

BEFORE THE SOUTHLAND REGIONAL  
COUNCIL HEARING COMMITTEE

IN THE MATTER OF THE  
RESOURCE MANAGEMENT ACT 1991  
(THE ACT)

AND

IN THE MATTER OF Island Escape Cruises LTD ("THE  
APPLICANT") Coastal Permit APPLICATION

**EVIDENCE OF WILLIAM PATRICK CHISHOLM ON BEHALF OF  
Island Escape Cruises LTD**

Dated this 10th day of October 2016

**1. Introduction:**

1.1 My name is William Patrick Chisholm. I am an Environmental Consultant residing near Christchurch. I have run my own environmental consultancy business - Chisholm Associates, since April 1991. Prior to this I have held ecological survey and management positions with the New Zealand Forest Service (three years) and Department of Conservation (four years).

1.2 I hold a Masters degree with Honours in Zoology from Victoria University of Wellington. I am a member of the New Zealand Ecological Society and the New Zealand Freshwater Sciences Society. I am currently registered as a Certified Environmental Practitioner (CENVP). The CENVP programme is run by the Environment Institute of Australian and New Zealand (EIANZ).

1.3 Over the past 20 years, I have worked for government agencies, State-Owned Enterprises, private companies and individuals; obtaining a wide range of resource consents and other permissions; including land use, water take and discharge consents, Department of Conservation concessions, Environmental Protection Agency permissions and various authorisations under the Fisheries Act. I was a member of the Waitaki Working Party, which in 1993 won a Resource Management Special Award from the Canterbury Regional Council.

1.4 I have visited Fiordland regularly since the mid 1980's, either for work or recreation. I participated in animal and vegetation surveys for the NZ Forest Service and Department of Conservation in The Takahe Special Area, Glainsnock Wilderness Area, Secretary Island, Long Sound and Waitutu. I regularly go deerstalking and trout fishing in Fiordland.

1.5 I have accompanied the MV Island Passage on some of its 5-day charter cruises in the Northern Sounds, providing botanical/wildlife/historic interpretation for passengers, and environmental/consent compliance advice to the crew.

1.6 In my evidence I provide a description of the application, a summary of the assessment of effects on the environment and the consultation which has been carried out during the application process. I also provide comments on the Section 42A Officer's report (the Planner's Report), and its proposed conditions.

1.7 I have read and agreed to comply with the Code of Conduct for Expert Witnesses (Environment Court Practice Note 2014). This evidence is within my area of expertise except where I state that I am relying on facts or information provided by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

## **2. Brief Timeline of events**

2.1 In 2008, Island Escape Cruises Ltd (IECL) applied for a coastal permit to undertake commercial charter cruises in the internal waters of Fiordland from Yates Point to Puyseger Point. This application was notified and a number of submissions received. After a considerable amount of consultation with submitters, IECL decided to reconsider this application and it subsequently lapsed.

2.2 In 2009, IECL applied for a coastal permit to undertake commercial charter cruises in the Southern Sounds of Fiordland from Anxiety Point to Puyseger Point, including Doubtful Sound. Again, this application was notified and a number of submissions received. This application was well-advanced through the consultation process, when a major change in their cruising schedule caused IECL to withdraw the application.

2.3 In 2013, IECL applied for a coastal permit to undertake commercial charter cruises in the Northern Sounds of Fiordland, from Anxiety Point to Yates Point (including Milford Sound). This application was notified and, after considerable consultation with submitters, a coastal permit was granted. IECL has been operating in the Northern Sounds of Fiordland for varying periods since December 2013.

