

Assessment of Environment Effects

For an Application for a Coastal Permit for use of a moored ship as an accommodation facility in Paterson Inlet, Stewart Island

**APPLICATION FOR RESOURCE CONSENT
PURSUANT TO SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991 (RMA)**

To: Environment Southland
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From: Real Journeys Limited
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1. Real Journeys Limited applies for the following Resource Consent:

RMA Section	Resource Consent	Duration of Consent
12(3)(a)	Coastal Marine Area	10 years

Please refer below to the report for further background as to the reasons for seeking Resource Consent for the proposed activity.

2. The activity to which this Resource Consent relates is:

To use and moor a vessel of up to 40 metres overall length, capable of sleeping up to 74 passengers (including two infants) plus crew, as a base/accommodation facility in Goose Cove, off Glory Cove, Paterson Inlet, Stewart Island / Rakiura.

3. The site to which this application relates is located at:

Location: Coastal Marine Area of Stewart Island
Approx. Latitude & Longitude: 46°58.1729'S: 168°09.9624'E
Legal Description: Crown Land within the Coastal Marine Area.

4. Included in this application for the proposed activity is an assessment of:

- A. actual and /or proposed potential environmental effects (AEE) as required by the Forth Schedule of the RMA. The AEE corresponds to the scale and significance of the potential effects on the environment;
- B. the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991; and

- C. the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of schedule 4 of that Act.
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- 5. Information, as required by the relevant Coastal Plan, and other applicable planning documents, is contained in the attached document.

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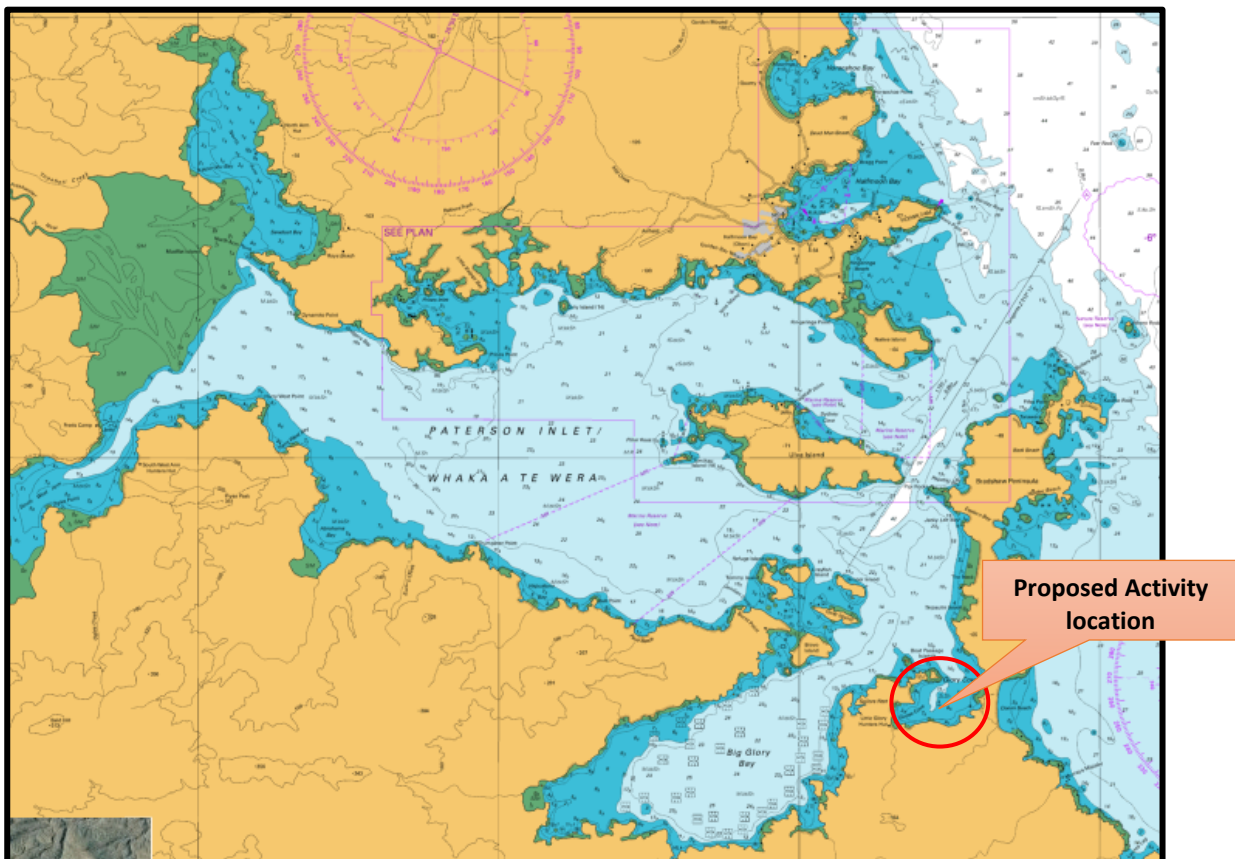
1. Introduction

1.1 The Proposal

In the post COVID-19 era Real Journeys Limited has surplus vessels because we have no international visitor market at present and are not likely to for some time. Consequently, Real Journeys is proposing to periodically relocate either the “Milford Mariner” or the “Fiordland Navigator” from Fiordland to Stewart Island to act mostly as an accommodation base for mainly five day – four night excursion or a three day – two night excursions (backcountry trips) to generate alternative income. We are proposing to sell these multiday excursions as charters mainly to corporate groups; that tap into the market which is known in the trade as MICE (meetings, incentives, conferences, and events). It is likely that either the “Milford Mariner” or the “Fiordland Navigator” will be relocated to Rakiura for several months.

This proposal will also allow Real Journeys to capitalise on the popularity of Stewart Island as a domestic holiday destination while New Zealand borders remain closed. In December 2020, the Otago Daily Times reported that visitor numbers to Rakiura had increased by 150 per cent compared with the past six months, and 200% compared with the past two months.¹

Figure 1 - Chart showing location of proposed activity.

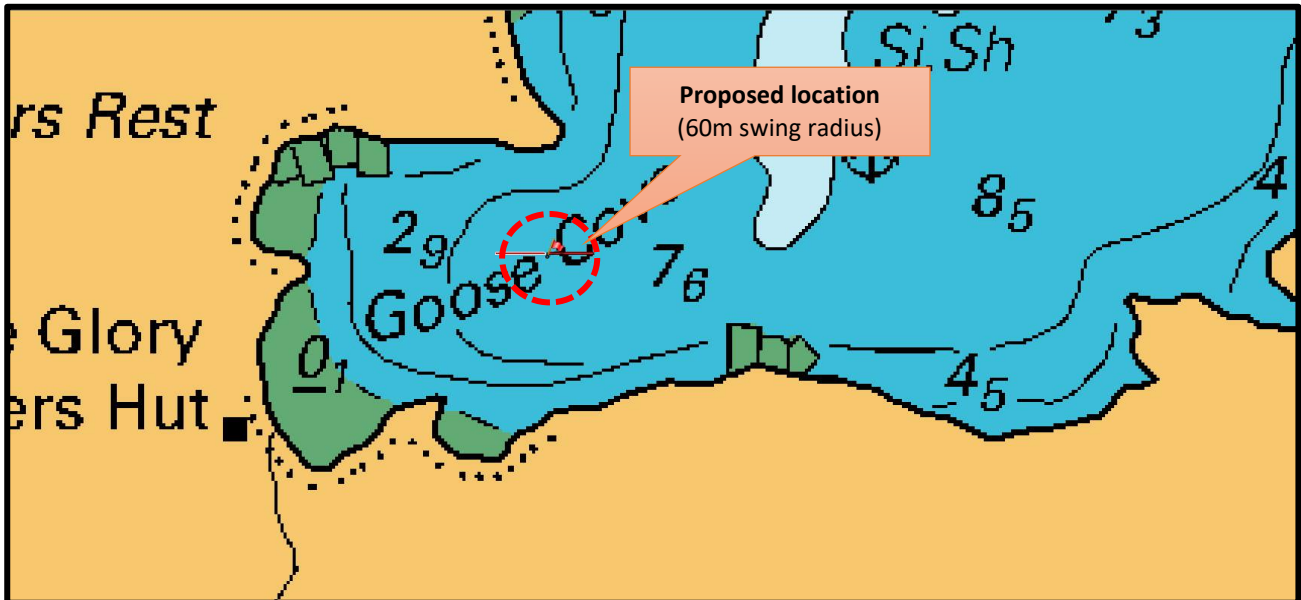


<https://data.linz.govt.nz/search/?q=6825>

¹ <https://www.odt.co.nz/regions/southland/island-proving-hit-domestic-travellers>
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The location where Real Journeys is proposing to use and moor a vessel of up to 40 metres overall length, as a base/accommodation facility at approximately 46°58.1729'S: 168°09.9624'E in depth of water of approximately 7 metres (at low tide) in Goose Cove, off Glory Cove, Paterson Inlet, Stewart Island / Rakiura. In a depth of water of 7 to 10 metres and vessel length of 40 metres it is envisaged that the swing circle of the proposed activity will be about 55 metres.

Figure 2 - Chart showing location of proposed activity



<https://data.linz.govt.nz/search/?q=6825>

Passengers will mainly be transferred ex Bluff to either the "Milford Mariner" or the "Fiordland Navigator" using the Stewart Island Ferries and the Stewart Island Ferries or the "Rakiura Explorer" will also be used to transfer passengers to various locations around Stewart Island to enable passengers to undertake activities ashore and visit Oban. The Stewart Island Ferry the "Foveaux Express" is a 23-metre aluminium catamaran surveyed for 100 passengers. Refer below:

Figure 3 – Image of the "Foveaux Express"



The other Stewart Island Ferry is the “Southern Express” which is a 19.5 metre aluminium catamaran surveyed for 99 passengers in enclosed limits and 65 passengers in inshore limits. Refer below:

Figure 4 – Image of the “Southern Express”



The “Rakiura Explorer” is an 11.9 metre vessel surveyed for 45 passengers in enclosed waters and 24 passengers in inshore limits and is mainly used for Kiwi viewing excursions. Refer below:

Figure 5 – Image of the “Rakiura Explorer”



Figure 6 - Image of the “Milford Mariner”



	<i>Milford Mariner</i>
Description:	Purpose built motor vessel, designed along the lines of a traditional NZ coastal trading scow, the vessel is also equipped with 30 kayaks and two tender crafts.
Length / Beam / Draft:	38.2m/10m/1.8m
Max Displacement:	693Gross tonnage
Engines:	2 x 6AYM 484kw Yanmar
Cruising Speed:	12 knots
Surveyed for in enclosed waters:	150 passengers plus crew
Surveyed for in inshore waters:	65 passengers plus crew
Commenced service:	1 October 2000

Figure 7 - Image of the “Fiordland Navigator”



	<i>Fiordland Navigator</i>
Description:	Purpose built motor vessel, designed along the lines of a traditional NZ coastal trading scow, the vessel is also equipped with 30 kayaks and two tender crafts.
Length / Beam / Draft:	38.2m/10m/1.8m
Max Displacement:	693 Gross tonnage
Engines:	2 x 6AYM 484kw Yanmar
Cruising Speed:	12 knots
Surveyed for in enclosed waters:	150 passengers plus crew
Surveyed for in inshore waters:	85 passengers plus crew
Commenced service:	30 October 2001

Both vessels undertake day trips and backcountry trips; with the “Milford Mariner” currently operating in Milford Sound under Coastal Permit number AUTH-20181939 and the “Fiordland Navigator” operating in Doubtful Sound under Coastal Permit number AUTH-20201876.

The “Milford Mariner” and “Fiordland Navigator” are effectively sister ships and only varying in their visitor accommodation configuration. The “Milford Mariner” has 30 en suite cabins, where as the “Fiordland Navigator” has 18 en suite cabins and 9 quad-share bunk style compartments with shared bathroom facilities. Passenger accommodation on board both vessels is located on the lower and main decks of the vessels.

Figure 8- Images of the Accommodation on Board the Fiordland Navigator

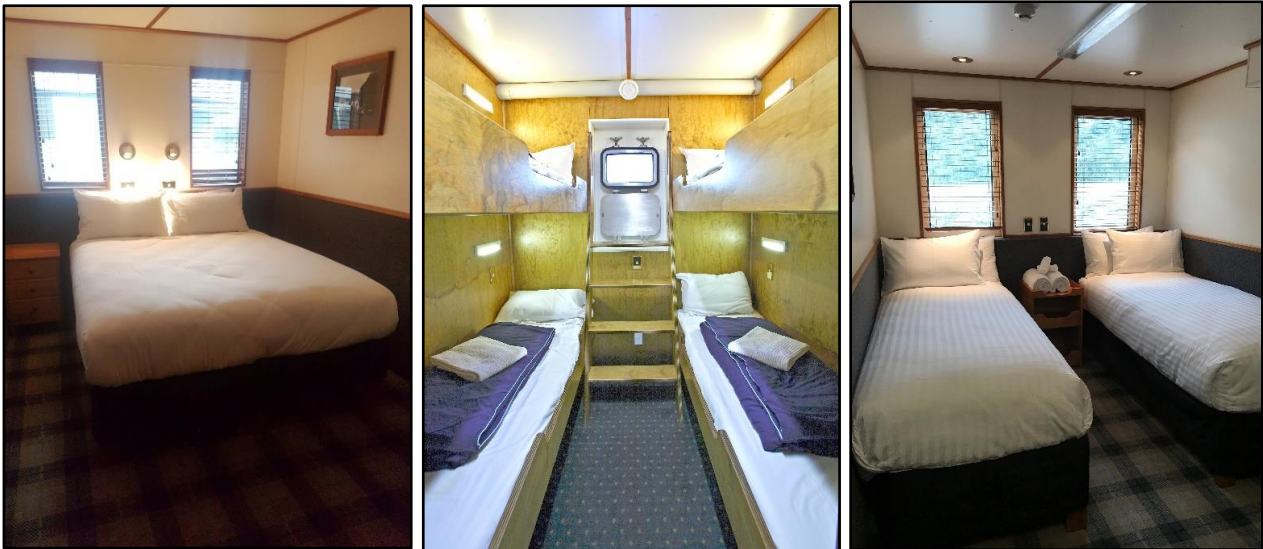


Figure 9 - Image of Passengers in the Dining Saloon on Board the Fiordland Navigator



There is a commercial kitchen (galley), bar and dining saloon on the upper deck of both vessels where passengers dine and socialise. There is also a forward saloon on the upper deck of each vessel. The upper deck and saloons create opportunities for passengers to interact. Refer image above

The bridge deck of both vessels have a large foredeck which enables passengers to engage with the surrounding natural environment of the CMA. Refer image below:

Figure 10 - Image of Passengers on the Fiordland Navigator's Foredeck



Both vessels carry two 6.3 metre aluminium pontoon style tender crafts which will be used to transfer passengers ashore and for water activities. The tender crafts are stored in cradles at the stern of both “Milford Mariner” and “Fiordland Navigator” and are deployed using a crane – refer image below. The water activities include guided kayak excursions where one of the tender crafts is used as a safety vessel for the kayakers. The other tender craft is used for cruising close inshore to show passengers various points of interest in the vicinity of where either the “Milford Mariner” or “Fiordland Navigator” is mooring or anchored.

Figure 11 - Image of tender craft and kayakers



Figure 12 - Image of the stern of the Fiordland Navigator with tender craft and kayakers



It is envisaged that during five day – four night excursion or a three day – two night excursions (backcountry trips); the “Milford Mariner” or “Fiordland Navigator” will cruise from the vessel mooring to other areas in Paterson Inlet to either undertake water activities or to transfer passengers ashore for guided walks or weather permitting the “Milford Mariner” or “Fiordland Navigator” will cruise around to Port William where the tender crafts will be used to transfer passengers ashore for a guided walk to or from Lee Bay.

We envision that during the five day – four night excursion or a three day – two night excursions the following activities will be undertaken by passengers, nonetheless the specifics of each backcountry trip and when activities occur will vary from group to group depending on the tide, weather conditions, the group preferences, requirement for team building exercises, and the fitness of the party members. The listed are only likely to be undertaken once per trip.

Table 1. – proposed activities undertaken while at Rakiura

Duration	Activity	Vessel used
2 hours	Transfer from Bluff to “Milford Mariner” or “Fiordland Navigator” in Goose Cove	Stewart Island Ferry
½ day	Guided walk on Ulva Island	Stewart Island Ferry

Duration	Activity	Vessel used
½ day	Kayak around Prices Inlet / Kaipipi Bay including visiting Whalers Base (with tender craft in support) OR Kayak up South West Arm.	“Milford Mariner” or “Fiordland Navigator” will relocate to near site where kayaks & tender crafts can be deployed.
½ day	Visit to Oban (may undertake Village & bays tour)	Various options – transfer to Golden Bay by tender craft if in the area for kayaking (to be picked up by Stewart Island Experience coaches / transfer to Halfmoon Bay via Ferry. Likely returned to “Milford Mariner” or “Fiordland Navigator” by Ferry. Or this visit could be undertaken in combination with walk on Rakiura Track where passengers are picked up or dropped off at Lee Bay by Stewart Island Experience coaches.
½ day	Guided walk at Oneki	Vessel tender crafts
1-2 hours	Evening Kiwi Viewing at Little Glory Scenic Reserve	Vessel tender crafts / Stewart Island Ferry
½ day	Guided walk from Port William to or from Lee Bay	Weather and sea stated permitting “Milford Mariner” or “Fiordland Navigator” will relocate to near Port William and transfer passengers ashore using tender crafts or Stewart Island Ferry will transfer passengers from Goose Cove to Halfmoon Bay / Port William
½ day	Option to undertake a walk to/from Freshwater River and Masons Bay	Stewart Island Water Taxi Operator
½ day	Fishing excursion	Passengers picked up (& dropped off) from “Milford Mariner” or “Fiordland Navigator” by Stewart Island Charter operator such as Aurora Charters.
1 day	Trip south to Lords River & / Port Adventure	Stewart Island Ferry
2 hours	Transfer from “Milford Mariner” or “Fiordland Navigator” in Goose Cove to Bluff	Stewart Island Ferry

That is in addition to the proposed “Milford Mariner” or “Fiordland Navigator” movements around Paterson Inlet and potentially to Port William, it is projected that approximately every five days the “Milford Mariner” or “Fiordland Navigator” will need to return to Bluff Harbour to refuel. In effective the “Milford Mariner” or “Fiordland Navigator” will not be stationary for months at a time when being used as a moored ship as a base/accommodation facility.

To enable the “Milford Mariner” or “Fiordland Navigator” to operate out of Paterson Inlet Real Journeys proposes to install a “water maker” on board. That is a desalination plant to convert seawater into fresh. In addition, we are considering installing an on-board wastewater treatment plant. Such plants are very expensive and there may not be sufficient demand for Paterson Inlet based trips to justify installation of this equipment.

The *Milford Mariner* and the *Fiordland Navigator* already have on board effluent holding tanks that currently pump effluent ashore for treatment in the respect operating ports. However, Real Journeys is investigating installing an OMNIPURE™ on board wastewater treatment plant initially on

the “Milford Mariner” as this is the vessel most likely to be used for this proposal. The OMNIPURE™ treatment process consists of the following:

- Raw sewage is collected via gravity into the system’s V-1 influent collection tank.
- The OMNIPURE unit oxidizes and disinfects raw sewage by means of an electrochemical reaction in the unit’s bookcell.
- After the slurry of sewage and seawater has been electrolyzed in the bookcell, the stream is routed into the OMNIPURE unit V-2 residence tank.
- The V-2 tank is sized to provide the required retention time to assure that any remaining bacteria will be exposed to the produced hypochlorite and killed.
- After retention in the V-2 tank, the effluent overflows from the top of the V-2 tank to the sea, via gravity. If this discharge point is below a vessel’s waterline, the V-2 tank discharge is routed to an on-board centrifugal overboard discharge pump for discharge to the sea.

If the OMNIPURE™ plant was not installed or if for any reason the OMNIPURE™ on board wastewater treatment plant was out of service for repair, wastewater would be discharged in accordance with Resource Management Marine Pollution Regulations 1998 outside Paterson Inlet.

NB the Coastal Permit application for a proposed swing mooring in Paterson Inlet to enable the aforementioned proposal to proceed is the subject of a separate resource consent application.

In the Regional Coastal Plan for Southland (RCP) the use of an anchored or moored ship as a base/accommodation facility is a Discretionary Activity in accordance with Rule 9.2.1. Hence a **Discretionary Activity** Resource Consent is required and applied for under the Regional Coastal Plan for Southland.

2.0 Assessment

2.1 Site Description

Stewart Island/ Rakiura the third largest island of New Zealand and is located 30 kilometres south of Bluff, across the Foveaux Strait within the Southern Ocean. Having a land area of approximately 1,680km², the island and its many smaller islands are mostly unmodified with approximately 85% of the island being National Park. Having geological links to the granite geology of Fiordland, Stewart Island/ Rakiura contains a range of impressive landforms, from the granite and schist ridges of the southern inland ranges to the broad inland freshwater basin and bogs in the north.

In terms the marine environment, Stewart Island/ Rakiura is located within the Southern Ocean, at one of the world’s great oceanic boundaries – the subtropical convergence, where the prevailing westerly wind and currents from the Tasman Sea moderate the temperatures protecting Rakiura from the cooler Sub-Antarctic waters further south.

The east coast of Stewart Island is composed of a relatively sheltered complex of drowned river valley systems, with long inlets, tidal flats, beaches, and rocky headlands. Paterson Inlet / Whaka a Te Wera is a natural harbour situated on the north-eastern side of Stewart Island and almost bisecting Rakiura. It is an 8,900-hectare inlet, 15 km in length, with 188 kilometres of coastline, formed by post-glaciation flooding approximately 12,000 to 16,000 years ago. Its maximum depth is about 45 metres near the entrance; depths in the greater part of the inlet lie between 15 and 25 metres.

Figure 13 - Map of New Zealand



<https://www.kids-world-travel-guide.com/new-zealand-facts.html>

The inlet is fed by two main rivers Freshwater River and Rakeahua River and these unmodified tidal rivers include intertidal delta type estuaries. Freshwater River drains the native forest catchment of the Mount Anglem highlands and Ruggedy Mountains area and its lower reaches meander across Freshwater Valley, and this is the largest area of flat land on Stewart Island. The dome-like peak of Mount Rakeahua overlooks the southwest arm of Paterson Inlet, is the northern catchment of the Rakeahua River and the southern catchment are the hills, which are the northern extent of the Tin Range.

