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19 June 2020

The Consents Manager
Environment Southland
Private Bag 90116
Invercargill 9840



Dear Sir/Madam,

Fiordland Cruises Limited

Application for a new coastal permit for a commercial surface water activity to undertake day trips, Doubtful Sound/ Patea, Fiordland.

1. Introduction

Please find attached an application on behalf of Fiordland Cruises Ltd (referred to as "Fiordland Cruises") for a new resource consent to undertake a commercial surface water activity on the internal waters of Fiordland. The application seeks consent to undertake commercial day trips in the coastal marine area adjacent to Fiordland National Park within Doubtful/ Patea and Thompson Sounds.

The activity is non-complying activity under Rule 16.2.1(2) of the Regional Coastal Plan for Southland (RCP).

Consent is sought for a term of 15 years.

The applicant is seeking a new resource consent to undertake day trips from Deep Cove, Doubtful Sound/Patea. The applicant is proposing to undertake one trip per day using a 20 metre (registered length) vessel for up to 40 passengers. The applicant will be using an existing vessel that has been operating within Doubtful Sound/ Patea for the past 10 years.

Recently, following adverse weather events in the Fiordland area, Fiordland Cruises was granted a variation to its current consent (AUTH-201108) to undertake day trips in Doubtful Sound/Patea. The provision for these day trips expires on the 30 June 2020. This application is to obtain a longer term consent to operate day trips in Doubtful Sound on a year round basis.

The vessel that will be used to exercise this consent is owned by the applicant and is currently used for the purpose of undertaking backcountry charter trips. Further details about the vessel are provided in more detail below. Any vessel operating under this consent will have to comply with all the conditions set out in the consent. The vessel is also MOSS certified with Maritime NZ.

A copy of the statutory application form and the Part B form are appended.

2. Background

The information that follows sets out the tourism interests of the Tauri family who own Fiordland Cruises Ltd. It puts this application in context and demonstrates their commitment to the Fiordland area. The families interests are varied and long standing, and the activities in Doubtful Sound are of particular significance. With the potential changes to tourism that are likely in the short and medium terms, Fiordland Cruises wishes to stay relevant and provide the experiences that its clients are seeking.

As well as the short term consent for day trips, Fiordland Cruises currently holds a coastal permit authorising commercial surface water activity to undertake back county trips within Doubtful Sound/Patea under consent AUTH-201180. The operation of that vessel and its associated resource consent are not the subject of this application.

The Tauri family, who own and operate Fiordland Cruises Ltd, have been operating within Fiordland tourism industry since the 1960's. Their involvement within the tourism industry covers a number of activities such as accommodation, road transport, guiding, kayaking and boat cruises, which allows them to fully cater for their guests. The all-encompassing approach allows visitors to become fully immersed in the Fiordland experience with Tauri family sharing their favourite Fiordland locations.

In Doubtful Sound, the Tauri's businesses cater for a wide range of visitors by being able to offer day trips for the not so adventurous, overnight trips for those who want more, and kayaking trips for those who are more able.

While they operate throughout Fiordland, Doubtful Sound/Patea is the place they are most interested in after enjoying frequent cruises with Cliff Barnes in the 1970's on the *Waverley*, which they later purchased, along with Fiordland Cruises. Clint's father also resided and worked at Blanket Bay as a retiree loading lobsters for a few seasons.

In addition to tourism activities, the Tauri family are also involved with undertaking biodiversity work related to habitat restoration and predator control in the Bauza Island area to provide habitat for threatened native bird species such as the Tieke/Saddleback.

In terms of day to day operations for the Tauri's wider tourism business, transport is provided for guests from Te Anau to Manapouri with a guide/driver in their own buses. The relevant permissions are held to transport passengers over Lake Manapouri, with their own buses available to transport passengers over the Wilmot Pass. The company has its own wharf and mooring infrastructure that are already in place at Deep Cove to operate its vessels from. Currently the consents allow the operation of two vessels, which they may extend to a third in the future pending on the obtaining of relevant consents. The operation of three vessels will complement the whole operation as the current market demands smaller group tours and reduced fares.

Fiordland Cruises Ltd prides themselves on being able to cater for smaller groups of visitors and provide a more personalised experience that the larger operator in this area is unable to provide. In order to provide the best experience for their visitors and maintain the feeling of remoteness in areas of significant infrastructure within West Arm and Deep Cove, they intentionally plan their trips to avoid these areas at the same time as larger companies to reduce excessive crowding. The proposed day trips will also allow for more time to be spent on the vessel exploring the fiords when compared to other day trip operators in the area.

Currently there are no small operators offering day trips within Doubtful Sound/Patea as proposed in the application. The proposal's scale and purpose are significantly different to what is currently available and provides an alternative option for visitors to the area.

3. Description of Activity

Fiordland Cruises is applying for a consent that enables a vessel to be used to take day trips within Doubtful and Thompson Sounds.

As mentioned above, Fiordland Cruises, at present, are temporarily permitted to undertake day trips under its current coastal permit, granted by way of an amendment. The commercial day trip activity consists of regularly scheduled scenic boat tours. The proposed tours will only occur within Hall Arm, Crooked Arm east of Turn Point, Doubtful and Thompson Sounds, with no day tour visiting any other areas of Fiordland.

The trips will be consistent with what is currently authorised by the existing consent in terms of day trips but will be longer in duration. There is no requirement for overnight trips as part of this application. It is proposed that one day trip will be undertaken on each day of the month, with trips being offered all year round.

The day trips will all commence from and return to Deep Cove. They will be a sightseeing cruise of approximately 3-6 hours that will travel down Doubtful Sound/ Patea via Malaspina Reach, venturing into Thompson Sound. Various points of interest will be visited along the way, before returning to Deep Cove.

Fiordland Cruises are not aware of any vessels undertaking day trips in Thompson Sound, however, do see overnight vessels and cruise ships in this area occasionally. Other day trip operators generally only go halfway into Hall and Crooked Arms, to Malaspina Reach, through The Gut and around Bauza Island before sailing through the Patea passage on their way back to Deep Cove.

The vessel is purpose built for undertaking scenic cruises. It is 20 metres in length and is capable of taking 40 passengers, plus crew, on each trip and is currently part of the Fiordland Cruises fleet, having been operating in Doubtful Sound/ Patea for the past 10 years. The vessel is of a similar type and size when compared to other charter boats that operate in the wider Fiordland area and will hold the appropriate MOSS certification from Maritime New Zealand. There will be a 3 metre inflatable rescue craft on board that is to be used as a tender. The tender will be used for shore visits for up to 12 people as per DOC concessions, and for rescue operations.

The vessel has approximately 1000 litres of wastewater storage onboard, with the wastewater being discharged to water in line with the rules set out in the Resource Management (Marine Pollution) Regulations 1991 or into the wastewater system at the Deep Cove Hostel. The vessel has recently had new plastic tanks installed with a new maserator pump. All solid waste such as rubbish and recycling are taken off-board when the vessel is in port for disposal at appropriate land based facilities.

There is fuel onboard in the fuel tanks, and in small fuel containers for the refuelling of the tender vessel if required. No other hazardous substances are stored onboard.

When the vessel is not in use, it will be moored in Deep Cove at a consented wharf/floating pontoon used for all Fiordland Cruises vessels operating in this area.

No drones will be operated from the vessel by the applicants or passengers on the vessel.

4. Consideration of actual and potential effects on the environment

4.1 Overview

The most significant impact on the environment of this activity is visual, which affects the natural character of the exceptional landscapes in the Fiordland area. There are additional potential effects such as damage or disturbance to significant habitats of indigenous fauna, wake effects from the movement of the vessel, amenity values, in particular noise, wilderness and remoteness values, and the risk of an incident resulting in fuel spillage, but, in this case, they are more minor in comparison. The positive benefit to this activity is enhanced public access to a remote area and economic return, both regionally and nationally.

This effects assessment is limited by the lack of analysis and reporting on the current level of activity in Doubtful Sound, and by a timely review of the RCP. The limits set for discretionary commercial surface water activities in the area in the RCP were a first attempt to control and limit development when the first draft of the Plan was notified in the mid 1990s. New Zealand tourism has grown and changed in that time and tourist operators are adapting to meet visitors' expectations.

