

Coastal Permit

Pursuant to Section 104B of the Resource Management Act 1991, a resource consent is hereby granted by the Southland Regional Council to **Real Journeys Limited of P O Box 1, Te Anau 9640** from 22 February 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 the coastal marine area.
Location - site locality	Internal waters adjacent to Fiordland National Park from Yates Point to Puysegur Point.
Legal description at the site:	Coastal Marine Area
Expiry date:	29 October 2032

Conditions

1. (a) This consent authorises the undertaking of commercial surface water activities, in the coastal marine area adjacent to Fiordland National Park from Yates Point to Puysegur Point, for one vessel of approximately 44 metres registered length with:
 - i. Up to 85 passengers plus crew for backcountry trips; and
 - ii. Up to 90 passengers plus crew for day trips; and
 - iii. The use of two tender crafts and 30 single kayaks;

for the purpose of undertaking commercial day trips, backcountry trips and charter cruises, as described in the application for resource consent dated 8 January 2020¹ and further information received on 7 February 2020².

¹ Environment Southland electronic filing references A535744

² Environment Southland electronic filing reference A544632

- (b) An exception to Condition 1(a) is during a Milford Road closure when Milford Sound passengers are diverted to Doubtful Sound or when the vessel operating under Coastal Permit 200125, or a replacement consent, is not available. During these occasions, the number of passengers for day trips is up to 150 passengers plus crew.

Operational Restrictions

2. (a) Subject to Condition 2(b), the Consent Holder may only operate the vessel in the Doubtful Sound/Patea Complex for **day trip** purposes, as follows:

	Area	Trips(s) per day
(i)	Deep Cove to embark or disembark passengers	No restriction
(ii)	Doubtful Sound	1
(iii)	Hall Arm	1
(iv)	Crooked Arm east of Turn Point	1

The combined number of day trips in these areas shall number one in total.

- (b) This consent is complementary to, and is to be exercised in conjunction with, Coastal Permit 200125 and AUTH-20201878 or replacement consents. The combined total of day trips under these resource consents for all vessels on any one day shall not exceed four.
3. Subject to Condition 3(c) the Consent Holder may only operate vessels in the Doubtful/Patea Complex for **backcountry trip** purposes as follows:

- (a) From September to May

	Area	Trips per month
(i)	Deep Cove to embark or disembark passengers	No restriction
(ii)	Doubtful Sound including Hall Arm (April to October 41 trips)	40
(iii)	Thompson Sound	16
(iv)	Bradshaw Sound (including Precipice Cove and Gaer Arm)	57
(v)	Crooked Arm east of Turn Point	55
(vi)	Crooked Arm west of Turn Point	55
(vii)	First Arm	34

- (b) From June to August

	Area	Trips/month
(i)	Deep Cove to embark or disembark passengers	No restriction
(ii)	Doubtful Sound including Hall Arm (April to October 41 trips)	47
(iii)	Thompson Sound	14
(iv)	Bradshaw Sound (including Precipice Cove and Gaer Arm)	43
(v)	Crooked Arm east of Turn Point	51
(vi)	Crooked Arm west of Turn Point	51
(vii)	First Arm	28