Figure 14 - Map showing location of proposed activity.



<https://www.topomap.co.nz/>

Kaipipi Bay, North Arm, and South West Arm are large tidal estuaries in the upper reaches of the inlet, where saltmarsh flourish. The inlet entrance is constricted by Ulva Island, Native Island and Bradshaw Peninsula, which protrudes northward. These obstructions and its situation on the eastern coast shelter Paterson Inlet from heavy seas. Adjacent Ulva Island is the Ulva Island-Te Wharawhara Marine Reserve established in 2004. The marine reserve encompasses 1075 hectares, that extend between the southern side of Native Island to the eastern end of Ulva Island; extends from the south facing shore of Ulva Island to the southern shore of Paterson Inlet; and there is a third small area of reserve in Sydney Cove. In addition, 80% of Te Whaka ā Te Wera / Paterson Inlet, (with the exception of Te Wharawhara-Ulva Island Marine Reserve and Big Glory Cove) is a Mātaitai Reserve area.

Figure 15 - View of Te Whaka ā Te Wera/ Paterson Inlet from the East



<https://southlandnz.com/stewart-island/natural-attraction/glory-cove-scenic-reserve>

Figure 16 - Ulva Island-Te Wharawhara Marine Reserve



² <https://www.fisheries.govt.nz/dmsdocument/931/direct>
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Figure 17 - View of Te Whaka ā Te Wera/ Paterson Inlet from the South with Bradshaw Peninsula and The Neck in the distance



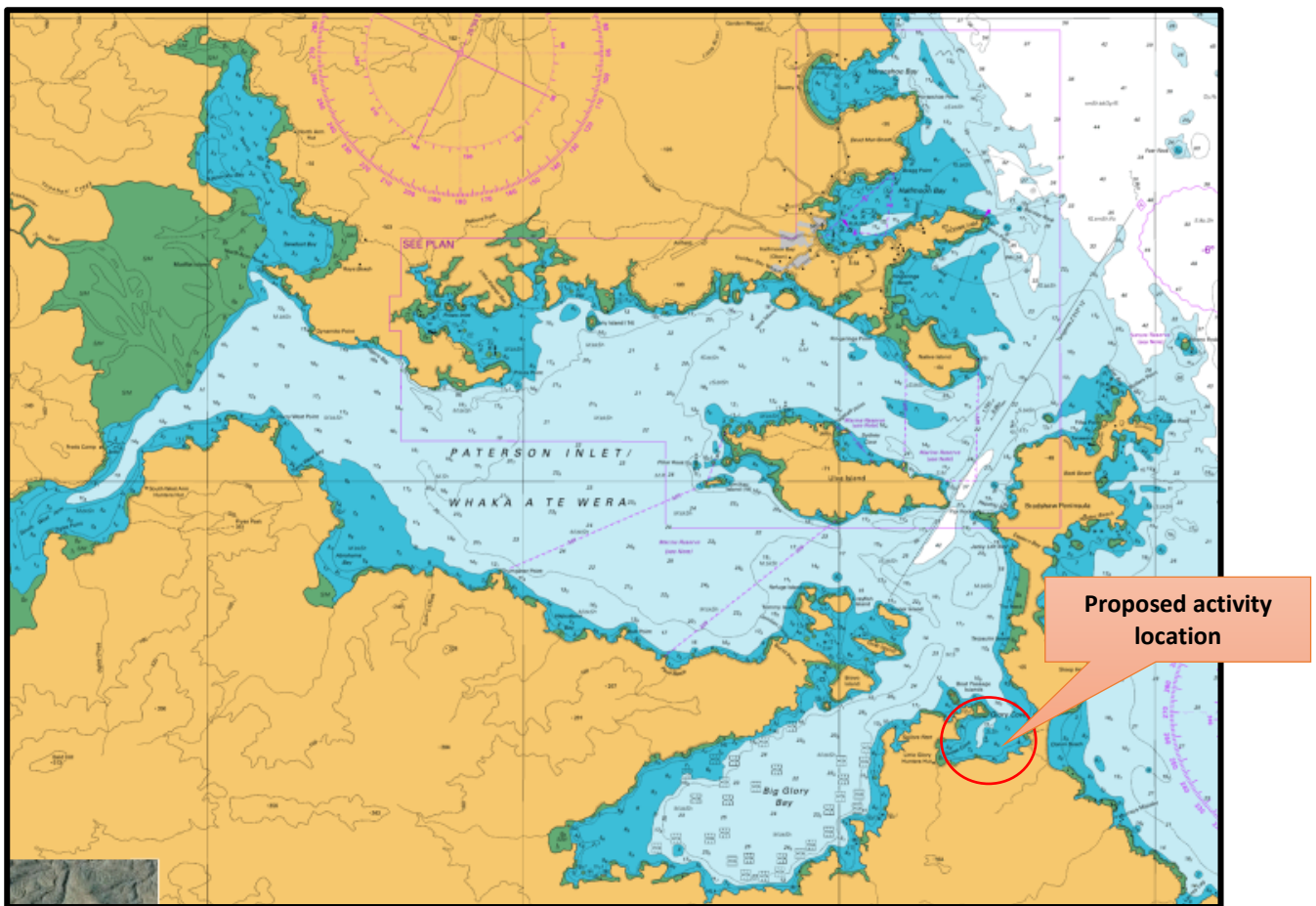
<https://teara.govt.nz/en/stewart-islandrakiura>

In terms of terrestrial vegetation, Stewart Island/Rakiura retains a relatively diverse number of habitats, ranging from indigenous forests and shrublands to wetlands, sand/dune communities and alpine ecosystems. The dominate forest on the island is Podocarp (with the exception of Beech species), comprising principally Rimu, Kamahi and Southern Rata, with an extensive sub-canopy of broadleaves, such as *Griselinia littoralis*, lancewood and tree ferns. Browsing from deer and possum

is experienced throughout the island hence the ground and shrub tiers of the forest are often sparse with few young hardwood saplings.

An array of marine wildlife lives within the sheltered and more exposed waters off Stewart Island/Rakiura including NZ Fur Seals, Sea Lions and Yellow Eyed Penguins / Hoiho, Fiordland Crested Penguin/ Tawaki and Little Blue Penguins /Korora. There is also wide diversity of indigenous species on and around Stewart Island, including rare and endemic lizards; invertebrates, and birds such as the Stewart Island Brown Kiwi/Tokoeka, Weka, Southern NZ Dotterel, shags, Stewart Island Robin, and Stewart Island Fernbird. Rakiura also has nationally significant populations of Sooty Shearwater / Titi, Red Crowned Parakeet, and South Island Saddlebacks.

Figure 18 - Chart showing location of proposed activity.



<https://data.linz.govt.nz/search/?q=6825>

Big Glory Cove and Glory Cove open side by side immediately south of the entrance; the former is a large safe harbour which is now utilised for marine farming of mainly salmon and green-lipped mussels. Paterson Inlet is almost completely surrounded by forest, which grows mainly without interruption upwards from the inlet surface. The lowest limit of land plant growth is sharply cut by the curtailing effect of saltwater at full tide.

Figure 19 - Chart showing location of proposed activity

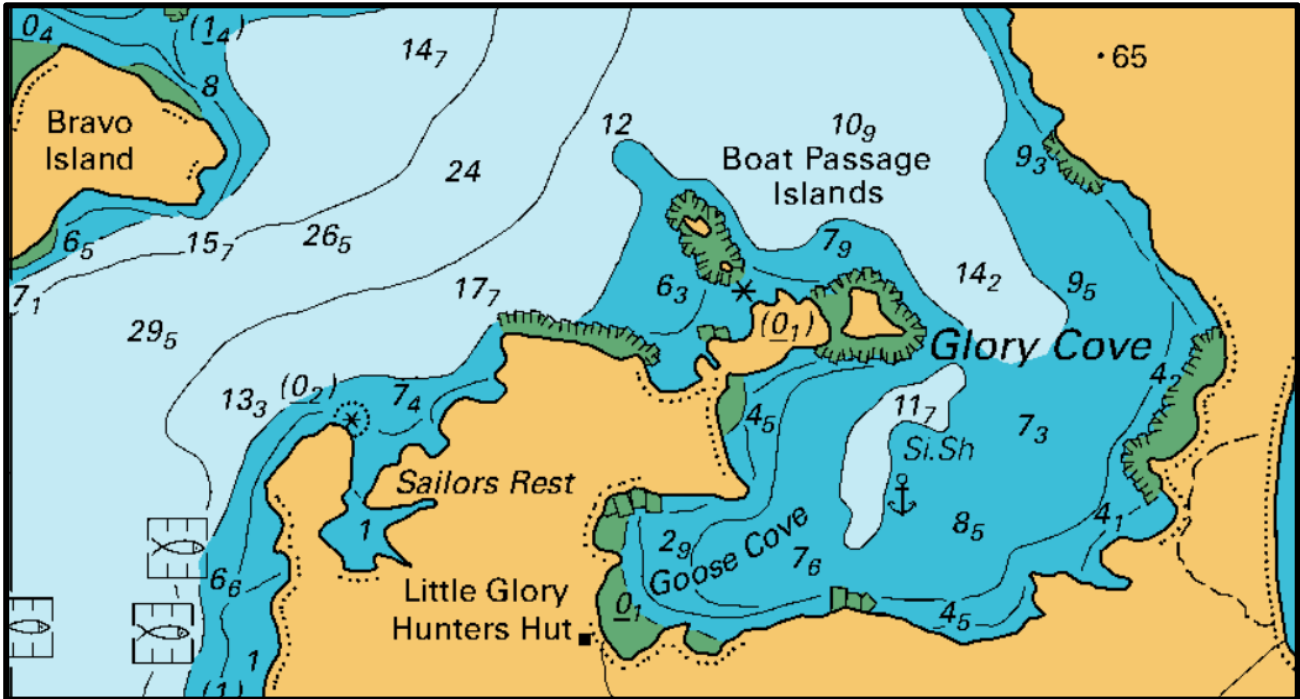
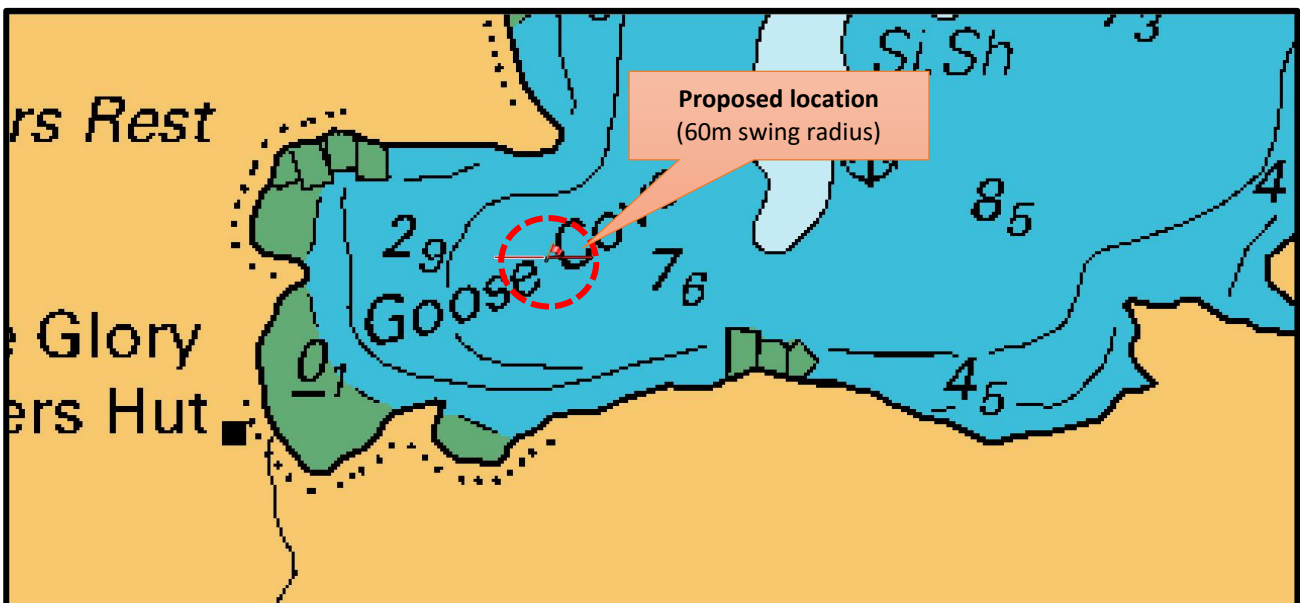


Figure 20 - Chart showing location of proposed activity



Glory Gove itself is a small, fairly sheltered, deeply indented bay which runs off the south-east of Paterson Inlet. Glory Cove lies at latitude 46° 58' south, longitude 168° 10' east. Its depth is mostly between 6 and 15 metres. Its opening is 3.5 nautical miles from the entrance of Paterson Inlet to the open sea of Foveaux Strait. It is not exposed to open ocean wave action.

Glory Cove is surrounded by slightly hilly land, forest-clad to the water's edge around its western half, and by coastal scrub on a low neck of land along its southeast margin. Its shores have no

infrastructure, except a small jetty which provides access to the Glory Cove Scenic Reserve. The cove shore consists of rocky outcrops, stones, and small beaches.

Figure 21 - Photo of northern shoreline of Glory Cove



Figure 22 - Photo of view into Goose Cove



For Maori, Rakiura is translated as 'The Island of Glowing Skies', a reference to the long sunsets and the nocturnal sky-displays of the Southern Lights or Aurora Australis. Rakiura is also an abbreviation of Te Rakiura a Te Rakitamau, which refers to the blushing embarrassment of a young man, Te Rakitamau, when he was refused the hand in marriage of both daughters of a chief of the island. Suffice to say that the island is very important to Maori, especially as Rakiura is also referred to as Te Puka a te Waka a Maui 'The Anchor of Maui's Canoe'.³

³<https://www.doc.govt.nz/parks-and-recreation/places-to-go/southland/places/stewart-island-rakiura/rakiura-national-park/nature-and-history/>
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Archaeological excavations have shown evidence of Maori habitation around Stewart Island/Rakiura from the 13th Century. Numerous middens, burial areas and waka-landing sites have been identified that support the importance of Rakiura to Maori. Hunting camps or kaika were established at many coastal sites including Port William/Potirepo Freshwater River and the Kaik near The Neck, which were reached by waka.

The area offered a wide range of kaimoana; and a range of bird life including most notably Titi, also contributed to the diversity of mahinga kai resources. A variety of plant resources were taken in the coastal area, Black mud (paru) was gathered at Ocean Beach for use as dye. Totara bark was important for wrapping poha in, to allow safe transport of the tītī harvest. Poha were made from bull kelp gathered around the rocky coast.

With respect to “The Neck Native Reserve”; this 293-acre reserve situated on the Bradshaw Peninsula was set aside as part of the Rakiura Purchase 1864 for those half-castes living there, with any remaining land reserved for Ihaia Whaitiri and Hoani Tunarere. In 1871, the reserve was subdivided into smaller parcels of land; with Crown Grants being issued for the individual sections under the Stewart Island Grants Acts. Once a determination was made as to who was entitled, it was found that the land at “The Neck” was insufficient, resulting in additional land on the mainland being set aside under the Middle Island Half Caste Grants Acts. Since 1982, most of the sections at “The Neck” have been vested in the Rakiura Maori Lands Trust (RMLT) to facilitate the management, use and development of the land.⁴

The crew of Captain James Cook's ship Endeavour were the first Europeans to sight the island in 1770, however Cook mapped the island as a cape connected to the South Island. Their reports of seals and whales drew the next wave of Europeans, and sealers established the first mixed race settlement, on Whenua Hou / Codfish Island in 1818. Development of saw milling followed with the opening of the first sawmills at Kaipipi in Paterson Inlet in 1861. A ready supply of timber helped establish shipbuilding, while fish-curing and the discovery of oyster beds prompted the growth of the island's fishing industry.

Ulva Island/Te Wharawhara in Paterson Inlet became the hub of the community through its post office built in 1872 and used until 1923. Over time, European settlement steadily concentrated around Oban, although there were pastoral farming ventures. Today the livelihoods of the island's 400 permanent residents are based around the fishing industry, salmon, mussel farming and tourism including use and maintenance of the National Park.

Now Oban, mainly occupying Halfmoon Bay, is the only settlement on Stewart Island, which spills over into Golden Bay and Deep Bay in Paterson Inlet. Vaila Voe Bay, Thule Bay, Golden Bay, Deep Bay and Traills Bay in Paterson Inlet are modified to a degree either due the urbanisation of the land or because of vessel moorings and jetties.

⁴ <https://www.kahurumanu.co.nz/atlas>
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There are also jetties at Ulva Island, Glory Cove and along with the extensive marine farms in Big Glory Bay and in Little Glory Cove there is a basic six-bunk “hunters hut”. The hut was built and funded by Southland NZ Deerstalkers' Association and is now maintained by the Rakiura Hunter Camps Charitable Trust for accommodating deer hunters who have booked the adjacent hunting blocks. Consequently, the environment of Paterson Inlet is modified to a degree accordingly Paterson Inlet has a greater potential to absorb change without detracting from landscape and visual amenity values.

In terms of recreation opportunities, Glory Cove adjoins the Glory Cove Scenic Reserve with its jetty and walking track to Ocean Beach where Kiwi viewing is a significant tourist attraction. Hunting, tramping, and recreational boating are the other predominate recreational opportunities adjacent the site of this application, with Glory Cove being a safe anchorage.

This modification of the Paterson Inlet environment is recognised in the Regional Coastal Plan for Southland in which the Landscape Unit 29 – Eastern Bays is given a naturalness rating of 3+ where 3 is characterised as a modified environment where a reasonable balance has been struck between the retention of the original vegetation and production.

In the Regional Coastal Plan for Southland (Coastal Plan) the site of this application is identified as having the following key landscape elements:

- A series of crescent shaped bays, containing golden sand beaches.
- A series of coastal ridgelines and “arms” that form the bays.
- Coastal lowlands separated by ridgelines.
- The entrance to Paterson Inlet, with its prominent horizontal coastal features such as peninsulas, gravel bars and numerous islands.

Appendix 5 of the coastal plan summaries the qualities identified within ‘Areas Containing Significant Values’ and the coastal plan categorizes the following values to be concomitant with Paterson Inlet.

Table 2 – The Values associated with Paterson Inlet

Description	Paterson Inlet west of a line from Bullers Point to Ackers Point (excluding Big Glory Bay) and including the tubeworm mound communities on either side of Bravo Passage.
Protected Areas	<ul style="list-style-type: none"> • Most of land adjoining Paterson Inlet is protected (except freehold and Maori land on northern shore on Prices Inlet to Ringaringa Point) • Marine Reserve proposed for parts of Paterson Inlet.
Wetlands, Estuaries, Coastal Lagoons	<ul style="list-style-type: none"> • Tidal mudflats including deltas of Freshwater and Rakeahua Rivers

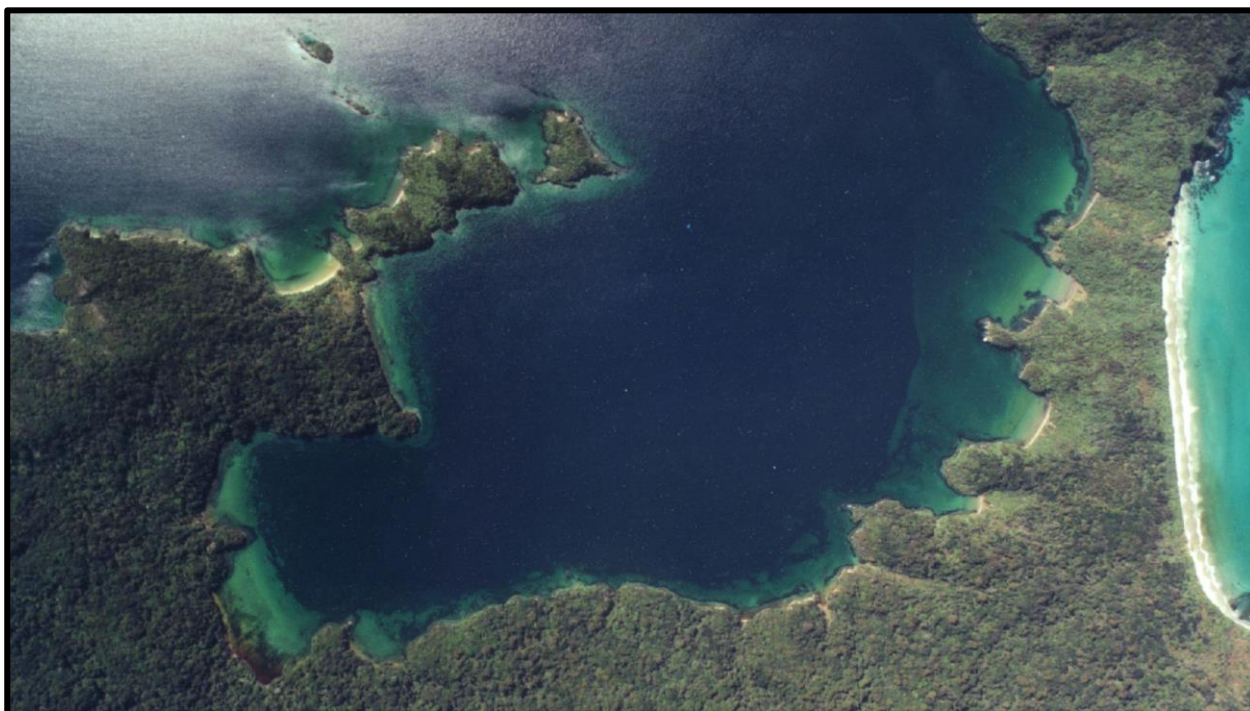
	<ul style="list-style-type: none"> • Most important feeding habitats for various wader species on Stewart Island e.g., New Zealand dotterel • Wetland/estuary complexes associated with the Freshwater and Rakeahua Rivers are important habitat for whitebait and a number of native fish (Chadderton per obs.) • Stewart Island freshwater systems are unique (Chadderton 1990) • Freshwater River largest stream.
Marine Mammals and Birds	<ul style="list-style-type: none"> • Extensive feeding areas for 16 species of wading birds (Meurk and Wilson; Roberts pers. comm): variable oyster catcher, New Zealand dotterel, banded dotterel, reef heron, Stewart Island shag, yellow-eyed penguin • Fur seals (Wilson 1981) haul out on islets around Ulva Island; Hookers sealions and Leopard seals occasionally (Chadderton; Roberts <i>pers. comm</i>). • Open mudflats of Freshwater and Rakeahua Rivers - Sheltered tidal flats in numerous bays and coves.
Ecosystems, Flora and Fauna Habitats	<ul style="list-style-type: none"> • Rich and diverse seaweeds • Brachiopod beds in Paterson Inlet • Eradication of rats' project on Ulva Island.
Scenic Values	<ul style="list-style-type: none"> • Moderately high to high values (Petrie 1989).
Historic Values	<ul style="list-style-type: none"> • Whaling base in Kaipipi • Shipwrecks: Othello, pontoon at Whalers Base, Kotare, and the Pacific (Ingram 1984).
Coastal Landforms and Associated Processes	<ul style="list-style-type: none"> • Submerged drowned river systems (Cullen 1967) of regional significance (Ballentine 1990)

In addition, the coastal plan recognises that the succeeding environmental impacts would have adverse effects on the present natural character of the Eastern Bays Landscape Unit:

- The further removal of native vegetation along the coastal ridges and arms, or any new development protruding above the immediate skyline;
- installations such as powerlines should be sited away from sensitive landscape areas, e.g., skylines, ridgelines, and coastlines;
- intensive, large scale development should be avoided in such a small-scale landscape such as Oban;
- the introduction of plantation forestry within the coastal environment should be avoided.

