend that this increase in scale and intensity is not adequately addressed in the application.

The application is also unclear on the proposed months of operation or the proposed frequency of the proposed commercial surface water activities accordingly, it is difficult to make an assessment of the likely effects of the proposal. The Regional Coastal Plan for Southland identifies that increasing the scale and frequency of surface water activities has the potential to adversely affect natural values of coastal Fiordland. Refer the following issue and policies.

*Issue 16.1.1 - The increasing frequency, scale and duration of commercial and non-commercial surface water activities on coastal waters within Fiordland, has the potential to diminish the values that attract people to these waters*

*Policy 16.2.2 - Extent and number of commercial activities*

*Limit the extent and number of commercial activities that occur within the coastal marine area of Fiordland to a level which does not reduce natural character, landscape and amenity values, specifically remoteness and tranquillity values.*

*Explanation - Too much activity can diminish the values that initially attracted people to an area. People then start seeking areas elsewhere which still offer the values they originally found in the now more popular area. The growth in activity can be both commercial and private, but in Fiordland it is commercial tourism activity that has the most significant effect,*

*notwithstanding some private activities being of a similar effect and scale to commercial activities.*

*The sustainable management of Fiordland's natural character, landscape and amenity values, particularly remoteness values, requires restrictions on the activities that occur in some areas. These restrictions will apply to the type or nature and number of activities. In some cases, the protection of specific values necessitates the exclusion of particular activities.*

Real Journeys contends such a large vessel with multiple tenders will be intrusive in the Fiordland coastal environment and could reduce remoteness and tranquillity values. Moreover we believe the IECL application also does not adequately address the following coastal plan policy:

*Policy 16.2.8 - Remote and Wilderness Values in the Fiords, Inlets and Arms*

*Protect the opportunity for remoteness and wilderness experiences in all of the principle Arms, Inlets and Fiords of Fiordland apart from Milford Sound.*

In addition, increasing the scale and intensity of a commercial surface water activity has the potential to result in cumulative adverse effects and this potential for adverse cumulative effects has not been addressed by the applicant. Refer the following coastal plan provisions.

*Objective 4.7.1 - Avoid, remedy or mitigate cumulative adverse effects*

*To avoid, remedy or mitigate cumulative adverse effects.*

*Policy 4.7.1 - Avoid, remedy or mitigate adverse cumulative effects*

*To avoid, remedy or mitigate adverse cumulative effects of activities in the coastal marine area.*

This is of particular concern when it seems that IECL have not complied with their current resource consent conditions such as condition 13. IECL should have been able to supply ES with the results of the required noise test.

We are concerned that no fuel spill equipment is proposed to be carried on board in such a remote environment. As a responsible vessel operator some spill gear should be carried on board to mop up minor spills especially because the vessel tenders are likely to need to be refuelled while in Fiordland.

With respect to fuel the applicant has not supplied any detail as to how the "Island Passage" or another vessel will be fuelled while working in the Southern fiords. This issue also needs to be clarified.

Several of the anchorages identified for use by IECL are unsuitable for a vessel of this size and the applicant was advised of this by several submitters in 2009. This demonstrates lack of local knowledge which is essential to operate safely in Fiordland as required by the following coastal plan objective

*Objective 5.3.6 - Safe environment*

*To maintain a safe environment for all people using of the coastal marine area.*

Real Journeys also has concerns regarding the following aspects of the IECL application:

- We do not believe the claim IECL that the applicants vessel provides a service not provided by other charter boats is valid;
- The contention that IECL will provide additional safety for travellers to Fiordland is spurious;
- With respect to interactions with Marine Mammals, IECL must comply with the Marine Mammal Protection Regulations 1992 and the applicant seems to be unaware of this;
- Vessels of a similar size of "Island Passage" do not operate regularly in the Southern Fiords. Most of the main Fiordland charter operators operate much smaller vessels.
- "the application does not include any plantings" what does this refer to?

I, am a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\*If trade competitor chosen, please complete the next statement, otherwise leave blank*

I am (choose one) directly affected by an effect as a result of the proposed activity in the application that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

I, do wish to be heard in support of my submission.

I, do wish to be involved in any pre-hearing meeting that may be held for this application.

I have served a copy of my submission on the applicant.



Paul Norris

**Signed**

**Date:** 15 July 2016

Director of Operations  
Real Journeys Ltd

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Notified Application for a Resource Consent

I: Ruth Shaw (Name(s))  
of: Royal Forest and Bird Soc. P.O. Box 40, Manapouri (Address)  
at: 03. 249. 6664 (Phone) breakseagill@yahoo.co.nz (E-mail)

Wish to SUPPORT /  OPPOSE submit a NEUTRAL submission on (circle one) the application of:

Name: \_\_\_\_\_

And/or Organisation: Island Escape Cruises Ltd.

Application Number: APP-20169132 Location: Fiordland Coastal Area.

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

See attached

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

[Empty box for providing details of the decision sought]

I, am/am not (choose one) a trade competitor' of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\*If trade competitor chosen, please complete the next statement, otherwise leave blank*

I, am/am not (choose one) directly affected by an effect as a result of the proposed activity in the application that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

I, do /do not (choose one) wish to be heard in support of my submission.

I, do /do not (choose one) wish to be involved in any pre-hearing meeting that may be held for this application.

I have served a copy of my submission on the applicant.  Yes  No

Signed Ruth Shaw Date 12<sup>th</sup> July '16

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

## ISLAND ESCAPE CRUISES LTD

### Reasons for submission:

#### Page 1 Part A

- 2 Please correct duration of consent to 17 years.

#### Page 3

- 8 One would assume that all other consented operators and local fishermen are effected parties.

#### Page 16

- 7 Why no consultation?

### Comments on Attached information.

- Page 1 Forest and Bird is concerned that the applicant states that they are not applying for Dept of Conservation concession.

#### Page 2 Vessels:

Peter assures me he has only one vessel therefore query why a second vessel of 42mts has been mentioned?

#### Surface Water Activities

Clarification on the following is requested:

- Size of tenders
- Engine noise generated by outboards
- Number of trips per day carried out by tenders
- Congestion at limited anchorages for a vessel of this size with possibly 2 tenders tied alongside or on a towing lines.
- Impact on marine mammals and disturbance of penguins.
- Degradation of remaining fish stocks

#### Helicopter Landings

The application does not specify:

- Number of flights involved for each trip
- Timing of flights and duration (25 minutes plus?)
- Flight paths
- Consideration of other users in regard to noise.
- Drop off and pick up locations inside Fiords.

**Anchoring Sites**

*"In August 2008 IECL undertook the full range of sea-going trials in the MV "Island Passage", with the assistance of Harbourmaster Mr John Henderson.*

*During these sea-trials, suitable anchoring areas were identified within the Application area, and are intended to be used under this proposal."*

The anchorages outlined in this application are the same as what was discussed during the hearing for Peter's Surface Water Consent, which is for the northern fiords. Our concerns at the time are still valid as many of the anchorages tabled on page 6 of this application are not suitable for a vessel of this size.

We request a list of safe, suitable anchorages.

Existing moorings cannot be able to be used by this vessel due to size and weight.

Anchoring sites are used not only by charter and recreational vessels but also commercial fishermen. We do not agree with the statement '*congestion at anchoring sites is quite unlikely.*'

**Sewerage**

- What is the size of the holding tanks?
- Do they hold both grey water and sewerage?
- Where will the tanks be emptied?

**Fueling**

Where will vessel be refueled?

The proposed activities of this application will have a cumulative impact which will degrade the natural character of the coast and coastal marine environment. Remoteness is a component of amenity values and is becoming an increasingly rare commodity.

**Conclusion:**

We request that the Coastal Permit issued 9 September 2013 and signed off by Hillary Lennox is corrected by deleting both Breaksea and Dusky Sounds under Site locality.

We will attend a pre hearing meeting to discuss our concerns. If above issues are not addressed we request this application is declined.

**RUTH SHAW**





## Patrice Budd

---

**From:** Birchwood Cottages <birchwoodcottages@xtra.co.nz>  
**Sent:** Thursday, 21 July 2016 8:28 p.m.  
**To:** Matt Hoffman  
**Subject:** Re: Variation to consent for "Island Escape Cruises"

**Subject:** RE: Variation to consent for "Island Escape Cruises"

Hi Ray,

Thank you for your submission. Please confirm for me the following:

Do you wish to:

1. **SUPPORT** the submission (*choose one*) on the application of Island Escape Cruises, application number APP-20169132

Please confirm the following:

1. **I am not** (*choose one*) a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\* If you have indicated that you are a trade competitor, please complete the next statement, otherwise do not complete.*

2.