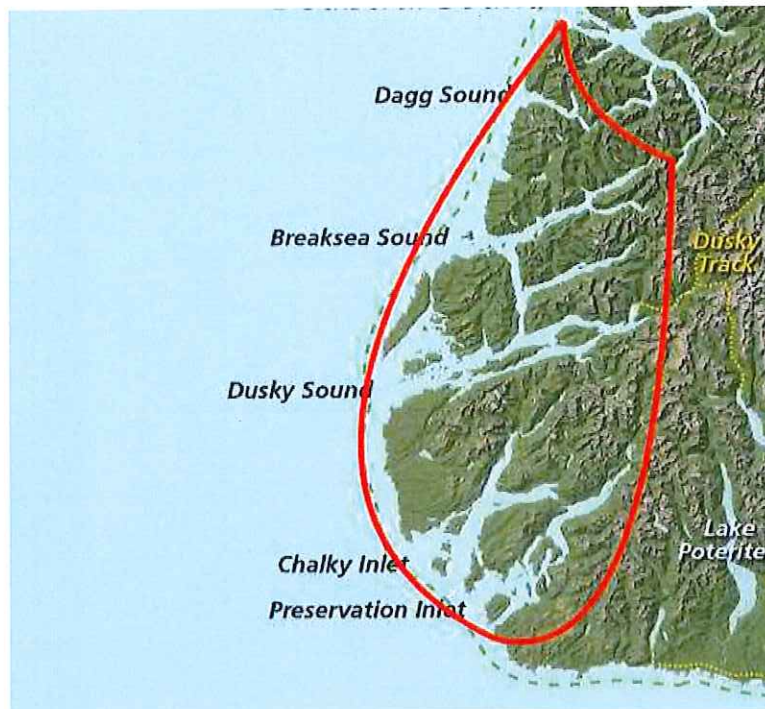
### **3. Description of the Application**

3.1 This application is for one vessel to undertake commercial surface water activities in the inland waters of Southern Fiordland, from Febrero Point to Puysegur Point. The duration of each charter cruise is normally 5-7 days, so the number of trips that could occur is a maximum of 52 per annum. It is not possible to estimate how many trips per annum might be undertaken in any given year, as this is likely to vary depending on future market conditions, as occurs with other consented charter cruise operators in this area.

3.2 IECL's consent for the Northern Sounds of Fiordland is year-round. This application is also for a year-round period. This will allow IECL to maintain a single vessel within the Fiordland region for longer periods. During consultation, concerns were raised about the potential for IECL to operate two vessels in Fiordland under each consent. IECL does not wish to operate more than one vessel in Fiordland.

3.3 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, 6 or 7 nights operating back-to-back from points within the application area. Charters of longer or shorter duration may occur, but IECL does not wish to operate day-trips. Passengers and freight will arrive and depart the vessel by helicopter using the on-board helipad. Rubbish etc will be flown off the vessel on the back-load, as required.

3.4 The consent period applied for is 17 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. The location of the consent is provided in Figure 1 below.



**Figure 1: Location of Application area, which is all coastal waters inside the red line**

3.5 The IECL vessel operating in this area will be one commercial passenger vessel with a maximum registered length of 49 metres and a maximum of 34 passenger capacity, plus 15 crew. IECL's Northern Sounds consent (#302129) allows for the same. The current vessel used in the Northern Sounds is the MV Island Passage, which has a registered length of 42 metres and has a passenger carrying capacity of 24, plus 10 crew.

3.6 As with IECL's Northern Sounds consent (#302129), this application includes provision for operating one crewed tender boat. An additional crewed tender boat is allowed to be used for overseeing kayaking operations. The application includes a maximum of three sea kayaks to be used at any one time.

3.7 Passenger shore visits will occur. The areas visited will depend upon passenger interest, weather conditions and time constraints. Sea fishing from the MV Island Passage and one tender boat may occur.

## 4. Consultation

4.1 The application was publicly notified in June this year. There was no formal public consultation done prior to IECL making this application, as the company had already had been through two public consultation processes for essentially the same activity in the same area in 2008 and 2009, and the Northern Sounds in 2013. The issues identified back then were carefully re-considered by the Assessment of Effects on the Environment (AEE) supplied with the application.

4.2 Kai Tahu (Mr Rewi Anglem of Hokonui Runanga) had been previously consulted about IECL consents for commercial cruising in this area in August 2008. As a result, IECL has been provided with knowledge of the issues and protocols relating to charter cruise operations in this area.