This application does not relate to any of the aforementioned potential adverse environmental impacts.

Figure 23 - Aerial View of Glory Cove



<https://maps.es.govt.nz/apps/historic-imagery/photos/A2041/A2041-1556-01.jpg>

Nonetheless the terrestrial environment of the landscape of Rakiura with the exception of Oban has been identified as being an Outstanding Natural Landscape, under Section 6(b) of the RMA; under Policy 15 of the NZCPS and in Southland District Plan Maps. A 2016-2017 Boffa Miskell Ltd (BML) report on the landscape and natural character of Stewart Island categorises most of the landscape and seascapes on Stewart Island as meeting the standard of outstanding natural landscapes. The exceptions are the more developed areas of Halfmoon and Horseshoe Bays, part of the north side of Paterson Inlet and Big Glory Bay with its marine farms.

Figure 24 - Aerial View of Goose Cove



The marine ecology of Stewart Island has been studied since the 1930s and more extensively since the 1980s when marine farms were established in Paterson Inlet. The only study relating specifically to Glory Cove is the Batham E.J. (1969) Benthic Ecology of Glory Cove, Stewart Island⁵; which found that:

- Glory Cove has close to full offshore salinity.
- The bottom of Glory Cove was mostly sandy mud, with an abundance of organic matter, with a considerable amount of shell gravel, predominantly of the shells of *Maoricolpus roseus*.
- The red alga *Lenormandia chauvinii* was dominant over most of the bottom.
- Echinoderms are especially in evidence, 17 species being recorded, with *Echinocardium cordatum* and the holothurians *Amphicyclus thomsoni* and *Chiridota nigra* each present in at least three-quarters of the samples.
- Of infaunal lamellibranchs, *Paphirus largillierti* and *Tawera spissa* were present in moderate numbers.
- Abundant epifaunal molluscs included *Terenochiton inquinatus*, *Micrelenchus micans*, *Chlamys radiata* and *Maoricolpus roseus*, though the shells of the latter frequently house hermit crabs. *Eunice australis* and the amphipod *Maera inaequines* abounded.

A 1988 Department of Conservation survey of Paterson Inlet also found *Lenormandia chauvinii* 'meadows' in Glory Cove in depths from 6 to 20 metres.⁶ However, the 2006 survey performed by Golder Associates (NZ) Ltd and the Australian National Centre for Marine Conservation and Resource Sustainability found six non-indigenous species and twenty-nine cryptogenic species in the Stewart Island waters. The non-indigenous species comprised *Bugula flabellata*, *Champia affinis*, *Cryptosula pallasiana*, *Leucandra compacta*, *Undaria pinnatifida* and *Watersipora subtorquata*.⁷ It is unknown what the effects of the non-indigenous species and cryptogenic species has been on the benthic ecology of Glory Cove; yet Sanderson and Barrett (1989) found that in Tasmania waters *Undaria* could compete with and shade red algae.⁸ Therefore it is likely at the very least *Undaria* has modified the ecology of the benthic communities in Glory Cove.

2.2 Environmental Effects

A. Any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects.

i) Social and Economic Affects

The proposal will have positive social and economic effects on the Southland community. Real Journeys is a tourism company that facilitates public access to view and experience the natural environment of mainly Fiordland and Rakiura. Undertaking a stay on the

⁵ <https://paperspast.natlib.govt.nz/periodicals/TRSBIO19690715.2.2>

⁶ <https://docs.niwa.co.nz/library/public/Hare1992.pdf>

⁷ <https://www.mpi.govt.nz/dmsdocument/32836/direct>

⁸ <http://docs.niwa.co.nz/library/public/DeanUndaria.doc>

“Milford Mariner” or “Fiordland Navigator” in Paterson Inlet creates opportunities for the public to learn about and connect with the natural environment and have a positive experience in the natural environment of the CMA. As stated by David Attenborough:

“No one will protect what they don’t care about and no one will care about what they have never experienced”

This view is reflected in 2019 findings of Michael Harbrow’s DOC study that concluded New Zealanders have a strong connection to their lands and waters, which are key components of our national and cultural identity and that participation in outdoor recreation can lead to pro-environmental behaviours, including those that benefit conservation.⁹

Real Journeys creates direct and indirect employment opportunities in both Otago and Southland. A significant number of people employed by Real Journeys reside in Southland and Otago. Wherever possible those employed seasonally by Real Journeys are carried over the winter in alternative divisions of the company; for instance, some staff are redeployed to our engineering division in winter. This creates the positive social effect of stability for families and communities alike including the positive social flow on effect as an increase in population, providing for more goods and services to become available in the area. This improves the quality of life for all of those who reside in these places.

Real Journeys creates positive economic cumulative effects in the wider community of Southland. This is because people who will visit Rakiura to undertake a stay on the “Milford Mariner” or “Fiordland Navigator” in Paterson Inlet then require other goods and services such as accommodation, transport, food, and beverages. In addition, Real Journeys is proposing to build in a half day in Oban, into the itinerary of the groups, staying aboard the “Milford Mariner” or “Fiordland Navigator” to ensure these visitors to Rakiura are given an opportunity to spend some of their money on the island. Hence, the proposed operation of the “Milford Mariner” or “Fiordland Navigator” in the CMA of Paterson Inlet should be viewed as a positive socioeconomic effect on Southland and Otago Communities.

ii) Effects on Present and Future Generations

This proposal is to provide for on-going employment of Real Journeys staff in this post COVID-19 environment in which visitor arrivals to Fiordland are limited as the New Zealand borders remain closed to international visitors.

We are proposing a term of 10 years for this coastal permit application as hopefully in 10 years-time international visitors will once more be travelling to New Zealand and Real Journeys will be generating sufficient income from our vessel operations in Fiordland and

⁹ Visitors as Advocates, A review of the relationship between participation in outdoor recreation and support for conservation and the environment, Michael Harbrow, 2019.

will not need to seek alternative forms of income. If this proves to be the case the proposed mooring can be readily removed, and the site of the application will return to its former state; thus, leaving no lasting legacy for future generation.

iii) Effects on Historical, Spiritual and Cultural Values

The Rakiura Marine Area is significant to Ngāi Tahu. Under section 313 of the Ngāi Tahu Claims Settlement Act 1998, the Crown acknowledges Te Rūnanga o Ngāi Tahu's cultural, spiritual, historic, and traditional association to Rakiura/Te Ara a Kiwa (Rakiura/Foveaux Strait Coastal Marine Area). Specifically, the mauri of the coastal area represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whanui with the coastal area. Moreover, Ngāi Tahu are kaitiaki of the CMA and any activity within the CMA should not be in conflict with Ngāi Tahu's values for this place.

This kaitiaki of the CMA is reflected in 2004 establishment of the Te Whaka a Te Wera Mātaitai Reserve to promote fisheries sustainability in Stewart Island's Paterson Inlet / Whaka A Te Wera. The Mātaitai Reserve encompasses 80% of the inlet with the exception of Te Wharawhara-Ulva Island Marine Reserve and Big Glory Cove.

Our operation of the *Milford Mariner* or *Fiordland Navigator* in the CMA should not affect the historical, spiritual, or cultural values associated with this place. Real Journeys takes all practical measures to reduce the impact of vessel operations on the mauri of the CMA. The wastewater from the *Milford Mariner* or *Fiordland Navigator* will either be treated prior to discharge or discharged outside Paterson Inlet in accordance with Resource Management Marine Pollution Regulations. Real Journeys Limited complies with the rules and regulations put in place to mitigate any potential harm that could be caused by the bio invasion of pest species into the area. Furthermore, the company adheres to the regulations in place to protect the marine reserves and marine life in and around Rakiura.

The Regional Coastal Plan for Southland identifies one historic site within the vicinity of the location of this proposal; a whaling station. From 1923 to 1933 the Norwegian company, Rosshavet or the Ross Sea Whaling Company made expeditions to Antarctica from their over-wintering and repair base in Paterson Inlet, Stewart Island. The whaling company chase boats were left in Glory Cove for the winter. In the second year an attempt was made to establish a slipway on Bravo Island in Paterson Inlet, but from 1926 the Base was located at 'Price's'. Following a glut in the whale-oil market in 1932, whaling activity shifted away from the Ross Sea. The Paterson Inlet facility closed, and the Company moved westward to operate, in part, from facilities in South Africa. Nonetheless the only relics that still can be seen today are at 'Price's'.

The Southland District Council District Plan records another historic site in at the Neck, Glory Cove: E498 (E49/8). Recorded from Howard (1940: 93-98) by Neville Ritchie, December 1977. A jumbled pile of stones was said to have been a bakehouse (Howard 1940: 94). Ritchie stated that a trypot stood on the shore of Glory Cove for many years.¹⁰

¹⁰ <https://www.marlboroughrealestate.co.nz/cutters-bay/10-the-archaeology-of-nz-shore-whaling.pdf>
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In addition, there are numerous middens, burial areas, and waka-landing sites in and around Glory Cove which remain unidentified.

The proposed operation of the *Milford Mariner* or *Fiordland Navigator* as an accommodation base in Paterson Inlet are primarily activities based in the CMA and should not affect the historical, spiritual, or cultural values associated with this place. Further Real Journeys takes all practical measures to reduce the impact of vessel operations on the mauri of the CMA.

Figure 25 - Map of Site indicating location of historic sites identified by NZ Archaeological Association



<https://archsite.eaglegis.co.nz/NZAAPublic>

iv) Effects on Public Access and other users of CMA

Other users of the coastal marine area of Paterson Inlet include but are not limited to recreational boaties, kayakers, trampers, and hunters; commercial marine farm operators; commercial tourism operators; and research groups; including Otago University. The land adjacent to Paterson Inlet includes public conservation land; Rakiura Maori Land Trust Land; other private land and users of the land include but are not limited to residents, holiday makers, hunters, and trampers. There are also Department of Conservation Huts and Rakiura Hunter Camps Charitable Trust Huts adjacent the Paterson Inlet.

The proposal to use and moor a vessel of up to 40 metres overall length, as a base/accommodation facility in Goose Cove, will occupy CMA and necessarily exclude access to the small area occupied by the vessel and the area immediately adjacent to the “Milford Mariner” or “Fiordland Navigator”. Nonetheless this occupation of CMA by a vessel is relatively small (at approximately 400m²) compared to 8,900-hectare area of Paterson Inlet and there is sufficient area in Glory Cove for other vessels to anchor and the coastal plan identifies 106 other anchorages in and around Rakiura, at least 40 of which are in Paterson Inlet. Accordingly, there are numerous other places to anchor or moor vessels in Paterson Inlet therefore our proposal should not conflict with other users of the area. Because of this the proposal will have a less than minor effect on other users of Paterson Inlet.

In addition, the proposed activity is temporary in nature and will not occur year-round. That is “Milford Mariner” or “Fiordland Navigator” will continue to operate in Fiordland especially during New Zealanders peak holiday season over Christmas and New Year. Accordingly, the “Milford Mariner” or “Fiordland Navigator” will not be in Paterson Inlet during the period of the year that the area is expected to receive the most use.

The proposal will not inhibit public access to the CMA. The public access Paterson Inlet via boats deployed from the ‘mainland’ or boats based at Stewart Island the proposal will not conflict with other users of Paterson Inlet as vessels operating in this area are subject to Maritime New Zealand’s rules; specifically, to operate in accordance with Part 22 of Maritime Rules: Collision Prevention. Moreover, our proposal will enable the public to access the CMA by providing another avenue to accommodate visitors in Paterson Inlet.

B. Any physical effect on the locality, including any landscape and visual effects

i) Natural Character Values

Natural character is generally assessed on a continuum of modification that describes the expression of natural elements, patterns, and processes (or the ‘naturalness’) in a coastal area where the degree of ‘naturalness’ depends on:

1. The extent to which the natural elements, patterns and processes occur;
2. The nature and extent of modification to the ecosystems and landscape/seascape;
3. The degree of natural character is highest where there is least modification;
4. The effect of different types of modification upon natural character varies with context and may be perceived differently by different parts of the community.

As discussed above the Coastal Plan has given the area a naturalness rating of 3+ where five is the highest naturalness rating and one the lowest. However, the more recent Boffa Miskell report on the landscape and natural character of Stewart Island found that most of the landscape and seascapes on Stewart Island meet the standard of outstanding natural landscapes; with the exceptions of the more developed areas of Halfmoon and Horseshoe Bays; part of the north side of Paterson Inlet and Big Glory Bay. In describing Paterson Inlet, the report states that despite “... *the modification (which is centred on only a few parts of the Marine Area the majority is relatively untouched, supporting an overwhelming sense of naturalness, notably within the more sheltered parts of the Inlet.*”

The land surrounding Paterson Inlet is not as immense and dominant as the Fiordland landscape, but it is still significant. The vessel; either “Milford Mariner” or “Fiordland Navigator” will be visually prominent nevertheless with their visually recessive hull colour, the vessel will be small in the context of the landscape – refer photo below. Moreover, because the proposed location is in Goose Cove the vessel will be tucked away out of site and not readily visible from most of the Inlet. That is, the vessel will only be visible when in Glory Cove. Also as stated above the proposed activity is relatively temporary in nature; both “Milford Mariner” or “Fiordland Navigator” will continue to operate predominately in Fiordland. Consequently, the overall impact of our proposal is assessed as not having significant effects on landscape and visual values.

Figure 26 - Photo of Stewart Island Ferry in Paterson Inlet



ii) Cumulative effects

Through decisions such as *Dye vs. Auckland Regional Council* the High Court have described a cumulative effect as concerned with things that will occur rather than with something which may occur, that being the connotation of a potential effect.....The concept of cumulative effect arising over time is one of gradual build-up of consequence. However apart from the Glory Cove wharf and a hunters’ hut ashore there are no other developments therefore the cumulative effect of our proposed activity in Goose Cove will be no more than minor especially considering that our vessel will only periodically be based in Paterson Inlet.

C. Any effect on ecosystems, including effects on plants or animals and any physical disturbance of natural habitats in the vicinity.

i) Wildlife and vegetation (Biodiversity)

The inlets of the eastern coast (Paterson Inlet/Whaka a Te Wera, Port Adventure, Lords River/Tūtaekawetoweto and Port Pegasus/Pikihatiti) are some of only a few remaining shallow embayments in New Zealand that retain a naturally vegetated catchment and hence rate highly in natural character. Among some of the unique features of Paterson Inlet/Whaka a Te Wera are the richest shallow water brachiopod habitats in the world. High water clarity allows algae to grow to great depths and large beds of bladder kelp (*Macrocystis spp.*) are common. Shore communities are recognised for their wealth of red seaweed diversity.¹¹

The Stewart Island/Rakiura area is home to a wide variety of protected marine mammal and bird species including New Zealand Hooker's Sea Lions (*Phocarctos hookeri*), New Zealand Fur Seals (*Artocephalus forsteri*), Southern Right Whales (*Eubalaena australis*), Great White Sharks (*Carcharodon carcharias*), Yellow Eyed Penguins/ Hohio, New Zealand Dotterel /tūturiwhatu, Sooty Shearwaters/Tītī, Whenua Hou Diving Petrel (*Pelecanoides whenuahouensis*), and Cook's Petrels (*Pterodroma cookii*).

As discussed above when the *Fiordland Navigator* or *Milford Mariner* using the proposed mooring the noise generated will be further below the levels known to produce a TSS in Marine Mammals. Consequently, we contend vessel noise is unlikely to cause adverse effects on the marine mammals frequenting the area. In addition, our vessel's underwater noise is unlikely to impact on Great White Sharks, Hioho or Procellariidae species.

Because Real Journeys currently utilises Paterson Inlet/Whaka a Te Wera during Discover Expeditions often anchoring in Glory Cove, accordingly the likely vessel effects on wildlife are well understood. For instance, Titi, Petrels and other Procellariidae are not attracted to the "Milford Wanderer's" night lights / deck lights which are similar to "Milford Mariner". Refer images below.

Figure 27 – Milford Wanderer in Harrison Cove, Milford Sound



¹¹https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/statutory-plan-publications/conservation-management-strategies/stewart-island-rakiura/section-one/part-one-management-objectives-and-policies/1_3-conservation-of-natural-resources/1_3_5/

Figure 28 – Milford Mariner in Harrison Cove, Milford Sound



Real Journeys holds a marine mammal viewing permit; abides by the Marine Mammal Protection Regulations; and most of our skippers and nature guides have attended a DOC SMART (Sustainable Marine Mammal Actions in Recreation and Tourism) training program to ensure appropriate precautionary approach is taken when viewing marine mammals.

The 1075-hectare Ulva Island/Te Wharawhara Marine Reserve in Paterson Inlet/Whaka a Te Wera was established in 2004. The reserve protects all indigenous marine life within its boundaries from fishing and mining, providing a safe haven and nursery for underwater life.

Rivers flowing into the marine reserve drain from largely unmodified land and carry little sediment or nutrient run-off. As a result, the inlet waters nurture a prolific range of plants and animals. The marine reserve is surrounded by Te Whaka a Te Wera/Paterson Inlet mātaītai reserve. In the mātaītai reserve commercial fishing is prohibited and recreational fisheries levels are managed to ensure the sustainability of important traditional Māori fishing and food-gathering areas.

Nonetheless the 2006 survey performed by Golder Associates (NZ) Ltd and the Australian National Centre for Marine Conservation and Resource Sustainability found six non-indigenous species and twenty-nine cryptogenic species in the Stewart Island waters. The non-indigenous species comprised *Bugula flabellata*, *Champia affinis*, *Cryptosula pallasiana*, *Leucandra compacta*, *Undaria pinnatifida* and *Watersipora subtorquata*.¹²

Further, in 2017 the oyster-killing parasite *Bonamia ostreae*, was found in Stewart Island's Big Glory Bay Oyster Farms and more than 2300 oyster cages were removed

¹² <https://www.mpi.govt.nz/dmsdocument/32836/direct>
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from 12 farms at Big Glory Bay in an attempt to prevent the spread of the parasite to the wild oyster fishery in Foveaux Strait.

Hence although Paterson Inlet remains an important habitat for many endemic species of plants and animals the ecology of the inlet has been modified by the introduction of non-indigenous species and the diversity of the endemic biota has likely been reduced by these introductions. However, Real Journeys proposed operation of either the *Milford Mariner* or *Fiordland Navigator* as a primarily an accommodation base in the CMA will not have any effects that are more than minor on the wildlife or vegetation in Paterson Inlet.

iii) Intrinsic Values

Intrinsic values of ecosystems are defined in the RMA as those aspects which have value, including biological and genetic diversity and the essential characteristics that determine an ecosystem's integrity, form, functioning, and resilience.

The New Zealand Biodiversity Strategy (NZBS) defines an ecosystem as an interacting system of living and non-living parts. Operations in the CMA need to ensure that they do not create adverse effects on these coastal ecosystems as ecosystem disturbance can impact resilience, form, and structure of the ecosystem. Our proposal will not have any effects on terrestrial ecosystems or affect mobile fauna such as sea birds and marine mammals as these animals typically stay away from vessels. The two most likely significant forms of disturbance to coastal marine environments related to this proposal, are sedimentation disturbance from marine activities; and physical habitat disturbance.¹³

Chart NZ 6825 Paterson Inlet / Whaka A Te Wera identifies the sea bottom in Glory Cove as silt and shells and Dr. Batham found the bottom of Glory Cove was mostly sandy mud, with an abundance of organic matter, with considerable amount of shell gravel, predominantly of the shells of *Maoricolpus roseus*. Our vessels will approach the proposed mooring in Goose Cove at no-wake speed, which is unlikely to stir up the bottom, accordingly our proposal will not result in an increase sedimentation disturbance within the coastal marine waters which has the potential to smother seabed ecosystems.