Finally, please confirm the following:

- **I do** (*choose one*) wish to be heard in support of my submission.**(if the time is right)**
- **I do** (*choose one*) wish to be involved in any pre-hearing meeting that may be held for this application.**(if the time is okay)**

Kind regards,

**Matt Hoffman**  
**Acting Team Leader - Consents | Environment Southland**

P +64 3 2115 115 | F: +64 3 2115 252 |  
E: [matt.hoffman@es.govt.nz](mailto:matt.hoffman@es.govt.nz) | [www.es.govt.nz](http://www.es.govt.nz)  
Corner Price Street and North Road, Private Bag 90116, Invercargill 9840



Please consider the environment before printing this e-mail

---

**From:** Birchwood Cottages [<mailto:birchwoodcottages@xtra.co.nz>]  
**Sent:** Tuesday, 21 June 2016 3:03 p.m.  
**To:** Facility Manager  
**Subject:** Variation to consent for "Island Escape Cruises"

To Whom it may concern

Please accept this as our positive submission for Island Escape Cruises for a variation in their operation I have worked with this company for the past 3 years and have found them very professional and conduct themselves with the utmost in quality tourism.

Te Anau has had a huge benefit from Island escape with food and other supplies all coming from Te Anau. On the way in and out of Fiordland, their passengers have the experience of time in Te Anau, and the direct and indirect impact is significant.

I have also had the privilege of being a passenger on one of the cruises and I am impressed with the quality of service and also the minimal impact on the environment during the night/days aboard. I invite other readers of my submission to go aboard and experience a wonderful time with a magnificent well trained crew

I support any change that they want to make as it will enhance both their passengers experience and the local community as well.

Regards Ray  
Fiordland Tours  
Free Phone 0800247249  
208 Milford Road  
Te Anau

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To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Notified Application for a Resource Consent

I: Lloyd Neil MATHESON (Name(s))  
of: Southern Lakes Helicopters Ltd 156 Lakefront Drive  
at: 032497167 032497267 matheone@slheli.co.nz  
(Phone) (Fax) (E-mail)

Wish to SUPPORT / OPPOSE / submit a NEUTRAL submission on (circle one) the application of:

Name: ISLAND ESCAPE CRUISES  
And/or Organisation: 9 - Bill CHISHOLM - AS ABOVE  
Application Number: AH 2016/132 Location: FIORDLAND NATIONAL PARK  
MARINE COASTAL AREA.

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

- ① ISLAND ESCAPE CRUISES ARE AN EXISTING OPERATION BUT LIMITED IN THEIR OPERATION TO THE NORTH FIORDS OF THE MARINE COASTAL AREA. THE EXISTING OPERATIONS ARE EXPOSED TO NATURAL WEATHER LIMITATIONS MAKING THEIR RISK PROFILE LESS SAFE THAN OTHER ALTERNATIVE SOUTHERN OPTIONS.
- ② THE EXISTING OPERATIONS HAVE WORKED SMOOTHLY.
- ③ THERE APPEAR TO BE NO SIGNIFICANT ADVERSE EFFECTS TO THIS TYPE OF OPERATION, WHILE THE TE ANAU ECONOMY IS BOOSTED THROUGH EXTRA TOURISM.

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

*(This area is currently blank, crossed out with a diagonal line.)*

I, ~~am~~ **am not** (choose one) a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\*If trade competitor chosen, please complete the next statement, otherwise leave blank*

I, ~~am~~ **am not** (choose one) directly affected by an effect as a result of the proposed activity in the application that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

**I, do** do not (choose one) wish to be heard in support of my submission. - *if hearing required.*

**I, do** do not (choose one) wish to be involved in any pre-hearing meeting that may be held for this application.

I have served a copy of my submission on the applicant.

Yes  No

Signed

*(Handwritten signature)*

Date

*25/6/16.*

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Notified Application for a Resource Consent

I: RICHARD KINSEY on behalf DEPARTMENT OF CONSERVATION (Name(s))  
of: LAKEFRONT DRIVE, TEANAU, 9600 (Address)  
at: 03 2490250 (Phone) (Fax) rkinsey@doc.govt.nz (E-mail)

Wish to SUPPORT / OPPOSE / submit a NEUTRAL submission on (circle one) the application of:

Name: ISLAND ESCAPE CRUISES

And/or Organisation: \_\_\_\_\_

Application Number: 20169132 Location: FIORDLAND SURFACE WATER  
CONSENT

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

PLEASE SEE ATTACHED DOCUMENT

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

SEE ATTACHED DOCUMENT

I, am am not *(choose one)* a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\*If trade competitor chosen, please complete the next statement, otherwise leave blank*

I, am / am not *(choose one)* directly affected by an effect as a result of the proposed activity in the application that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

I, do / do not *(choose one)* wish to be heard in support of my submission.

I, do / do not *(choose one)* wish to be involved in any pre-hearing meeting that may be held for this application.

I have served a copy of my submission on the applicant.

Yes

No

Signed

RHL

Date

15/7/16

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

## Island Escape Cruises (20169132) Environment Southland Submission Comments – Department of Conservation

---

Please find below the supporting information to accompany the submission form for the above Island Escape Cruises application

*My reasons for my submission are: (State the nature of your submission and give clear reasons)*

As initially stated on the submission form, the Department of Conservation remains neutral in regards to this application. However, there are some points of clarification that the Department would like to request and some general comments with regards to the application.

**Marine Biosecurity:** The applicant states that they intend to follow the same requirements as their current consent which involves inspecting their hull in October before coming to Fiordland. It would be interesting to know exactly who inspects the hull when it leaves Auckland and what qualifications they have for identifying any fouling that is found (especially with regards to *Styela clava*, *Sabella spallanzanii*, and *Undaria Pinnatifida*). Does the vessel then leave directly for the fiords? If it sits in Auckland for even a short time after being inspected it is highly possible it could become infested/re-infested. Biosecurity is probably the single biggest threat to the integrity of the Fiordland (Te Moana o Atawhenua) Marine Area and vessels coming from areas like Auckland pose a very real threat of spreading unwanted organisms.

Likewise, when the vessel enters the Fiordland Marine Area, who is responsible for checking it after 6 weeks? What does that hull check entail and what are the levels of expertise of the person checking for identifying what (if anything) is found.

If the current application is granted, will the Island Escape Cruises vessel travel to and from the Auckland Area more than once in the year? If so it would be prudent for them to undertake a biosecurity check **every** time they come to the fiords.

I am sure that Island Escape cruises are a responsible company do not ever intend to bring any unwanted organisms with them but more information would be good to understand how this is achieved.

It is good to hear that Island Escape cruises know about the proposed Pest Pathways Plan and that they will comply with any rules that come from it.

**Terrestrial Biosecurity:** The applicant mentions that they will comply with the current resource consent conditions of having one bait station on board the vessel for any rodent incursions. As, the vessel will be large (~49m) would they consider putting more than one bait station on board to protect the various pest-free islands they will be travelling in the vicinity of?

**Anchoring:** There is a comprehensive list of anchorages that the applicant proposes to use when travelling in the Southern fiords, similar to those that were in a previous application for Island Escape Cruises. These anchorages come from the sea trials with harbourmaster John Henderson.

It is concerning that the anchorages listed as suitable do not actually reflect a true representation of which anchorages a large 49m vessel would be able to use. This issue has been raised in the past by the Fiordland Marine Guardians and is worrying that they are still included.

The following anchorages listed in the application would not be suitable for such a large vessel:

- Sunday Cove – there is no space in here to anchor and the vessel is too large to tie alongside the barge or the Uni
- Stevens Cove – the vessel would not fit in to Stevens Cove
- Stick Cove - the vessel would not fit in to Stick Cove
- Luncheon Cove – The outside anchorage of Luncheon would be a tight fit for such a large vessel. Inner Luncheon would not be suitable.
- Northport – The inner part of Northport would be very tight
- Weka Island - The vessel is too large to tie alongside the barge at Weka Island

It would also be good to get clarification on the applicants comment: *IECL vessels will not anchor in Marine Reserves or sensitive "China Shop" areas where the unique benthic fauna may be adversely affected.* Does this mean that the applicant will not be anchoring in marine reserves at all or only where they deem that they won't be affecting the unique benthic fauna? Some of the anchorages listed in the application are in marine reserves for example.

**Fishing and diving:** it is great to hear that Island Escape Cruises do not let clients take fish home with them and only cook for them on the boat, the Fiordland Marine Guardians 'fish for a feed' is an important concept for sustainability. However, with such a large vessel (34 pax plus staff) operating 52 weeks of the year there is still the potential that a large number of recreational catch is 'taken' by the applicant. If they intend to fish inside the fiords it could ultimately have a significant effect on fish stocks. It would be good to gain some further information on the amounts of fishing that the applicant does on their trips and the potential impact that they will have.

The diving in the fiords is world class and so the opportunity for people to spend time in the water is a real positive. It is important however for the applicant to be aware of:

- **Marine Biosecurity:** making sure that any dive gear has been treated for marine pests before being used in the fiords
- **Good diving practice:** There are many fragile species within the fiords, of which both black and red coral are protected under legislation. All divers should be mindful of good buoyancy so that they do not break fragile species and be sympathetic to the marine environment

**Island Escape Cruises vessel for the application:** There is very little information provided for the vessel that is to be used for the consent as it appears it has not yet been built. From the Departments perspective the potential for noise has a two-fold effect, firstly on the general wilderness of the area but secondly on the effects to marine mammals.