4.3 Twelve submissions to this application were received. Of these, two were in support of the application and three were neutral. Of the submissions in opposition, one has subsequently withdrawn their right to be heard (Forest & Bird). I will address the issues raised in submissions later in my evidence. All submitters neutral or in opposition to the application, who wish to be heard, are trade competitors. I contacted each of these by email and telephone, and have maintained a dialogue up until the present. The outcomes of consultation are as follows:

4.4 **Nigel David Lamb:** Mr Lamb's submission is neutral on the application. His concern relates to the cumulative effects of commercial vessels operating in Fiordland, and asks "... at what point does Environment Southland consider that limits have been reached". I address this issue in Section 7 of my evidence. I contacted Mr Lamb by email on 17<sup>th</sup> July and discussed his concerns on the phone shortly afterwards. Mr Lamb stressed his concerns about cumulative effects, but noted that his submission was neutral, and said that he wished to

highlight this issue with Environment Southland. I sent a follow-up email to Mr Lamb on 17<sup>th</sup> August, inviting him to discuss the issues further, with a view to withdrawing his right to be heard. After a number of attempts, on 5<sup>th</sup> September I managed to contact Mr Lamb by phone, and asked if he was interested in further consultation. I then emailed Mr Lamb on 7<sup>th</sup> September asking to meet and discuss his concerns further. I received a reply that Mr Lamb will get back to me to discuss further. By the 23<sup>rd</sup> September this had not happened.

**4.5 Richard Abernethy:** I emailed Mr Abernethy on 18<sup>th</sup> July, inviting him to contact me to discuss his issues. I had received no response by 17<sup>th</sup> August, so I emailed him again. An email response was received, stating that he was very busy but would make some time to discuss. I received no further communication until I rang Fiordland Expeditions on 29<sup>th</sup> August and was told that he was on holiday for three weeks. I emailed on 7<sup>th</sup> September and got a reply that he would be back on the 18<sup>th</sup> September but he was "very busy with several matters of equal importance on my return." On 13<sup>th</sup> September, after we had been unable to organise a meeting, Mr Abernethy stated that he was " ... *happy to wait for a hearing at this stage.*" I have received no further communication from Mr Abernethy.

**4.6 Paul Norris:** I have been in contact with Mr Norris throughout the last three months. His principal concern was that it appeared that IECL might be able to operate two vessels in Fiordland, under the separate Northern and Southern Sounds consents. I was able to reassure Mr Norris that IECL intended to operate only one vessel, and offered to recommend a condition to that effect. This outcome has been forwarded to Environment Southland, and has been inserted as a note to the proposed conditions.

**4.7 Leanne and Steven Fishburn, and Thomas Albert Fishburn.** An email message was sent to the Fishburns on 21 July, inviting them to discuss their concerns. After no response was received, I tried ringing them on 25<sup>th</sup> August

(left message), 29<sup>th</sup> August and 6<sup>th</sup> September. On 6<sup>th</sup> September I managed to reach Thomas Fishburn on the phone. He said that they were very busy at sea at this time. I emailed the Fishburns on 7<sup>th</sup> September, offering to meet with them to discuss their concerns. Thomas Fishburn responded on 8<sup>th</sup> September, stating they would get back to me with a date to meet up. I have had no further contact.

**4.8 Colin Stevenson.** An email message was sent on 18 July, inviting Mr Stevenson to discuss his concerns. After no response, I managed to reach Mr Stevenson by phone on the 25<sup>th</sup> August. Mr Stevenson was mainly concerned about overfishing in Preservation Inlet, which is where his "Kisbee Lodge" is located. Discussions about the possibility of fishing restrictions were held, but no resolution was found. I emailed Mr Stevenson on the 25<sup>th</sup> August and again on the 7<sup>th</sup> September, but have received no response.

**4.9 Chris Lemin:** I emailed Mr Lemin on the 18<sup>th</sup> July, inviting him to discuss his concerns. I received no response, so on the 17<sup>th</sup> August I again emailed Mr Lemin. I received a response saying that Mr Lemin was away in Fiordland and would contact me when he got back. On 25<sup>th</sup> August I rang Mr Lemin and was told he was still away but he would get back to me. I finally reached Mr Lemin by phone a few days later. It became apparent to me that it would be best to personally discuss the issues, and on 7<sup>th</sup> September I emailed Mr Lemin and offered to meet with him. No further communication has been received.