When the proposed mooring is being installed there will be small area of the seabed disturbed due to divers' movements and the drilling to secure the screw / pile anchor. That is seafloor slit will be stirred up during the installation nevertheless this silt will quickly settle after installation. Specifically, this type of specialist mooring unit will limit seabed disturbance to approximately 1 square metre and avoids the need for unnecessary piles or mooring blocks. Moreover, because our proposed swing mooring system will have the underwater mooring tackle under tension, there will be no chain abrasion on the seafloor as occurs with a 'traditional' mooring block and ground chain or anchoring. That is, this proposed mooring system is designed to reduce contact and scouring of the seafloor, reducing ecological impacts. Indeed, OCELS Waikato Regional Council's Swing

¹³ http://www.rmla.org.nz/wp-content/uploads/2018/04/RMJ_April_2018_FINAL-1.pdf

Mooring Design Report states “Screw anchors also have the least environmental impact on the seabed.”¹⁴

In addition, these potential very minimal affects need to be weighed against the effects of anchoring has on benthic environments as anchoring would be the alternative method of securing our vessel in place. Anchoring can cause considerable damage to areas with diverse epifauna or delicate habitats and anchoring scars persisted for up to 3 months but diminish in area and depth after 1 month.¹⁵

As stated above Dr Batham did not identify any significant benthic species in Glory Cove and because the area of the cove that is likely to be affected the mooring installation (and subsequent inspections) is so very small relative to the overall area of the cove at least 1,000,000m² in area; consequently, we contend this proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing SALM type mooring in Goose Cove, Paterson Inlet/ Whaka A Te Wera will not have any effects that are more than minor on the overall biodiversity of Paterson Inlet.

iv) Biosecurity

The marine pests such as *Undaria pinnatifida* are present in Paterson Inlet. Consequently, before returning to the internal waters of Fiordland, Real Journeys will arrange for our vessel hull (*Milford Mariner* or *Fiordland Navigator*) to be inspected for pest species prior to leaving Stewart Island. If any pest species are found, we will divert our vessel to Bluff to enable the hull to be cleaned before travelling back to Fiordland. In addition, any kayaks, tender crafts, and lines (ropes) that have been exposed to the waters of Paterson Inlet will be checked, cleaned, and dried as per Biosecurity New Zealand and MPI instructions.¹⁶ These are the measures we currently undertake with the “Milford Wanderer” operating under coastal permit number 203306 and comply with the requirements of the Fiordland Marine Regional Pathway Management Plan.¹⁷

Milford and Doubtful Sounds are subject to a very high annual precipitation (>7 m per year) resulting in a distinct surface low-salinity layer (LSL) in Freshwater Basin and Deep Cove, respectively. The lowest surface salinities were found in Milford, Doubtful-Thompson and Dusky/Breaksea Sounds which implies that freshwater inflow was greatest in these fiords.¹⁸

In addition, the Doubtful Sound CMA is affected by the freshwater discharge from the Lake Manapouri Hydroelectric Power Station tailrace resulting in a distinct surface low-

¹⁴ <https://www.boprc.govt.nz/media/456922/ocel-swing-mooring-design-report-v2.pdf>

¹⁵ <https://www.sciencedirect.com/science/article/pii/S0301479700903827>

¹⁶ <https://www.biosecurity.govt.nz/dmsdocument/9806/direct>; <https://www.mpi.govt.nz/dmsdocument/13858>.

¹⁷ <https://www.es.govt.nz/environment/biosecurity-and-biodiversity/marine-biosecurity/fiordland-marine-pathway-plan#toc-link-6>

¹⁸ https://docs.niwa.co.nz/library/public/Memoir%20088_Physical%20Oceanography%20of%20the%20New%20Zealand%20Fiords.pdf

salinity layer (LSL) significantly deeper than found in neighbouring fiords (Gibbs *et al.* 2000, Gibbs 2001). The thickness of the LSL ranges from approximately 1 m at the entrance of Doubtful Sound to between 5 and 12 m at Deep Cove, thus exceeding the tidal amplitude of 2 m at the head of the Sound (McCully 1996). The 1977 research found that the thickness of the LSL in Milford Sound ranged between five and two metres depending on freshwater in flows.

The near daily transition from saltwater (the sea) into the head of the respective fiords Milford Sound and Doubtful Sound means that Real Journeys coastal vessels do not become biofouled and do not need to have their hulls cleaned and antifouled regularly. This is transition into the LSL layer particularly effective because Real Journeys vessel draft is up to 1.8 metres consequently their hulls are fully emerged in the LSL when at their berths in either Freshwater Basin, Milford Sound or Deep Cove, Doubtful Sound.

That is vessels based in ports such as Otago Harbour or Bluff Harbour usually have sufficient growth of algae six months after being antifouled to justify having their hulls cleaned and these vessels have to be slipped annually to provide for annual re-antifouled to prevent the ongoing growth of algae and even barnacles. This is not the case for Real Journeys vessels based in the coastal waters of Fiordland. This is reflected in studies such as ‘Low salinity as a biosecurity tool for minimizing biofouling on ship sea chests’¹⁹ which found that some native ascidian *Dendrodoa grossularia* survived, but all other macrobenthos were killed by the low salinity treatment after 1 week.

‘Control of invasive marine invertebrates: an experimental evaluation of the use of low salinity for managing pest corals (*Tubastraea* spp.)’²⁰ study also provides insights as to how freshwater may be used as a routine biosecurity management tool when applied pre-border to shipping vectors potentially transporting non-indigenous marine biofouling species. Specifically, Moreira, P. L. et al found that exposure to freshwater for 45–120 min resulted in 100% mortality for *T. tagusensis*, but only the 120 min period was 100% effective in killing *T. coccinea*. Accordingly, Real Journeys is confident that our vessels transferring from Fiordland will not transfer marine pests to Stewart Island.

To prevent rodent incursions our vessels also have rodent traps on board located in the vessel pantry. These are laced with peanut butter and are checked daily. Our Stewart Island ferries also have rodent traps on board and are regularly for rodents checked by Sandy King and her dog Gadget. Therefore, we take all practical measures to avoid the introduction of pest species our areas of operation, hence the actual and potential environmental effect of the proposal regarding biosecurity should only be viewed as minor.

¹⁹ <https://os.copernicus.org/articles/14/661/2018/os-14-661-2018.pdf>

²⁰ <https://www.tandfonline.com/doi/abs/10.1080/08927014.2014.906583>

v) Wake

The geology of Glory Cove is variably foliated biotite granite, leucogranite, granodiorite and tonalite / variably foliated granite, granodiorite, diorite / variably foliated granite, granodiorite, diorite, and quartz monzonite with minor syenogranite. All of which are hard rocks not susceptible to erosion due to wake action.

The “Fiordland Navigator” or “Milford Mariner” and the Stewart Island ferries will be approaching the proposed mooring site at no-wake speed and comply with Maritime New Zealand Rule Part 91 – Navigation Safety Rules and operating at 5 knots within 50 metres of any other vessel, raft, or person in the water; or within 200 metres of the shore or of any structure; or within 200 metres of any vessel that is flying Flag A. Accordingly our proposal will not result in any adverse effects caused by vessel wake.

D. Any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants.

i) Effluent

The *Milford Mariner* and the *Fiordland Navigator* already have on board effluent holding tanks that currently pump effluent ashore for treatment in the respect operating ports. Nevertheless, Real Journeys may install an OMNIPURE™ on board wastewater treatment plant initially on the “Milford Mariner” as this is the vessel most likely to be used for this proposal.

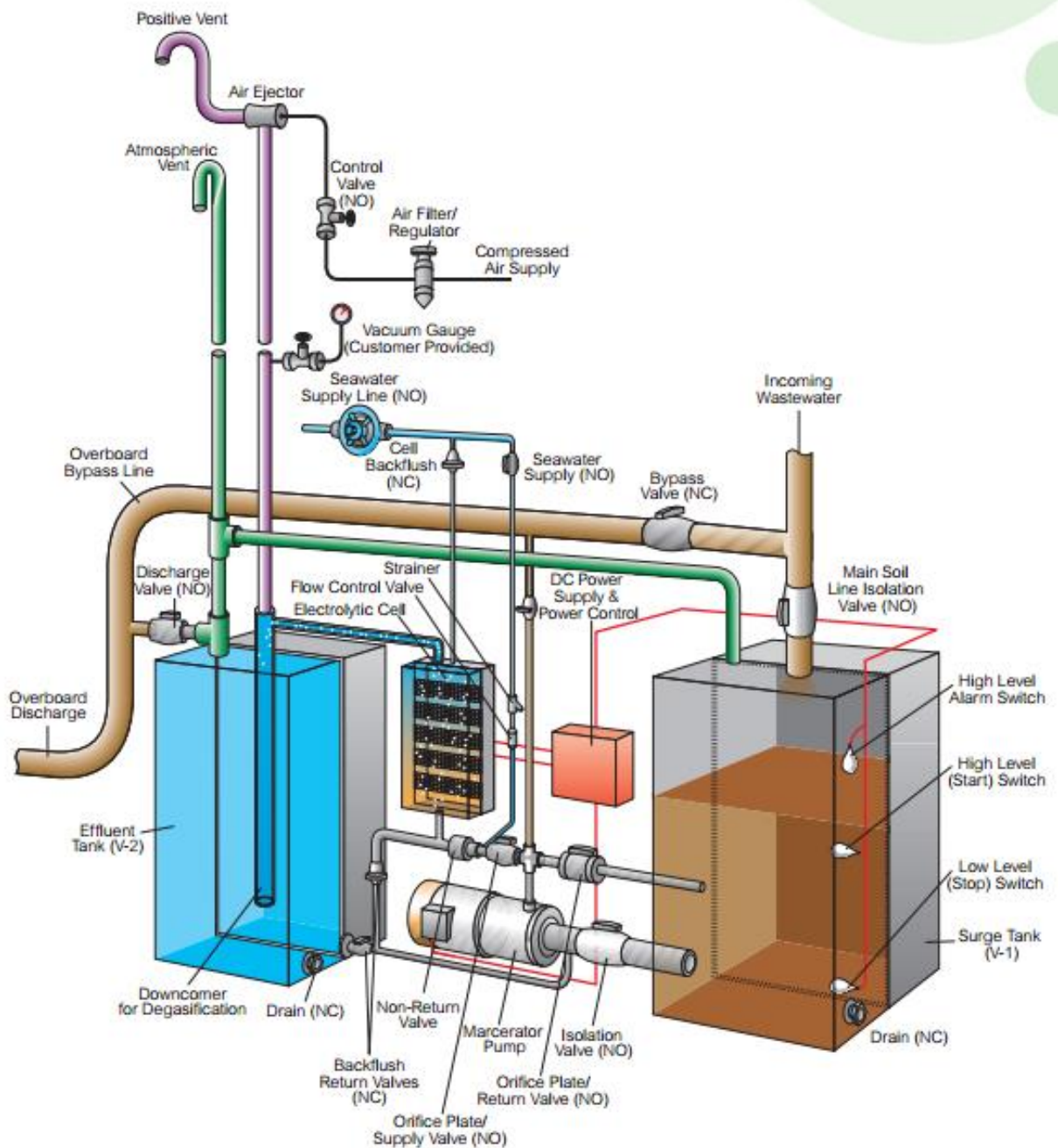
The OMNIPURE™ sewage treatment product is a patented electrolytic design utilizing a strong oxidation process within a specialized treatment cell. This oxidation process provides effective, efficient treatment of marine grade sewage, commonly produced on offshore industrial installations and/or oceangoing vessel operations.

More precisely, the treatment unit oxidizes and disinfects raw sewage by means of an electrochemical reaction in the Bookcell. The electrolytic reaction is the result of D.C. voltage applied to specially designed anode and cathode plates (electrodes) within the bookcell. The sewage and seawater slurry from a macerator grinder flows between the charged electrodes. The seawater acts as an electrolyte for the DC current flow between the anode and cathode plates. The chloride salts of the seawater are decomposed by electrolysis to form sodium hypochlorite. The electrochemical reaction results in production of sodium hypochlorite and kills harmful coliform bacteria and oxidizes the organic compounds in the sewage stream. One pass through the bookcell kills nearly 100% of resident bacteria and oxidizes between 90 to 95% of the organic compounds found in normal sewage. The electrical power required to operate the Bookcell is derived from the treatment unit’s internal DC power supply. An internal power rectifier controls the power to the electrolytic cell.

After treatment within the Bookcell the process stream flows to the V-2 tank's downcomer pipe, which allows for the entrained process gases to be extracted from the stream via the air powered ejector, while directing the heavier treated liquid down the pipe to the lower section of the V-2 tank.

After a 30-minute residence time in the V-2 tank, the treated effluent is discharged from the system via gravity overflow, unless fitted with optional overboard pump, and to the sea.

Figure 28 – Diagram of OMNIPURE™ Wastewater Treatment Plant



This treated effluent discharged has been certified to meet the requirements of the United States Coast Guard USCG 33 CFR 159 Certified Type II device²¹, and the IMO MARPOL Annex IV standard.^{22,23,24} That is, re USCG 33 CFR 159 § 159.127 Safety coliform count: Recirculating devices. Thirty-eight of forty samples of flush fluid from a recirculating device must have less than 240 faecal coliform bacteria per 100 millilitres. These samples must be collected in accordance with §159.123(b) and tested in accordance with 40 CFR Part 136.

In the New Zealand context this is deemed a 'Grade A' discharge as detailed in Resource Management Marine Pollution Regulations 1998; specifically:

Any system that, when tested under International Maritime Organisation Resolution MEPC.2(VI), meets, or exceeds, the following standards:

- (a) a faecal coliform standard where the geometric mean of the faecal coliform count does not exceed 250 faecal coliforms per 100 millilitres of water; and*
- (b) a suspended solids standard where the geometric mean of the total suspended solids content, when suspended solids are analysed by gravimetric methods, does not exceed—*
 - (i) 50 milligrams per litre of water when analysed on shore; or*
 - (ii) 100 milligrams per litre of water more than the suspended solids content of the ambient water used for flushing when analysed on board a ship; and*
- (c) a biochemical oxygen demand count where the geometric mean of 5-day biochemical oxygen demand of the samples of sewage does not exceed 50 milligrams per litre of water.*

Further Grade A treated sewage may be discharged into the CMA as per Section 12 of Resource Management Marine Pollution Regulations as follows:

- (1) Any person may discharge Grade A treated sewage in the coastal marine area from a ship or offshore installation, but must not discharge it within 100 metres of a marine farm.*
- (2) Despite subclause (1), a rule may be included in a regional coastal plan or a proposed regional coastal plan if the rule—*
 - (a) relates to discharges of Grade A treated sewage in the internal waters of Fiordland (as defined in section 4 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977); and*
 - (b) restricts where those discharges may take place, being a distance of at least 100 metres from a marine farm;*

²¹ <https://www.govinfo.gov/content/pkg/CFR-2014-title33-vol2/pdf/CFR-2014-title33-vol2-part159.pdf>

²² <https://www.imo.org/en/OurWork/Environment/Pages/SewageDefault.aspx#:~:text=Annex%20IV%20of%20MARPOL,requirements%20for%20survey%20and%20certification.>




²³ <https://maddenmaritime.files.wordpress.com/2015/08/marpol-practical-guide.pdf>

²⁴ <https://www.maritimenz.govt.nz/public/environment/legislation-regulations.asp>

(3) For the purposes of subclause (2), Fiordland means the coastal marine area between Awarua Point and Sandhill Point.

To give the OMNIPURE™ system discharges some perspective, the following are the New Zealand National Microbiological Water Quality Guidelines with respect to faecal coliform counts in waterways and provide trigger levels that allow councils to assess individual monitoring results and determine when management intervention is required.²⁵ That is the output of the proposed OMNIPURE™ plant is below the *E. coli* level in rivers and lakes which requires increased monitoring.

Figure 30 - Microbiological Water Quality Trigger Levels.

Mode	Trigger level		Management response
	Beach: Enterococci / 100mL	River/Lake: <i>E. coli</i> /100 mL	
 Surveillance	Equal to or less than 140 Enterococci / 100 mL	Equal to or less than 260 <i>E. coli</i> / 100 mL	Routine monitoring.
 Alert	More than 140 Enterococci / 100 mL	More than 260 <i>E. coli</i> / 100 mL	Increase monitoring and investigate source.
 Action	More than 280 Enterococci / 100 mL	More than 550 <i>E. coli</i> / 100 mL	Public warnings if required, increased monitoring and investigation of contaminant source.

If the OMNIPURE™ plant is not installed or if for any reason the OMNIPURE™ on board wastewater treatment plant is out of service for repair, wastewater would be discharged outside Paterson Inlet in accordance with Resource Management Marine Pollution Regulations 1998 as detailed below.

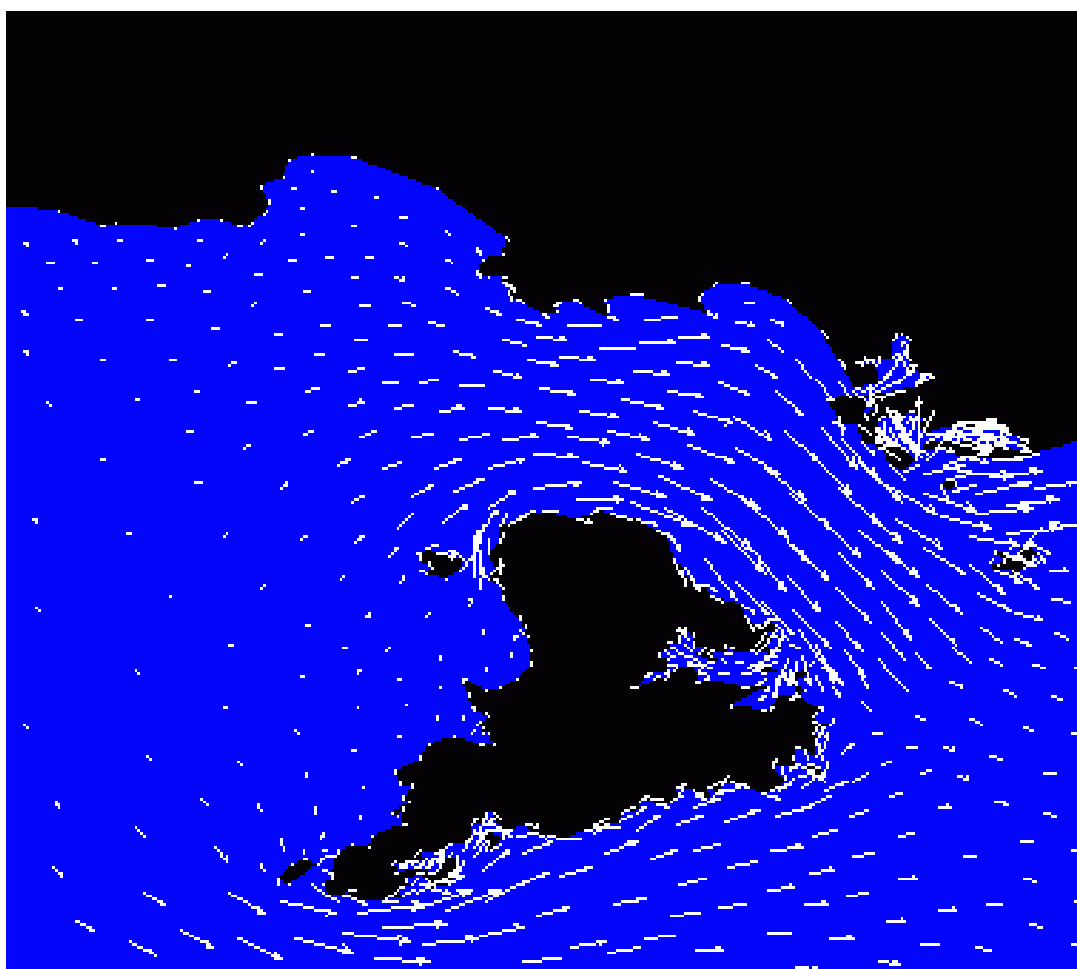
11 Discharge of sewage in coastal marine area

- (1) Before 1 July 2000, any person may discharge sewage in the coastal marine area from a ship or offshore installation, unless that discharge is within 500 metres (0.27 nautical miles) of a marine farm.
- (2) On or after 1 July 2000, no person may discharge sewage in the coastal marine area from a ship or offshore installation unless that discharge occurs—
 - (a) more than 500 metres (0.27 nautical miles) seaward from mean high water springs; and
 - (b) more than 500 metres (0.27 nautical miles) from a marine farm; and
 - (c) in water depths greater than 5 metres; and

²⁵ <https://www.lawa.org.nz/learn/factsheets/coastal-and-freshwater-recreation-monitoring/>
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- (d) more than 200 metres (0.108 nautical miles) from a marine reserve, except the marine reserve constituted by the Marine Reserve (Kermadec Islands) Order 1990; and
- (e) more than 500 metres (0.27 nautical miles) from an area that the Minister of Fisheries has declared by notice in the Gazette to be a mataitai reserve under regulations made under section 186 of the Fisheries Act 1996.

Figure 31 - Foveaux Strait Ocean Currents



Such proposed discharges would occur en route to and from Bluff Harbour when either “Fiordland Navigator” or “Milford Mariner” is travelling to Bluff for bunkering. That is, the discharges will occur in accordance with Resource Management (Marine Pollution) Regulations 1998 in Foveaux Strait and proposed effluent disposal will be promptly dispersed. As the tidal currents around the northern and southern coasts of Stewart Island and in Bluff Harbour and the Oreti Estuary are strong. Overall currents in Foveaux Strait are also strongly wind-driven with the prevailing wind being from the west. On top of this, the Southland current, which carries water from the subtropical convergence west of New Zealand, flows through Foveaux Strait – refer image below.²⁶ Because of these prevailing

²⁶ <https://niwa.co.nz/our-science/coasts/research-projects/all/physical-hazards-affecting-coastal-margins-and-the-continental-shelf/news/fovmo>

currents, any waste discharged will be quickly diluted and dispersed by vessel movement (including prop wash), along with wave action. Hence by proposing to discharge effluent in Foveaux Strait all practical measures to mitigate any adverse effects of waste disposal.

ii) Discharges to Air

There potentially will be minor discharges to air from the proposed vessel's activities, that is the running of the vessels diesel generators however Real Journeys uses well maintained modern equipment to minimise discharges. Hence, all practical measures to mitigate any adverse effects from vessel exhausts are taken.

iii) Hazardous Substances

The potentially hazardous substances used as part of the proposed operation are oil, petrol, and diesel. To mitigate the risk of using these substances to operate, the *Milford Mariner* or *Fiordland Navigator* will be fuelled in Bluff prior to transferring to Paterson Inlet. The vessels tender crafts are refuelled using an enclosed fueling system while on board the *Milford Mariner* and *Fiordland Navigator* in their cradles to provide a stable platform, which reduces the risk of spillage.

Diesel and oil could also be spilled because of a catastrophic vessel collision. Such an occurrence is managed by adherence to Maritime Rule Part 22 – Collision Prevention. However, because Real Journeys operates well maintained vessels with appropriately trained launch masters, such a collision which would rupture the vessel's fuel tanks is very unlikely.

Both the *Milford Mariner* and *Fiordland Navigator* are equipped with fuel spill equipment to clean up a minor spill. If a fuel or oil spill were to occur, then the *Milford Mariner* and *Fiordland Navigator* 'Shipboard Oil Pollution Emergency Plan and Oily Waste Handling Plan' will be followed. This Shipboard Marine Oil Spill Contingency Plan is approved by Maritime New Zealand and is audited annually.