In regard to day trips, the number available limits the ability of operators to provide a variety of experiences, particularly when most of are held by one operator. This application is made on the basis that there is scope for additional trips over and above what is currently allowed as discretionary, and it is necessary to balance the demand for access to Fiordland as well as providing options when adverse events occur. It is also made on the basis that they can occur without detracting from the experience that can be enjoyed in this relatively remote area.

4.2 Impact on Landscape and Natural Character

The area of Southland's coastline where the activities are going to occur has a naturalness rating of '5' (highest possible rating) in the Coastal Landscape Assessment in the RCP. No specific description of the "Fiords" section of the coastline is provided but in regard to the area from Awarua Point to Big River, the RCP states in Section 3.2:

"The entire coastline from Awarua Point to Big River is virtually unmodified by people and as such, it has extremely high value when measured in terms of natural character. Together with the extremely high natural character of the adjoining land, the natural character of the

coastline and coastal waters creates a coastal environment of outstanding and unparalleled quality internationally.

...

Even in Milford Sound, where some reclamation has occurred to provide parking and wharf facilities, and where up to 2,000 people per day traverse the Sound by boat or aircraft, the immensity and naturalness of the landscape is sufficient to produce a feeling of isolation and remoteness in most people.

The diversion of freshwater from Lake Manapouri via the Manapouri Hydro-Electric power scheme into Doubtful Sound has little visual impact on the naturalness of the area, landscape experience or amenity values."

A specialist landscape assessment was not considered necessary to support this application because it was unlikely to add any new information. It is accepted that Fiordland is an area with outstanding natural landscapes and outstanding natural character, with a number of outstanding natural features. Adding vessels to the area introduces a non-natural element but it does enable public access with minimal impact. There is no physical change to the landscape and the effects are reversible, i.e. when the vessel leaves, the effect stops.

The issue is the ability of this environment to "absorb" the level of activity proposed and the information to assess that is not available. As a regular user of Doubtful Sound with its backcountry trips, Fiordland Cruises considers that there is capacity for additional activity that will not significantly detract from the natural character to the extent that it is no longer outstanding. This view is based on the type of vessels that Fiordland Cruises proposes to use, the scale of the environment and the overall area of the Doubtful/Thompson Sound complex.

This point is discussed further in Section 5 below in regard to the relevant statutory documents.

The wider area of Fiordland is regularly used by fishermen, both recreational and commercial, and commercial tourist operators, but not in significant numbers. Although not common, the presence of any vessel is not unexpected in this area and is an accepted means of access as the vessels leave no trace of their visit after leaving. Larger cruise ships have limited access to some areas and are regular visitors to Fiordland but none are based there.

With the recent weather events that disrupted access to Milford Sound/Piopirotahi, demand increased in Deep Cove and Doubtful Sound/Patea as an alternative for visitors to experience the

wilderness values Fiordland is known for. The circumstances were exceptional, hence the decision by the Council to consent some temporary additional activity.

Despite the presence of vessels and the occasional mooring, the area away from Milford Sound and Deep Cove (the only locations accessible by road) is very remote, with little evidence of development. The Fiords are of differing lengths, but are generally many kilometres long, with various arms and coves stretching the length of the sounds. Except for the larger sounds at the coastal end, the lines of sight are reasonably short so vessels in the same general area may not be visible to each other.

When compared to Milford Sound/Piopirotahi, where there is a greater level of development and a higher number of vessels operating, Doubtful Sound/Patea has a lower level of activity, but a reduced sense of “busyness” about it. However, if vessels were to operate in the same area, the landscape is of such immensity that it still dominates the vistas and overall impression of the environment. The main reaches of Doubtful and Thompson Sounds are, for the most part, at least 1 km wide, so it is possible for passing vessels to maintain a good separation distance and not unduly impact on each other. This separation is helped by the fact that the vessels go outward on one side of the Sound and return on the other.

Vessel operators generally communicate with each other to avoid being in the same area at the same time whenever possible. However, while not as busy as Milford Sound/Piopirotahi, Doubtful Sound/Patea is busier than the sounds that do not have access by road and are more remote.

The frequency of vessel movements in the proposed areas is relatively low compared to Milford Sound as it is more remote, however, it does experience an increased level of activity over the summer months. While encounters with other vessels do occur on most trips within the Sound, they will not be regular or frequent. It is possible there may be times where no other vessels are encountered during a trip, however it is not an expectation. Cumulative effects are still considered to be low.

The RCP has only placed limits on the level of discretionary activity in Doubtful Sound/Patea but the Plan does provide for the right of any vessel to navigate to and from the services provided in Deep Cove. Limits have not been placed on consents for activities similar to this proposal outside of Doubtful Sound/Patea unless the application is only for a specified number of trips or period of the year. In this case, there is a physical limit to the number of trips that can be carried out, particularly as the trip involves crossing Lake Manapouri first, however demand is usually what actually limits activity.

Unless the vessel is out of the Fiordland area for survey or maintenance work, it will always be somewhere in that area, either undertaking trips or between trips and will be having some impact on landscape and natural character values. Arguably, the effects may be less in Deep Cove or Milford Sound/Piopiotahi than in more remote areas due to the higher levels of activity.

Fiordland Cruises operate its own vessels across the lake from Manapouri to West Arm, and busses for travel over the Wilmot Pass. It also has its two of its own wharves and an additional berth, providing space for up to three vessels at Deep Cove, which means any congestion around the use of the Meridian wharf is avoided. It is the company's intention to operate these day trips during times outside the scheduled times of larger operators in these areas to ensure all of their visitors get the best experience possible and avoid congestion at Deep Cove.

The proposed day trips will be undertaken in areas of Doubtful Sound/Patea where there is a relatively low concentration of vessels operating. The dominance of the landscape within this area of the fiords is significant, particularly when compared to the size of the vessel. Based on the low impact of the vessel within these landscapes and the lack of any tangible evidence of a vessel's visit to areas within the Sounds, the impact of the commercial surface water activity on the landscape and natural character of the area is assessed as no more than minor.

The assessment is on the basis that all day trips are being used but that will only occur over the busiest months, typically November to February. For much of the year, the day trip allocation is under utilised.

4.3 Impact on significant habitats of indigenous fauna

The following information about marine mammals and birds in the coastal area adjacent to Fiordland is taken from the RCP:

Fur seal colonies are common along the outer coast with several other significant colonies located on rocky shorelines or islands within fiord entrances.

The bottlenose, common and dusky dolphins can be found throughout the area. Leopard seals, elephant seals, killer whales, Southern Right whales and humpback and sperm whales can also be seen around the coastline.

Fiordland crested penguins (believed to be the world's rarest penguin), can also be found in small numbers throughout the fiord system.

The fiords are the habitat of several endangered, vulnerable, rare and threatened bird species including some that use tidal areas at fiord heads and at river mouths, for example, the blue duck and brown teal, reef heron, white heron and variable oyster catcher. The South Island Saddleback (endangered) is found on Breaksea Island, which is rat and mustelid free. Wairaki (the Outer Gilbert Islands) appear to be free of both rats and mustelids but some of these islands are vulnerable to mustelid invasion. Hawea (the Inner Gilbert Islands) are not rat free. Chalky Island in Chalky Inlet is rat free but has mustelids, and Entry Island has stoats but no rats.

In regard to ecosystems generally, the Plan states as follows:

The vegetative cover of the catchments of the fiords has been minimally modified. The underwater biological communities of the fiord rock wall do not occur elsewhere along the coast of New Zealand, nor do they occur in fiords in other parts of the world. The uniqueness is brought about by the combination of climate, topography, hydrology, oceanography, vegetation and larval recruitment environment. The biological communities within the fiords require a complex set of environmental conditions for their survival and this is dependent on the preservation of the entire ecosystem. They are, therefore, highly susceptible to changing conditions.

The unique nature of the fiord ecosystems is recognised with its inclusion in the Te Waipounamu - South West New Zealand World Heritage Area. This status, along with the sensitivity of the environment in the fiords is acknowledged by the applicant. The advice and information provided by the Fiordland Marine Guardians, which draws on information from other relevant bodies such as Department of Conservation, Ministry of Fisheries and Environment Southland, will be used to avoid impacts wherever possible. Clients on the vessel operating under this consent will be made aware of the information and their obligations when enjoying this environment.