**4.10** In summary, every effort to consult with parties in opposition to the application (who wish to be heard) has been made. I note that all submitters in opposition are trade competitors. Others who had opposed our previous 2007 and 2008 consent applications (e.g. Department of Conservation, Southland Conservation Board) have not submitted or are neutral and have not requested to be heard. One firm outcome of consultation has been achieved. This is a recommendation that IECL be limited to one vessel operating in Fiordland at any



one time. Environment Southland has been notified of this outcome and it now appears as a note to the proposed conditions.

## **5. Positive effects on the environment**

5.1 There are benefits to the local and regional communities and their economic well-being. This application will provide an increased capacity and increased choice of vessel for tourists visiting the area. There are benefits to ancillary tourist operators (e.g. helicopter operators) and tourism service industries in the District. There is also an additional safety feature for private travellers in Fiordland: The presence of a fully equipped vessel with a helicopter landing pad can assist search and rescue capabilities in the area.

5.2 The economic benefits to the Te Anau/Manapouri community 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. This equates to an overall increase in confidence for businesses to invest in the District, and upgrading their operations. The additional IECL spend for services from the Te Anau/Manapouri area (including helicopter flights) is estimated at \$35,000 per week. This is separate to the spend by individual passengers while they are in transit through Queenstown, Te Anau and Manapouri.

5.3 There is a positive benefit to the environment through providing a high quality, low risk opportunity for aged and infirm people to experience Fiordland. In my experience from talking with passengers, the only other way they can experience this area with the same degree of safety and comfort is to hire an aircraft and fly over it. This is borne out by the recent publicity about glacier landings in the Park near Milford Sound. This shows that demand for aerial viewing and landing in the Park is rapidly increasing. IECL's operation reduces

the potential demand for aerial over-flights and landings in the Park. This reduces the potential for aircraft activity intruding on the wilderness values of the Park. It also reduces the need for more visits to the area by private boats, as those wishing to visit the area have improved access to the area via a charter cruise. The potential adverse effects of more private vessels in the area, which are not as strictly regulated as commercial charter vessels, are therefore lessened.

## **6. Biosecurity.**

6.1 As with IECL's Northern Sounds consent, it is proposed that the same biosecurity provisions apply to this consent. Conditions on IECL's Northern Sounds consent require checking the hull prior to entering Fiordland waters on each occasion, and again 6 weeks thereafter.

6.2 These biosecurity conditions have been in operation for the last three years. I consider them suitable for the Southern Sounds as well.

6.3 IECL is aware of the "Fiordland Pathways" initiative currently being considered by Environment Southland, in conjunction with the Fiordland Marine Guardians and others. IECL submitted in support for the Fiordland Pathways proposal for Fiordland-bound vessels to obtain a clean gear certificate, and will comply with any new biosecurity regulations which result from their deliberations.

6.4 Freshwater biosecurity is also an issue, especially as IECL occasionally hosts keen fly fishermen wishing to fish for trout in the western rivers and estuaries. This has implications for the spread of didymo through the Park. IECL has obtained permission to become a didymo cleaning station so that all passengers can be vetted and cleaned from any potential didymo (and other freshwater pests).

## **7. Natural Character, visual amenity and wilderness values**

7.1 It is recognised that there are potential effects of commercial charter vessels (and recreational vessels) on the wider public who use the coastal marine areas of Fiordland. This is mentioned as a key effect by most submitters, and includes the cumulative effect of additional commercial boats operating in Fiordland.

7.2 There is a paucity of robust information available on this topic for the Southern Sounds. However, the evidence to the Environment Court provided by Mr Alan Rackham, a landscape architect, on these effects in Doubtful Sound provides information of the effects of commercial charter vessels on these values. No similar analysis of the Southern Sounds is available, but for the purposes of my assessment I have assumed that the effects would be similar to Doubtful Sound.