The consent application and subsequent letters give some clarification for the amount of noise that the vessel will produce but there are no actual figures or details of the vessel. Surely the applicant has some idea of what noise levels the new vessel is likely to produce and can provide some more information that would help to draw conclusions on effect. As stated in the application section 5.6 of



the Fiordland National Park Management Plan (page235) states a limit of 77 dB(A), how will the vessel compare?

It is well documented that vessels can have adverse effects on marine mammals with the way that they act around them but noise levels can also have adverse effects. It is unlikely that the Island Escape cruises vessel will have any greater impact from a noise perspective than any other existing vessel but without any clear information provided it is impossible to tell.

**General:**

The applicant refers on a number of occasions to the current consent that they have to operate in the Northern fiords between Piopiotahi/Milford Sound and Nancy Sound. When referring to any noise/disturbance/compliant etc it is not the same comparing the Northern fiords (North of Doubtful) to the Southern fiords (South of Doubtful). Island Escape Cruises are one of the only operators running trips in the Northern fiords and so it is fair to say they would have little observed impact from anyone else. Another vessel operating in the Southern fiords along with the vessels that already spend time down there would have a much greater effect cumulatively.

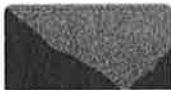
A point of clarification with regards to the Iwi consultation that has occurred with Island Escape Cruises. It should be applauded that Island Escape have sought the input from local Iwi with regards to their application but it raises the question of whether they have involved the Runanga associated specifically with the fiords. For all Departmental dealings in Fiordland Oraka Aparima based in Riverton are considered to be the lead Runanga for everywhere south of Piopiotahi/Milford Sound

The following is more of a comment for Environment Southland (ES) in general rather than specific to the Island Escape Cruises application, but does have bearing on the Departments stance. There is currently no cap or limits imposed on surface water consents for the southern fiords. Without any understanding of how ES are looking to manage consents in the medium to long term the Department is concerned that there may be a proliferation of surface water consents in Fiordland. This will put real pressure on both the wilderness values of the fiords over time and the many historic sites that are managed there. Is there any plan to look at controlling vessel numbers in the future or are there any guidelines that ES are working to? At certain times of the year these fiords are becoming as busy as Doubtful Sound and have the potential to increase beyond these levels.

The comments provided in this submission and the neutral position of the Department of Conservation is specifically for this resource consent application. Any future applications for any permits that are administered by the Department will be taken on a case by case basis.

*I wish the Council to make the following decision (Give precise details, including the nature of any conditions sought)*

The information provided above should give guidance to Environment Southland on the Departments key points of consideration.



Fiordland  
Marine Guardians  
Beneath the Reflections

15 JUL 2016

14 July 2016

Environment Southland  
c/- Matt Hoffman  
Private Bag 90116  
Invercargill 9840

Dear Matt,

**SUBMISSION: ISLAND ESCAPE CRUISES LIMITED**

The Fiordland Marine Guardians (the Guardians) were established pursuant to Section 12 of the Fiordland (Te Moana o Atawhenua) Marine Management Act 2005. The functions of the Guardians, as detailed in Clause 13 of the Act can be summarised as (a) advising and making recommendations to Ministers and management agencies on risks, threats, impacts, and effectiveness of management measures; (b) facilitating and promoting integrated management of the Fiordland Marine Area (FMA); (c) obtaining, sharing and monitoring information on the state of the FMA; and (d) assisting management agencies with dissemination of information, biological monitoring and compliance in the FMA. The Guardians have an active role in integrated management of the FMA.

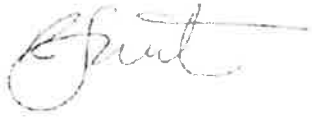
We have reviewed and considered the application by Island Escape Cruises Limited for consent to undertake surface water activities in the coastal marine area (CMA).

**The Guardians take a neutral position** on the application for consent.

Our concern with this application relates to anchorages. Our experience operating in the FMA is that two of the anchorages listed in the application, specifically Stevens Cove (Breaksea) and Stick Cove (entrance to Wet Jacket), will simply not fit a vessel of this size (up to 49 m).

A more general point that we would like to make relates to the implications of an increase in the amount of large vessels operating in the southern FMA on a regular basis. Such a trend would place pressure on anchorages in the FMA. There are a relatively small number of anchorages that are both suitable for large vessels and safe in "all weather". We therefore argue that an increase in the number of large vessels has potential implications for health and safety. This is a matter that the Guardians are pursuing by other means with Environment Southland. Whilst we would like Environment Southland to consider such cumulative effects, we do not believe that this concern should prevent this particular application from progressing.

We do not wish to be heard in support of this submission.



**Rebecca McLeod**

Chairperson  
Fiordland Marine Guardians  
PO Box 213  
Te Anau 9640

027 331 2041  
[chair@fmg.org](mailto:chair@fmg.org)

To: The Chief Executive  
Environment Southland  
Private Bag 90116  
DX20175  
Invercargill

## SUBMISSION FORM

Submission on a Notified Application for a Resource Consent

I: Nigel David Lamb (Fiordland Marine Ltd) (Name(s))  
of: PO Box 38 Manapouri (Address)  
at: 021 648 312 (Phone) N/A (Fax) fiordlandmarineLtd@gmail.com (E-mail)

Wish to ~~SUPPORT~~ / ~~OPPOSE~~ / submit a **NEUTRAL** submission on (circle one) the application of:

Name: Island escape Cruises Ltd

And/or Organisation: \_\_\_\_\_

Application Number: APP-20169132 Location: Fiordland Coastal Marine Area

My reasons for my submission are: (State the nature of your submission and give clear reasons. Continue on attached pages if necessary)

At What point does Environment Southland Consider that Cumulative effects of Vessels has Reached Limits for this Area and Size of Vessels Allowed for this type of Operation are Limited ie is it 10 or 100 Consented Vessels, Size is it 50 or 500 Metres, I would also Consider Some of the Stated overnight Anchorages as unsuitable for a vessel of this Size

I wish the Council to make the following decision *(Give precise details, including the nature of any conditions sought)*

It is the Council's Decision to make I would just like the Council to carefully consider my comments as to how many and what size of vessels are allowed to operate in this area before the cumulative and visual effects become more than minor

I, am/~~am not~~ *(choose one)* a trade competitor\* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

*\*If trade competitor chosen, please complete the next statement, otherwise leave blank*

I, am/~~am not~~ *(choose one)* directly affected by an effect as a result of the proposed activity in the application that:

- (a) adversely affects the environment; and
- (b) ~~does not relate to trade competition or the effects of trade competition.~~

I, do/~~do not~~ *(choose one)* wish to be heard in support of my submission.

I, do/~~do not~~ *(choose one)* wish to be involved in any pre-hearing meeting that may be held for this application.

I have served a copy of my submission on the applicant.

Yes  No

Signed



Date

15/07/2016

If you have any queries about this form or its purpose please contact the Consents Division of Environment Southland (03) 211 5115 or 0800 76 88 45.

**Consents Hearing**  
**10 October 2016**

**Island Escape Cruises Limited -**  
**APP-20169132**

**Further Information**

*Chisholm  
Associates*

67 Selwyn Street, Leeston. 7632.

Ph 027 221-4739

e-mail: bill@chisholm.co.nz

Matt Hoffman,  
Environment Southland,  
Prices Road,  
Invercargill.

31<sup>st</sup> May 2016

Dear Matt

**Re: Island Escape Cruises Ltd (IECL) – S 92 Response for application for a coastal permit to undertake surface water activities**

Thank you for your letter of 20<sup>th</sup> May outlining Environment Southland's S92 request for further information. IECL's response to your questions are provided below:

**1. Scale and Nature of the consent**

The consent period applied for is ~18 years, expiring the same date as the current IECL permit for the Northern Sounds (Permit # 302129), which expires on 9<sup>th</sup> September 2033.

Charter cruise trips are normally of one-week duration. The maximum number per annum would therefore be 52.

Unfortunately, there is no definitive design of the 49 metre vessel available. Previous designs were conceptual only. However, it can be said that any new vessel operated by IECL would be of similar design to the MV "Island Passage" i.e. a multihull vessel with 2-3 upper decks and a helipad.

A photo of the MV "Island Passage" in George Sound is provided in Figure 1.