The Doubtful Sound/ Patea complex is home to a number of native marine mammals such as Fiordland Crested Penguins, Southern Fur Seals and a population of Bottle Nosed Dolphins that are unique to the Fiordland area. The Department of Conservation has produced a Marine Mammal Code of Practice that outlines measures to be undertaken by vessel operators when encountering marine mammals. These measures include no disrupting the normal movement or behaviours of

marine mammals, particularly dolphins, with clear instructions as to any encounters being left to chance and on the terms of the animals.

Fiordland Cruises Ltd is familiar with the requirements of the Marine Mammal Code of Practice, ensuring it adheres strictly to its requirements. The company also holds the viewing permits required for commercial operators. Any chance encounters of native wildlife can provide a trip highlight for visitors, therefore it is in the applicant's best interest to ensure its operation avoids wherever possible any adverse effect on marine wildlife.

Adverse effects will be avoided by complying with relevant rules and regulations relating to sensitive habitats, such as "china shops", complying with the rules set by DOC for interacting with marine mammals, and adopting best practices for carrying out commercial charter activities. The potential impact on significant habitats and marine mammals is therefore assessed as less than minor.

4.4 *Impact on Public Access, Navigation and Safety*

As the activity involves a vessel at sea, it will be subject to the normal maritime rules applying to that activity. There are no particular navigation or safety issues that are different to any other vessel operating in the same area. The vessel will have communication and navigation equipment similar to other vessels so can keep in touch with others who may be nearby. Fiordland Cruises are in the process of installing an Automatic Identification System (AIS), an automated tracking system into their vessels. The AIS system displays the position of other vessels using the same technology in the area allowing for greater communication amongst operators to help maintain separation. The general practice is to avoid sharing the same area in order to provide the remote experience clients will be seeking but operating just in Doubtful Sound/Patea means that other vessels will be seen.

The activity will have a positive effect in regard to public access. Day trips of this type enable visitors to see and experience this impressive environment in a controlled and managed way that will have standards to adhere to in regard to what they do and how they do it. It is likely that many of the clients would not be able to access this area in any other way, except possibly for flying, which does not enable them to get as close to it. Access by vessel leaves little or no trace of people having been there.

The effect on navigation and safety, is therefore assessed as less than minor, however the activity will have a positive effect on public access

4.5 Noise

The noise created by the vessel, and the passengers, will be minimal. It is in the operator's best interests that it provides a high-quality experience, and part of the experience is letting the clients enjoy the surrounding environment on a vessel that is not unduly intrusive in regard to noise.

The vessel, which is already operating in Fiordland in accordance with a resource consent, will not create more noise than any other vessel that can be found in the area. The vessel has a single engine and was fitted with a wet muffler system approximately 10 years ago to reduce the engine noise to comply with the noise limits set out in the RCP. The vessel will generally be in motion when the engine is running, so it will not be continually emitting noise in one location for extended periods of time. In many cases, when in motion, the vessel will be a sufficient distance from the shore that the engine and passenger noises will be very low.

The impact of the noise from the vessel will be minor and will comply with the standards specified in both Rules 5.3.4 and 5.3.6, the former being general noise and the latter being for the vessel in motion. Policies 16.3.1 and 16.3.5 are particularly relevant to this type of activity. Noise impact is therefore assessed as, at worst, minor, but in most situations, less than minor.

4.6 Impact of the wake

The size of the wake from the vessel will be relatively small given the size of the proposed vessel and the cruising speed used when touring the sounds. As the charter will be providing a sightseeing experience, the cruising speed of the vessel will enable the clients to take in the environment, i.e. 8-9 knots, which will be low enough that only a minor wake will occur. This low speed will create a smaller wake than when the vessel is travelling at open water speeds and less than other vessels that operate at higher speeds in this area.

Wake from this sized vessel when operating in Fiordland is approximately 30 cm in height when the vessel is travelling within the sounds with passengers on board. A wake of this size has a similar effect to waves that occur naturally. The shoreline in the sounds is generally very robust and not prone to erosion from wave action of any sort. The most shore-line damage in these areas is generally as a result of slips that can occur from time-to-time as a result of natural processes.

The impact from the wake on the surrounding landforms, flora, fauna and any other structures or vessels will be less than minor.

4.7 Bio invasion

The vessel is already based and operating in Fiordland and will not be taken out of Fiordland unless it is necessary to do so for maintenance, or in an emergency.

The vessel will be inspected regularly as part of an ongoing maintenance programme. As part of this maintenance programme, any unwanted organisms found on the vessels will be removed and disposed of in an appropriate manner, and Environment Southland biosecurity staff will be advised if anything unusual is found.

There will always be rodent traps or bait stations onboard the vessel to control any pests.

As the vessel will not be moving in and out of Fiordland frequently, and it will be subject to regular inspections, the risk of bio invasion associated with the vessel is assessed as less than minor. However, although the risk is assessed as low, the applicant, and vessel operator acknowledge the high potential impact from a marine pest incursion. Fiordland Cruises therefore undertakes to be vigilant and to use best practice to avoid introducing any such pests.

4.8 Rubbish and Waste

Any solid waste that is on the boat will be removed from the vessel and disposed at an appropriately authorised facility on land.

There is a 1000 litre tank on the existing vessel to hold septic wastewater (black & grey) that will be either discharged into the wastewater system at the Deep Cove Hostel or be emptied in accordance with the Resource Management (Marine Pollution) Regulations 1998, specifically clause 11(2). This clause states that a discharge of wastewater can only occur:

- 500m seaward from the Mean High Water Spring;
- 500m from a marine farm;
- in water that is deeper than 5m;
- 200m from a marine reserve; and
- 500m from a Mataitai reserve.

This means that discharge on open waters is allowed provided that the above rules are followed. The onboard storage means that discharges need only occur when the vessel is cruising and is

outside of the buffer zones specified. There will be ample opportunities in this area for any discharge to be carried out in accordance with these regulations.

4.9 Hazardous substances

The vessel used under this consent will be refuelled in accordance with the Marine Protection Rules administered by Maritime NZ. The refuelling of the vessel will occur in Deep Cove, at the fuelling station. A spillage in this environment could potentially have a significant effect so the company has in place appropriate management and response plans.

4.10 Cumulative effects

Cumulative effects arise from a number of activities having the same effects in the same area. This application is for a consent for a new activity, therefore, there may be an increase in cumulative effects from the granting of this consent.

The areas in which this vessel will be authorised to operate are large, wide open fiords at their entrances and only become more enclosed and confined as you travel further into them. There will be inevitable interactions between vessels, however most operators try to avoid other users where possible to provide a sense of remoteness and tranquillity to their clients with this being considered when determining the proposed routes. When vessel interactions do occur, they will generally be at a distance and the cumulative impact, including on the landscape and natural character, is minimal due to the vastness of the land and seascapes in the area.

Doubtful Sound/Patea is significantly less busy than Milford Sound but busier than any other fiord due to the accessibility of Deep Cove. During the busier months, there will always be some sightings of other vessels. Fiordland Cruises proposes to minimise the potential cumulative effects by operating to a different schedule to the other main operator providing day trips. The different schedule will include leaving and returning at different times and avoiding visiting areas of common interest at the same time as other vessels. Because schedules can be varied, no fixed timetable is provided with this application.

Based on the RCP, day trip allocation for Doubtful Sound/Patea, Thompson Sound and Crooked Arm has exceeded the discretionary limit, however there is no further breakdown of these areas to determine exactly where the exceedances occur. Some of that exceedance occurs due to different types of activity, e.g. supervising kayaking activity. Thompson Sound and Doubtful Sounds/Patea can be used as thoroughfares for vessels to access Deep Cove as a permitted activity.

In this case, while it is likely there will be some form of cumulative effect with additional day trips, it is not considered to be significant. While there are a number of consents for the same type of activity in the Doubtful Sound area, some only operate intermittently in this area (actual data on the extent of consent utilisation is unavailable). Based on historic allocation data, there are only a small number of operators that are permitted to undertake day trips within Doubtful and Thompson Sounds and Crooked and Hall Arms. There is no further breakdown available as to other areas of the fiords that are visited.