7.3 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.*

7.4 Mr Rackham considered potential effects of commercial boating activity on 'landscape' issues to include: "*the introduction of litter or other undesirable flotsam and jetsam...*". Section 8 of my evidence provides information on how this effect will be avoided by IECL.

7.5 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."*

7.6 Regarding the size and colour of the boat, the MV Island Passage is at the larger end of the scale of charter boats operating in this area. However, the vessel is less than 50 metres long and has a low silhouette. The 49 metre restriction on the registered length of the vessel operating under this consent will mitigate this effect of visual intrusion. Such a vessel is considerably smaller than the larger cruise ships that visit the inland waters of Fiordland each summer. The colour of the IECL vessel is dark blue, and is similar to some other charter cruise boats operating in this area (e.g. Real Journeys Ltd). The tender boats and kayaks are considerably smaller than the main vessel, and are less likely to be noticed.

7.7 Regarding noise, lights (particularly at night), smells from the boat (eg. fuel) etc, these effects are discussed in Section 8 of my evidence.

7.8 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 fishing vessels, and (in the case of Supper Cove) recreational trampers.

7.9 The temporary presence of boats such as the MV Island Passage and the tender boats can adversely affect 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.

7.10 With regard to cumulative effects, Mr Rackham looked into this issue for commercial charter vessels operating in Doubtful Sound, where the number of commercial charter vessel trips is greater than the Southern Sounds. Mr Rackham concluded that to avoid or mitigate the cumulative effects of increased commercial activity in this area, it was appropriate for Council to restrict the level of use in some areas to maintain landscape values. Such restrictions have been applied to parts of Doubtful Sound, which is consistent with Mr Rackham's recommendations. No restrictions have yet been placed on the Southern Sounds. In my opinion, if there were problems with cumulative effects on landscape values in the application area, then Council has the ability to address these through placing restrictions on the number of commercial vessels operating via their planning process. This is a more strategic and comprehensive way of managing cumulative effects than one-off decisions on individual consent applications or renewals.

7.11 I am, however, mindful of the (albeit temporary) effect on landscape values (i.e. natural character, visual amenity and wilderness values) of an IECL vessel operating in the Southern Sounds. IECL proposes to mitigate this effect as follows:

- No overnight camping out or use of huts will be undertaken by passengers.
- Where other recreational users are encountered, the IECL vessel and passengers will avoid interaction and give 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 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 IECL vessel 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 launched in Supper Cove.

## **8. Other Effects**

**8.1 Marine mammals and seabirds.** The 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).

8.2 This application also excludes interacting with penguins or other sea birds.

To avoid breeding fur seals, IECL has proposed a condition as follows:

**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.**

8.3, IECL has also developed a Code of Practice which provides measures to prevent adverse interactions with marine mammals and sea birds. Article 5 of this Code of Practice states:

**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.**

8.4 **Boat Wakes.** Disturbance of the seabed and shoreline can occur through boat wakes and propeller washes, especially in estuarine areas and shallow waters. The IECL 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.

8.5 **Rubbish.** All boat waste is stored on-board, and flown off the vessel on a helicopter backload, where it will be disposed of by Southern Lakes Helicopters Ltd. The vessel has capacity to store rubbish on-board for over three weeks. As charter cruises are for 5-7 nights, on-board rubbish storage is not expected to be a problem.

8.6 A Garbage Waste Management section of the IECL Safe Ship Management Manual is in operation. It is IECL policy to exceed 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.

8.7 The galley has a hard waste compactor. All hard waste is recorded in the Garbage management folder prior to removal. All recyclable cardboard, glass and plastics are set aside for recycling. These are recorded in the Garbage management folder. Passengers are briefed on the correct disposal of garbage onboard, and on-shore.

**8.8 Hazardous substances.** Hazardous chemicals are stored on board in banded compartments. Any spillage from containers is confined to these compartments, and cannot escape from the vessel. 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.