**2. Description of the Environment**

The following is a description of the features of the environment in which the proposed vessel intends to operate, both on water and on the adjacent shore, extracted from the Fiordland National Park Management Plan:

*Fiordland is renowned for its combination of glaciated mountain landforms, remote coastline indented by fiords, vast extent of natural flora, and diverse and abundant wildlife. The essence of Fiordland is water. Water has had a major role in shaping the character of Fiordland, and continues to do so. Glaciers of past ages have carved out the sheer and rugged landform. Water now permeates the landscape in the form of lakes, rivers and ocean; also snowfields and rain. Dominant are the great lakes and rivers on the eastern border, and the 14 fiords in the west.*

*While the waterways of coastal Fiordland are referred to as "sounds", they are "fiords". Fiords are found in only a few places around the world. They occur on coasts where past*

*glaciation has eroded the land to below sea level. When the glaciers retreated the sea occupied the valleys they had made.*



**Figure 1.** MV “Island Passage in George Sound

*The Fiordland coast, with mountains rising up to 2000 m directly from the sea along the Alpine Fault, forms a barrier to strong westerly winds, which travel across the Southern Ocean and Tasman Sea. The abrupt obstruction causes a very wet, vigorous climate. There is a strong climatic gradient across Fiordland with yearly rainfall reducing from about 6000 mm in the west, to about 1200 mm at the eastern boundary of Fiordland National Park.*

*The long Fiordland coastline has a great variety of coastal environments. The steep-sided fiords support marine species unique in the world. Species composition is largely influenced by the patterns of water circulation that develop in the fiords. After heavy rain in Fiordland, a dark brackish layer of fresh water (from river inflows) floats over the seawater. This layer filters the sunlight and creates very dark but clean marine habitats at quite shallow depths. It is for this reason that black coral can be found at shallow depths.*

*The Fiordland shore comprises not only steep fiord walls but also river deltas at the heads of the fiords which include muddy inter-tidal flats. On the outer ocean coast some beaches are backed by forested sand dunes, though most of the shore is rocky.*

The natural resources of the Western Sounds are significant to Ngai Tahu. It is important that visitors to the area respect this, and do not overharvest these resources for their own use. Accordingly, IECL shall prohibit the taking of mahingakai (including seafood) off the vessel for home use. Seafood may only be harvested for personal use while accommodated on the MV “Island Passage”.



Trout fishing may occur in some estuaries. There is no season, so fishing may be done on a year-round basis. The bag limit is 4.

Diving for crayfish, scallops and paua is popular in some parts of the coastal waters of Fiordland. However, IECL is aware that overharvesting of these species is a threat to the delicate marine ecosystems in these areas, and has strict policy of limiting catches to personal on-board use only (i.e. no harvested seafood may be taken off the vessel at the end of the cruise). Temperate, subtropical, deep and shallow water species all exist because of the freshwater layer and small temperature range. Viewing black coral colonies, sea fans and other marine life in this environment can be very rewarding to divers.

Historic sites occur particularly at Richard Henry's House Site, Astronomer Point and Luncheon Cove. There is also a number of historic sites in Preservation Inlet, including Cromarty Village and Puyseger Point lighthouse, These are all relatively popular places for private and commercial tourists to visit. Other recreational activities which generally may occur in the application area include recreational hunting, birdwatching and recreational boating.

### **3. Effects on Visual Amenity, Natural Character, Remoteness and Wilderness values.**

It is recognised that there are potential effects on the wider public who use the coastal marine areas of Fiordland. These may include commercial fishermen, recreational fishermen, other charter companies and persons engaged in private recreational pursuits.

In his evidence to the Environment Court in July 2006, Mr Allan Rackham, a landscape architect, discussed commercial charters in Doubtful Sound. The potential effects of charter cruises are described in some detail in this evidence by Mr Rackham. No similar analysis of the Southern Sounds was provided, but for the purposes of this assessment it is assumed that the effects would be similar to Doubtful Sound. Mr Rackham considered the effects of charter cruises on natural character and visual amenity to be associated with the Fiordland 'landscapes'. His evidence states:

*Fiordland, of any mainland New Zealand landscape, is an area where the values associated with natural character, outstanding natural features and landscape, and amenity are most inextricably and seamlessly linked. The extraordinary high degree of natural character is the most predominant contributor to the outstanding qualities of the landscape. Amenity values such as the areas' exceptional aesthetic coherence, its tranquillity, remoteness and wilderness qualities are all contingent on the naturalness of its landscapes. Consequently, rather than address these issues separately, I now consider the suite of 'landscape' issues and assess potential effects for each of the areas of the Doubtful Sound Complex.*

Mr Rackham considered a number of potential effects of commercial boating activity on 'landscape' issues to include: "*the introduction of litter or other undesirable flotsam and jetsam...*". The AEE and this letter (Section 5) provides information on how this effect will be avoided.

Mr Rackham also considered other landscape effects such as:

*“The temporary presence of a boat may change the experience of natural character and landscape quality and reduce amenity values for any other people in the vicinity. The extent ... will depend on a number of considerations including the size and colour of the boat, the noise from the boat, any lights – particularly at night, any smells from the boat eg. fuel, the period of time the boat is present, and its proximity and prominence to the viewer. The 'expectations' and 'sensitivity' of the viewer will also be key considerations in determining the level of effects on their experience.”*

Regarding the size and colour of the boat, the MV “Island Passage” is of a similar size to other charter boats operating in this area. The MV “Island Passage” also has a low silhouette in the water (see Figure 1), so is not as easily seen from a distance as other boats of a similar size. In addition, many larger cruise ships visit the inland waters of Fiordland each summer. They are considerably larger and more visually intrusive than the MV “Island Passage”. The colour of the MV “Island Passage” is also similar to other charter cruise boats operating in this area. The tender boats and kayaks are considerably smaller than the main vessel, and less likely to be noticed.

Regarding noise, lights (particularly at night), smells from the boat (eg. fuel) etc, these effects are discussed in the AEE and in later sections of this letter.

Regarding the expectations and sensitivity of viewers in the application area, the existing degree of natural character needs to be assessed. While the inland waters of Fiordland have an extremely high degree of natural character, there are many mooring and craypot buoys in the Sounds, along with a trampers hut at Supper Cove. These all give an impression of an area which is regularly visited by commercial fishermen, and (in the case of Supper Cove) recreational trampers.

The temporary presence of boats such as the MV “Island Passage” and the tender boats can adversely affect the natural character, but this does not permanently reduce the naturalness of a piece of coast, whereas something like a permanent mooring buoy or hut would. A boat will only affect natural character during the period of the boat's presence. Furthermore, visitors to the application area are most likely to be boaties themselves.

IECL Ltd is however mindful of the potential effects of the MV “Island Passage” and associated tender boats operating in the Southern Sounds during the spring/summer months. Mitigation for this is proposed as follows:

- No overnight camping out or use of huts will be undertaken by passengers.
- Where other park users are encountered, IECL passengers will avoid interaction and ensure priority to these users.
- While the “MV Island Passage” will need to carry three tender craft (as one of these is required for survey requirements), only two will be allowed in the water at any one time. Of these two, one may only be used when kayaks are in the water, to oversee kayaking operations for safety purposes.
- Areas where trampers on walking tracks can access the application area are limited to Supper Cove in Dusky Sound. To preserve the sense of isolation for these visitors, the “MV Island Passage” will not anchor within sight of this area.

- Furthermore, tender vessels shall only come within sight of this area for the purposes of transferring shore visitors for walks, and not for fishing, diving or general touring etc. Kayaks will not be used in Supper Cove.

It should be noted that IECL provides for a specific clientele not catered by other consented charter operators. Those people wishing to experience the Fiordland coastline have a choice of going there by private boat, aircraft or commercial charter vessel. If a suitable commercial charter vessel is not available, then the only other options are private boat or aircraft. IECL is therefore providing a positive effect in that it potentially reduces the numbers of private vessels and aircraft over-flights which may otherwise occur in the application area.

#### **4. Biosecurity**

Current consent conditions require checking the hull prior to entering Fiordland waters on each occasion, and again 6 weeks thereafter. In addition, consent conditions include treating equipment on board to kill unwanted organisms. The vessel hull is inspected in Auckland, immediately prior to travelling to Fiordland. If necessary, the vessel hull is re-inspected in Nelson, en route to Fiordland. The vessel hull will be scraped clean of any fouling organisms, by an experienced diver, during these inspections.

The biosecurity conditions of this consent have been in operation for the last three years. These conditions are considered suitable for the purposes of the Southern Sounds as well. They are listed below. In addition, IECL is aware of the “Fiordland Pathways” initiative currently being considered by Environment Southland, in conjunction with the Fiordland Marine Guardians. IECL will comply with any new biosecurity regulations which result from their deliberations.

##### **Biosecurity**

14. (a) The consent holder shall inspect the hull of any vessel operating pursuant to this consent for pests and fouling organisms, in particular *Undaria*, prior to entering the internal waters of Fiordland on each occasion, and again after a six week period to check for new growth. If such organisms are found the consent holder shall notify the Council’s Compliance Manager prior to removal and disposal of the pests or organisms to a designated refuse site on land.

(b) To comply with Condition 14(a), the consent holder shall, prior to entering the internal waters of Fiordland on each occasion, ensure all buoys are thoroughly dried prior to use, with all mooring ropes and other equipment that may have come into contact with coastal waters immersed in a 5% solution of bleach or acetic acid (i.e. vinegar) for 24 hours, to kill any unwanted organisms.

(c) The consent holder shall maintain:

- (i) the vessel in a rodent free state while operating in the internal waters of Fiordland; and
- (ii) at least one bait station on the vessel at all times.