Therefore, as all practical measures are taken to ensure oil or fuel spillage does not occur, the proposed operation of either the *Milford Mariner* or *Fiordland Navigator* as a primarily an accommodation base in the CMA can only be viewed as having a minor effect on the environment in this matter.

iv) Noise Effects

Because all of Real Journeys larger monohull vessels had been re-engined since construction, (mainly Volvo engines replaced with Yanmars') in 2019, we contracted Acoustic Engineering Services Limited to undertake noise level tests on our vessels including the *Fiordland Navigator*; *Milford Mariner* and a representative tender craft; the *Ulva* – refer attached and below. The results show that all these vessel's (including tender

craft) noise levels comply with the Regional Coastal Plan for Southland’s Rule 5.3.4 - General noise limits and Rule 5.3.6 – Noise limits for ships in motion.

The permitted baseline for noise from a ship (including recreational craft) is stipulated in the Regional Coastal Plan for Southland under Rule 5.3.6 as; 90 dB(A) in any single drive by at any position beyond a line situated 25 metres back from the line of travel. The aforementioned noise levels were recorded by Acoustic Engineering Services.

Figure 32 – Real Journeys Vessel Noise Readings

Vessel	Sound exposure level at 25 metres (dB LAE)	
	Cruise speed	No-wake speed
Ulva	78	71
Fiordland Navigator	79	73 ¹
MV Sinbad	83	76
Milford Monarch	83	70
Milford Mariner	84	80 ²
Milford Haven	85	78
Milford Sovereign	79	75 ¹

1 – Measurement includes a noticeable contribution from wave slap on tender craft. Actual noise emissions from the craft are likely to be lower.
2 – Includes a brief period of increased engine speed towards the end of the measurement.

A Real Journeys tender craft the *Ulva* outboard engine had its sound level measured from a distance of 25 metres. Real Journeys’ Nature Guides manoeuvre our tender crafts at displacement speed (not planing). At this speed, the tender craft’s noise level was measured at 78 dBA. At no wake speed, the tender craft’s noise levels were measured at 71 dBA. These noise levels comply with Rule 5.3.6 of the Southland Regional Coastal Plan as both measurements were under 90db.

Hence, the noise emitted by the *Fiordland Navigator*; *Milford Mariner* and the vessel’s tender crafts is within the permitted criteria set out in the Regional Coastal Plan. Rule 5.3.8 does not apply to the *Fiordland Navigator*; *Milford Mariner* or the tender craft as it is permitted in Rule 5.3.4 and Rule 5.3.6. Because of this Council can disregard noise as an adverse effect on the environment in this application.

In addition the underwater noise of the *Milford Wanderer*, *Milford Mariner* and *Fiordland Navigator* were measured in 2006 and found to be respectively when steaming at cruising speed 154.8 ± 3.8 dB re 1 μ Pa at 1 metre, 155.1 ± 0.8 re 1 μ Pa at 1 metre and 158.6 ± 1.3

dB re 1 μ Pa at 1 metre with the ambient noise levels of the fiords being 88.2 ± 1.1 re 1 μ Pa at 1 metre in Milford Sound and 85.3 ± 0.8 re 1 μ Pa at 1 metre in Doubtful Sound.

These vessel sound levels are below the levels known to produce a TSS in Marine Mammals based on short term exposure. Moreover, it is unlikely that cetaceans found around Rakiura will be close enough to our vessel (at approximately 1 metre) for such prolonged periods of time to induce a TSS. Where TSS is a temporary threshold shift where changes in marine mammal hearing sensitivity are able to be recovered. This is one of the four categories of anthropogenic noise effects.

However, the *Fiordland Navigator* and *Milford Mariner* have been re-engined since 2006 and have much quieter Yanmar engines. Additionally, these noise readings relate to vessels steaming when both main engines are operating along with the generator. When our vessels are utilising the proposed mooring in Goose Cove only their generators will be operating and Acoustic Engineering Services found the general noise limits for moored vessels to be as follows:

Fiordland Navigator – 79 dB LWA

Milford Mariner – 74 dB LWA

Therefore, when the *Fiordland Navigator* or *Milford Mariner* is using the proposed mooring the noise generated will be further below the levels known to produce a TSS in Marine Mammals. Consequently, we contend vessel noise is unlikely to cause adverse effects on the marine mammals frequenting the area.

v) Light Effects

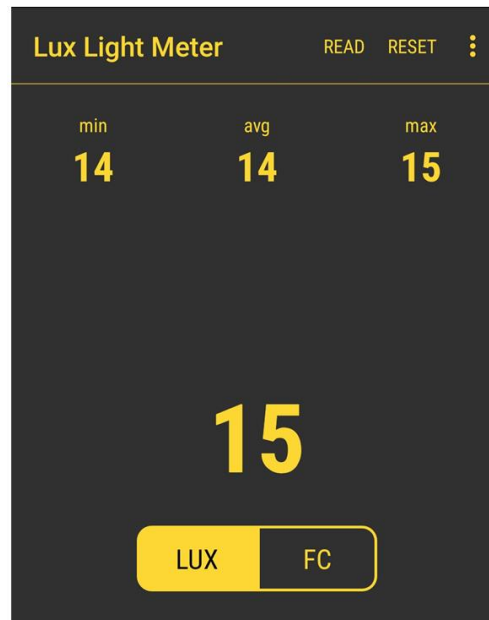
Figure 33 – *Milford Mariner* in Harrison Cove, Milford Sound



The proposed operation of the *Milford Mariner* or *Fiordland Navigator* as an accommodation base will involve the utilisation of lighting after nightfall. When at on the mooring a vessel masthead anchor light will be shown for navigation safety purposes. On board lighting is required to enable passengers to move safely about the vessel after dark. These lights will be reduced significantly once passengers have turned in for the evening,

however for safety reasons a few hallway lights will be left on overnight. Refer image 33 above. However, when this photo was taken some passengers were still up and the main deck and some cabin lights remained on.

Figure 34 – Lux reading taken with Lux Light phone App ²⁷



The “Milford Mariner” nighttime illumination level has been measured using a phone App and found to be 15 Lux, where Lux is the SI unit of illuminance and luminous emittance, measuring luminous flux per unit area; it is equal to one lumen per square metre – refer figure 34 above. To provide context to this illumination level the following are some typical illumination levels.

- Under a clear sky on a sunny day 100,000 lux
- In the shade of a tree 10,000 lux
- Inside, adjacent to a north facing window 2000 – 3000 lux
- In a typical office 300 – 750 lux
- Inside a domestic house at night 50 - 100 lux
- Under a suburban streetlight <5 – 30 lux
- Moonlight 0.5 – 1 lux

The Australian Standard AS 4282:1997 “Control of the Obtrusive Effects of Outdoor Lighting” (AS4282) addresses both spill light and glare. While AS 4282 has been cross-referenced in AS/NZS 1158, it has not been universally or mandated in New Zealand. Further, it should also be noted that AS 4282 was originally intended for evaluating lighting of high illuminance areas located within residential areas. However, AS 4282 does provide some guidance on what spill light and glare effects are acceptable and assists in evaluating spill light and glare when viewed from a specific location. To this end, in New

²⁷ <https://play.google.com/store/apps/details?id=com.doggoapps.luxlight&hl=en&gl=US>
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Zealand a 10-lux illumination level has been taken as the appropriate cutoff level to determine whether the lighting can be deemed obtrusive and present a nuisance.

The ‘CIE 150:2003 Guide on the limitation of the effects of obtrusive light from outdoor lighting installations’ is a technical report produced by the CIE (International Commission on Illumination). CIE is an organisation devoted to international co-operation and exchange of information among its member countries on all matters relating to the art and science of light. Its membership consists of the National Committees in 37 countries (NZ included).

CIE 150:2003 is an internationally accepted guide on the limitation of the effects of obtrusive lighting installations and provides limits for the various light technical parameters in order for their effects to be considered non-obtrusive or “less than minor” in an RMA context. Content from this guide forms the basis of lighting standards in many ordinances around the world.

Table 3 - below sets out the environmental lighting zones as defined in CIE 150:2003.

Zone	Surrounding	Lighting Environment	Examples	Max Lux
E1	Natural	Intrinsically dark	National Parks, reserves, or protected areas (no street lighting)	2
E2	Rural	Low brightness	Sparsely inhabited rural and semi-rural areas	5
E3	Suburban	Medium brightness	Industrial or residential suburbs	10
E4	Urban	High brightness	Town and city centres and other commercial areas.	25

As some of the cabin lights and main saloon lights remained on when the “Milford Mariner” nighttime illumination level was measured, we expect the Lux readings to lower after all the passengers have ‘turned in’ for the night. Nonetheless it is unlikely the Milford Mariner” nighttime illumination would lower to a 5-lux limit. Even so, there is no detectable ‘skyglow’ created by the “Milford Mariner” when on her overnight mooring. That is, at night, when out of sight of the “Milford Mariner”, the vessel is not detectable. This will be the case in Goose Cove. Accordingly, the light spill created by vessels using the proposed mooring will be minimal and small in scale. Therefore, the potential effects of light spill are viewed by Real Journeys as a minor effect on the environment.

vi) Water Quality

The *Milford Mariner* and *Fiordland Navigator* both have exterior painted decks and aluminum walkways. These vessels have water blasters on board which is used to clean the decks daily. However approximately once a week when in these vessels are in use,

their exterior decks require further cleaning; then the decks are scrubbed down with approximately a 0.05% solution of “Citro-clean”. The decks are then hosed down, which further dilutes the cleaner. Citro-clean is biodegradable and it is used in very low concentrations and is currently supplied to the vessels in a diluted state to ensure a minimal amount of product is used. Because of this, Real Journeys does not believe that this discharge has a significant impact on the environment. As required CHEMTECH “Wash ‘N’ Wax” vehicle cleansing, and wax gel is applied to the vessels’ superstructures to protect against salt spray. This product is identified as a non-hazardous substance and ‘non-dangerous good’. As it is a wax gel, it repels water and does not enter the coastal marine waters.

The domestic cleaning products that will be used on the *Milford Mariner* or *Fiordland Navigator* are from ECOLAB. These products will not enter the waters of Paterson Inlet as all wastewater onboard the vessel is collected and stored in the grey water holding tanks, then treated before discharge or discharged according to Resource Management (Marine Pollution) Regulations 1998. Moreover, to reduce the amount of grey water produced on board, the vessel linen will be laundered by AlSCO in Invercargill with the linen being transferred to and from Bluff via the Stewart Island ferries.

Therefore, the environmental impact on the coastal marine water of any cleaning processes on the *Milford Mariner* or *Fiordland Navigator* is small in scale and their effects should not be viewed as more than minor.

vii) Rubbish Disposal

As part of the passengers’ vessel safety briefing, Real Journeys crew advises passengers to dispose of all rubbish in the bins provided on board, not throw anything overboard, and in windy conditions passengers are advised to not let any food wrappers, paper napkins and the like blow over the side into the inlet.

To reduce the effect of waste on the environment, Real Journeys is continually working with its suppliers to remove unnecessary single use mainly plastic items from its operations. This includes, where practical, using crockery; linen and where not, purchasing products with the lowest carbon footprint and engaging in recycling schemes in cooperation with our suppliers. For instance, Fonterra is collecting empty milk bottles and taking responsibility for their disposal.

Waste products generated on board either the *Milford Mariner* or *Fiordland Navigator* such as cardboard, paper, glass, plastics, aluminum, and organic food waste will be sorted on board to enable the likes of glass, plastic, cardboard, and aluminum to be recycled. These waste products will be removed from either the *Milford Mariner* or *Fiordland Navigator* via the Stewart Island Ferries and disposed of ashore in land-based recycling facilities and in landfill. Consequently, Real Journeys will ensure that any rubbish generated by the proposal does not have an adverse effect on the environment of the CMA.

E. Any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.

- (i) No hazardous chemicals are stored on our vessels. Vessels will have fuel aboard and minor amounts of detergents for washing, which is no different to any fishing, charter, or recreational vessel operating in the area. As stated, above diesel and oil could also be spilled because of a catastrophic vessel collision; yet this is very unlikely.
- (ii) Rakiura is subject to a number of natural hazards, which are outside of human control and influence. The most common being severe weather as at 47 degrees south, Stewart Island/Rakiura is situated within the 'roaring forties' westerly wind belt. Due to their geographical location, the southern and western parts of the island receive more severe weather than the northern and eastern parts. However, this severe weather can affect the whole island and be unpredictable occurring with little warning. Yet, the risks associated with extreme weather events can be minimised with sufficient planning, adequate equipment and good decision making. Accordingly, to manage the risks associated with weather Real Journeys ensures our launch masters have access to up to date weather info through websites such as <https://tourism.metconnect.co.nz/>; and <http://www.metvuw.com/>
- (iii) Coastal erosion is a medium to long-term natural process that occurs across the whole of Stewart Island/Rakiura. It can directly affect structures in the coastal marine area and adjacent to the coast through bank erosion and changes in waterways and estuaries, as well as through events such as spring tides and storm surges. Rising sea levels could exacerbate these existing coastal hazards in the future.²⁸ However coastal erosion will not impact our proposal to use either the "Fiordland Navigator" or "Milford Mariner" as an accommodation base in Goose Cove.
- (iv) Other potential natural hazards are related to seismic events including earthquake, tsunami, and seiche. Over the years there have been numerous earthquakes focused around the Puysegur Trench that have been felt on Stewart Island²⁹. The Puysegur Trench is a deep cleft in the floor of the south Tasman Sea formed by the subduction of the Indo-Australian Plate under the Pacific Plate to the south of New Zealand. The area around the Puysegur Trench is highly seismically active, with the Alpine Fault starting at the trench's northern end. In July 2009, New Zealand's third-largest recorded earthquake (magnitude 7.8) struck close to the northern end of the trench off the coast of Fiordland. A magnitude 7.2 quake hit the trench itself in November 2004.³⁰

²⁸https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/statutory-plan-publications/conservation-management-strategies/stewart-island-rakiura/section-two/part-five-public-benefit-use-and-enjoyment-of-the-park/5_5-hazards-to-people/

²⁹ https://en.wikipedia.org/wiki/List_of_earthquakes_in_New_Zealand

³⁰ https://en.wikipedia.org/wiki/Puysegur_Trench

Figure 35 - Identified Tsunami Evacuation Zones at Stewart Island



<https://esgis.maps.arcgis.com/apps/webappviewer/index.html?id=563538de0f1a4490b0660cb3fc59aa57>

Seismic waves from an earthquake can emerge from the seafloor as an acoustic (sound) wave that travels through the ocean toward the surface and can strike a ship. If the sound is strong enough, the ship will be rocked. These are known as seaquakes. However, while it is possible for ships to be impacted by such seaquakes it is extremely rare for vessels to be damaged. That is earthquakes are unlikely to affect either the “Milford Mariner” or “Fiordland Navigator” if they were located in Paterson Inlet.

Tsunami and seiche do pose a risk to shipping if vessels are in shallow water thus it is Real Journeys standard operating procedure to cruise into deep water (> 100 m) in the event of a tsunami warning, rather than remaining moored in a harbour, inlet, or Fiord.³¹ In relation to the site of this application this would involving our vessel steaming out of Paterson Inlet south east out from Sterling Head to get to deeper waters.

³¹ http://itic.ioc-unesco.org/index.php?option=com_content&view=category&layout=blog&id=1270&Itemid=1270
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Environment Southland have mapped some of the Tsunami Evacuation Zones in Southland including: Horseshoe Bay, Halfmoon Bay and Ulva Island – refer image above. The Red Zone is the area of the highest risk and first place to evacuate from, in the event of any sort of tsunami warning and Orange Zones are expected to be impacted if tsunami waves are above one metre. Glory Cove has not been mapped however, it is somewhat sheltered by the Boat Passage Islands which would afford some protection from significant waves in the event of a seiche or an immediately impending Tsunami. Yet if there was sufficient warning supplied of an imminent Tsunami steaming into deeper water would be the best course of action to avoid the potentially damaging effects of a Tsunami.

F. Alternative Locations and Methods.

Both the *Milford Mariner* and *Fiordland Navigator* are designed to operate in sheltered waterways; accordingly, the alternative locations would be another coastal sheltered waterway such as the Marlborough Sounds, the Fiords or Port Pegasus. Obviously, the other alternative locations for both these vessels would be to continue to operate in the areas they already operate in; that is Milford Sound and Doubtful Sound. Real Journeys has vessels operating in Milford Sound and Doubtful Sound year-round therefore leaving *Milford Mariner* and *Fiordland Navigator* operating in Fiordland will not tap into another income source.

That is, leaving *Milford Mariner* and *Fiordland Navigator* in Fiordland, does not address what Real Journeys is trying to achieve; that is to generate an alternative source of revenue in this post COVID-19 environment. As New Zealanders cannot travel overseas, many New Zealanders are investigating options to visit locations in New Zealand they have not been before, bringing Stewart Island more to the fore as a destination to explore. Rakiura is an ideal location for either *Milford Mariner* and *Fiordland Navigator* as it is a sheltered waterway and Real Journeys already has a base of operations on Rakiura and can readily service a moored accommodation base.

Moreover, most of the relevant planning documents such as the Fiordland National Park Management Plan and Te Tangi a Tauira, advocate for tourism operations to be located in areas where the environment is already modified, and to leave the other places of the Fiordland or Rakiura untouched. Consequently, Real Journeys believes that Paterson Inlet is an appropriate location to undertake the proposed commercial surface water activities.

3. Statutory Provisions

The documents that are relevant to this application are the Resource Management Act, New Zealand Coastal Policy Statement (NZCPS), Southland Regional Policy Statement (RPS), and the Regional Coastal Plan (RCP). Te Tangi a Tauira, the Iwi natural resources and environmental management plan is also a document that should be considered along with Stewart Island /Rakiura Conservation Management Strategy.

3.1 Resource Management Act 1991

Regarding the coastal marine area, the Resource Management Act states:

12 Restrictions on use of coastal marine area

- (3) *Without limiting subsection (1), no person may carry out any activity—*
- (a) *in, on, under, or over any coastal marine area; or*
 - (b) *in relation to any natural and physical resources contained within any coastal marine area, — in a manner that contravenes a national environmental standard, a rule in a regional coastal plan, or a rule in a proposed regional coastal plan for the same region (if there is one) unless the activity is expressly allowed by a resource consent or allowed by [section 20A](#) (certain existing lawful activities allowed).*

Hence the Resource Management Act states that to be able to use and moor a vessel of up to 40 metres overall length, capable of sleeping up to 74 passengers plus crew, as a base/accommodation facility within the Rakiura coastal marine area, requires a Resource Consent from Environment Southland. To determine the activity type of the Resource Consent application the Regional Coastal Plan for Southland must be examined – refer section 3.4 below.

Section 104 of the Act sets out the matters to be considered when assessing an application for a resource consent. Section 104(1) of the Resource Management Act, 1991, states:

- (1) *When considering an application for a resource consent and any submission received, the consent authority must, subject to Part 2, have regard to:*
- (a) *any actual and potential effects on the environment of allowing the activity; and*
 - (b) *any relevant provisions of –*
 - (i) *a national environmental standard:*
 - (ii) *other regulations:*
 - (iii) *a national policy statement:*
 - (v) *a regional or proposed regional policy statement:*
 - (vi) *a plan or proposed plan; and*
 - (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

The matters which relevant for this application are discussed in the following sections.

3.2 New Zealand Coastal Policy Statement (NZCPS)

The NZCPS sets out a number of objectives and policies for achieving the purpose of the RMA in relation to the coastal environment. It contains provisions which address the following matters of relevance to the proposed application:

- The provision for social and economic wellbeing;

- The precautionary approach;
- Indigenous biodiversity;
- Natural character and landscape values;
- Amenity and access;
- Treaty of Waitangi; and
- Discharges.

The NZCPS provisions relating to each matter are addressed below.

A. Social and Economic Wellbeing of communities

Regarding providing for the Social and Economic Wellbeing of communities, Objective 6, and Policies 6 of the NZCPS seek to, amongst other things, to enable people and communities to provide for their social and economic wellbeing through the use and development of natural and physical resources in the coastal environment. The relevant aspects of Objective 6 and Policies 6 to our proposal changes are detailed below:

Objective 6

To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:

- *the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;*
- *some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic, and cultural wellbeing of people and communities;*
- *functionally some uses and developments can only be located on the coast or in the coastal marine area;*
- *the coastal environment contains renewable energy resources of significant value;*
- *the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;*
- *the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;*
- *the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and*
- *historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.*

Policy 6 Activities in the coastal environment

(1) In relation to the coastal environment.....

- (2) *Additionally, in relation to the coastal marine area:*
- (a) *recognise potential contributions to the social, economic, and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations:*
 - (b) *recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;*
 - (c) *recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;*
 - (d) *recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and*
 - (e) *promote the efficient use of occupied space, including by:*
 - (i) *requiring that structures be made available for public or multiple use wherever reasonable and practicable;*
 - (ii) *requiring the removal of any abandoned or redundant structure that has no heritage, amenity, or reuse value; and*
 - (iii) *considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.*

Key directives of these provisions when considering our proposal include:

- The social and economic benefits of the proposed changes are to be recognised and are to be taken into account; and
- That the protection of the values of the coastal environment does not preclude use and development where it is located in an appropriate place and form, and within appropriate limits.

Real Journeys proposed accommodation base will provide further social and economic benefits through the provision of additional domestic tourism revenue and will assist in the objective of attempting to maintain some of the economic value of the New Zealand Tourism Industry in this post COVID-19 situation. In addition, this proposed diversification of Real Journeys tourism offerings will provide direct and indirect job opportunities in Otago and Southland. These jobs will be associated with delivery of the proposed product including activities such as food and beverage delivery; sales and marketing, and the employment of people in supporting services for example transport, logistics, and engineering services. In light of the above, our proposal will assist in enabling people and communities to provide for their social and economic wellbeing in the post COVID-19 circumstances, while the international borders remain closed to international tourists; through the appropriate use and development of natural and physical resources in the coastal environment.

