

Application for Resource Consent (PART A)

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



**environment
SOUTHLAND**
Te Taino Tonga

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

Paid
\$1350.00
chg



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 Preferred (09) 358 1717 Additional Fax: (09) 358 1564

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:

Land Use	Discharge	Coastal
<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	Water	<input type="checkbox"/> Disturb foreshore/seabed
<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/seabed
<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:

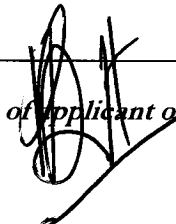
- (a) *If your application does not contain the necessary information and the appropriate fee, Environment Southland must return the application.*
- (b) *Council cannot accept electronic lodgement of applications at this time.*

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.

3881564



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

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.

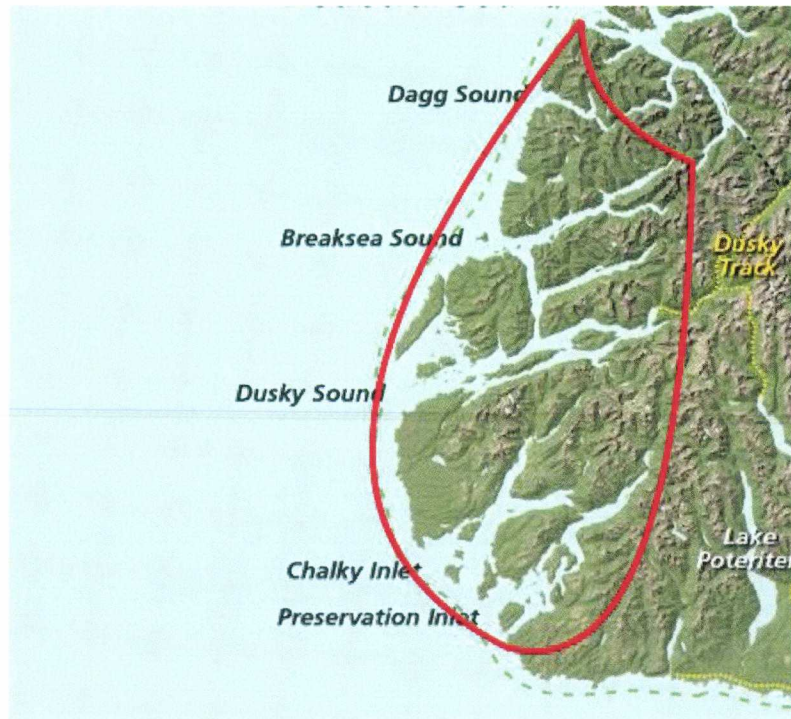
The purpose of this application is to undertake commercial multi-night charter cruises by a commercial vessel of up to 49 metres registered length in the inland coastal waters of Fiordland, from Febrero Point to Puysegur Point. The activity is undertaken in the marine and coastal area. A concession from 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 9th 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 Fiords 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

31 March

30 April

30 June

31 July

30 September

31 October

31 December

31 January

- **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.

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.)

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".