In particular, the consent holder shall inspect the vessel operating pursuant to this consent, including its compartments and any cargo, for pests, in particular, rodents, on each occasion of operating, and prior to re-entering the coastal waters of Fiordland on each occasion.

#### **5. Rubbish, sewage and noise**

##### ***Noise Effects***

The sense of isolation and special wilderness values of the area are easily destroyed by human-induced noise. An assessment of non-human background noise is difficult in this

environment, as it varies a great deal depending on weather and other environmental factors. However, it can be said that the background noise level is characteristic of a pristine wilderness and should not be intruded upon. Therefore, IECL has implemented measures to keep the generation of noise to an absolute minimum.

Noise readings of the MV “Island Passage” have been measured and assessed in accordance with the provisions of NZS 6801:1991 “Measurement of Sound” and NZS 6802:1991 “Assessment of Sound”.

These readings are within the Fiordland National Park Management Plan guidelines for noise from boating vessels on water-bodies within Fiordland National Park (should not exceed 77 dB(A) (Lmax).

Tender boats are powered by the Yamaha F200A, a smaller twin of the F225A, which utilises the same Yamaha electronic fuel injection system as the F115A and F225A to achieve clean emissions and stable low speed idling. These are the quietest outboard motors available on the market today. Other main features include power delivery throughout the rev range and a lack of vibration and noise at any speed.

Manufacturer’s noise ratings for the Yamaha 4 stroke 200 Hp engines are available. The Yamaha F200A is known as the quietest outboard motor currently available. Noise ratings for the Yamaha F200A are provided below, along with comparable noise ratings for the Mercury Optimax 200:

Make/Model	RPM	Noise rating
Mercury Optimax 200	550 (idling)	68.5 dB(A)
Mercury Optimax 200	5900 (full throttle)	95.5 dB(A)
Yamaha F200A	700 (idling)	60.0 dB(A)
Yamaha F200A	5650 (full throttle)	85.5 dB(A)

Manufacturers noise ratings for the twin Kelvin Marine TASC8 diesel engines are not immediately available. However, it is expected that they will be within normal acceptable noise levels, as the “MV Island Passage” has recently passed its annual survey with a 10/10 environmental rating.

While the MV “Island Passage” has a public-address system for passenger safety announcements etc, and hi-fi equipment, it is not envisaged that these will be extensively used while on charter in Fiordland. A significant part of the tourist experience in this area is the sense of remoteness and quietness, and IECL will be promoting the “quietness aspect” of the charter cruises. It is not expected that passengers will wish to spoil this through the generation of excessive and/or unnecessary sound.

### ***Sewage Treatment***

All waste water, including grey and black water, flows into the holding tank. When the sewage reaches a designated start level the sewage treatment plant starts operating, using a continuous flow through operation.

After going through a macerator pump the sewage passes into a reaction chamber where it is mixed with Sodium Hypochlorite from the dosing pump. Through the mixture of the oxygen in the sewage water and the chlorine, oxidation of the organic particles occurs and all bacteria are destroyed.

With further reaction time in a whirl chamber the treated sewage flowing out becomes a completely sterile solution according to standards set by IMO, USCG and the European certification authorities.

The treatment system is fully compliant with the Resource Management (Marine Pollution) Regulations 1998, as evidenced by IECL operating the same system in the Northern Sounds for the last three years.

### ***Rubbish***

All boat waste will be stored on-board, and disposed of in a sanitary landfill outside the National Park/ Sounds area. The vessel has capacity to store rubbish for over three weeks on-board. As charter cruises are for one week, this is not expected to be a problem. A full description of the Garbage waste management is detailed in the Island Passage Safe Ship Management manual (as below).

### GARBAGE MANAGEMENT

It will be the policy of the vessel to exceed set International Policy Regulations as set out by the MARPOL 73/78 convention, Annex V and upheld by Maritime New Zealand for the correct disposal of garbage at sea.

Stickers explaining the regulations and subsequent responsibilities will be posted in relevant spaces throughout the vessel.

The galley has a hard waste compactor. All hard waste will be removed ashore and recorded in the Garbage management folder.

It will be the vessel policy to recycle all appropriate glass and plastics and to remove these ashore to an accepted recycling station. All recyclable glass and plastics removed ashore will be recorded in the Garbage management folder.

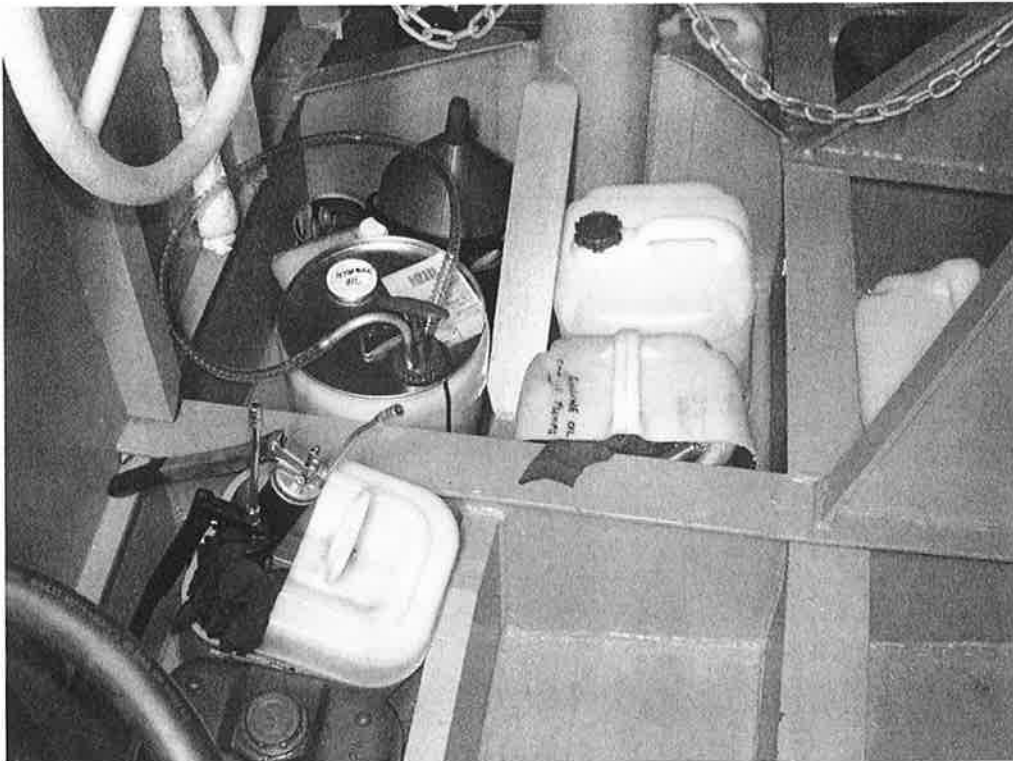
Passengers will be briefed on the correct disposal of garbage onboard.

### **6. Safety and Hazards**

For fishing, diving and kayaking activities, all passengers are briefed on safety issues by a qualified crew member prior to undertaking these. For fishing from tender boats, and kayaking, life jackets are worn at all times. All fishing and diving activities are personally supervised by crew members. Kayaking activities are supervised by a tender boat, which is launched specifically for the purpose of kayak supervision.

A copy of the report on seagoing trials is provided as Appendix 1

All hazardous chemicals are stored on board in banded compartments, as pictured in Figure 2 below. Any spillage from containers is confined to these compartments, and cannot escape from the vessel.



**Figure 2:** Bundled compartments for storage of hazardous chemicals etc.

Oil spill contingency and management procedures are listed in Appendix 2 (from the MV Island Passage Safe Ship Management Plan). The risk of fuel spillage from the MV “Island Passage”, and associated tender boats, has been surveyed by the Maritime Safety Authority. Their assessment rates this risk as “low”.

## **7. Policy Assessment**

### **7.1 Resource Management Act**

The Resource Management Act Part 2 provides the Purpose and Principles of the Act, and matters to be considered when assessing an application for resource consent. Section 5 (2) defines sustainable management, including a requirement to avoid, remedy or mitigate any adverse effects of the activity on the environment. This application is consistent with the purpose and the principles of the Act, as set out in Section 5. The proposed activity will have no more than minor adverse effects on the ability of the receiving environment to meet the reasonably foreseeable needs of future generations, or on the life-supporting capacity of any ecosystem. Proposed mitigation will ensure that any potential adverse effects of the activity will be avoided, remedied or mitigated to the extent where they are no more than minor. Therefore, this application is consistent with this section of the Resource Management Act.

Section 6 lists matters of national importance, including (a) the preservation of the natural character of the coastal environment (including the coastal marine area), and (b) the protection of outstanding natural features and landscapes from inappropriate use, and development.

Section 6(a) is of particular relevance to this application. Whether the commercial surface water activity is inappropriate for the area is, to a certain extent, subjective; especially as

subsection 6(d) states that recognition should also be given to the maintenance and enhancement of public access along the coastal marine area. Furthermore, there are only a few activities of this nature operating in the southern sounds. Section 3 of this letter discussed this aspect, and concludes that the mitigation offered will ensure that any adverse effects are no more than minor. This application is therefore consistent with Section 6(a).

