

Introduction

Real Journeys Limited has applied for a resource consent to carry out commercial surface water activities in the coastal marine area of Fiordland, between Yates Point and Puysegur Point, including the Doubtful Sound/Patea complex.

Current Coastal Permit 97049 allows the applicant to operate commercial day and backcountry trips using a vessel of approximately 44 metres, two tender vessels and up to 30 kayaks within the principal arms of the Doubtful Sound/Patea complex.

The application proposed to maintain the current size and scale of its activities for day trips, but to alter some of the areas and trips the commercial surface water activities operate within during backcountry trips, and to increase the number of allocated backcountry trips within First Arm from 12 to 31 trips each calendar month.

My recommendation was that the components of the application seeking to maintain the size and scale of the activities currently consented be approved, but that the proposed increase in the number backcountry trips within First Arm be declined as I considered that this component of the application did not pass either of the “gateway” tests under Section 104D of the RMA. This was based on my view that I was not satisfied that the potential effects of the proposed increase in the number of backcountry trips in First Arm on remoteness and wilderness values would be minor, and therefore could not be satisfied that the proposal would not be contrary to the policy framework provided in the Regional Coastal Plan (RCP).

The applicant has provided a mitigation measure in their hearing evidence which proposed that the application be treated as complementary to and be exercised in conjunction with current Coastal Permit 301635 which allows for up to 22 visits to First Arm per month. The applicant has also provided a set of draft conditions which outlines the combined trip allocations for all the areas of operation, including the combined allocation for First Arm as follows:

1. (a) *Subject to condition 2(b), the consent holder may only operate the vessel in the DoubtfulSound/Patea Complex for day trip purposes, as follows:*

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

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, consent number 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.*
2. *Subject to condition 3(c) the consent holder may only operate the vessel in the Doubtful/Patea Complex for backcountry trip purposes as follows:*
 - (a) From September to May*

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

(b) *From June to August*

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

(c) *This consent is complementary to, and is to be exercised in conjunction with, consent number 301635 accordingly, the combined total of backcountry trips for both vessels shall not exceed the monthly totals detailed in 3(b) and 3(c) above.*

I've considered the above off-set mitigation, and I am of the view that by exercising the new permit (if granted) in conjunction with current Coastal Permit 301635 would effectively provide the applicant with the flexibility of utilising the combined allocation that is available under both permits with both of the vessels currently operating under those permits, without increasing the overall discretionary allocation for day trips or backcountry trips.

I also agree with the applicant's assessment that the potential effects of the larger vessel on remoteness and wilderness values of First Arm will be similar to that of the smaller vessel, and that this arrangement will avoid an additional vessel to the area as the larger vessel is already operating within First Arm. This is also based on condition to not allow both vessels to moor simultaneously within First Arm, with the exception of adverse weather conditions.

Recommendation

In regard to S.104D(1)(a), I am now satisfied that the effects of the proposed activities as amended on the receiving environment and on current remoteness and wilderness values of the receiving environment will be no more than minor provided the proposed measures as outlined in the application are implemented to mitigate the physical effects of the activities, and that a shorter consent term is imposed to align the consent expiry date with the expiry dates of the majority of other consents for undertaking commercial surface water activities within the Doubtful Sound/Patea complex.

In regard to S.104D(1)(b), I am also now satisfied that the proposal as amended is not inconsistent with the relevant objectives and policies of the Regional Coastal Plan.

Overall, I hence now recommend that the application for the activities as outlined above be granted pursuant to Sections 104, 104B and 108 of the Resource Management Act 1991, subject to the conditions (Attachment 1).

Term of Consent

The applicant has requested a consent term of 25 years. A consent term of 12 years is hereby recommended for the following reasons:

- the proposed expiry date of 2032 is consistent with the expiry date for Coastal Permit 301635, and with the expiry dates of other current permits for undertaking commercial surface water activities within the Doubtful Sound/Patea complex;
- it was considered that a shorter consent term would allow council to re-assess the cumulative effects of the number of consented trips at the time of application for renewal of current permits.



NAME George Gericke
POSITION **Consents Officer**