B. Precautionary Approach

Policy 3 of the NZCPS addresses the precautionary approach. It states:

Policy 3 Precautionary approach

- (1) *Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.*
- (2) *In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:*
 - (a) *avoidable social and economic loss and harm to communities does not occur;*
 - (b) *natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and*
 - (c) *the natural character, public access, amenity, and other values of the coastal environment meet the needs of future generations.*

Clause (1) of Policy 3 is considered most relevant to our proposal in that it directs decision-makers to adopt a precautionary approach towards proposed activities whose effects on the coastal environment are “*uncertain, unknown, or little understood, but potentially significantly adverse.*” However, in this instance the effects of a vessel operating in Paterson Inlet are largely known and the effects of using vessels such as “Milford Mariner” or “Fiordland Navigator” as a base of accommodation in the current areas of operation Milford Sound and Doubtful Sound respectively, are well understood. With respect to “*potentially significantly adverse*” effects, this proposal is not ‘permanent’ in nature and we do not believe it will cause significantly adverse effects.

C. Indigenous Biodiversity

Objective 1 and Policy 11 of the NZCPS are its key provisions in respect of the management of indigenous biodiversity in the coastal environment. They state:

Objective 1

To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes, and land, by:

- *maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex, and interdependent nature;*
- *protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand’s indigenous coastal flora and fauna; and*
- *maintaining coastal water quality and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.*

Policy 11 Indigenous biological diversity (biodiversity)

To protect indigenous biological diversity in the coastal environment:

- (a) *avoid adverse effects of activities on:*
 - (i) *indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;*

- (ii) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;*
 - (iii) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;*
 - (iv) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;*
 - (v) areas containing nationally significant examples of indigenous community types; and*
 - (vi) areas set aside for full or partial protection of indigenous biological diversity under other legislation; and*
- (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on:*
- (i) areas of predominantly indigenous vegetation in the coastal environment;*
 - (ii) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;*
 - (iii) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass, and saltmarsh;*
 - (iv) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional, or cultural purposes;*
 - (v) habitats, including areas and routes, important to migratory species; and*
 - (vi) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.*

In summary, Objective 1, and Policy 11 of the NZCPS seek to avoid the adverse effects of activities on significant or important indigenous biodiversity values in the coastal environment. Our proposal to use and moor a vessel of up to 40 metres overall length, as a base/accommodation facility in Goose Cove, will not adversely affect the life cycle of the species and taxa identified in Clause (a) of Policy 11 of the NZCPS, and section 2.2C of our assessment of effects has not identified significant adverse effects on habitats and areas of the coastal environment in accordance with Clause (b) of Policy 11 of the NZCPS.

D. Natural Character and Landscape Values

Objective 2 of the NZCPS addresses natural character and landscape values and states:

Objective 2

To preserve the natural character of the coastal environment and protect natural features and landscape values through:

- recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;*
- identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and*

- *encouraging restoration of the coastal environment.*

Policy 13 provides direction on how natural character is to be preserved and states:

Policy 13 Preservation of natural character

- (1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:*
 - (a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and*
 - (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:*
 - (c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and*
 - (d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies, and rules, and include those provisions.*

- (2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:*
 - (a) natural elements, processes, and patterns;*
 - (b) biophysical, ecological, geological, and geomorphological aspects;*
 - (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs, and surf breaks;*
 - (d) the natural movement of water and sediment;*
 - (e) the natural darkness of the night sky;*
 - (f) places or areas that are wild or scenic;*
 - (g) a range of natural character from pristine to modified; and*
 - (h) experiential attributes, including the sounds and smell of the sea; and their context or setting*

Policy 15 contains direction on how natural features and landscapes in the coastal environment are to be protected and states:

Policy 15 Natural features and natural landscapes

To protect the natural features and landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use and development:

- (a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes;*

- (b) *avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment.*
Including by:
- (c) *identifying and assessing the natural features and natural landscapes of the coastal environment of the region, at a minimum by land typing, soil characterisation and landscape characterisation and having regard to:*
- (i) *natural science factors*
 - (ii) *the presence of water*
 - (iii) *legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes*
 - (iv) *aesthetic values including memorability and naturalness*
 - (v) *vegetation (native and exotic)*
 - (vi) *transient values including presence of wildlife at certain times of the day or year*
 - (vii) *whether values are shared and recognised*
 - (viii) *cultural and spiritual values including their expression as cultural landscapes and features*
 - (ix) *historical and heritage associations*
 - (x) *wild or scenic values.*
- (d) *Ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies, and rules*

As set out in Section 2.2 B above, the Real Journeys proposal to use and moor a vessel of up to 40 metres overall length, as a base/accommodation facility in Goose Cove, will not impact natural character and landscape values as our proposal will not have significant effects on landscape and visual values. Hence, our proposal is in accordance with the management expectations set out in Clause (1)(b) of Policy 13 and Clause (b) of Policy 15 of the NZCPS.

E. Amenity and Access

Objective 4 of the NZCPS addresses the public open space and recreation values attributed to the coastal environment and states:

Objective 4

To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:

- *recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;*
- *maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and*

- *recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.*

The NZCPS contains no clear policy direction as to how activities should be managed to achieve Objective 4. The proposed operation of the *Milford Mariner* or *Fiordland Navigator* as an accommodation base in Paterson Inlet offers an opportunity for people to access and experience this public space. Consequently, the proposal is not contrary to the objectives detailed above. Also, Policy 6 does contain the following relevant matters that should be had regard to when considering our proposal.

Policy 6 Activities in the coastal environment.....

- (2) *Additionally, in relation to the coastal marine area:*
- (a) *recognise potential contributions to the social, economic, and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations;*
 - (b) *recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;*
 - (c) *recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;*
 - (d) *recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and*
 - (e) *promote the efficient use of occupied space, including by:*
 - (i) *requiring that structures be made available for public or multiple use wherever reasonable and practicable;*
 - (ii) *requiring the removal of any abandoned or redundant structure that has no heritage, amenity, or reuse value; and*
 - (iii) *considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.*

Section 2.2 A of this AEE outlines potential effects of the Real Journeys proposal to use and moor a vessel of up to 40 metres overall length, as a base/accommodation facility in Goose Cove, will have on other users, mainly recreational users of the area which is the subject of this application. Public access will be maintained around the “Milford Mariner” or “Fiordland Navigator” nonetheless there will be a level of exclusion due to the vessel “footprint” which is typical for any vessel activity; and through the installation of a mooring which will be addressed in a separate application. Given the above, any adverse effects on navigation and public access will not be significant hence this proposal aligns with the management expectations of Policy 6(2)(b) of the NZCPS.

Our proposal also complies with Policy 6(2)(c) as our proposed activity has a functional need to occur in CMA and because of the sheltered nature of Goose Cove and given that vessels such as “Milford

Mariner” and “Fiordland Navigator” can only operate in sheltered waterways; we contend this is an appropriate place for our proposed activity.

With respect to Policy 6(2)(e) of the NZCPS, this will be addressed in our mooring application as it is our intent to make our mooring available for use by other Real Journeys vessels and for public use such that our proposed mooring provides for efficient occupation of space.

F. Treaty of Waitangi

Objective 3 of the NZCPS addresses the Treaty of Waitangi, and states:

Objective 3

To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:

- *recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;*
- *promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;*
- *incorporating mātauranga Māori into sustainable management practices; and*
- *recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.*

Policy 2 The Treaty of Waitangi, tangata whenua and Māori heritage

In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:

- recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;*
- involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori;*
- with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;*
- provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga, may have knowledge not otherwise available;*
- take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and*

- (i) where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and
 - (ii) consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;
- (f) provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:
- (i) bringing cultural understanding to monitoring of natural resources;
 - (ii) providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;
 - (iii) having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaītai or other non-commercial Māori customary fishing; and
- (g) in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural, or spiritual significance or special value:
- (i) recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape, and cultural impact assessments; and
 - (ii) provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.

Objective 3 and Policy 2 of the NZCPS seek to take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment. This is particularly relevant as under section 313 of the Ngāi Tahu Claims Settlement Act 1998, the Crown acknowledges Te Rūnanga o Ngāi Tahu's cultural, spiritual, historic, and traditional association to Rakiura/Te Ara a Kiwa (Rakiura/Foveaux Strait Coastal Marine Area). This coastal permit application has examined; the Ngāi Tahu's principles outlined in Te Tangi a Tauira the discussion of which is included in this application under section 3.5. Te Ao Marama Incorporated have been identified by Real Journeys Limited as a Potentially Affected Party in this coastal permit application and will be involved as kaitiaki in this application process.

All practical measures to protect the indigenous biodiversity of the CMA are undertaken by Real Journeys Limited. Further, the proposal will not adversely affect the amenity, social, cultural, landscape and intrinsic values of Paterson Inlet / Whaka A Te Wera. These values are detailed in section 2.2 of this AEE.

G. Discharges

Policy 23 of the NZCPS addresses discharges to water in the coastal environment, and states:

Policy 23 Discharge of contaminants

- (1) *In managing discharges to water in the coastal environment, have particular regard to:*
 - (a) *the sensitivity of the receiving environment;*

- (b) *the nature of the contaminants to be discharged, the particular concentration of contaminants needed to achieve the required water quality in the receiving environment, and the risks if that concentration of contaminants is exceeded; and*
 - (c) *the capacity of the receiving environment to assimilate the contaminants; and:*
 - (d) *avoid significant adverse effects on ecosystems and habitats after reasonable mixing;*
 - (e) *use the smallest mixing zone necessary to achieve the required water quality in the receiving environment; and*
 - (f) *minimise adverse effects on the life-supporting capacity of water within a mixing zone.*
- (2) *In managing discharge of human sewage, do not allow:*
- (a) *discharge of human sewage directly to water in the coastal environment without treatment; and*
 - (b) *the discharge of treated human sewage to water in the coastal environment, unless:*
 - (i) *there has been adequate consideration of alternative methods, sites, and routes for undertaking the discharge; and*
 - (ii) *informed by an understanding of tangata whenua values and the effects on them.*
- (3) *Objectives, policies, and rules in plans which provide for the discharge of treated human sewage into waters of the coastal environment must have been subject to early and meaningful consultation with tangata whenua.*
- (4) *.....*
- (5) *In managing discharges from ports and other marine facilities:*
- (a) *require operators of ports and other marine facilities to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems, and habitats that is more than minor;*
 - (b) *require that the disturbance or relocation of contaminated seabed material, other than by the movement of vessels, and the dumping or storage of dredged material does not result in significant adverse effects on water quality or the seabed, substrate, ecosystems, or habitats;*
 - (c) *require operators of ports, marinas, and other relevant marine facilities to provide for the collection of sewage and waste from vessels, and for residues from vessel maintenance to be safely contained and disposed of; and*
 - (d) *consider the need for facilities for the collection of sewage and other wastes for recreational and commercial boating.*

As stated above all practicable measures will be taken to minimise any adverse effects created by either the “Milford Mariner” or “Fiordland Navigator” discharges.

3.3 Southland Regional Policy Statement 2017

The Southland Regional Policy Statement 2017 (“SRPS”) became operative in 2017 and contains 17 chapters. The following chapters are relevant to our application:

Chapter 6 – Biodiversity;

Chapter 7 – Coast; and

Chapter 10 – Natural Features and Landscapes.

A. Chapter 6 – Biodiversity

The following objectives and policies are applicable to our application:

Objective BIO.2 – Maintain and protect

Maintain indigenous biodiversity in Southland and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna for present and future generations.

Policy BIO.3 – Protect coastal indigenous biodiversity

Protect indigenous biodiversity from adverse effects in the coastal environment as set out in Policy 11 of the New Zealand Coastal Policy Statement 2010.

Policy BIO.4 – Maintain indigenous biodiversity

Manage a full range of indigenous habitats and ecosystems to achieve a healthy functioning state, and to ensure viable and diverse populations of native species are maintained, while making appropriate provisions for lawful maintenance and operation of existing activities.

In giving effect to this policy, regard will be had to the following potential adverse effects:

- (i) fragmentation of, or reduction in the extent of, indigenous vegetation or habitats of indigenous fauna;*
- (ii) fragmentation or disruption of connections and linkages between ecosystems or habitats of indigenous fauna;*
- (iii) loss of, or damage to, buffering of ecosystems or habitats of indigenous fauna;*
- (iv) loss or reduction of rare or threatened indigenous species' populations or habitats.*

Objective BIO.2 seeks to maintain indigenous biodiversity and enhance significant biodiversity. In the coastal environment, this is to be achieved by Policy BIO.3, which seeks to protect indigenous biodiversity from adverse effects in the coastal environment. Furthermore, Policy BIO.4 seeks to achieve a healthy functioning ecosystem, ensuring populations of native species are maintained, and making appropriate provision for the lawful operation of existing activities.

We have reviewed the likely effects on biodiversity in section 2.2C of our assessment of effects above and have not identified significant adverse effects on habitats and areas of the coastal environment hence none of the adverse effects identified in Policy BIO.4 will occur as a result of our proposal.

B. Chapter 7 – Coast

Chapter 7 of the SRPS addresses the coastal environment and contains five objectives and seven policies. Those relevant to the proposed changes are set out and analysed below.

Objective COAST.2 – Activities in the coastal environment

Infrastructure, ports, energy projects, aquaculture, mineral extraction activities, subdivision, use and development in the coastal environment are provided for and able to expand, where appropriate, while managing the adverse effects of those activities.

Objective COAST.3 – Coastal water quality and ecosystems

Coastal water quality and ecosystems are maintained or enhanced

Objective COAST.4 – Natural character

The natural character of the coastal environment is restored, rehabilitated, or preserved

Policy COAST.2 – Management of activities in the coastal environment

Ensure adequate measures or methods are utilised within the coastal environment when making provision for subdivision, use and development to:

- (a) protect indigenous biodiversity, historic heritage, natural character, and natural features and landscape values;*
- (b) maintain or enhance amenity, social, intrinsic, ecological, and cultural values, landscapes of cultural significance to tangata whenua and coastal dune systems;*
- (c) maintain or enhance public access; and*
- (d) avoid or mitigate the impacts of natural hazards, including predicted sea level rise and climate change*

Policy COAST.3 – Protection of the coastal environment

Ensure that subdivision, use and development activities:

- (a) avoid adverse effects on areas of outstanding natural features and landscapes, and/or outstanding natural character;*
- (b) avoid significant adverse effects, and avoid, remedy, or mitigate other adverse effects on other natural features and landscapes and/or natural character in the coastal environment;*
- (c) protect and provide for nationally significant, regionally significant, and critical infrastructure, including ports and energy projects for the region, including by:
 - (i) recognising that new development of the National Grid should seek to avoid adverse effects on the values of outstanding natural features and landscapes, and/or areas of outstanding or high natural character located within rural coastal environments. In the coastal environment, in some circumstances, adverse effects on those areas must be avoided.**

Policy COAST.5 – Management of effects on coastal water quality and ecosystems

Avoid, remedy, or mitigate adverse effects of land-based and marine activities on coastal water quality and its ecosystems.

Policy COAST.7 – Management of activities in the coastal marine area

Within the coastal marine area, provide a framework to avoid or mitigate adverse effects on the coastal environment for the following activities:

- (a) the allocation, use and occupation of coastal space;*
- (b) the use and development of the natural and physical resources of the coastal marine area;*
- (c) the emission of noise;*
- (d) commercial activities on the water and on the foreshore and seabed.*

The SRPS provides more guidance through Policy COAST.2 but it also relies on the Regional Coastal Plan for implementation of the policies yet RCP pre-dates the SRPS however its objectives and policies go some way to implementing these policies. Development within the CMA is constrained by Policies COAST.3 and COAST.5. Still, our proposal to use and moor a vessel for a base in Paterson Inlet will not result in adverse effects on natural features, landscapes, or character in the coastal

environment as detailed in Policy COAST.3. With respect to water quality and ecosystems Real Journeys proposal will not significantly impact on these elements in Paterson Inlet.

Policy COAST.7 provides direction to the Council to, amongst other things, manage allocation, use and occupation of space, noise, and commercial surface water activities in the CMA. As discussed above our proposed use of a vessel will occupy CMA but not to a degree that will preclude further use and enjoyment of Paterson Inlet and our vessels comply with the noise limits set in the Regional Coastal Plan.

C. Chapter 10 – Natural Features and Landscapes.

The following objective is relevant to our application:

Objective LNF.1 - Identification and protection of outstanding natural features and landscapes
Southland's outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.

Policy LNF.4 – Protection of outstanding natural features and landscapes
Local authorities shall protect outstanding natural features and landscapes from inappropriate subdivision, use and development by having regard to the following:

- (a) whether the adverse effects of inappropriate activities on outstanding natural features and landscapes are avoided;*
- (b) the extent to which the outstanding natural feature or landscape would be modified or damaged including duration, frequency, magnitude, or scale of any effect;*
- (c) the irreversibility of adverse effects on outstanding natural features or landscape values;*
- (d) the resilience of the outstanding natural feature or landscape to change;*
- (e) opportunities to remedy or mitigate previous adverse effects on the outstanding natural feature or landscape;*
- (f) whether the activity will lead to cumulative adverse effects on the outstanding natural feature or landscape;*
- (g) the relationship of the landscape to the surrounding environment.*

As stated, above Boffa Miskell have categorised Little Glory Cove (including Goose Cove) as Outstanding Landscape yet our proposal will not impact significantly on the natural features and outstanding landscapes of Paterson Inlet.

3.4 Regional Coastal Plan for Southland (RCP)

The Regional Coastal Plan for Southland contains 20 chapters. The chapters containing objectives and policies relevant to this application include:

- 4. Fundamental Principles;
- 5. General Matters;
- 7. Coastal Water; and
- 9. Occupation.

A. Chapter 4 Fundamental Principles

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.

Policy 4.2.3 - Minimising size

Minimise the size of structures and development in the coastal marine area.

As detailed in objective and policy 4.2.1 our proposed activity can only be carried out in the CMA as the “Milford Mariner” and “Fiordland Navigator” are coastal vessels. While there may be alternative areas where the activity could be carried out, it can only be areas within the coastal marine area. We have considered alternative locations however Real Journeys is primarily an Otago – Southland based company with appropriate infrastructure in and around Fiordland and Stewart Island to readily support our proposed activity. Locating the proposed activity in another area of the CMA would require the provision of additional infrastructure such as the operation of additional vessels which would not comply with policy 4.2.3.

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.

Moorings in Golden Bay, Iona Island (eastern side), Leask Bay, Braggs Bay, Halfmoon Bay, Horseshoe Bay and Deep Bay (north-west side) are permitted activities in RCP accordingly these are the areas where nearly all the vessels moored around Rakiura are located. However Real Journeys vessels “Fiordland Navigator” or “Milford Mariner” are too large to be safely moored in these anchorages; with the Rakiura topography; and the number of existing moorings that have been installed in an ad hoc way with no planning to maximise the use of the space. In addition, Real Journeys wishes to offer its clients a remote experience therefore we are seeking to locate our ship as a base/accommodation facility away from built up areas. That is, it is not practicable to locate our proposed activity where existing development is located thus, we cannot comply with objective and policy 4.6.1.

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.

Under the RMA cumulative effects are defined as follows:

3 Meaning of effect

*In this Act, unless the context otherwise requires, the term **effect** includes—*

- (a) any positive or adverse effect; and*
- (b) any temporary or permanent effect; and*
- (c) any past, present, or future effect; and*
- (d) any cumulative effect which arises over time or in combination with other effects—***
regardless of the scale, intensity, duration, or frequency of the effect, and also includes—
- (e) any potential effect of high probability; and*
- (f) any potential effect of low probability which has a high potential impact.*

Yet through decisions such as Dye vs. Auckland Regional Council the High Court have described a cumulative effect as concerned with things that will occur rather than with something which may occur, that being the connotation of a potential effect.....The concept of cumulative effect arising over time is one of gradual build-up of consequence. Accordingly, Objective and Policy 4.7.1, seek to limit the cumulative effects from multiple developments in the same area. However apart from the Glory Cove wharf and a hunters’ hut ashore there are no other developments therefore the cumulative effect of our proposed activity in Goose Cove will be no more than minor especially considering that our vessel will only periodically be based in Paterson Inlet.

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.

The above objective and policy make the distinction between commercial and non-commercial surface water activities consequently our proposed activity is identified a commercial surface water activity.

B. Chapter 5. General Matters

Due to the outstanding natural landscape classification of the site of our application the following policies and objectives are applicable.

Objective 5.1.1- Preserve natural character

To preserve the natural character of the coastal marine area

Objective 5.2.1 - Protecting outstanding natural features and landscapes

To protect outstanding natural features and landscapes in the region's coastal marine area from the adverse effects of use, development, and subdivision.

As set out in Section 2.2 B above, the Real Journeys proposal to use and moor a vessel of up to 40 metres overall length, as a base/accommodation facility in Goose Cove, will not impact the natural character and landscape values.

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 5.3.6 - Safe environment

To maintain a safe environment for all people using of the coastal marine area.

Policy 5.3.1 - Amenity values

Protect amenity values of the coastal marine area

Policy 5.3.2 - Open space values

Maintain and enhance open space values of the coastal marine area.

Amenity values being those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. There will be some impact on amenity values due to our vessel being in Goose Cove through its presence; vessel movements including kayaks and tender craft activities; and noise, even though neither the "Milford Mariner" or "Fiordland Navigator" breach the noise standards in the RCP. Still currently, the site which is the subject of this application is regularly used by other vessels including Real Journeys vessels embarking and disembarking passengers at Glory Cove Scenic Reserve and "Milford Wanderer" anchoring in Glory Cove during multiday trips in and around Rakiura. That is, it is generally expected that there will be vessel activity in the Glory Cove area however because of their temporary nature such vessel activity, it does not significantly adversely impact on the amenity values of Glory Cove.

With respect to maintaining a safe environment in the CMA; the mooring of either the "Milford Mariner" or "Fiordland Navigator" will not compromise navigational safety in Glory Cove as there will be sufficient "sea room" around our vessel to allow other vessels to safely navigate. In addition, the proposed mooring which is the subject of a separate application will provide a safe all weather mooring for Real Journeys and other users when not required by Real Journeys. Specifically, after storms the sea floor in Glory Cove is often covered in a mat of seaweed which makes anchoring difficult. That is, the anchor cannot grip on the bottom but just drags over the weed on the bottom. (NB this has been experienced several times by the *Milford Wanderer* crew when anchoring in Glory Cove). Hence the provision of a mooring will ensure the safety of this anchorage.

But our proposal will adversely affect the open space values of Glory Cove by occupying an area of this "open space". Yet this occupation will be temporary in nature and is consistent with current use of the site by other vessels hence our proposal will at the very least maintain open space values.