Cultural and traditional relationships that Maori have with coastal water resources (Subsection 6(e)) within Fiordland are also recognised, particularly as Ngāi Tahu's association with the Fiordland coastal marine area is recognised under the Ngāi Tahu Claims Settlement Act. Mr Rewi Anglem of Ngai Tahu has previously accompanied the vessel in the Southern Sounds during sea trials in 2008, and he has advised on cultural issues and protocols for operating in this area, which are now incorporated into normal IECL operations elsewhere in Fiordland. This application is therefore consistent with this section of the Resource Management Act.

Of the matters listed in Section 7 of the RMA, subsections 7(c) and (g) are particularly relevant to this application. These subsections state that particular regard shall be given to maintenance and enhancement of amenity values, and the finite characteristics of natural and physical resources. The aesthetic coherence, cultural and recreational attributes of the natural and physical characteristics of the area, are important amenity aspects to have regard to. These are all discussed in the application, and in Sections 3,4,5 and 6 of this letter. It is concluded that the scale and nature of this activity, along with the mitigation and suggested conditions, make this application consistent with these sections of the Resource Management Act.

## **7.2 New Zealand Coastal Policy Statement**

Objectives 2 and 4, and policies 6 and 13 of the New Zealand Coastal Policy Statement are of relevance to this application. Policy 6 requires consideration of a number of matters, including visual effects, but also recognises the need to maintain and enhance the public open space and recreation qualities of the coastal marine area. Policy 13 is to preserve the natural character of the coastal environment. The policy also recognises that natural character includes a range, from pristine to modified. These issues are discussed further in Section 3 of this letter. It is considered that the mitigations offered by the applicant will ensure that any adverse effects will be no more than minor, and hence this application is consistent with the New Zealand Coastal Policy Statement.

## **7.3 Regional Policy Statement**

Effects from the proposed variation will be no different in scale, nature or intensity from those already authorised, therefore the application is not contrary to any of the relevant objections or policies of the Regional Policy Statement. The application is also not contrary to any of the relevant objectives and policies of the Proposed Regional Policy Statement, as any adverse environmental effects from the proposed variation will be no different in scale, nature or intensity from those already authorised for other commercial charter vessels in the application area. Therefore, this application is consistent with the Regional Policy Statement.

The Department of Conservation's Fiordland National Park Management Plan 2007 (FNMPM) is relevant to Policy 13.10 of the Regional Policy Statement. The Management

Plan is relevant and reasonably necessary to the determination of this application because of the proximity and association with the Fiordland National Park. Because it is a plan to manage the National Park, it does not impact directly on commercial surface water activities. However, the degree of protection given to the land areas adjacent to the fiords, particularly in regard to remoteness and wilderness values, may be of concern to Department of Conservation.

The FNPMP seeks to provide for recreational activities in the fiords, while limiting commercial operations, in order to sustain wilderness recreational opportunities. Regarding this, the application is consistent with the National Parks Act if the cumulative effect of commercial surface water activities do not detract from the natural character of the park. Section 3 of this letter assesses this, and concludes that the proposed mitigation makes any actual, potential and/or cumulative effects on these values no more than minor. Therefore, this application is consistent with Policy 13.10 of the Regional Policy Statement.

#### **7.4 Regional Coastal Plan**

The Southland Regional Coastal Plan contains objectives, policies and rules for commercial surface water activity in the inland waters of Fiordland. The policies of Te Tangi a Taurira generally seek to protect and preserve the coastal environment. Policies 3.6.6.1, 3.6.6.2 and 3.6.6.6 focus on reducing the impact of commercial surface water activities on the coastal environment and seek to protect the natural character of the environment from these activities. These are general policies, which the application is broadly consistent with.

Objectives 16.1.1, 16.1.2 & 16.1.3 all seek to ensure that surface water activities do not impinge on wilderness, natural character and the unique intrinsic values of Fiordland. Section 3 of this letter discusses in detail how any effects of this activity will be mitigated to the extent where any actual or potential effects on these values are no more than minor. This application is therefore consistent with these objectives, especially Objective 16.1.3 which states “...users should conduct their activities in a manner that avoids adverse effects on each other and the environmental conditions that attract them to the area.”

Policy 16.2.2 of the Regional Coastal Plan seeks to:

*Limit the extent and number of commercial activities that occur within the coastal marine area of Fiordland to a level which does not reduce natural character, landscape and amenity values, specifically remoteness and tranquillity values.*

Such limits have been placed on some areas of Doubtful Sound, where boat traffic is impinging on these values (Policy 16.2.3). No similar limits have been placed on the application area, and the mitigations offered in Section 3 of this letter, mean that this application is not constrained by this Policy.

Policy 16.2.8 of the Regional Coastal Plan states:

*Protect the opportunity for remoteness and wilderness experiences in all of the principle Arms, Inlets and Fiords of Fiordland apart from Milford Sound.*



The only land-based opportunity for wilderness appreciation is the walking track at Supper Cove. This application contains measures to restrict boat activity in Supper Cove to the extent that any effect on wilderness values in this location are no more than minor. Sections 3 and 5 (noise effects) of this letter discusses additional mitigation of the effects of this activity of wilderness and remoteness values. Hence, this application is consistent with Policy 16.2.8.

The objectives and policies of the Regional Coastal Plan are mirrored by the Rules which provide the statutory environment for operations of this type. Rule 16.2.1 (7) states:

*... it is a discretionary activity to undertake any commercial surface water activities in the internal waters of Fiordland from Yates Point to Puysegur Point.*

This application is for charter cruises within the internal waters from Febrero Point to Puysegur Point. The activity applied for is therefore discretionary under Rule 16.2.1 (7) of the Regional Coastal Plan.

## **7.5 Conclusion**

This application is for commercial multi-night charter cruises by a commercial vessel of up to 49 metres registered length in the inland coastal waters of Northern Fiordland, from Febrero Point to Puysegur Point. The activity is undertaken in the marine and costal area.

IECL has been operating in similar areas in the Northern Sounds of Fiordland under very similar circumstances since 2013, with no reported adverse effects occurring from these activities. Therefore, it is fair to say that the proposed activity in the Southern Sounds, conducted under the same terms and conditions, will cause no adverse effects which are more than minor.

This application is therefore consistent with the relevant provisions of Part 2 of the Resource Management Act 1991, the National Coastal Policy Statement, Regional Policy Statement for Southland and the Regional Coastal Plan for Southland, and is a discretionary activity under Rule 16.2.1 (7) of the Regional Coastal Plan

Yours faithfully



Bill Chisholm  
For ISLAND ESCAPE CRUISES LTD

## Appendix 1

43 Raeburn Ave,  
Otatara,  
Invercargill.

Ph (027) 241 0799

28<sup>th</sup> August 2008

Mr Kevin O'Sullivan,  
Environment Southland,  
Private Bag 90116,  
Invercargill.

Dear Sir

### Re: MV "Island Passage" Fiordland 23<sup>rd</sup> to 28<sup>th</sup> August 2008

Between the 23<sup>rd</sup> and 28<sup>th</sup> August 2008 I acted as Pilot on board MV Island Passage during her voyage to Fiordland.

The vessel transited the following Sounds:-

Milford  
Poison Bay  
Thomson  
Doubtful  
Breaksea  
Dusky  
Chalky  
Preservation

During this period we visited numerous areas within the Sounds investigating various anchorages and actually anchored in many of these for both day and overnight stops. An extensive exploration was made within various arms and coves. This exploration was both to familiarize the ships' officers and crew in safe navigation and various weather anchorages.

It should be noted that the "Island Passage" is a small (42m) highly maneuverable vessel with twin engines and bow thruster. I observed all relevant watch keepers "conning" the vessel and bringing her up to an anchorage. All showed to be skilled and competent in handling the vessel. They also followed their passage plan and any deviation was discussed with myself and made aware to the rest of the bridge team.

The professional attitude of the officers and crew was of the highest standard in both seamanship and safety.

It is my professional opinion that the relevant officers on board this vessel are of a standard that exemption from pilotage should be issued. Full account should be taken of the aforementioned regarding the size and type of vessel and the vessel's tonnage with the pending change to Rule 90.

Yours faithfully

John Henderson

Cc: Paul Mabee, Patrick Foot, Mike Delamore

## SHIPBOARD MARINE OIL SPILL CONTINGENCY PLAN AND CHECKLIST

### 1. MINIMISE SPILLAGE

- Shut down pump
- Close valves
- Check tank levels
- Transfer excess fuel to a tank with free capacity

### 2. CONTAIN SPILLAGE

- Sound alarm
- Run out fire fighting gear
- Prevent oil entering sea
- Block scuppers
- Dam around breather with sand
- Soak up spill with sand/absorbent material
- Place oil soaked material in secure container for disposal ashore

### 3. RECORD AND REPORT

- Log in OLB and oil record book
- Fill out MSA incident form
- Report to appropriate authority ashore

## **Take steps to prevent event occurring again**

### **PUMPS AND FILTERS**

- Fixed installation pumps are generally serviced monthly by professional companies. Signed proof of such servicing is accepted as sufficient control that the pumps are serviceable. This does not negate the requirement to carry out the normal fuel cleanliness and water checks.