The cumulative impact, at the current level of activity, is assessed as minor, though as the issue is subjective, perceptions will vary. Exploring the fiords by vessel is considered to be one of the least disruptive ways of accessing and enjoying this high-quality environment. As the area is open to vessels to access, some vessel activity, including commercial vessel activity is considered reasonable and an appropriate way for groups of people to visit this remote location.

The issue of cumulative effects is discussed further in Section 5.5 below in the context of the objectives, policies and rules of the RCP.

4.11 Summary

The main effect associated with this type of activity in what is considered by some to be a pristine environment, is the presence of the vessel itself. For the casual observer, the actual vessel size in the 20-30m range (as opposed to the large cruise ship type vessels) is irrelevant, as is the passenger numbers when all waste associated with their presence is contained and appropriately disposed of. It is reasonable to assume the operators want to provide a high-quality experience and operating in a responsible way is part of achieving that goal.

The fiords are open to any private and commercial fishing vessel to navigate but the plan places controls on certain commercial activities in order to protect the area from overuse. The location and the, at times, turbulent weather conditions naturally limit access.

The overall assessment of the actual and potential effects on the environment is that they will be no more than minor.

5. Consideration of Statutory Documents

5.1 Overview

For the purposes of this application, the requirements of the Resource Management Act 1991 (the Act) are not re-stated. However, it is noted that the significance of the environment in the fiords and the adjacent Fiordland National Park is such that there are matters of national importance under section 6 of the Act that need to be considered, namely, parts (a) to (e). It is submitted that this proposal will enhance public access (section 6(d)) in an appropriate way that is not inconsistent with the other parts of that section.

Parts of section 7 are also relevant to this application, namely, parts (a), (aa), (c), (d), (f), and (g). Section 3 above in regard to the consideration of adverse effects addresses most of these matters. There are finite characteristics (section 7(g)) associated with operating in this location and Section 3.8 above that discusses cumulative effects addresses this point.

The New Zealand Coastal Policy Statement (NZCPS) and Regional Policy Statements are relevant to this activity. The most relevant provisions of those documents are provided below but generally they are given effect to by the RCP. It is acknowledged that these documents place a strong emphasis on avoiding adverse effects on the coastal marine area, particularly in areas with very high natural values, wherever possible. The importance of public access to the coastal marine area, and for economic activity in it, is also supported in these documents, but it is clear that it should not come at the expense of the environment.

5.2 New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement (NZCPS) is a high-level document, the objectives and policies of which are given effect to through the regional planning documents. However, while the matters of more general application are not repeated here, though they are relevant to any application associated with the coastal environment, only the matters of direct relevance are discussed below.

Objective 1 and Objective 2 of the NZCPS both relate to the protection of the coastal environment, including natural features and ecosystems. The commercial surface water activity that is subject to this application will not impact negatively on the natural features of the area, or the ecosystems.

Objective 4 recognises that the CMA provides unique opportunities for recreation. Objective 6 enables people to use the CMA for social, economic and cultural well-being. Both of these objectives relate positively to the application.

Policy 6 recognises that some activities have a functional need to be in the CMA, and that the use of the CMA can impact on peoples cultural, social and economic wellbeing. This application is for an activity that needs to be in the CMA, and the activity is part of a larger tourism industry operating in the wider Fiordland area. The tourism industry is providing a large economic benefit to the local communities, as well as providing a service that allows people to experience a unique environment that they may not be able to otherwise access. Use of the CMA also reduces the pressure to access the area in other ways such as by providing roads or greater use of aircraft.

Policy 11 relates to protecting Indigenous Biological Diversity. There are some unique marine ecologies in Fiordland that need to be protected. Through the maintenance of the vessel as described in the application, including provision of biosecurity measures, and the regulations put in place by the clean vessel pass, the application will not be adversely affecting the biodiversity in the area.

Preservation of natural character is covered by Policy 13. The natural character of Fiordland is not the same as the natural features and landscapes that are found within the area. The very high natural character of the area is recognised in the Regional Coastal Plan as follows:

“The entire coastline from Awarua Point to Big River is virtually unmodified by people and as such, it has extremely high value when measured in terms of natural character.”

Policy 13 requires adverse effects of activities on areas of the coastal environment with outstanding natural character to be avoided. In the internal waters of Fiordland, the landscape itself has outstanding natural character as it is pristine. However, in modern history, the coastal marine area has always had a level of maritime activity, which can be higher at points of access.

“Natural character” is not defined in the Resource Management Act but it has been considered by the Environment Court. The following extract is from the Quality Planning website:

“However, an Outstanding Natural Landscape must be a ‘natural landscape’, and other values may result in the landscape being considered ‘outstanding’. The Courts have recognised that a spectrum of naturalness exists which extends from pristine natural landscapes to cityscapes, within which a ‘cultured nature’ landscape may still be an

outstanding natural landscape. In general such landscapes should usually be obvious enough that no further need for expert analysis is required aside from determining where the particular landscape begins and ends.”

The Environment Foundation, in its Environment Guide prepared with the support of the NZ Law Foundation and the Environmental Defence Society, provides a useful explanation of what comprises natural character:

“Natural character is not defined in the RMA. Case law prior to the New Zealand Coastal Policy Statement 2010 indicated that natural character has three main components: natural processes, natural elements and natural patterns. Natural processes include the action of rivers, waves, tides, wind and rain as well as the movement of animals and the natural succession of plant species. Natural elements include water, landforms, and vegetation cover. The distribution of these natural elements over an area forms natural patterns. A fourth important component is the human experiences of these natural processes, elements and patterns and values.

Based on these explanations, it is my opinion that the vessel activity in general does not impact on the outstanding natural character of the Fiordland coastal environment, nor is it an inappropriate use of the area, notwithstanding the fact that it adds a non-natural element. Milford Sound and Deep Cove provide points of access and support to those visiting and working in the wider Fiordland coastal marine area. Vessels are relatively small in the scale of the adjacent landscape and appropriate for use in this environment. Notwithstanding the level of activity in Milford Sound, the area is still considered to have outstanding natural character. That level of activity is not considered to be appropriate for Doubtful Sound but the same consideration applies to effects on natural character.

A similar argument is made in regard to Policy 15 and Outstanding Natural Landscapes. Although the vessel adds an unnatural element, the landscape still retains “sufficient naturalness” to be considered outstanding¹. In this case, the activity is a vessel moving through the sound where other vessels are also operating. It is not an element that is inconsistent with this environment, nor is its visual impact sufficient to detract from the grandeur and visual spectacle that this environment provides.

¹ The concept of “sufficient naturalness” is again taken from the Environment Guide and is based on the Environment Court’s decision in *High Country Rosehip Orchards Ltd v Mackenzie DC* [2011] NZEnvC 387 (see paras. 94 -107).

The vessel movement therefore have no effect on the classifications of Outstanding Natural Character and Landscape for this location. In regard to these two policies, the vessel activity is not considered to be an inappropriate development and use of the coastal environment. It is also an activity that is consistent with Policy 6(2).

The above objectives and policies both recognise the use of the CMA in providing for people and communities social, economic and cultural well-being. They also both identify that some activities have a functional need to be in the CMA. The above objectives and policies directly provide for this type of activity to be undertaken in the CMA.

5.3 Regional Policy Statement

There are a number of relevant objectives and policies in the Regional Policy Statement that relate to this proposed commercial surface water activity. The most relevant ones are discussed below. In regard to effects on outstanding natural character and landscapes, the analysis provided in Section 5.2 above is relevant and not repeated.

Objective 2 of the RPS directly allows for the coastal area to be used and developed where appropriate while the adverse effects are managed. This application is not for further development, but rather further use. As discussed throughout this application, the effects of the activity are being managed to minimise the effects, including cumulative effects, on the environment from the commercial surface water activity.

Objective 3 requires the natural character of the coastal environment to be restored, rehabilitated or preserved. The granting of this consent will not change the effect on the natural character from what is currently authorised. This activity will not further degrade the natural character of the area, but it will not enhance it either. The proposed activity will however allow people to access and experience the natural character of the area, without doing any long-term damage to the character of the area.

