

Coastal Permit

Pursuant to Section 104B of the Resource Management Act 1991, a resource consent is hereby granted by the Southland Regional Council to **Offspring Travel Limited** of PO Box 81, Te Anau 9640 from **Date 2021**.

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

Details of Permit

Purpose for which permit is granted: To undertake commercial surface water activities in Fiordland.

Location - site locality Doubtful Sound/Patea Complex, Fiordland

Legal description at the site: Coastal Marine Area

Expiry date: ~~Date-xx/xx/204633~~

Conditions

1. This resource consent shall commence on the surrender or expiry of consent AUTH- 203196.
2. This consent authorises the undertaking of commercial surface water activities, in the coastal marine area adjacent to Fiordland National Park, namely, guided kayaking tours as described in the application for resource consent dated 22 September 2020 and further information received on 29 October 2020.
3. The kayaking tours will operate as follows:
 - (a) a full day tour:
 - consisting of up to five double kayaks and a single kayak;
 - operating any day per month during the period ~~September-August~~ to ~~April-May~~ each year, ~~and up to 10 days per month during May each year~~, with activity during the period June to ~~August-July~~ each year prohibited;

and

- (b) an early day tour:

- consisting of up to five double kayaks and a single kayak;
- operating up to ~~15~~ 8 days per month during the period November to April each year, with activity during the period May to October each year prohibited;

~~or and~~

- (c) a two-day tour:
- consisting of up to five double kayaks and a single kayak;
 - operating up to eight times per month during the period October to April each year, with activity during the period May to September each year prohibited;

provided that the consent holder shall not exceed a total of ~~490-250 daystrips annually for all tours. for the full day tours and early day tours during the period September to May per annum, and a total of 20 two-day tours during the period October to April per annum.~~

Trainee kayak guides are to be included within the guided kayak group numbers outlined in (a), (b) and (c) above.

4. (a) The commercial surface water activity ~~outlined described~~ in condition 2 may include one support vessel not exceeding 14.5 metres, ~~registered length, in length~~ to accompany and ~~if necessary,~~ transport the kayakers, as described in the application, ~~namely, responding in the event of incident or a change to unsafe kayaking conditions; transporting kayakers to a start or finish point, but not both in the same trip; and providing some respite for kayakers if required. Use of the vessel in a manner that constitutes a commercial day trip activity is specifically prohibited.~~
- (b) The use of the support vessel is restricted to supporting guided sea kayaking tours and excludes general passengers not associated with kayaking activities. The support vessel shall be painted in the colour scheme as outlined in the application.

Operational Restrictions

5. (a) The consent holder may only operate the kayaks and vessel within Doubtful Sound inside a line from Joseph Point (at the eastern head of First Arm) to Common Head (at the eastern head of Secretary Island) to the southern extremity of Richards Point (at the western head of Bradshaw Sound) and across to the adjacent Bradshaw Sound eastern headland at approximate grid reference NZMS 260 B43:421-289. Access to Crooked Arm (except for west of Turn Point for vessel access) and Hall Arm are included in the consent.
- (b) Kayak and/or vessel access to First Arm, Bradshaw Sound, and Crooked Arm west of Turn Point is prohibited.
6. ~~Neither kayakers nor Passengers or~~ crew of the vessel shall not land on, nor shall the vessel moor adjacent to:
- ~~the foreshore of Shelter Island or Nee Islets at the mouth of Doubtful Sound; or~~
 - the foreshore of Seymour Island, Doubtful Sound; or
 - any foreshore within 50 metres of New Zealand Fur Seal colonies.

Commented [JE1]: These are outside the area defined by condition 5.

Effluent Discharge

7. Sewage shall be discharged in accordance with the Resource Management (Marine Pollution) Regulations 1998, and the Resource Management (Marine Pollution) Amendment Regulations

2002. The sewage shall be discharged into holding tanks for disposal at least 500 metres seaward from mean high water springs.