### **DRUMS**

- All drums are to be stored on their side. Maximum storage six months or the use-by date stamped on them. Water Test as above prior to use.

### **FUEL TANKER**

- A monthly check of nozzles, hoses, bonding straps and general security is to be carried out. This will be monitored through the Operations Checklist.
- After filling, prior to leaving the Base and before use on a daily basis a water test is to be carried out.

### **FUEL SPILLAGE**

- When fuel is spilled immediate action must be taken to cover the fuel with sand, sawdust, dry earth or an agent such as foam or dry chemical extinguisher powder to reduce the fire hazard.

## **MV ISLAND PASSAGE**

## **POLLUTION CONTROL PLAN**

### **OILY BILGE WATER**

- Any oil leaks minimised and repaired as soon as possible
- When at sea - pumped into 200l holding tanks in each engine room and disposed of when alongside
- When alongside – Pumped direct to shore side road tanker

**Consents Hearing**  
**10 October 2016**

**Island Escape Cruises Limited -**  
**APP-20169132**

**Further Response to**  
**Questions**

**Chisholm  
Associates**

67 Selwyn Street, Leeston. 7632.

Ph 027 221-4739

e-mail: bill@chisholm.co.nz

Matt Hoffman,  
Environment Southland,  
Prices Road,  
Invercargill.

2<sup>nd</sup> June 2016

Dear Matt

**Re: Island Escape Cruises Ltd (IECL) – Further request for information**

IECL's response to your emailed questions are provided below:

*The further information you've supplied identifies that the charters are of a weeks' duration, and that therefore the applicant would operate up to 52 trips per year. Is this truly the case? Is the applicant proposing to operate year-round? Are there no periods where the applicant will not have a charter vessel operating in Fiordland?*

It is not possible to estimate how many trips per annum might be undertaken, nor is it wise to guess market conditions for the purposes of configuring consent conditions. There may or may not be periods when there is no charter vessel operating in the Southern Sounds. The only possible answer to your original question is, therefore, a maximum of 52.

*In terms of catch limits, your letter states that catches are limited to personal on-board use only. How is this determined? What specific limits are imposed on passengers in terms of taking kaimoana within the fiords? Which regulations are followed in regard to fishing activities from the vessel?*

Normal MPI recreational catch limits and gear limitations are imposed on guests. There are no personal fish-storage facilities on-board, so passengers are unable to store chilled (or otherwise-preserved) fish, and then take it off the boat. Guests are advised that the fish that they catch can be prepared for them by the chef. Guests can also be assisted by crew with catch-and-release where desired. There have been no cases of fish wastage or spoilage in the past.

*Both the application and the further information provided state that noise readings of the MV Island Passage have been measured and assessed in accordance with the relative New Zealand Standards. I asked for this data in the s.92(1) request letter, but it does not appear to have been provided. Can you please supply this data as requested?*

The raw data is not available. However, IECL has been operating the MV "Island Passage" throughout the Northern Sounds, including Milford Sound, with no noise issues, for the last three summer seasons. The MV "Island Passage" also operates elsewhere in New Zealand and overseas with no noise complaints or issues.

*Please comment about noise generated by the proposed new vessel, in particular mitigation measures built into the design of the vessel.*

There is no information about noise generated by the new vessel because it hasn't been built. However, noise requirements can be applied to the specifications of any new vessel, as may be required in consent conditions.

*Please comment on where and how sewage is disposed of, as per the s.92(1) request.*

After going through a macerator pump the sewage passes into a reaction chamber where it is mixed with Sodium Hypochlorite from the dosing pump. Through the mixture of the oxygen in the sewage water and the chlorine, oxidation of the organic particles occurs and all bacteria are destroyed.

With further reaction time in a whirl chamber the treated sewerage flowing out becomes a completely sterile solution according to standards set by IMO, USCG and the European certification authorities.

Sewage is discharged into unrestricted water at sea (i.e. more than 500 metres from shore outside the internal waters of Fiordland in the coastal waters of Fiordland). In the unlikely event of sewage plant failure the sewage can be contained in two holding tanks with a combined capacity of 28 cubic meters, being 8 more cubic meters than the vessels fresh water tank which has a capacity of 20 cubic meters. Sewerage is then pumped out into a shore based tanker truck or discharged in unrestricted water at sea (i.e. more than 500 metres from shore outside the internal waters of Fiordland in the coastal waters of Fiordland).

*With regard to safety procedures for fishing, kayaking and diving please provide any safety plans or standard operating procedures. If the applicant does not maintain safety plans or SOPs in writing, please advise.*

This falls under the Safe Ship Management Manual's "Procedure for unguided activities". This is listed as Appendix 1. Fishing, kayaking and diving from the tender boat or main vessel is always done under the direct supervision of one or more crew members.

*Please advise what, if any, equipment the applicant maintains in the event that fuel or oil is accidentally discharged to coastal waters, such as (but not limited to) oleophilic booms, pads and pillows.*

None of this equipment is held on board. The vessel's standard Oil Spill Contingency Plan is provided in the S 92 response.

*Please provide an assessment of the relevant objectives and policies of the Regional Coastal Plan, as per the s.92(1) request.*

This was provided in the S 92 response: i.e.

The **objectives and policies** of the Regional Coastal Plan **are mirrored by the Rules** which provide the statutory environment for operations of this type....

Yours faithfully



*W Chisholm*

Bill Chisholm  
For ISLAND ESCAPE CRUISES LTD

## Appendix 1

### PROCEDURE FOR UNGUIDED ACTIVITIES

Unguided activities include walks or bike rides ashore fishing activities and use of kayaks.

The following checklist should be used whenever guests wish to undertake an activity for which no crewmember is directly responsible or actively monitoring.

- Safety briefing given to all guests participating. Include use of equipment, hazards likely to be encountered and any other factors that might affect the safe conduct of the activity.
- Guests demonstrate confidence and competency in use of equipment such as kayaks, outboards, radios; flares etc (see self drive tender briefing)
- All guests suitably equipped and clothed for activity with consideration given to weather and other environmental factors.  
Sufficient food and water provided for expected duration of activity.
- Maps or charts of area provided showing safe routes, boundaries, no go zones, drop off/pick up areas and communication points.
- Pick up times agreed on before departure and to be strictly adhered to unless changed at later time by radio or cell phone communication. Consideration to be given to weather and state of tide.
- Radio reporting schedule to be established and radio checks carried out before guests leave vessel. Frequencies agreed on and locked on radios. Cell phone numbers recorded by guests and on vessel.
- All guests are logged off and on to vessel with departure and estimated return times signed off by the crew member responsible.
- Guests encouraged to consider their environmental impact on sensitive areas such as wildlife reserves, wetlands, etc and asked to dispose of all rubbish into appropriate containers or to return aboard.

**Consents Hearing**  
**10 October 2016**

**Island Escape Cruises Limited -**  
**APP-20169132**

**Draft Consent Conditions**



**environment  
SOUTHLAND**

Cnr North Road and Price Street  
(Private Bag 90116)  
Invercargill

Telephone (03) 211 5115  
Fax No. (03) 211 5252  
Southland Freephone No. 0800 76 88 45

## Coastal Permit

Pursuant to Section 104B of the Resource Management Act 1991, a resource consent is hereby granted by the Southland Regional Council to **Island Escape Cruises Limited** of 6 Kent Street, Newmarket, Auckland from **DATE DECISION MADE**.

Please read this Consent carefully, and ensure that any staff or contractors carrying out activities under this Consent on your behalf are aware of all the conditions of the Consent.

### Details of Permit

Purpose for which permit is granted:

Location - site locality In the coastal marine area adjacent to Fiordland National Park, from Febrero Point to Puysegur Point.  
- map reference NZTM 2000: 1099142E 4935456N

Legal description at the site: Marine and Coastal Area

Expiry date: 9 September 2033

### Schedule of Conditions

1. This consent authorises the undertaking of commercial surface water activities, in the coastal marine area adjacent to Fiordland National Park from Febrero Point to Puysegur Point, with:
  - (a) one vessel of up to 49 metres, registered length ("main vessel"), with up to 34 passengers, and up to 12 crew;
  - (b) up to two 8 metre tender vessels; and
  - (c) up to 3 kayaks;

for the purpose of undertaking backcountry trips, as described in the application for resource consent dated 6 May 2016, and the further information dated 31 May 2016 and 2 June 2016.

2. In accordance with Section 126 of the Resource Management Act, 1991, this consent may be cancelled by the Consent Authority if not exercised for a continuous period of two years or more.