- (c) This consent is complementary to, and is to be exercised in conjunction with, Coastal Permit 301635. The combined total of backcountry trips for both vessels under both resource consents shall not exceed the monthly totals detailed in Conditions 3(b) and 3(c) above.
 - (d) The vessels authorised to operate under this resource consent and Coastal Permit 301635 must avoid overnighing in First Arm at the same time, unless adverse weather conditions dictate that it is prudent for vessel safety, that both vessels overnight in First Arm.
 - (e) Overnighing in First Arm by the vessel authorised under this resource consent (from March 2023 onwards), is contingent the Consent Holder applying for and being granted a resource consent, to installing and occupy a mooring in First Arm within two years of granting this consent.
4. The Consent Holder shall not operate associated activities, such as kayaks and tender vessels, during day trips or backcountry trips, as follows:
- (a) In Hall Arm, inside a line from Davidson Head to Pridham Point;
 - (b) In Crooked Arm in the area between 2 kilometres west of Turn Point to 2.5 kilometres from the head of the Arm;
 - (c) Except in accordance with Section 3 of the Doubtful Sound marine mammal (and other wildlife) code of management (<https://www.doc.govt.nz/globalassets/documents/getting-involved/consultations/consultations-results/management-code-dolphins-doubtful-sound.pdf>);
 - (d) In Gaer Arm, except for the head of Gaer Arm, which may be used for kayaking and tender craft activities, and for no more than four days per calendar month;
 - (e) No mooring or overnight anchoring in Hall Arm, other than the anchorage at the mouth of Hall Arm at position 45° 26' 42" S 167° 07' 15" E; and
 - (f) At Shelter Islands, there shall be no kayaking at any time of the year. Support vessels are not permitted to within 50 m of the shore, one hour before sunset until one hour after sunrise during the period of July through to March (inclusive).
5. Passengers or crew of the vessel authorised by this consent shall not land on, nor shall the vessel moor adjacent to:
- (a) the foreshore of Shelter Island or Nee Islets at the mouth of Doubtful Sound;
 - (b) the foreshore of Seymour Island, Doubtful Sound; and
 - (c) any foreshore within 50 metres of New Zealand fur seal colonies.
6. The Consent Holder shall maintain a log of all operations, including sewage discharges, timing, number of passengers, purpose of all activities and location of activities, and inspections for hull fouling organisms, in accordance with Condition 11 of this consent. A copy of the entries in this log shall be sent to the Consent Authority every three months.

Rubbish Disposal and Contaminant Spills

7. All rubbish shall be removed from the coastal marine area and disposed of at a designated refuse disposal site.
- 8.
- (a) A fuel/oil spill kit that is suitable for the operation must be available on the main vessel at all times. This spill kit shall contain, at a minimum:
 - (i) oleophilic booms, pads and pillows;
 - (ii) personal protection equipment;
 - (iii) plastic bags; 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.

Biosecurity

9. 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 hulls of all vessels operating under this Consent, including the main vessel, tender vessels and kayaks:
 - (i) be inspected for pests and fouling organisms, in particular *Undaria*;
 - (ii) clean and dry mooring lines, buoys and any other equipment that have 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) The Consent Holder should use their best endeavours to carry out a further inspection six weeks after the inspection required in Condition 9(a). Specifically, the Consent Holder shall inspect the main vessel, tender vessel, kayaks, 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 9(a) and 9(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.
10. The Consent Holder shall:
- (a) Maintain the main vessel, tender vessel, and kayaks in a rodent free state at all times;
 - (b) Maintain at least one bait station or trap in each of the pantries on the vessel at all times for the purposes of rodent eradication; and
 - (c) Inspect the main vessel, tender vessel, and kayak compartments, and any cargo, for pests, in particular, rodents, and prior to re-entering the Fiordland coastal marine area on each occasion.

Reporting Requirements

11. A log of all operations shall be maintained, including:
- (a) The timing and location of sewage discharges;
 - (b) A log of all trip activities (day and backcountry), including the following details:
 - (i) departure date and return date for each day trip;
 - (ii) location(s) travelled to for each day trip;
 - (iii) number of passengers aboard the vessel for each day trip; and
 - (iv) the purpose of all activities, including use of the vessel and any ancillary activities such as kayaking; and
 - (c) The results of inspections for pests, unwanted organisms, or hull fouling organisms on the vessels, kayaks and equipment, in accordance with Condition 9 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

12. 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 consent are adequate to deal with any adverse effect on the environment, including cumulative effects, which may arise from the exercise of the consent, and which it is appropriate to deal with at a later stage, or which become evident after the date of commencement of the consent; 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 avoid, remedy or mitigate any adverse effect on the environment arising as a result of the exercise of this consent.

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 Wastewater 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 500 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