Rubbish Disposal and Contaminant Spills

8. This consent shall be exercised in accordance with the application. In particular, all rubbish shall be removed from the coastal marine area and disposed of at a designated refuse disposal site.
9. The consent holder shall adopt the best practicable option for refuelling to ensure that a discharge of fuel or oil in the coastal marine area is avoided. In the event of any spill of oil, fuel, or other contaminant, including sewage that has not been discharged in accordance with the Resource Management (Marine Pollution) Regulations 1998, and the Resource Management (Marine Pollution) Amendment Regulations 2002, the consent holder shall immediately notify the Consent Authority Compliance Manager, or delegate. Notification shall include the type and quantity of contaminant spilled, and the steps taken to remedy or mitigate any adverse effects.

Note:

The best practicable option is not defined because all of the options are not known. The purpose of the condition is to ensure that the consent holder uses appropriate equipment, and properly supervises this part of the operation to ensure no discharges occur, and is aware of his liability in the event of an accident

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

Noise

11. The consent holder shall ensure that the vessel does not exceed the noise levels listed in Rules 5.3.4, and 5.3.6, and Rule 16.3.4 of the Regional Coastal Plan for Southland.

To ensure compliance with Rules 5.3.4, 5.3.6 and Rule 16.3.4 of the Regional Coast Plan for Southland the consent holder shall measure and assess the noise levels emitted by the vessel, in accordance with the provisions of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound".

Biosecurity

12. The following biosecurity procedures are to be followed at all times:
- (a) at the last port of call prior to entering the Fiordland marine area, the vessel operating under this Consent;
 - (i) must have the hull inspected for pests and fouling organisms, in particular *Undaria*;
 - (ii) clean and dry mooring lines, buoys and any other equipment that has come into contact with coastal waters, in a manner that kills marine pests and unwanted organisms;
 - (iii) after cleaning the hull and equipment, have the hull and associated equipment inspected by a suitably qualified person to ensure that there are no visible signs of marine pests and unwanted organisms; and
 - (b) six weeks after the inspection required in Condition 12(a) the Consent Holder shall inspect the vessel mooring lines, buoys and any other equipment that has come into contact with coastal water to check for marine pests and unwanted organisms; and
 - (c) immediately after each inspection required in Condition 12(a) and 12(b), if any marine pests or unwanted organisms are found, the Consent Holder shall notify the Consent Authority and seek advice from a suitably qualified person regarding removal, treatment, and disposal of the pest(s) or unwanted organism(s). Once this advice is received, the Consent Holder shall immediately ensure that the pest(s) or unwanted organism(s) are removed and disposed of in accordance with that advice.
13. The Consent Holder shall:
- (a) maintain the vessel in a rodent free state at all times;
 - (b) maintain at least one bait station or trap for the purposes of rodent eradication, on the main vessel at all times; and
 - (c) inspect the vessel and any cargo, for pests, in particular, rodents, and prior to re-entering the Fiordland marine area on each occasion.

Reporting Requirements

14. A log of all operations shall be maintained, including:
- (a) the location of sewage discharges;
 - (b) a log of all day trip activities, including the following details:
 - (i) departure date and return date for each day trip;
 - (ii) location(s) travelled to for each day trip; and
 - (c) the results of inspections for pests, unwanted organisms, or hull fouling organisms on the vessel and equipment, in accordance with Conditions 12 of this consent.

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

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

Review of Consent Conditions

15. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period 1 February to 30 September each year, or within two months of any enforcement action being taken by the Consent Authority in relation to the exercise of this consent, for the purposes of:
 - (a) determining whether the conditions of this permit are adequate to deal with any adverse effect on the environment, including cumulative effects, which may arise from the exercise of the permit, and which it is appropriate to deal with at a later stage, or which become evident after the date of commencement of the permit; or
 - (b) ensuring the conditions of this consent are consistent with any National Environmental Standards Regulations, relevant plans and/or Policy Statement; or
 - (c) amending the monitoring programme to be undertaken; or
 - (d) adding or adjusting compliance limits; or
 - (e) requiring the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment arising as a result of the exercise of this permit.