Policy COAST.1 of the RPS sets out to identify appropriate locations for activities and use of the CMA. The proposed areas of Doubtful and Thompson Sounds where day trips are to occur, as mentioned above have significant landscape values. Fiordland Cruises is proposing to undertake one trip per day, commencing and returning to Deep Cove. There is no requirement for the development of any infrastructure in the proposed areas.

Both Policy COAST.3 and COAST.7 are intended to ensure that activities in the CMA are managed appropriately to avoid adverse effects on the coastal environment. Throughout the assessment of effects section of this application, the effects are described as being no more than minor. To this extent, the effects are considered to be of a level that is consistent with what both of these policies are trying to achieve.

5.4 Te Tangi a Tauira - Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

The relevant objectives and policies of Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan (Te Tangi a Tauira) are set out below. Only the most relevant objectives and policies have been listed in this document.

Section 3.3.6 – Visitor Management	
Policy 1	Advocate for the concentration of the majority of visitor activities in areas that are presently modified and that already have infrastructure in place. The preference of Ngāi Tahu ki Murihiku is to leave undeveloped, or minimally developed areas of Fiordland, in as natural state as possible.
	<i>This policy is mainly directed at infrastructure. However, the activity is occurring in an area of Fiordland where commercial activity is expected through the use of Deep Cove as a port area. The commercial activity will not have any lasting effects on the wider area, so it will be left in a natural state in accordance with the policy.</i>
Policy 2	Require that commercial operators take advantage of new technology, as it becomes available; to better manage the effects of tourism activities on the environment (e.g. waste discharge from boats, noise suppression on aeroplanes).
	<i>The vessel already has an up to date wastewater management system, as well as suitably muffled engines. As new technology becomes more accessible, the applicant will be able to look into incorporating it into the vessel. The vessel needs to be kept in a well maintained state as this is what the customers will base their experiences in the area on.</i>
Policy 3	Require that the cultural and natural values of Fiordland are not compromised for recreation or tourism opportunities.
	<i>The cultural and natural values of the area are not being compromised by the commercial surface water activity. By enabling people to experience the region, they are experiencing the natural values of the area without any physical disturbance apart from the presence of the vessel.</i>
Section 3.6.6 – Fiordland Commercial Surface Water Activities	

Policy 1	Strongly discourage discharges of human sewage and ballast water into coastal waters from commercial vessels and ships.
	<i>All human sewage is treated as per the regulations and is discharged as treated wastewater.</i>
Policy 2	Encourage adherence to avoidance measures (existing or developed) by vessel or ship operators to ensure the protection of coastal waters from the introduction of exotic vegetation and fauna through fouling
	<i>The maritime biosecurity rules, and the conditions of the consent will prevent the introduction or spread of exotic vegetation and fauna.</i>
Policy 3	Advocate for removal of contaminated effluent to designated land-based sewage and grey water discharge facilities in all areas where commercial vessels operate (e.g. Patea), or where appropriate, the use of technology that avoids discharge of effluent to water
	<i>The vessel has wastewater treatment systems onboard that are recognised in the "Resource Management (Marine Pollution) Regulations 1991". However, a discharge to land based facilities is not possible in the more remote areas. To provide such facilities would require adverse effects of a different type.</i>
Policy 4	Ensure that sewage tanks on the commercial boats have 24 hours of storage capability
	<i>The proposed vessel has containment tank capable of holding the capacity required. The proposed vessel currently operates within the Doubtful Sound area and already meets the requirements of the coastal plan.</i>
Policy 8	Concession holders operating commercial surface water activities must ensure that clients do not remove any pounamu
	<i>The applicant is aware of the rules and regulations surrounding pounamu.</i>
Policy 11	Require that, where possible, commercial boat operators use existing moorings to avoid setting the anchor as this is better for the seabed environment.
	<i>Fiordland Cruises has access to a number of wharves and moorings within the Doubtful sound complex that are used as part of their wider business activities. If for some reason no moorings are available at a time when they are required, the vessel will anchor in a recognised anchorage, which will limit the area of seabed disturbance.</i>
Policy 12	Concession applicants must demonstrate a full understanding of the regulations pertaining to the Fiordland Marine Area, including but not restricted to; daily fishing limits within areas, accumulation limits, and the locations and boundaries of the marine reserves

	<i>The skipper of the vessel has been operating in the area of a number of years and is well aware of the different rules of the region.</i>
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Comment

The above policies are considered to be the most relevant to this application and, for the most part, are addressed throughout the application. Overall the values of the Fiordland area are not being compromised by the activity, which is consistent with the objectives and policies outlined in the Iwi Management Plan. While there are no policies directly allowing for the operation of a commercial surface water activities, there are a number which control the management of the activity. This commercial surface water activity is within these objectives and policies.

5.5 Regional Coastal Plan for Southland

The primary document to be considered is the RCP and the most relevant objectives, policies and rules are as follows:

Objective 4.2.1 - Need for coastal location	To ensure that only those activities and developments that have a functional need to be located in the coastal marine area or for which there is no practicable alternative location outside the coastal marine area are situated there.
Policy 4.2.1 - Justifying coastal location	Require that proposals for uses and developments in the coastal marine area justify the functional necessity for that location or demonstrate that there is no practicable alternative location outside the coastal marine area.
Policy 4.2.2 - Consideration of alternatives	Where the adverse effects of use or development are more than minor, require alternative sites and methods be considered to determine the option that best avoids, remedies or mitigates the adverse effects of the use and development of the coastal marine area.
Comment	<i>The need for this activity to be in the coastal marine area is self-evident. There are other areas where the proposed activity could be undertaken, however due to timeframe required for undertaking day trips only, and the need to be close to existing infrastructure for the embarking and disembarking of passenger's, alternative locations are not suitable in this instance.</i>

Objective 4.6.1 - Concentrating use and development	To protect areas free from use and development by seeking, wherever practicable, to concentrate use and development into areas where those activities are already taking place.
Policy 4.6.1 - Concentrate compatible activities	Encourage concentration of compatible activities in areas of existing uses and developments, where adverse effects can be avoided, remedied or mitigated, in preference to using undeveloped areas in the coastal marine area.
Comment	<i>The proposed day tips will occur in a similar area to where larger day trip operators undertake trips at present. While the application is also to undertake day trips, the service the applicant is proposing through smaller groups and longer time on the water, is different to what is on offer currently</i>
Objective 4.7.1 - Avoid, remedy or mitigate cumulative adverse effects	To avoid, remedy or mitigate cumulative adverse effects.
Objective 4.7.2 - Obtain an appropriate level of use in the coastal marine area	To obtain a level of use which is appropriate in the coastal marine area, particularly in areas where remoteness, wilderness and tranquillity are significant components of the environment.
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.
Comment	<i>See Section 4.10. This application is for a new consent, so there may be an increase in cumulative effects from the granting of this consent, however effects are considered to be no more than minor. Any cumulative impact is mitigated by the fact that the area within Doubtful and Thompson Sounds is large, with only a small number of operators undertaking day trips.</i>
Objective 4.8.1 - Distinguish between commercial and non-commercial surface water activities	To manage surface water activities in the coastal marine area by making a distinction between commercial and non-commercial activities where the

	cumulative effects of either type of activity will significantly outweigh the other.
Policy 4.8.1 - Commercial activities in the coastal marine area	To distinguish, where appropriate, commercial activities in the coastal marine area from non-commercial activities.
Comment	<i>This activity is a commercial surface water activity. While some recreational vessels visit the area, the remoteness limits the numbers that do so. Fishing vessels are the other type of craft that frequent this remote area. The Plan places a limit and other restrictions on day and backcountry trips in Doubtful Sound/Patea. The significance of those limits is discussed below.</i>
Objective 5.3.1 - Protection of amenity values	To ensure that the use and development of the resources of the coastal marine area will not have significant adverse effects on amenity values, nor on the safety of the public, nor on the enjoyment of the coast by the public.
Objective 5.3.3 - Open space	To recognise, maintain and enhance the contribution that open space makes to the amenity values in the coastal environment.
Objective 5.3.7 – Noise levels	To ensure that the effects of noise in the coastal marine area do not adversely affect people's health and well-being, natural character and amenity values.
Policy 5.3.1 – Amenity values	Protect amenity values in the coastal marine area.
Policy 5.3.3 - Deposition of solid waste	Avoid the deposition of solid waste in the coastal marine area.
Policy 5.3.6 - Activities and structures	Limit activities and structures in the coastal marine area to those that: <ol style="list-style-type: none"> a. have a functional need for that location; or b. contribute to the amenities of that area; c. are a necessary and functional part of activities also undertaken on adjoining land.
Policy 5.3.15 – Amenity values	Protect amenity values of the coastal environment from the adverse effects of artificial noise in the coastal marine area.