Policy 5.3.6 - Activities and structures

Limit activities and structures in the coastal marine area to those that:

- 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*

As discussed above our the "Milford Mariner" or "Fiordland Navigator" have a functional need to be in the CMA, including a functional need to undertake activities on the adjoining land. The "Milford Mariner" or "Fiordland Navigator" can provide accommodation for approximately 60 passengers and crew and there are no accommodation facilities on Rakiura that can accommodate that number of people in one place. Accordingly, Real Journeys proposal will comply with policy 5.3.6.

Policy 5.3.16 - Health and well-being of people

Protect the health and well-being of the public from the adverse effects of noise in the coastal marine area.

Rule 5.3.4 - General noise limits

Excluding Rule 5.3.8, unless subject to other rules in this Plan, it is a permitted activity for any activity within the coastal marine area to generate noise provided that the following noise limits are not exceeded, at any point at the landward boundary of the coastal marine area:

- i. between 7:00 a.m. and 10:00 p.m. the L10 shall not exceed 50 dBA;*
- ii. between 10:00 p.m. and 7:00 a.m. the following day, the L10 noise level shall not exceed 40 dBA;*
- iii. between 10:00 p.m. and 7:00 a.m. the following day, the Lmax noise level shall not exceed 70 dBA.*

Noise shall be measured and assessed in accordance with the provisions of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound".

The "Milford Mariner" or "Fiordland Navigator" and their tender crafts comply with the above noise limits set in the RCP thereby protecting the public from the adverse effects of noise in the coastal marine area.

Objective 5.4.1.1 - Protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna

To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna within the coastal marine area.

Objective 5.4.1.2 - Protect intrinsic values of ecosystems

To protect the intrinsic values of ecosystem

Policy 5.4.1.1 - Disturbance of areas of significant indigenous vegetation and significant habitats of indigenous fauna

Avoid significant adverse effects of disturbance to areas of significant indigenous vegetation or significant habitats of indigenous fauna.

Policy 5.4.1.2 - Protection of habitats of important species

Protect the habitats of species in the coastal marine area which are important for commercial, recreational, traditional, or cultural purposes

As identified above in section 2.2, Goose Cove provides habitat for indigenous species and therefore maintains ecosystems for indigenous species however Goose Cove is not significant habitat or an area where significant / important indigenous species are located. The proposed mooring which the subject of a separate coastal permit application, has the potential to disturb a small area of benthic communities in Goose Cove yet this is offset against the damage anchoring causes. Thus, our

proposal will not adversely affect significant indigenous vegetation and significant habitats of indigenous fauna.

Objective 5.5.1 - Maintain and enhance public access

Where appropriate, to maintain and enhance public access by suitable means to and along the coastal marine area.

Policy 5.5.2 - Access to sites of value to tangata whenua

Identify as far as practicable, the access which Maori people have to sites of cultural value to them, according to tikaka Maori.

Policy 5.5.3 - Maintenance and enhancement of public access

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:

- 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.*

As stated above Real Journeys proposal will not compromise access to CMA, including sites of value to tangata whenua, but will provide additional opportunities for the public to access the CMA through a stay on board either the “Milford Mariner” or “Fiordland Navigator”. That is, use of either vessel as an accommodation base will enhance access to the Rakiura Coastal Marine Area.

Objective 5.6.1 - Recognise values of Ngai Tahu

To recognise and provide for cultural, spiritual, and traditional values and uses of Ngai Tahu in the coastal marine area.

Objective 5.6.2 - Consultation with tangata whenua

To ensure that consultation takes place with tangata whenua in appropriate circumstances.

Policy 5.6.1 – Kaitiakitaka

Have particular regard to the concept of kaitiakitaka in relation to managing the use, development, and protection of natural and physical resources in the coastal marine area.

Objectives 5.6.1, 5.6.2 and Policy 5.6.1 of the Coastal Plan seek to recognise the values of Ngāi Tahu, and ensure consultation takes place where appropriate. Te Ao Marama Incorporated have been identified by Real Journeys Limited as a Potentially Affected Party in this coastal permit application and will be involved as kaitiaki in this application process.

C. Chapter 7 Coastal Water

The following objectives and policies seek the maintenance of coastal water quality where it is suitable for a range of activities and to ensure healthy aquatic ecosystems.

Objective 7.2.2.1 - Maintenance of coastal water quality

To maintain the quality of coastal waters in those areas where ambient water quality is suitable for:

- a. contact recreation;*
- b. the growth of shellfish, the human consumption of which is not limited by pathogenic or chemical contamination;*
- c. the health and vitality of aquatic ecosystems; and*
- d. a fishery, including aquaculture, the produce of which is not limited for human consumption by pathogenic or chemical contamination:*

and except for the area described in Objective 7.2.2.3, to enhance the quality of coastal waters in areas where ambient water quality has been degraded, to a level which is suitable for:

- a. contact recreation;*
- b. the growth of shellfish, the human consumption of which is not limited by pathogenic or chemical contamination;*
- c. the health and vitality of aquatic ecosystems; and*
- d. a fishery including aquaculture, the produce of which is not limited for human consumption by pathogenic or chemical contamination by the year 2020.*

Objective 7.2.2.2 - Protect the natural state of some coastal waters

To protect the natural state of coastal waters wherever it is considered that they can be fairly described as being in their natural state.

Policy 7.2.2.2 - Natural state (NS) waters

Manage areas of water in the coastal marine area as Class NS Water (being water managed in its natural state) where:

- a. water in these areas has been identified as being, for the most part, unaffected by land use practices and*
- b. is considered to be in its natural state (NS)*

Objective 7.3.2.1 - Effects on the amenity of the coastal marine area

To avoid adverse effects on the amenity of the coastal marine area caused by inappropriate discharge of waste products of marine species from ships in the coastal marine area.

Policy 7.3.2.1 - Adverse effects of the discharge of contaminants

Avoid, remedy, or mitigate the adverse effects of the discharge of contaminants into the coastal marine area of Southland.

Policy 7.3.2.12 - Discharges of human sewage and ballast water into coastal waters from ships

Strongly discourage discharges of human sewage and ballast water into coastal waters from ships.

Policy 7.3.2.13 - Encourage the use of onboard sewage collection and treatment

Encourage the use of systems onboard ships for the collection, storage, treatment, and transfer of human sewage to avoid, wherever practicable, mitigate or remedy the adverse effects of discharging sewage into the coastal marine area.

Through the potential installation of an OMNIPURE™ wastewater treatment plant on board the “Milford Mariner” or “Fiordland Navigator” or discharge effluent as per Resource Management (Marine Pollution) Regulations 1998 outside Paterson Inlet; the water quality of Glory Cove will be maintained for the activities listed in Objective 7.2.2.1, and to ensure a healthy aquatic ecosystem.

D. Chapter 9. Occupation

Objective 9.1.2 – Occupation

To ensure that any exclusive or preferential occupation of the coastal marine area is justified.

Policy 9.2.18 - Ships used as a base/accommodation facility

Discourage the anchoring or mooring of ships for use as a base or accommodation facility.

Rule 9.2.19 - Anchored or moored ships used as a base/accommodation facility

The use of a ship as a base/accommodation facility is a discretionary activity.

Section 12(2)(a) of the RMA provides for the occupation of coastal space, which affords the occupier of that space effectively with the right to exclude others for the terms of the consent. Hence our application for a coastal permit for a mooring which is adjunct to this application; will be for exclusive occupation of this coastal marine area, however, when the proposed mooring is not in use by Real Journeys it will be available for public use. In addition, because our vessels are coastal vessels, “Fiordland Navigator” or “Milford Mariner” have a justified need to occupy CMA.

The RCP seeks to dissuade the use of a ship, as a base/accommodation facility, as this activity can have a number of adverse effects including on the availability of space; natural character; amenity values; and public access. These adverse effects are more pervasive in remote parts of the coastal marine area and more persistent the longer that ship remains in one place.

The “Milford Mariner” or “Fiordland Navigator” will only be able to remain in Paterson Inlet for under a week at a time, before needing to travel to Bluff to re-fuel. Both vessels are designed to operate out of Milford Sound and Deep Cove respectively and need to be re-fuelled regularly as they do not have “long range” tanks. Moreover, it is proposed either “Milford Mariner” or “Fiordland Navigator” will only operate in Paterson Inlet periodically, mainly in the off season from March to November and when in Paterson Inlet the ship will be moved about to various locations to allow passengers to undertake guided walks ashore or kayaking. Consequently, Real Journeys vessel will not remain in one place all the time, diminishing the potential adverse effects of this proposed activity. Also as discussed above it is proposed that the “Milford Mariner” or “Fiordland Navigator” will be “tucked away” in Goose Cove so as not to impact on the wider landscape of Paterson Inlet.

Real Journeys are proposing to host groups of approximately 36 to 48 passengers on “Milford Mariner” or “Fiordland Navigator” as an adjunct to “MICE” and there are not facilities on Rakiura large enough to accommodate groups of this size, in one place. That is, there is no practical alternative to using a ship as a base/accommodation facility (with accommodation of this standard) and the effects of doing so would be considerably less than providing for this style of accommodation on adjoining land which is mostly public conservation land. Namely there is a demonstratable need to use a ship as a base/accommodation facility.

3.5 Te Tangi a Taurira – The Cry of the People

This Iwi Management Plan details Ngāi Tahu values, knowledge and perspectives on natural resource and environmental issues within the Southland environment. The Plan assists Ngāi Tahu in carrying out kaitiaki roles and responsibilities within Murihiku including offshore islands such as Rakiura. The Te Tangi a Taurira policies which relate to this coastal permit application are examined below.

Te Ākau Tai Tonga - Southland’s Coastal Environment

3.6.1 General Policy for Southland’s Coastal Environment

Ngā Kaupapa – Policy

3. *Recognise that the degree of connection between the coastal and inland environments is inherent when developing robust systems to address areas of degradation and mitigate for future and potential environmental effects.*
6. *Respect, protect and enhance coastal areas of importance where possible.*
7. *Protect and enhance kaimoana and kaimataitai for future generations.*

Real Journeys supports, the integrated management of the CMA to protect and enhance the coastal marine environment of Rakiura including those areas where Ngāi Tahu collect kaimoana.

3.6.2 Coastal Land Use and Development

Ngā Kaupapa – Policy

1. *Require that all decisions related to coastal land use and development activities within Southland's coastal environment recognise and give effect to the spiritual and historical association of Ngāi Tahu ki Murihiku within the coastal environment. Any activity within, adjacent to or that may potentially impact on Statutory Acknowledgment areas, including Te Mimi o Tū Te Rakiwhānoa (Fiordland Coastal Marine Area) and Rakiura/ Te Ara a Kiwa (Stewart Island/Foveaux Strait Coastal Marine Area), will require consultation with both Te Rūnanga o Ngāi Tahu, Ngāi Tahu ki Murihiku and Tangata Tiaki gazetted under the South Island Customary Fishing Regulations 1998.*
3. *Encourage positive community, conservation, and cultural outcomes by working with developers throughout project development. This is especially significant where developments are located in areas of cultural significance affecting tikanga and rangatiratanga.*
4. *Ensure that Ngāi Tahu ki Murihiku retain the right to be involved in, and contribute to, resource allocation and management decisions which impact on coastal resources and ensure that the principles of the Treaty are upheld.*
6. *Promote education and awareness of Ngāi Tahu ki Murihiku values associated with water, and how those values can be adversely affected by activities involving the discharge of contaminants to water.*
7. *Require that an Assessment of Environmental Effects includes an assessment of cultural effects and potential cumulative effects on the natural character of the coastal environment.*
12. *Encourage use of colours and design which are inharmony with the surrounding coastal environment.*
13. *Require that each application for coastal land use or development is assessed on a case by case basis and includes managing for potential cumulative effects.*
16. *Recognise for adverse effects on cultural landscapes regardless of whether areas are significant.*
23. *Avoid large scale and imposing development that intrudes on the natural character and visual amenities associated with the coastal environment.*
24. *Require continued access to coastal environments where mahinga kai is gathered for customary use.*
25. *Recognise for Ngāi Tahu history and use of the coastal environment and the identification and protection of wāhi tapu and wāhi taonga sites when new land use development occurs.*

These policies advocate for consultation Te Rūnanga o Ngāi Tahu, Ngāi Tahu ki Murihiku. Although no formal consultation has been carried out with Te Runanga o Ngai Tahu (TRONT) (for statutory acknowledgement and customary marine title claim) once this application is completed and lodged, a copy will be forwarded to TRONT and Te Ao Marama for their feedback.

Regarding policy 6 above, Real Journeys consults the relevant Papatipu Runanga with respect to Ngāi Tahu cultural information including Topuni or Statutory acknowledgement information

contained in the Ngāi Tahu Claims Settlement Act to ensure the interpretation information provided to our passengers is consistent with and advocates for Ngāi Tahu ki Murihiku values.

Our AEE above has considered the cumulative effects of our proposal which we deemed not significant and our proposal will not have any effects on Ngāi Tahu cultural values. Vis-à-vis colours and design being harmonious with the surroundings; vessels need to be visually conspicuous for safety reasons; nevertheless, our vessels are mainly recessive in colour and do not clash with their environs.

The concept of cultural landscape is implied in the definition of 'historic heritage' in s2 of the RMA through the inclusion of '*...surroundings associated with the natural and physical resources*'. The cultural associations with Rakiura are detailed above in the AEE and as stated above Real Journeys proposal will not impact on Ngāi Tahu associations with the Rakiura landscapes or wāhi tapu and wāhi taonga sites. Our proposal is not large in scale and will not significantly impact on the natural character or visual values of Paterson Inlet / Whaka a Te Wera. Access to the CMA or areas where mahinga kai is gathered will not be compromised by our proposal either. Therefore, Real Journeys proposal is not contrary to the policies stated above

3.6.4 Coastal Access

Ngā Kaupapa – Policy

- 1. Ensure that all coastal regions are sustained and protected in perpetuity for all New Zealanders and visitors to enjoy.*
- 2. Ensure that access across any private land to coastal areas is in consultation with the landowner.*
- 3. Encourage education among tourists and other visitors about the cultural importance of the coastal environment and its links to inland river, lakes, and lands.*
- 4. Work with stakeholders, local government agencies and others whom have an interest in the coastal environment to promote and provide information relating to values associated with the area and the need to respect the environment through promotion of responsible tourism.*
- 5. All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect coastal environment landscapes, wāhi tapu and mahinga kai sites and the history and traditions that are linked to these landscapes.*
- 6. Advocate limits to coastal areas (which may include camping sites, reserves, parks) that are considered under pressure or susceptible to increased demand and do not have adequate facilities to meet pressures.*
- 7. Ensure robust consultation with Ngāi Tahu ki Murihiku in respect to aspects of improved access to the coastal environment. This includes the development of structures to facilitate access such as public toilets, upgrading of existing structures, and waste disposal and discharge methods.*

Real Journeys Limited complies with access regulations to the CMA. The company has the required coastal permits and concessions to operate within this area. The proposal will not restrict public access to the CMA, it will in fact facilitate access to of Paterson Inlet / Whaka a Te Wera and will enable more visitors to experience the inlet. Also, Real Journeys ensures the interpretation

information provided to our passengers is consistent with and advocates for Ngāi Tahu ki Murihiku values.

3.6.7 Coastal Water Quality

Ngā Kaupapa – Policy

2. *Ensure that commercial and recreational vessels recognise for impacts of discharge on coastal water quality. Policies 1-4 under provision 3.6.6 (Fiordland Commercial Surface Water Activities) above should also be recognised by all coastal water commercial and recreational vessel users within Southland.*
3. *Encourage protection and enhancement of the mauri of coastal waters, to ensure the ability to support cultural and customary usage.*
4. *Avoid impacts on coastal waters as a result of inappropriate discharge from activities occurring upstream and in areas adjacent to coastal waters.*
7. *Avoid the use of coastal waters and the ocean as a receiving environment for the direct discharge of contaminants. Ensure the quality of water in all waterways is improved to support biodiversity in estuarine and coastal waters*
10. *Ensure that all fish species have uninhibited access between inland and coastal waters.*
11. *Ensure that there is no sewage or grey water discharged directly into our oceans from coastal activities or vessels/ structures. Any removal of sewage or grey water should be undertaken where appropriate discharges facilities are located to avoid any unwarranted discharge into coastal waters*

To attend to the vessel wastewater Real Journeys is considering installing OMNIPURE™ on board wastewater treatment plant initially on the “Milford Mariner” as this is the vessel most likely to be used for this proposal. In the event that, this treatment plant is not installed or is out of service, wastewater will be discharged in accordance with Resource Management Marine Pollution Regulations 1998 outside Paterson Inlet / Whaka a Te Wera.

This proposal will not impede fish species access from coastal waterways to inland waterways and will not affect customary usage of Paterson Inlet / Whaka a Te Wera. Accordingly, as much a practicable Real Journeys will comply with the aforementioned policies.

3.6.13 Coastal Ecosystem

Ngā Kaupapa – Policy

1. *Avoid coastal activities that may disturb, and have a direct or indirect detrimental impact, on areas of significant vegetation and habitats. Direct impacts may be physical damage while indirect impacts may include effects arising from siltation, deposition, or displacement over time.*
2. *Advocate protection of species located in the coastal environments that are of cultural importance to ensure continued cultural well-being.*
3. *Have active involvement in promoting the understanding of ecosystem interactions within the coastal environment and the impacts that changes to water quality and levels of deposition*

and disturbance may have on each organism and their subsequent role in maintaining ecosystem health.

- 4. Promote the uniqueness of estuarine ecosystems through maintenance and enhancement of their productive nature.*
- 5. Provide and recognise for the strong cultural links with coastal landscapes and biodiversity held by Ngāi Tahu ki Murihiku.*
- 6. Avoid changes to coastal landscapes and biodiversity which have detrimental impacts on Ngāi Tahu ki Murihiku relationships and associations with coastal land, water, wāhi tapu and wāhi taonga areas.*
- 7. Recognise for the importance of coastal wetland areas as mahinga kai communities and, where appropriate, expand or create new coastal wetland areas.*
- 8. Advocate and support initiatives for restocking of lagoon and other coastal waterways with indigenous fish species and be actively involved in maintaining these areas as a suitable fishery habitat.*
- 9. Ensure Ngāi Tahu ki Murihiku participation in the development of new coastal reserves and/or marine protected areas to ensure an assessment is undertaken with respect to effects of such on areas of cultural importance and continued access.*
- 10. Advocate for protection and methods of enhancement of threatened coastal species, particularly those of cultural significance.*
- 11. Promote the importance of the health of kaimoana in coastal waters.*
- 12. Ensure continued access to coastal areas for customary use and to promote continued support among local authorities to ensure such access is maintained.*
- 13. Avoid adverse impacts on vulnerable coastal dune environments as a result of subdivision, residential development, forestry, farming, mineral extraction, tourism, and general public access.*
- 14. Encourage and support projects for the re-establishment and restoration of indigenous plants in coastal dune environments.*
- 15. Discourage use of recreational vehicles or coastal activities whereby dune environments may be damaged and bird nesting areas threatened.*
- 16. Support and encourage information sharing between agencies with respect to coastal biosecurity risks.*
- 17. Support effective communication among coastal users with respect to risks posed by entry of unwanted organisms to New Zealand marine environments.*
- 18. Avoid cleaning of hulls or “lay-ups” whereby indigenous marine biodiversity will be compromised. Agencies should form best practice protocol for such activities and actively implement these among coastal users.*

Real Journeys Limited’s proposal is not contrary to the policies detailed above. The proposal does not impact directly on the coastal marine area’s habitats, biodiversity, or species. The *Fiordland Navigator* or *Milford Mariner* will occupy an area in Paterson Inlet / Whaka a Te Wera, and Real Journeys vessel crew will continue to follow the Marine Mammal Protection Regulations; the conditions of our commercial marine mammal viewing permit; and comply with the requirements

of the Fiordland Marine Regional Pathway Management Plan Fiordland on return to Fiordland. This is detailed in section 2.2 of the AEE above.

3.6.14 Marine Birds

Ngā Kaupapa – Policy

1. *Recognise for Ngāi Tahu ki Murihiku cultural, historical, and spiritual association with taonga species. Such associations must be provided for within all management planning documents (Taonga Species as listed under the Ngāi Tahu Claims Settlement Act 1998 are found in Appendix 4)*
2. *Protect coastal environments in which marine birds' nest and feed, particularly tītī populations.*
3. *Continue working with local authorities to ensure the protection and education of the public of important marine bird populations.*
4. *Avoid compromising marine bird habitats as a result of inappropriate coastal land use, subdivision, or development.*

As discussed in section 2.2 C above we do not believe that marine birds found in the vicinity of the site of this application will be adversely affected by our proposal.

Real Journeys has a formal comprehensive Conservation and Environmental Policy in recognition of the unique locations where we operate. This policy is published in the company handbook which is distributed to all Real Journeys employees. Our company is committed to adopt a firmly supportive stance on conservation and operate in an environmentally sensitive and responsible manner in all operational locations. To this end Real Journeys developed the following codes.

Cruising Code of Practice

- Ensure that all native animals, plants, and marine life are fully protected.
- Ensure that all rubbish is carried on board the ship for later disposal in approved recycling depots and landfill sites.
- Ensure that recycling of material on board the ship is completed whenever possible.
- Ensure that other users of the area are considered.
- Ensure that our cultural heritage is respected.
- Ensure that all staff seek to minimise the impact of the Company's operation on the environment.

Activity Code of Practice

- Ensure that all native animals, plants, and marine life are fully protected.
- Ensure that all visitors follow relevant activity guidelines.
- Ensure that all rivers, streams, lakes, and fiords remain free of introduced substances.
- Ensure that other users of the area are considered.
- Ensure that our cultural heritage is respected.
- Ensure that all staff seek to minimise the impact of the Company's operation.

- Ensure that relevant concession agreements are followed.

These codes are designed to ensure Real Journeys staff show the relevant respect to taonga species and their habitats in compliance with the above marine bird policies. In addition, our nature guides aim to enlighten our passengers about the importance and specialness of our endemic wildlife including marine species.

3.3.6 Visitor Management

Ngā Kaupapa – Policy

Visitor Impacts

- 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.*
- 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).*

Regarding the above policies; as stated above because of the size of the “Fiordland Navigator” or “Milford Mariner” it is not possible to locate either vessel in the existing mooring sites in Paterson Inlet / Whaka a Te Wera. Consequently, it is necessary to select an alternative location within Paterson Inlet / Whaka a Te Wera. Real Journeys have deemed that Glory Cove would provide the safest location for our proposed activity and the requirement safety overrules preference of Ngāi Tahu ki Murihiku to concentrate infrastructure and activities in areas that are already developed.