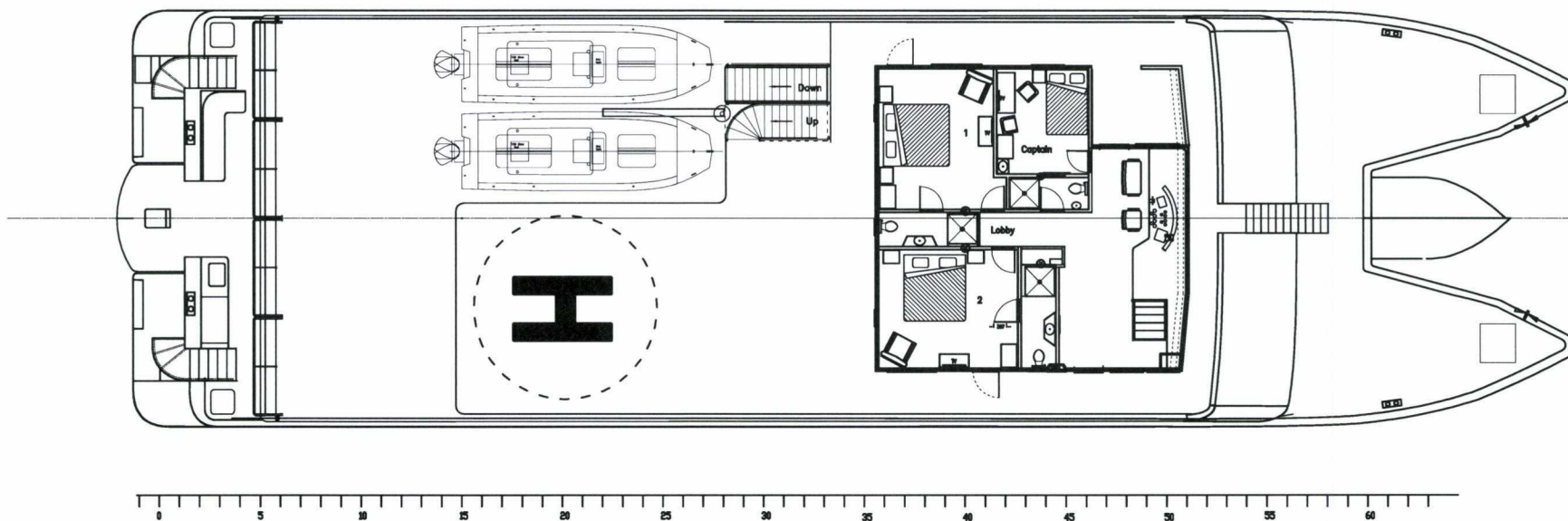
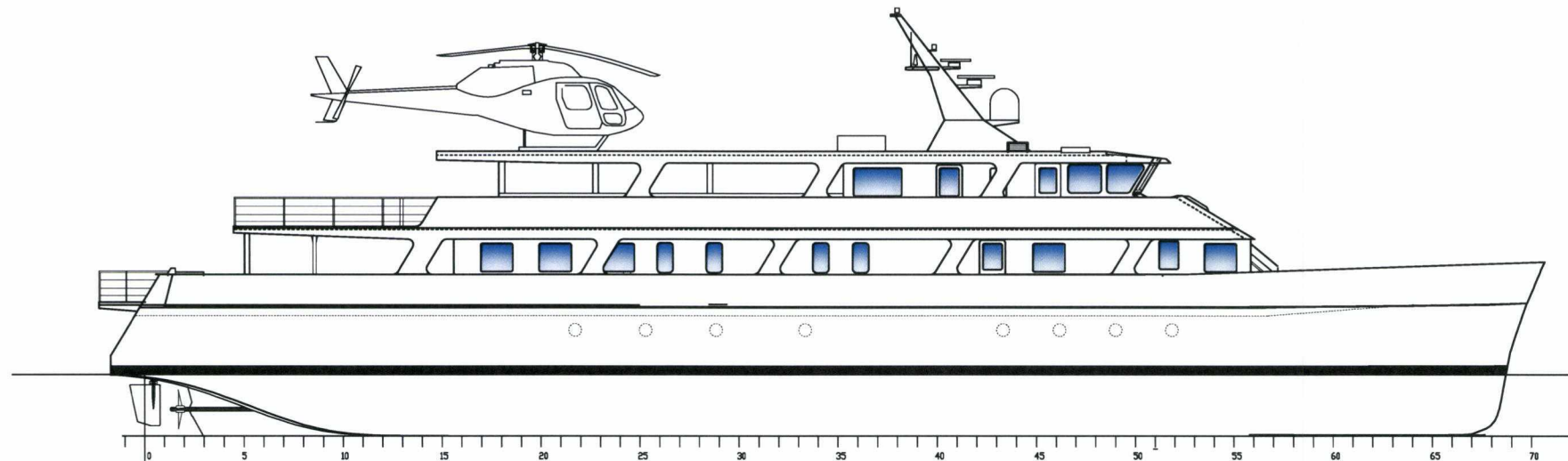
This Rule shall not apply to:

- (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 539
Havelock
New Zealand
Ph: 64-3-946-8844
Fax: 64-3-946-8818
email: mcbriedesign@clear.net.nz



ISLAND PASSAGE

Revisions:

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Design No: D355

Sheet No: 355-GA 201f

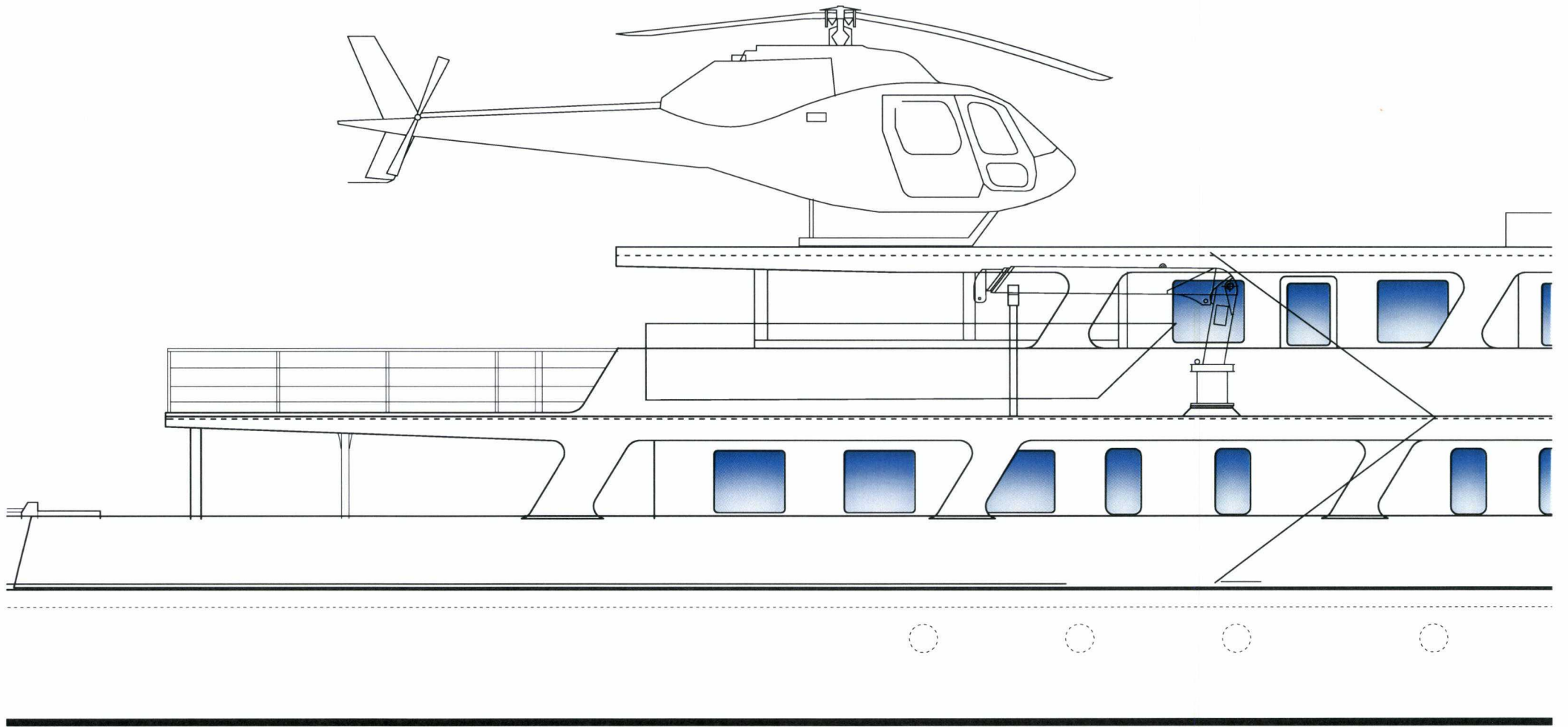
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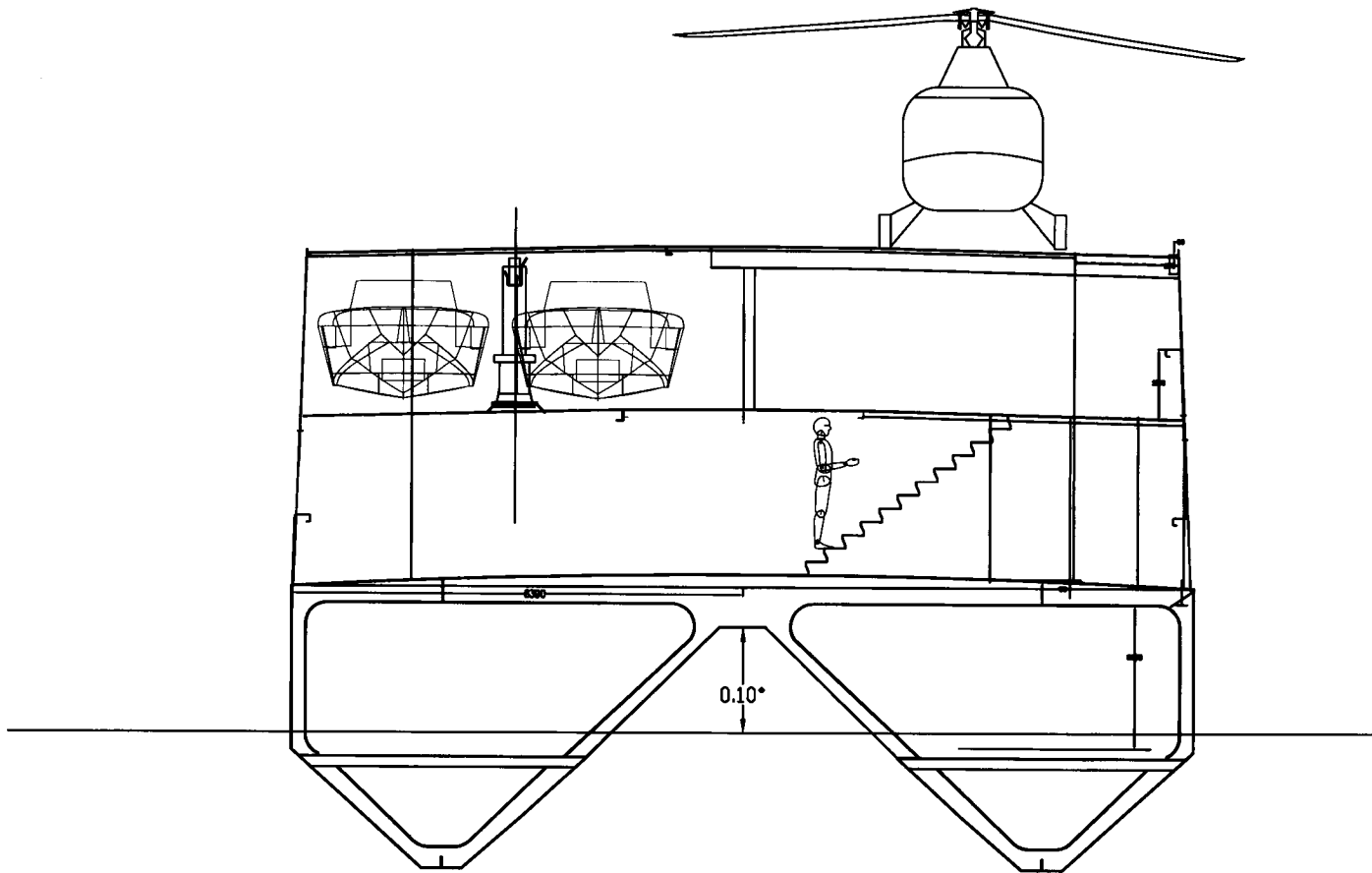
Date: April 2016

Drawn by:

1/100

Title: Upper deck and outboard profile





Oops, that was 0.1 of a degree!!!