Notes

1. The Southland Regional Council Navigation Safety Bylaws 2009 (revised 2015) must be followed by the Consent Holder at all times.
2. Sewage shall be discharged ashore into the Deep Cove Waste Water Treatment Plant unless the plant is undergoing repairs and maintenance then sewage from the vessel holding tanks should be discharged in accordance with the Resource Management (Marine Pollution) Regulations 1998, at least 1000 metres seaward from mean high water springs.
3. Unless otherwise provided for in the Regional Coastal Plan, the generation of noise and the noise from a ship in motion are permitted activities, provided the criteria set out in Rule 5.3.4 and Rule 5.3.6 are complied with.
4. An activity log template can be downloaded from the Council's website at: <http://www.es.govt.nz/document-library/forms-and-fees/Pages/Compliance-forms-and-permits.aspx>
5. The Consent Holder shall pay an annual administration and monitoring charge to the Consent Authority, collected in accordance with Section 36 of the Resource Management Act, 1991.
6. The Consent Holder shall not sell this consent, in whole or in part, or any of the rights, powers and privileges conferred by it, without advising the Consent Authority, and the payment of the transfer charges as determined by the Consent Authority.
7. Neither the issuing of this consent nor anything contained in it shall affect the liability of the Consent Holder for any injury caused by the exercise of this consent to any vessel or person through any default or neglect of the Consent Holder.
8. The granting of this consent does not absolve the Consent Holder from the responsibility to abide by any rule or regulation; nor does it absolve the Consent Holder from the responsibility to obtain any approval, permit, licence, concession or consent from any other body, including, but not limited to, marine mammal viewing permits issued by the Department of Conservation.

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

Definitions

Commercial Day Trip - means the undertaking of a commercial day trip activity from a point of embarkation and back, with the embarkation and disembarkation of the same passengers (more or less) occurring on the same calendar day.

Commercial Backcountry Trip - means the undertaking of a commercial backcountry activity within either Hall Arm, Crooked Arm west of Turn point, First Arm or Bradshaw Arm for any purpose, other than using an anchorage and travelling directly to and from that anchorage when conditions prevent the use of anchorages in areas other than those specified.

Doubtful Sound - means all that part of the coastal marine area bounded to the west by an imaginary line drawn from Febrero Point to the western extremity of the Hares Ears thence to the western extremity of Secretary Island, and bounded to the south and east by an imaginary line from Brig Point to the southern extremity of Elizabeth Island and the extension thereto excluding Thompson Sound, Bradshaw Sound, First Arm and Crooked Arm.

Bradshaw Sound - means all that part of the coastal marine area east of an imaginary line between the southern extremity of Richards Point and the headland at the approximate grid reference, NZMS260 B43421289, including Gaer Arm and Precipice Cove.

Crooked Arm East of Turn Point - means that part of the coastal marine area bounded to the south by an imaginary line drawn due south of Turn Point and bounded to the north by an imaginary line drawn between Ranson Head and Kellard Point.

Crooked Arm West of Turn Point - means all that part of the coastal marine area west of an imaginary line drawn due south of Turn Point

First Arm - means all that part of the coastal marine area south and west of an imaginary line between the northernmost part of Rogers Point and Joseph Point

Hall Arm - means all that part of the coastal marine area south and west of an imaginary line between Davidson Head and Pridham Point.

Thompson Sound - means all that part of the coastal marine area bounded to the north by an imaginary line drawn between Colonial Head and Shanks Head and bounded to the south by an imaginary line drawn between Common Head and the southern extremity of Richards Point.

Appendix 1: Doubtful/Patea Complex Map

Commented [JE2]: The map should reflect the area in which the kayaking can be carried out (see Condition 5).