### ***Operational Restrictions***

3. The consent holder must avoid marine bird and mammal nesting and breeding areas as follows:
  - (a) passengers or crew shall not land on any foreshore; nor
  - (b) shall either the main vessel, tender vessel or kayaks operating pursuant to this consent moor or anchor or otherwise stop;within 50 metres of New Zealand fur seal colonies or penguin colonies.
4. The consent holder must limit the travel speed of the main vessel, tender vessels and kayaks to 5 knots within 500 metres of a seal or penguin colony.
5. Up to two tender vessels are allowed in the water at any one time. Of the two tender vessels, one may only be used when kayaks are in the water, to supervise kayaking operations for safety purposes.
6. When within view of the Supper Cove Hut, tender vessels may only be used for the purpose of transferring visitors ashore for walks, and for no other purpose.

### ***Anchoring***

7. The consent holder shall not anchor in the following registered anchorages:
  - (a) Sunday Cove, Breaksea Sound;
  - (b) Stick Cove, Breaksea Sound;
  - (c) Luncheon Cove, Dusky Sound;
  - (d) Duck Cove, Dusky Sound;
  - (e) North Port, Chalky Inlet; and
  - (f) Weka Island, Preservation Inlet.
8. The consent holder may not anchor the main vessel within view of the Supper Cove Hut.
9. The consent holder must not anchor within the following china shop areas:
  - (a) the area at the intersection of Acheron Passage and Wet Jacket Arm between Breaksea and Dusky Sounds;
  - (b) Nine Fathoms Passage, off Cooper Island, Dusky Sound; and
  - (c) Narrow Bend from Adam Head to Sandy Point in Long Sound.

10. The consent holder shall not anchor within 400 metres of the following rat-free islands:
- (a) Breaksea Island Group, including Wairaki Island and the island approximately 700 metres generally west thereof, and Hawea Island and the island approximately 700 metres east thereof;
  - (b) Entry Island;
  - (c) Thrum Cap;
  - (d) Passage Islands; and
  - (e) Chalky Island (Te Kakahu-O-Tamatea).

***Rubbish Disposal and Sewage Discharges***

11. No rubbish or any substance or article of a dangerous or offensive nature shall be deposited or discarded into the coastal marine area from the main vessel, tender vessel(s), kayak(s) or any other vessel operating in accordance with this consent, except to the extent allowed under the Resource Management (Marine Pollution) Regulations 1998, or any subsequent version.
12. Discharges of sewage to coastal water may only occur in accordance to the Resource Management (Marine Pollution) Regulations 1998, or any subsequent version.

***Contaminant Spills***

13. (a) The consent holder shall ensure a fuel/oil spill kit that is suitable for the operation is available on the main vessel at all times. This spill kit shall contain, at a minimum:
- (i) oleophilic booms, pads and pillows;
  - (ii) personal protection equipment;
  - (iii) plastic bags;
  - (iv) ropes; and
  - (v) absorbent materials for smaller spills on board.
- (b) In the event of any spill of oil, fuel or other contaminant, the consent holder shall remove the contaminants immediately from the site and take immediate, effective steps to contain and recover the spill.
- (c) The consent holder shall immediately notify the Consent Authority (ph 0800 76 88 45 or email [escompliance@es.govt.nz](mailto:escompliance@es.govt.nz)) that a spill has occurred. Notification shall include the type and quantity of oil, fuel or other contaminant spilled, and the steps taken to avoid, remedy or mitigate any adverse effects.
- (d) In the event of a spill of any contaminant, no dispersants or degrading agents shall be discharged to water without the approval of the Consent Authority.

***Noise***

14. The consent holder shall measure and assess the noise levels emitted by the vessel at anchor, within 5 metres of the space occupied by the vessel, in accordance with the provisions of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound". The results of such measurement and assessment shall be reported to the Consent Authority within three months of the use, under this permit,

of the 49 metres registered length vessel as described in the application dated 5 November 2015.

**Biosecurity**

15. The consent holder shall ensure that the following biosecurity procedures are followed at all times:
- (a) at the last port of call prior to entering the Fiordland marine area, the hulls of all vessels operating under this consent, including the main vessel, tender vessel and kayaks shall:
    - (i) be inspected for pests and fouling organisms, in particular *Undaria*;
    - (ii) clean and dry mooring lines, buoys and any other gear that has come into contact with coastal waters in a manner that kills marine pests and unwanted organisms;
    - (iii) after cleaning the hull and gear, have the hull and associated gear inspected by a suitably qualified person to ensure that there are no visible signs of marine pests and unwanted organisms; and
  - (b) six weeks after the inspection required in Condition 16(a) the consent holder shall inspect the main vessel, tender vessel, kayaks, mooring lines, buoys and any other gear that has come into contact with coastal waters to check for marine pests and unwanted organisms; and
  - (c) immediately after each inspection required in Condition 16(a) and 16(b), if any marine pests or unwanted organisms are found, the consent holder shall notify the Consent Authority and seek advice from a suitably qualified person regarding removal, treatment, and disposal of the pest(s) or unwanted organism(s). Once this advice is received, the consent holder shall immediately ensure that the pest(s) or unwanted organism(s) are removed and disposed of in accordance with that advice.
16. The consent holder shall:
- (a) maintain the main vessel, tender vessels and kayaks in a rodent free state at all times;
  - (b) maintain at least three bait stations or traps for the purposes of rodent eradication, on the main vessel at all times;
  - (c) inspect the main vessel, tender vessels and kayaks compartments and any cargo, for pests, in particular, rodents, on each occasion of operating, and prior to re-entering the Fiordland marine area on each occasion; and
  - (d) ensure that any food stored on the main vessel is stored in rodent proof containers.

**Reporting Requirements**

17. The consent holder shall maintain a log of all operations, including:
- (a) the location of sewage discharges, and whether or not the sewage is treated, in accordance with Condition 13 of this consent;
  - (b) a log of all backcountry trip activities, including the following details:
    - (i) departure date and return date for each backcountry trip;
    - (ii) location(s) travelled to for each backcountry trip;
    - (iii) number of passengers aboard the vessel for each backcountry trip; and
    - (iv) the purpose of all activities, including use of the main vessel and any ancillary activities such as: helicopter landings on the vessel for the purpose of embarking/disembarking passengers and loading/offloading supplies and rubbish; fishing; diving; kayaking; and use of tender vessels.

- (c) the results of inspections for pests, unwanted organisms, or hull fouling organisms on the main vessel, tender vessels, kayaks and gear, in accordance with Conditions 16 and 17 of this consent.

A copy of the entries in this log shall be provided to the Consent Authority every three months in accordance with the following schedule:

Quarter Finish	Due Before
31 March	30 April
30 June	31 July
30 September	31 October
31 December	31 January

**Review of Consent Conditions**

18. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent during the period 1 February to 30 September each year, or within two months of any enforcement action being taken by the Consent Authority in relation to the exercise of this consent, for the purposes of:

- (a) determining whether the conditions of this permit are adequate to deal with any adverse effect on the environment, including cumulative effects, which may arise from the exercise of the permit, and which it is appropriate to deal with at a later stage, or which become evident after the date of commencement of the permit; or
- (b) ensuring the conditions of this consent are consistent with any National Environmental Standards Regulations, relevant plans and/or Policy Statement; or
- (c) amending the monitoring programme to be undertaken; or
- (d) adding or adjusting compliance limits; or
- (e) requiring the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment arising as a result of the exercise of this permit.

for the **Southland Regional Council**

SIGNATURE

...

**Hearing Panel Chair**

**Notes**

1. Island Escape Cruises Limited shall not operate more than one vessel simultaneously in the Fiordland marine area under this or any other permit held by Island Escape Cruises Limited.
2. The applicant must carry three tender vessels on board the main vessel to meet survey requirements, though only two tender vessels may be used in exercise of this consent.
3. The Southland Regional Council Navigation Safety Bylaws 2009 must be followed by the consent holder at all times.



4. (Note: An activity log template can be downloaded from the Council's website at: <http://www.es.govt.nz/document-library/forms-and-fees/Pages/Compliance-forms-and-permits.aspx>)
5. The consent holder shall pay an annual administration and monitoring charge to the Consent Authority, collected in accordance with Section 36 of the Resource Management Act, 1991.
6. The consent holder shall not sell this consent, in whole or in part, or any of the rights, powers and privileges conferred by it, without advising the Consent Authority, and the payment of the transfer charges as determined by the Consent Authority.
7. Neither the issuing of this consent nor anything contained in it shall affect the liability of the consent holder for any injury caused by the exercise of this consent to any vessel or person through any default or neglect of the consent holder.
8. Upon expiry of the period for which the consent is granted, or on any cancellation of the consent, the consent holder shall, if required by the Consent Authority to do so, remove the structure entirely from the site and restore the site to its original condition within three months of the date of expiry, or cancellation. If the consent holder fails to do so, the Consent Authority may cause the structure to be removed and the site restored, and may recover the costs incurred by the removal and restoration from the consent holder.
9. The granting of this consent does not absolve the consent holder from the responsibility to abide by any rule or regulation; nor does it absolve the consent holder from the responsibility to obtain any approval, permit, licence, concession or consent from any other body, including, but not limited to, marine mammal viewing permits issued by the Department of Conservation.

DRAFT