**8.9 Oil spills.** Oil spill contingency and management procedures are provided in the Safe Ship Management Manual. The submission from Real Journeys Ltd mentions that no fuel spill equipment is proposed to be carried on board, to "mop up minor spills" from activities such as refuelling tender vessels. IECL's Safe Ship Management Manual outlines procedures for managing fuel spills through its shipboard marine oil spill contingency plan and checklist. This includes soaking up any spill with sand or absorbent material, and placing oil-soaked material in a secure container for disposal ashore. Ideally "minor spills" should not be generated in the first place. The Safe Ship Management Manual includes a "refuelling procedure checklist" designed to minimize the chance of any spillage while refueling the tender boats. The Manual also contains procedures for the management of oily bilge water to prevent spillage. 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".

**8.10 Noise.** Noise readings of the MV Island Passage have recently been measured and assessed in Tahiti. A copy of the report is appended to my evidence. The data show that at 5 metres, the noise readings from the MV Island Passage are within the Regional Coastal Plan guidelines for noise from vessels operating within the Fiordland Sounds (should not exceed 90 dBA at 25 metres). Any new vessel will have these limitations included in its building



specifications. Noise readings from the tender boats are also within these guidelines, and the same specifications will apply to any new tender boats.

**8.11 Sewage management.** IECL's present sewage treatment system (for the MV Island Passage) is a Haman system which makes it Grade A. Any replacement vessel would also be Grade A. The MV Island Passage has a 14,000 litre holding tank, which can retain treated sewage for at least 2 weeks, depending on the number of passengers and crew on board. Currently, for the Northern Sounds operation, treated sewage is not discharged in the internal waters of Fiordland, as defined in the Regional Coastal Plan (i.e. within 2 kms of the outer coast and all internal waterways). Discharge occurs outside the sounds, well beyond the 2 km limit. 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.

**8.12 Other effects.** Bright lights, flashing lights, strobe or party lights etc are not used by IECL, except those required for navigational safety purposes.

## **9. S 42A Report and proposed conditions**

9.1 The S 42A Report (the Report) accurately describes the application and its effects on the environment.

9.2 I agree with the Report's analyses of national and regional planning requirements and its assessment of effects. I believe that the Report's proposed conditions will avoid or mitigate any adverse effects of this activity to the extent that they are no more than minor, with one exception. That is the Report's proposed Condition 7, which prohibits anchoring in a number of areas for what would appear to be safety reasons (outlined on page 27 of the Report).

9.3 The Report (page 27) continues that the applicant may be able to provide information which would clarify whether the vessel is able to use the anchorages listed in Condition 7. Mr Henderson provides this clarification in his evidence.

9.4 I would like to explain why the application provided an indicative list of anchoring sites. This was to identify areas where anchoring may cause adverse environmental effects. It was not intended to identify areas which might or might not be safe to anchor. That should always be at the discretion of the vessel's skipper.

9.5 Conditions 8, 9 and 10 provide no-anchoring sites on the basis of avoiding adverse environmental effects. These are entirely appropriate. However, Condition 7 could have the effect of reducing vessel safety, and therefore should be deleted.

## **10. Summary**

10.1 IECL has been operating charter cruises in the Northern Sounds of Fiordland since December 2013. This is the third time that IECL has applied for consent to undertake commercial charter cruises in the Southern Sounds. In doing so, IECL has a full appreciation of the operational and environmental issues relating to this activity.

10.2 In preparing the assessment of effects on the environment, I have attempted to identify and analyse the actual and potential effects, consult with submitters and suggest conditions which would avoid or mitigate any adverse effects. I believe the issue of cumulative effects is best managed through the wider planning process. There are some positive effects of undertaking this activity as well.

10.3 In my opinion, the S 42A Report provides an accurate assessment of the planning and environmental issues relating to the application. Proposed condition 7 should be deleted, and Mr Bissett will explain two other minor corrections needed. Otherwise, I believe that the proposed conditions will ensure compliance with national and regional planning requirements, and adverse effects are avoided, remedied and mitigated to the point where they are no more than minor.

William Patrick Chisholm

10 October 2016