Policy 5.3.18 - Noise from ships in motion	Avoid noise from ships in motion that adversely affects the health and well-being of people or degrades amenity values.
Rule 5.3.4 - General noise limits	<p>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:</p> <ul style="list-style-type: none"> I between 7:00 a.m. and 10:00 p.m. the L10 shall not exceed 50 dBA; li between 10:00 p.m. and 7:00 a.m. the following day, the L10 noise level shall not exceed 40 dBA; lii between 10:00 p.m. and 7:00 a.m. the following day, the Lmax noise level shall not exceed 70 dBA. <p>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".</p> <p>This Rule shall not apply to:</p> <ul style="list-style-type: none"> 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; li 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, lii 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	<p>Except as provided for in Rule 5.3.5, 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 situated 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".</p>

<p>Comment</p>	<p><i>The activities proposed as part of this application rely on the environment to be preserved to make the venture successful. It is the Fiordland environment that will draw customers to the business, therefore it is in the applicant's best interests to protect and enhance that environment.</i></p> <p><i>In regard to noise, the vessel, which is currently operating in Fiordland, is appropriately muffled to ensure excessive noise is not an issue. As with other similar vessels operating in Fiordland, this will be a permitted activity in regard to noise emissions.</i></p>
<p>Policy 5.5.3 - Maintenance and enhancement of public access</p>	<p>Maintain and enhance public access to and along, the coast while having regard to the mode of access and the amenities of the area, unless a restriction on access is necessary to:</p> <ul style="list-style-type: none"> a. protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna; or b. protect Maori cultural values; or c. protect public health or safety; or d. ensure a level of security consistent with the purpose of a resource consent; or e. protect national security or the temporary use of an area for defence purposes; or f. protect heritage, natural or cultural values; or g. in other exceptional circumstances sufficient to justify the restriction notwithstanding the national importance of maintaining that access.
<p>Policy 5.5.4 - Mode of access</p>	<p>The mode of access to and along the coast is to be appropriate to:</p> <ul style="list-style-type: none"> a. the functional needs of people using it; b. the ecosystems contained in the area; c. the physical characteristics of the area; and d. the well-being of people affected by it.
<p>Comment</p>	<p><i>Access by vessel is considered to be one of the less intrusive means of visiting the southern fiords as they leave no trace of their visit. Impact on ecosystems is</i></p>

	<i>also low because particularly sensitive areas can be avoided.</i>
Objective 5.10.1 - Social, cultural and economic reliance on the coastal marine area	To recognise the need for social and economic utilisation of the coastal marine area in a manner that enables people and communities to provide for their social, cultural and economic well-being and for their health and safety.
Policy 5.10.1 - Recognising the social, cultural and economic reliance on the coastal marine area	Recognise the importance of the coastal marine area for social, cultural and economic activities.
Comment	<i>This proposal is providing access to a remote part of Fiordland that people would often not be able to access themselves. Access to this area, and other similar areas is important for the social and cultural aspects of society. There is also an economic benefit to this proposal by supporting an existing business and offering a tourism opportunity. This proposal provides some choice for access to the fiords over the services provided by other operators.</i>
Objective 16.1.1 – Maintain essential characteristics	To maintain the 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 – Preserve remoteness values	To preserve the remoteness and wilderness values of the internal waters of Fiordland.
Objective 16.1.3 – Effects of surface water activities on intrinsic values	To ensure that commercial and private recreational surface water activities do not adversely affect the intrinsic values of the Fiordland coastal environment.
Policy 16.2.1 - Identify and protect areas at risk of diminished natural character, landscape and amenity values	Identify arms or parts of arms of Doubtful Sound and other waters of Fiordland where natural character, landscape and amenity values are vulnerable to the adverse effects of increased use.
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,

	<p>landscape and amenity values, specifically remoteness and tranquillity values.</p>
Comment	<p><i>Based on information provided by Environment Southland, day trip allocation for the Doubtful and Thompson Sounds has already been exceeded for some time, however no background information is available as to what the allocation numbers are based on or if any of the overallocation has been 'clawed back'.</i></p> <p><i>The activity will provide access to areas that enables visitors to experience this environment with a particular focus on its remoteness, which is in the applicant's best interest to retain. It is likely that many of the visitors would not be able to access this area in any other way, except possibly for flying, which does not enable them to get as close to it. Access by vessel leaves little or no trace of people having been there.</i></p> <p><i>The limits are discussed in more detail below.</i></p>
Policy 16.2.8 - Remote and Wilderness Values in the Fiords, Inlets and Arms	<p>Protect the opportunity for remoteness and wilderness experiences in all of the principle Arms, Inlets and Fiords of Fiordland apart from Milford Sound.</p>
Comment	<p><i>The activities proposed are reliant on the feeling of remoteness and wilderness to be successful, therefore it is in the applicant's interest to protect the environment. The proposed activities are not in an area where there is already heavy development, nor are they in an area where there is currently no development, or other vessel access. This new activity is not inconsistent with Policy 16.2.2.</i></p>
Policy 16.2.9 - Use of Doubtful Sound and Thompson Sound as a Thoroughfare	<p>Provide for commercial surface water activity to use Doubtful Sound and Thompson Sound where it is necessary to:</p> <ol style="list-style-type: none"> 1. pick up or off-load passengers to or from shore; 2. access services; 3. access wharves or launching areas; 4. travel from one arm of Doubtful Sound to another in the case of commercial backcountry activities;

	<ol style="list-style-type: none"> 5. off-load cargo and uplift stores; 6. carry out activities associated with the construction and maintenance of the Manapouri Power Scheme and tailrace.
Comment	<i>Doubtful and Thompson Sounds will be where the day trip activity will be carried out with the collection and disembarking of passengers at Deep Cove.</i>
Policy 16.2.13 - Surface Water Activities that are incidental to a principal commercial surface water activity	Consider and if necessary, restrict or provide for as separate activities (trips), activities that are “spawned” by or are incidental to the activity of the principal surface water activity.
Rule 16.2.1 - Commercial Surface Water Activity	<ol style="list-style-type: none"> 1 ... 2 Except as provided for by (4) or (6) below, it is a non-complying activity to undertake commercial day trips: <ol style="list-style-type: none"> a on Hall Arm; b on Doubtful Sound, Thompson Sound or Crooked Arm east of Turn Point. 3 ... 4 Except as provided for by (6) below, it is a discretionary activity to undertake commercial day trips: <ol style="list-style-type: none"> a on Hall Arm, provided that within this area the total number of commercial day trips undertaken by all operators does not exceed five on any day; b on Doubtful Sound, Thompson Sound or Crooked Arm east of Turn Point, provided that within this area the total number of commercial day trips undertaken by all operators does not exceed five on any day. ...
Comment	<i>Under this rule, the activity is non-complying.</i>
Policy 16.3.1 - Noise that Compromises Tranquillity and Peacefulness	Avoid noise that compromises the tranquillity and peacefulness which is a characteristic of Fiordland.

Policy 16.3.2 - Loudspeaker noise in the internal waters of Fiordland	Encourage commercial operators to seek alternatives to loudspeaker systems in order to better reflect the natural character and low visitor generated noise values of Fiordland’s internal waters.
Policy 16.3.5 - Noise from commercial and non-commercial ships	Avoid, wherever practicable, or mitigate, the adverse effects of noise from commercial and non-commercial ships.
Comment	<p><i>See Section 3.5 above re noise assessment.</i></p> <p><i>The vessel will not be producing any more noise than it is currently. It is in the operators interests to maintain a sense of remoteness and peacefulness for the benefit of the client.</i></p>

The Fiordland coastline and landscape have natural character and landscape values that, for the most part, can be described as pristine so activity in this area does have some impact. However, a low level of vessel activity, commercial fishing and tourist as well as recreational, has historically occurred and is accepted along this coast. It is a relatively low impact method of seeing and experiencing this environment and does not leave any trace of having been there.

Policies 4.7.1 and 16.2.2 are the most relevant in this regard. Specifically, policy 16.2.2 states that commercial activities that occur within the Fiordland CMA must be limited, which they are through Environment Southlands allocation system, which has already been exceeded to provide for a different type of activity². The natural character, landscape and amenity values, specifically remoteness and tranquillity values specified in this policy are not to be reduced as the result of the activity.

The limits specified in the RCP under Rule 16.2.1, the explanation to the rule does not provide any justification or reference for the numbers specified. It is also relevant that despite being in place for about 25 years, there has been no review of those limits to assess their effectiveness or appropriateness to control activity in Doubtful Sound. The appropriateness of the limits for the tourism industry as it now exists has also not had the opportunity to be considered. Fiordland Cruises recent experience with the temporary increase in day trips confirmed for them that they can occur without a significant impact on the Doubtful Sound environment.

² Consent was granted for a kayaking operation where the vessel providing supervision and assistance to kayaking participants, was required to hold daytrip allocation- AUTH 203169.

The list of the effects of commercial activity set out in the second paragraph of the explanation to Rule 16.2.1 is significant but appears exaggerated when compared to what has actually occurred, or rather has not occurred. At times there is a “busyness” to the wharf areas at Deep Cove, which does impact on amenity values in the immediate vicinity. However, once away from that area, the outstanding characteristics of the Fiordland environment are evident and undiminished.

In regard to Rule 16.2.1, the explanation also states:

“The above rule along with the preceding policies provides strong direction whilst retaining sufficient flexibility to provide for unusual or unanticipated activities or any other activity with minor effects.”

The applicant would argue that the flexibility referred to has not occurred as the ability for new operators to provide something new is difficult due to the unavailability of discretionary day trips and the higher test required for non-complying activities. In the absence of any analysis of activity data and assessment of the “carrying capacity” of the environment, Fiordland Cruises is relying on its own experience and the anecdotal feedback of its clients to submit that additional day trip activity can occur without having a significant effect on the environment.

Although the limits placed on this area are already overallocated, the outstanding values of Fiordland are considered to have not been lost. Based on the assessment of adverse effects and information on the level of activity, the threshold for adverse cumulative effects being significant will not be exceeded as outlined in policy 4.7.1.

Overall, the proposal is not inconsistent with or contrary to any aspect of the RCP. The Plan provides for activities of this type but requires that they do not have any significant adverse effects on the environment.

5.6 Fiordland National Park Management Plan

While the activity is not located in Fiordland National Park, special care needs to be taken to protect the significant natural, historical, cultural and recreational values of the national park. The FNPMP has been reviewed as part of this application, especially sections regarding Biodiversity and Boating and Facilities.

The Department of Conservation has, in the past, advocated for controls on commercial activities. The FNPMP is overdue for a review and its provisions are struggling to address issues in Milford

Sound. Fiordland Cruises is not aware of any recent comment from the Department on activities in Doubtful Sound but accepts that it is an affected party for the purposes of this application.

The activities proposed as part of this application are not contrary to or inconsistent with the objectives and implementation strategies in the plan.

5.7 Fiordland Marine Conservation Strategy

This document has been compiled by the Fiordland Marine Guardians and it sets out an integrated approach to managing Fiordland's fisheries and marine environment. Section 5 of the FMCS outlines the major risks to the marine environment. This application has considered and addressed all of the relevant risks that are highlighted in Section 5 of this document. They have not been relisted here as they have already been discussed throughout this application.

6. Non Complying Activities – Section 104 (D)

Section 104D of the Resource Management Act places certain restrictions on the granting of consents for non-complying activities. The section states as follows:

104D Particular restrictions for non-complying activities

- (1) *Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—*
- (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
 - (b) *the application is for an activity that will not be contrary to the objectives and policies of—*
 - (i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
 - (ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
 - (iii) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

- (2) *To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.*

For the application to undertake a commercial day trips in the coastal marine area adjacent to Fiordland National Park within Doubtful and Thompson Sounds to be considered, it must pass at least one of the tests in section 104D(1).

The activity is non-complying due to the total number of commercial day trips undertaken by all operators exceeding five on any day, on Doubtful Sound, Thompson Sound or Crooked Arm east of Turn Point. While the proposed activity will exceed the specified number of day trips, the effects are considered to be minor as described in the assessment in Section 4 above.

While the proposed activity may be inconsistent with some policy, the activity is not contrary to the objectives and policies in the Plan. The discretionary allocation limit is exceeded but the basis for that limit is questioned. In practice, the actual number of trips on any given day varies over the year. The usage data for operators has not been analysed but anecdotally, it is considered that average day trips would not exceed 5/day over a year.

Fiordland is a vast area with high amenity and landscape values. The scale of the activity being proposed by Fiordland Cruises of one trip per day is low, particularly when compared to other larger operations that undertake multiple trips in any one day. It is accepted that there is a maximum number of day trips that can be carried out without having a significant effect on the environment but recent experience has shown that more than five is possible and that some flexibility to accommodate peak periods would be beneficial.

Recently operators were temporally permitted to increase the number of day trips undertaken in Doubtful Sound/Patea as a result of flooding and major damage to the Milford Road to cater for increase in passenger numbers to this area. During this time, Environment Southland received reports of crowding at Deep Cove as a result of the temporary increase, which had the potential to cause adverse effects on remoteness and wilderness values for visitors. Access to Fiordland National Park is managed by the Department of Conservation and is not a relevant resource management consideration for this activity in the coastal marine area.

As explained in more detail above, Fiordland Cruises Ltd provides a different experience to existing operators in that it caters for smaller groups. It intentionally plans its trips to avoid

being in the same areas at the same time as other operators to reduce crowding and to maintain the feeling of remoteness and tranquillity, thus ensuring the best possible experience for their visitors.

This coastal activity is not contrary to the objectives and policies in the Plan. The detailed policy analysis is covered in the sections above and is not repeated here. “Contrary to” has a high threshold in order to be crossed, and it is more than just “inconsistent with”. It is submitted that this level is not reached for this activity.

It is therefore submitted that the application passes both tests in section 104D(1), although only one needs to be passed, so the application can be considered.

7. Consultation

At the time of lodging, a copy of the application has been sent to the Department of Conservation, Te Ao Marama and the Fiordland Marine Guardians seeking their written approval for the activity. There are other commercial operators in this area, but they are considered to be trade competitors therefore written approval is not being sought from these parties.

Customary Marine Title Applicants

The two listed customary marine title applicants were sent a copy of the application on the 18 June 2020, seeking their comments on the application.

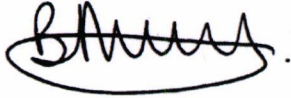
To date no comments have been received from either party. This is consistent with previous notices sent for similar applications. If any correspondence is received from the above parties, it will be forwarded on to the processing officer.

8. Conclusion

The overall assessment is the potential adverse effects of this proposed activity will be no more than minor. The analysis of the relevant statutory documents shows that the proposal is not inconsistent with, or contrary to the RCP, the Fiordland National Park Management Plan or the Fiordland Marine Conservation Strategy. The nature and scale of the activity, and the potential adverse effects, are considered to be no more than minor.

It is therefore submitted that the application can be processed by non-notification and granted subject to appropriate conditions.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Bridgett Aitken", enclosed within a hand-drawn oval.

Bridgett Aitken
Planner, Bonisch Environmental

Statutory Application Form

Part A

Includes certificate of Incorporation



Application for Resource Consent (PART A)

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: Fiordland Cruises Ltd

Address: PO Box 81, Te Anau

Email: Clint@teanau.info

Phone: 027 457 2088 Fax: _____
Preferred Additional

Date(s) of birth: _____

Consultant contact details (if different from above)

Contact name/agent: Bonisch Environmental C/- Bridgett Aitken

Address: PO Box 1262, Invercargill 9840

Email: bridgett@bonisch.nz

Phone: 03 218 2546 Fax: _____
Preferred Additional

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"/> New or expanded dairy farming	<input type="checkbox"/> To water	<input type="checkbox"/> Structures/occupation of space
<input type="checkbox"/> Effluent storage	<input type="checkbox"/> To land	<input type="checkbox"/> Removal of natural materials
<input type="checkbox"/> Cultivation	Water	<input type="checkbox"/> Disturb foreshore/seabed
<input type="checkbox"/> Tree planting	<input type="checkbox"/> Take and use surface water	<input type="checkbox"/> Discharge/deposit substances
<input type="checkbox"/> Gravel extraction	<input type="checkbox"/> Take and use groundwater	<input checked="" type="checkbox"/> Commercial surface water activity
<input type="checkbox"/> Feed-pad, wintering pad, calving pad or silage pad	<input type="checkbox"/> Dam water	<input type="checkbox"/> Reclaim/drain foreshore/seabed
<input type="checkbox"/> Riverbed activity	<input type="checkbox"/> Divert water	<input type="checkbox"/> Marine farming
<input type="checkbox"/> Bridges and culverts		<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.)

To undertake commercial day trips within Doubtful and Thompson Sounds.

4 **Location** of proposed activity

Address: Doubtful Sound and Thompson Sound Fiordland

Legal Description: _____

Map Reference (NZTM 2000): 1144250 E 4847700 N

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

Name: _____ Phone: _____

Address: _____

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

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.

9 Correspondence from Council when using a consultant

It is standard practice that both you and your consultant are copied into all correspondence relating to the consent process. This is so that you know what is going on with your application. Please let us know below if you would like us to only contact your consultant. This means you will only hear from us when your application is/is not accepted, when a decision is made or if we feel that you need to be contacted.

I want all correspondence about my application to go to my consultant only Yes No

10 Site visit from the Consents Team

Consents staff are able to meet with you, visit your site and see what you are proposing to do. We find that this is beneficial to everyone involved. The cost of the visit will be included in the total cost of processing your consent. However, we find that applications that have an on-site visit are processed with less congestion and at a similar or lesser overall cost. Please let us know below if you would like us to come and see your site.

I would like a member of the Consents Team to visit my site Yes No

11 How much will it cost to process my application?

The cost of a consent depends on the complexity of the activities. Staff time is charged out at a rate of \$145/hr and vehicle use for site visits is charged at \$0.73/km (inclusive of GST).

The fees shown below under section two 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. Environment Southland’s User Charges and Fees document is available at:

www.es.govt.nz/fees-and-charges

When the consent has been processed you will receive an invoice for an additional fee, or for a refund.

The Council’s user charges are fixed under Section 36 of the Resource Management Act 1991. Our fee schedule is:

1. Fixed fee:	
Bores and wells	\$297
Whitebait stand	\$225
2. Deposit:	
All other non-notified applications including: <ul style="list-style-type: none"> • Certificates of compliance • Changes to consent conditions (variations) • Change of lapse date 	\$1,500
Applications that require notification or limited notification	\$2,000

How to pay

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.

User Charges

Please note that additional Annual User Charges will apply to all consents. These are payable in advance on the first day of July each year. Tables 4, 5 and 6 of the Environment Southland User Charges and Fees Schedule outlines the fees associated with Annual Administration Charges and Annual Consent Monitoring and Inspection Charges. Table 7: Annual Research and Monitoring Charges applies only to surface and groundwater takes and comprises the following:

- **Surface water takes (per consent, for volumes up to 50,000 m³/day):**
 - A charge of **\$1.98** per year per cubic metre authorised as a maximum daily take.
 - Minimum of **\$138**, maximum of **\$7,964**.
- **Surface water takes (per consent, for volumes over 50,000 m³/day):**
 - **\$0.0031** per cubic metre authorised as a maximum daily take.
- **Groundwater takes (per consent):**
 - A charge of **\$0.93** per year per cubic metre.
 - Minimum of **\$162**, maximum of **\$1,871**.

Municipal and stock water discount (of 50%) no longer applies.

12 Checklist: Have you included the following?

- Payment of the required deposit (*see fee schedule*) To be paid online
- 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)

Note:

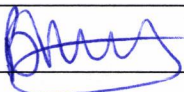
(a) *If your application does not contain the necessary information and the appropriate fee, Environment Southland must return the application.*

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.

Name (block capitals) BRIDGETT AITKEN

Signed  Date 18 June 2020

(Signature of applicant or person authorised to sign on behalf of applicant)

Certificate of Incorporation

FIORDLAND CRUISES LIMITED

4030539

NZBN: 9429030500518

This is to certify that FIORDLAND CRUISES LIMITED was incorporated under the Companies Act 1993
on the 10th day of October 2012.



Registrar of Companies
18th day of June 2020



***Part B Form
Coastal Permit***

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? 15 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.

Please refer to attached documentation

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

N/A - Can only commence once consent is obtained

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

Contracting company name: _____

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.

- (a) Signs of marine life (e.g. fish, mammals, native birds, shellfish, invertebrates)?
- (b) Areas where food is gathered from (e.g. watercress, eels, wildfowl)?
- (c) Wetlands, wildlife habitats or bird nesting habitats (e.g. swamp areas)?
- (d) Other activities occurring in the area (e.g. commercial activity, fishing, swimming, boating)?
- (e) Areas of particular aesthetic, cultural, heritage or scientific value (e.g. archaeological sites)?
- (f) Waste discharges, water takes and/or monitoring sites?

Yes No

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please refer to attached AEE

6 contd

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

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?

Please refer to 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.

Please refer to attached AEE

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

Please refer to 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.

N/A

- 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

Please refer to attached AEE

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

Please refer to attached AEE

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

Please refer to 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

Please refer to 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

Please refer to attached AEE

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

Please refer to 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.

Please refer to attached AEE

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

N/A

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

Please refer to attached AEE

- 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).

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

***Coastal Permit Technical
Comment Form***



Coastal Permit Technical Comment

For all consent applications that may affect navigational safety

Activities in coastal waters or on rivers and lakes may affect navigational safety or other areas of interest to the Harbourmaster. The Harbourmaster also assists the Consents Division by providing expert input into assessments of consent applications, where necessary.

Comments from the Harbourmaster assist with prompt decision making on consent applications.

This form should be completed and included with any consent application for an activity in a navigable water body that affects, or may affect, navigational safety. This includes applications for the installation, extension or removal of a structure in a navigable water body, any reclamation, and any commercial surface water activity in any navigable water body.

Section 1: Applicant to complete

Name: Fiordland Cruises Ltd

Address: PO Box 81, Te Anau

Proposed activity: To undertake commercial day trips within Doubtful and Thompson Sounds.

Location: NZTM 2000: 1144250E 4847700 N
Use NZTM2000 or otherwise identify the location accurately

Type of consent sought Coastal Permit
e.g. Land use consent for works in a river bed; coastal permit for occupation of coastal space

- Consent sought: A new consent for a new activity, or
 A new consent for an existing activity
 A change to a condition of an existing consent

Section 2: Harbourmaster or the Deputy Harbourmaster to complete

In my assessment, the following has been taken into account by the applicant when assessing adverse effects of their proposed activity (tick all that apply):

	Yes	No	N/A
Effects of the activity on navigational safety/bylaws	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oil transfer sites and oil transfers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oil / fuel spill risk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other (Comment): _____

In my assessment the following variables have been taken into account when assessing the adverse effects of the proposed activity (tick all that apply):

	Yes	No	N/A
Suitability of depth of water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vessel size suitability for the proposed area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Integrity of holding ground for the anchor/mooring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sufficiency of the swing room for the vessel to rotate around the anchor/mooring without collision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other vessels are able to safely navigate in the area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The structure, if existing, is well maintained, is safe and poses no hazard in itself	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effect on other users of the area(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adequacy of anchorage size	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other (Comment): _____

Further comments:

Insert general comments about the application, other factors which were considered if not listed and outline any concerns here

Section 3 Harbourmaster or the Deputy Harbourmaster to complete

I do / do not believe the activities proposed will cause adverse effects on navigational safety.

Signed: _____ Date: _____

Harbourmaster / Deputy Harbourmaster

(Disclaimer: The completion of this technical comment does not declare support for, or guarantee the granting of a resource consent application.)

Image of Vessel



FIORDLAND

SOUTHERN
SUCCERT