Where possible Real Journeys adopts new technology and runs well maintained equipment to reduce the effects of our operations on the environment. For instance, we are actively investigating electric vehicle technology in anticipation of moving away from diesel powered vehicles including vessels to equipment powered by electric engines.

3.6 The Te Whaka a Te Wera Mātaitai Reserve Management Plan

The Mātaitai Management Plan identifies that the Tangata Tiaki/Kaitiaki will work with Murihiku Rūnanga and Environment Southland to advance the following relevant policies:

- (a) The Mātaitai Tangata Tiaki/Kaitiaki and Advisory Committee will work with Murihiku Papatipu Rūnanga and Environment Southland to promote effective communication with users of Paterson Inlet to discourage the discharge of sewage from ships to the waters within the Mātaitai;*
- (b) The Mātaitai Tangata Tiaki/Kaitiaki and Advisory Committee will work with Murihiku Papatipu Rūnanga and Environment Southland to ensure users of Paterson Inlet comply with the Marine Pollution Regulations provisions that prevent raw and Grade B treated sewage from being discharged from ships within 500 metres of a Mātaitai; and*

- (c) *The Mātaitai Tangata Tiaki/Kaitiaki and Advisory Committee will work with Murihiku Papatipu Rūnanga and Environment Southland to ensure ships are not used as base/accommodation facilities within Mātaitai*

As detailed above either with the on board OMNIPURE™ Wastewater Treatment plant or without; effluent will be discharged in accordance with Resource Management Marine Pollution Regulations and the discharges will comply with aforementioned Te Whaka a Te Wera Mātaitai Reserve Management Plan policies with respect to sewage discharge.

The Regional Coastal Plan for Southland defines a “Base/Accommodation Facility” as:

a ship which is moored, anchored, secured or stationary in the coastal marine area for the primary purpose of being used as a base for recreational or commercial activities (whether in the coastal marine area or not), storage or accommodation but does not include any ship moored, anchored, secured or stationary for shelter from adverse weather or for the purpose of allowing its crew or passengers to undertake activities which are reasonable incidental to or part of that ship’s passage through or cruising in the coastal marine area.

As detailed in section 1 above the “Milford Mariner” or “Fiordland Navigator” will not be stationary in the Te Whaka a Te Wera Mātaitai Reserve because at the very least every five to seven days the “Milford Mariner” or “Fiordland Navigator” will need to transfer to Bluff to refuel. While in Bluff any scheduled engine servicing will also be undertaken by our engineering technicians based at our Bluff workshop. Moreover, because the “Milford Mariner” or “Fiordland Navigator” are set up to undertake kayaking activities the “Milford Mariner” or “Fiordland Navigator” will relocate to other areas of Paterson Inlet /Whaka a Te Wera to carry out kayaking. Therefore, to some extent our proposal complies with Te Whaka a Te Wera Mātaitai Reserve Management Plan policy regarding base/accommodation facilities within Mātaitai.

3.7 Rakiura Conservation Management Strategy (CMS) and National Park Management Plan

In the Rakiura CMS Paterson Inlet/Whaka a Te Wera is described as *“popular with recreational boaties and visitors undertaking scenic cruises, with many accessible beaches and sheltered waterways available.....Recreational boaties can be encountered along the coastline, in particular within the sheltered inlets on the eastern side of Stewart Island/RakiuraHunting parties are often dropped off by charter vessel in these areas, along with smaller craft used for navigating the calmer waters. There are also opportunities for tourist vessels to cruise the waters within the Stewart Island/Rakiura CMS area. These tourist vessels are usually small-scale cruise vessels, however occasionally larger cruise vessels enter Paterson Inlet/Whaka a Te Wera. Some of these visit the Stewart Island/ Rakiura CMS area for a short period of time in remote areas, providing visitors with an instant immersion in the values associated with these areas.”.....*

This description aligns with our proposal to use a ship as a base/accommodation facility and provide visitors with a remote experience of Rakiura.

The Public benefits recognised in the “Oban/Paterson Place” are detailed below:

A large number of recreational activities are undertaken within the Oban/Paterson Place due to the ease of access. The coastline surrounding Paterson Inlet/Whaka a Te Wera is particularly

popular. The primary means of access is by watercraft, including kayaks. The country extending inland from the southern shores of Paterson Inlet/Whaka a Te Wera from South-west Arm to Big Glory Bay is popular with recreational hunters with a number of hunting blocks available for use. Many of the islands, bays, beaches, and coves within Paterson Inlet/Whaka a Te Wera receive visitors on a daily basis. Use of these areas is often associated with recreational fishing, hunting, and diving as well as general sightseeing. The islands within Paterson Inlet/Whaka a Te Wera, particularly Ulva Island, have special significance as some of them are free from introduced animals. People visiting these islands gain an appreciation and understanding of conservation management on islands and the effects that introduced animals such as feral cats, deer, rats and possums have on native species.”

In the CMS to achieve the integrated management of the conservation lands Paterson Inlet/Whaka a Te Wera are within “the Oban/Paterson Place” which is classified as a “Place” readily accessible to the Oban/Halfmoon Bay community and visitors.

The “Outcomes” identified for “The Oban/Paterson Place” are as follows:

The conservation lands, harbours, and waterways close to the Halfmoon Bay/Oban settlement are the extension of the community’s backyard and the gateway to Rakiura National Park. The community enjoys fresh air, bird song, and the ability to take visitors to share a bush or water experience with ease. A portion of the nationally significant marine environment of Paterson Inlet/Whaka a Te Wera is protected. Facilities with a community purpose and benefit are developed consistent with the conservation values. Historical and cultural heritage, archaeological sites and Māori cultural landscapes are protected and respected.

Our proposal will allow visitors to experience the waterway of Paterson Inlet / Whaka a Te Wera with ease and not affect the historical and cultural heritage, archaeological sites, and Māori associations with the Rakiura landscape.

The Oban/Paterson Place provides the opportunity for recreational and tourism activities that showcase and explore the unique historical, cultural, and natural values of the Island. This Place can accommodate a relatively high number of visitors compared to the rest of Stewart Island/Rakiura. Close proximity to the Oban settlement provides access to many historical, cultural, archaeological, and scenic sites, short- and half--day walks, catering for a variety of interests and capabilities. Concessionaire use is encouraged, provided it complements the intrinsic values and visitor experience of the Place.

Our proposal to use a ship as a base/accommodation facility will provide for a recreational and tourism activity that showcases and allows visitors to explore the unique historical, cultural, and natural values of the Island. Moreover, it is identified in the outcomes above that “The Oban/Paterson Place” is expected to provide for a relatively high number of visitors compared to the more remote areas of Rakiura which is consistent with our proposal.

The following CMS Management objectives are relevant to our proposal.

- 1. To acknowledge the relationship of tāngata whenua with regard to the management of Paterson Inlet and the Paterson Inlet/Te Whaka a Te Wera Mataitai reserve.*

2. *To preserve, protect and manage the indigenous biodiversity, natural landscapes, natural character, historical and cultural heritage, and archaeological sites present in the Place.*
3. *To protect and manage the Ulva Island/Te Wharawhara Marine reserve.*
4. *To encourage and focus future growth in recreational activities, visitor numbers and concessionaire use of the Stewart Island/Rakiura CMS area within this Place while ensuring visitor experiences are enhanced and intrinsic values, natural resources, historical and cultural heritage values are not diminished.*
5. *To provide interpretation at appropriate sites within the Oban/Paterson Place to enhance visitor experience.*

Real Journeys acknowledges the relationship of tāngata whenua has with Rakiura including Paterson Inlet/Te Whaka a Te Wera; our nature guides deliver interpretation regarding the Oban/Paterson Place to enhance visitor experience. Consequently, our proposal to use a ship as a base/accommodation facility conforms to the above objectives

4. Consultation

No formal consultation has been carried out with potentially affected parties at this time. Once Real Journeys application is completed and lodged, a copy will be forwarded to: TRONT (for statutory acknowledgement and customary marine title claim); Te Ao Marama; Rakiura Maori Land Trust; Stewart Island – Rakiura Community Board; and Department of Conservation. For other affected parties, Real Journeys will also provide them with a copy of the application once it is lodged with Environment Southland.

5. Conclusion

It is the conclusion of this assessment of these environmental effects that the overall effect of the Real Journeys proposal to use and moor a vessel of up to 40 metres overall length, capable of sleeping up to 74 passengers (including two infants) plus crew, as a base/accommodation facility in Goose Cove, (off Glory Cove), Paterson Inlet, Rakiura; is no more than minor. If this assessment is confirmed, the application is able to be processed without notification.

The assessment is the potential adverse effects of this proposal will be no more than minor, and that it is not inconsistent with the relevant planning documents. The application may therefore be processed and granted.

Assessment of Environment Effects

For an Application for a Coastal Permit for a mooring in Goose Cove, Paterson Inlet, Stewart Island / Rakiura

**APPLICATION FOR RESOURCE CONSENT
PURSUANT TO SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991 (RMA)**

To: Environment Southland
Private Bag 90116,
Invercargill 9840

From: Real Journeys Limited
PO Box 1
Te Anau 9640

Contact: Fiona Black
Email: fblack@realjourneys.co.nz
Phone: 03 249 9033

1. Real Journeys Limited applies for the following Resource Consent:

RMA Section	Resource Consent	Duration of Consent
12(1)(b)	Coastal Marine Area	10 years

Please refer below to the report for further background as to the reasons for seeking Resource Consent for the proposed activity.

2. The activity to which this Resource Consent relates is:

To install, maintain and exclusively occupy part of the coastal marine area with a swing SALM type embedded system mooring in Goose Cove, Paterson Inlet, Stewart Island / Rakiura.

3. The site to which this application relates is located at:

Location: Coastal Marine Area of Stewart Island
Approx. Latitude & Longitude: 46°58.1729'S: 168°09.9624'E
Legal Description: Crown Land within the Coastal Marine Area.

4. Included in this application for the proposed activity is an assessment of:

- A. actual and /or proposed potential environmental effects (AEE) as required by the Fourth Schedule of the RMA. The AEE corresponds to the scale and significance of the potential effects on the environment;
- B. the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991; and

- C. the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of schedule 4 of that Act.
-
- 5. Information, as required by the relevant Coastal Plan, and other applicable planning documents, is contained in the attached document.

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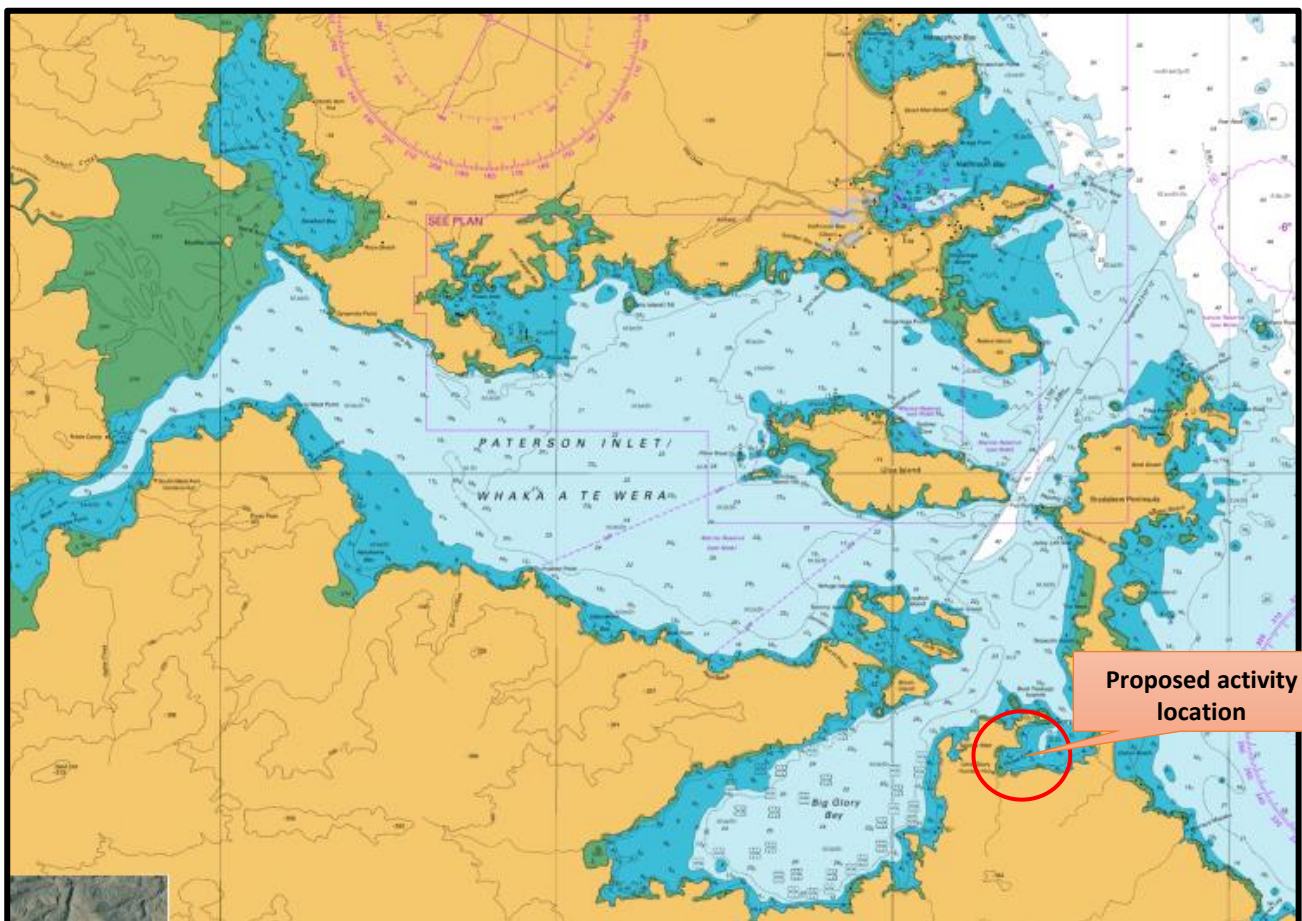
1. Introduction

1.1 The Proposal

In the post COVID-19 era Real Journeys Limited has surplus vessels because we have no international visitor market at present and are not likely to for some time. Consequently, Real Journeys is proposing to periodically relocate either the “Milford Mariner” or the “Fiordland Navigator” from Fiordland to Stewart Island to act mostly as an accommodation base for mainly five day – four night excursion or a three day – two night excursions (backcountry trips) to generate alternative income. We are proposing to sell these multiday excursions as charters mainly to corporate groups; that tap into the market which is known in the trade as MICE (meetings, incentives, conferences, and events).

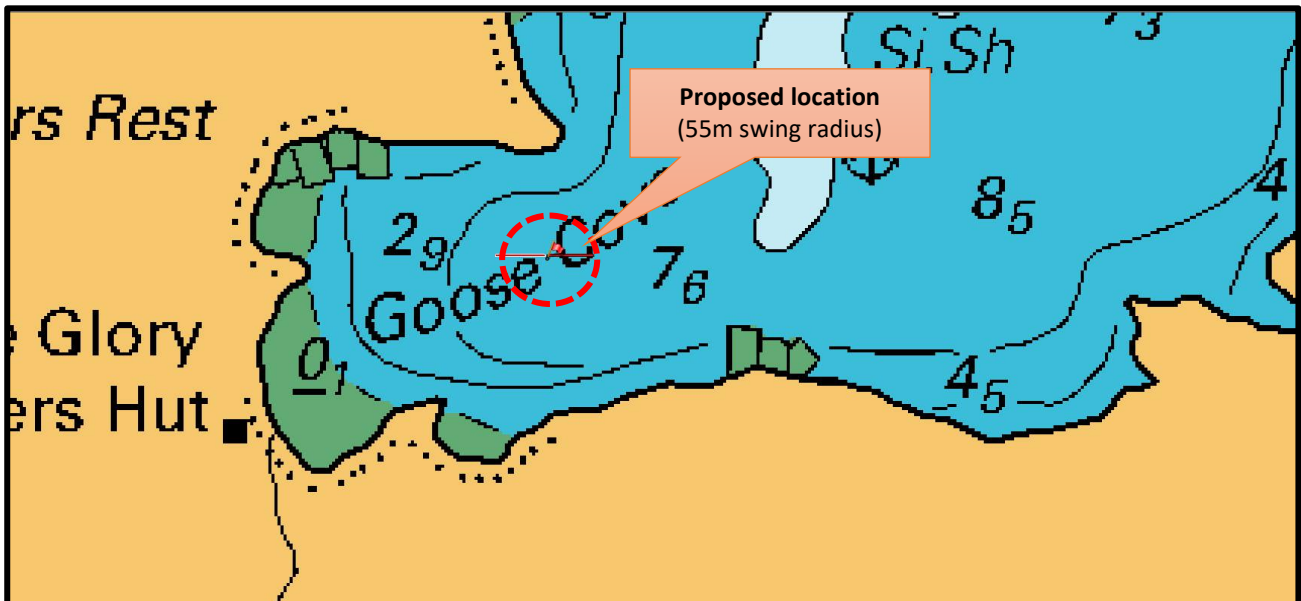
To undertake this activity Real Journeys needs a safe mooring for either the “Milford Mariner” or the “Fiordland Navigator” accordingly we are proposing to install a mooring at approximately 46°58.1729’S: 168°09.9624’E in depth of water of approximately 7.5 metres (at low tide) in Goose Cove, off Glory Cove, Paterson Inlet, Stewart Island / Rakiura. In a depth of water of 7 to 10 metres and vessel length of 40 metres it is envisaged that the swing circle of the proposed mooring will be about 55 metres. Refer figures below for detail of site of this application.

Figure 1 - Chart showing location of proposed activity.



<https://data.linz.govt.nz/search/?q=6825>

Figure 2 - Chart showing location of proposed activity



<https://data.linz.govt.nz/search/?q=6825>

Approval is sought to install, maintain, and “exclusively” occupy part of the coastal marine area with a proposed new single anchor leg mooring (SALM) (a swing mooring) in Paterson Inlet / Whaka A Te Wera. The SALM system, also referred to as a tension leg mooring system, consists of an anchor point, which in this case is a screw anchor or pile, shackles, two mooring lines (a hawser and a tether) and a submerged buoy (submerged when in use) and floats. The restoring force of the system comes from the buoyancy force of the buoy. The volume of the buoy is calculated relative to the required buoyancy force to fulfil the specifications of the mooring system. In this case the proposed mooring buoy will exert 2 Tonne downward pull on the mooring rope / line.¹

Real Journeys is proposing to use an embedded mooring system as the anchor point, specifically a “screw anchor or helical anchor” to secure the mooring tackle to the seabed. The installation of the overall mooring system including the embedded anchor point will be undertaken by Marine Services NZ Limited (MSNZ)². MSNZ supplies and installs N-Viro anchoring systems³ (using their purpose-built vessel “Soul Commitment”) which are designed, engineered and peer reviewed by an independent marine consulting engineering company; OCEL Consultants Ltd. OCEL is also the company Real Journeys uses to design wharves / jetties and moorings

Screw anchors / piles have been extensively used in the mussel farming and aquaculture industry. They are an efficient way to anchor floating vessels and structures; are lightweight in relation to the holding power or pull-out resistance developed and do not require heavy marine plant for their installation. They do not require to be ‘set’ or dragged to develop their full anchoring potential and they can develop close to full pull-out capacity immediately after installation, in the as installed position. Unlike conventional anchors or mooring screw anchors can accommodate high vertical loads at the anchor position, and ‘mooring’ / ground chain is not required to ensure that the mooring

¹ <https://www.mdpi.com/2077-1312/2/1/93/pdf>

² <https://marineservicesnz.com/index.php/anchoring-systems/>

³ <http://www.moortech.com.au/n-viro-marine-anchors/>

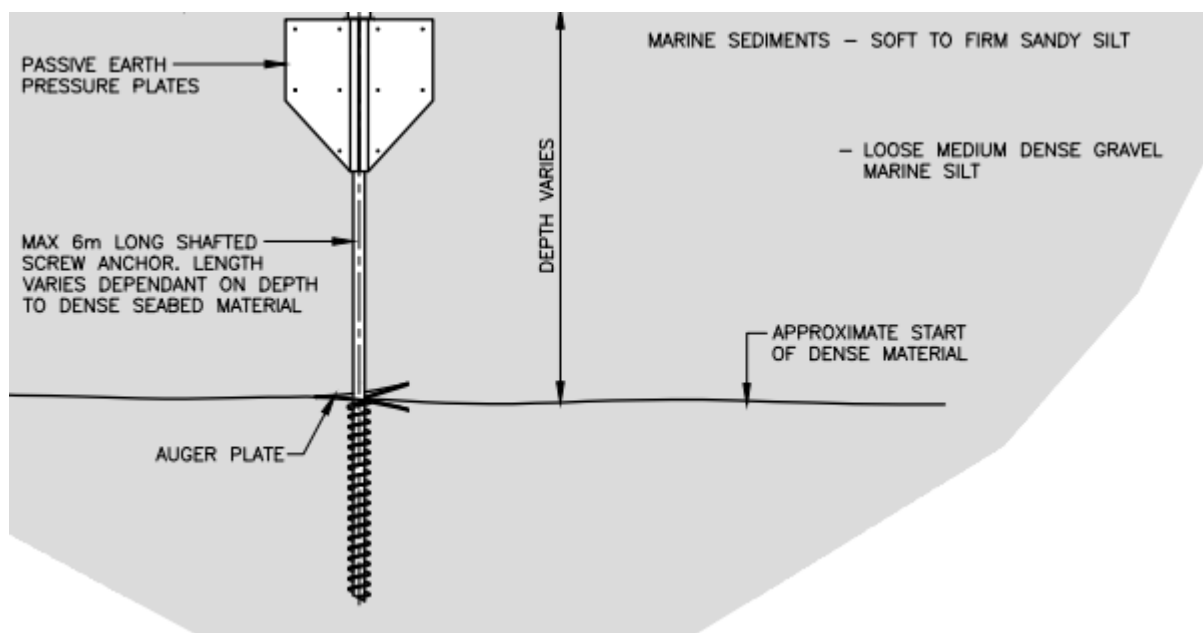
load applied to the anchor is horizontal. Screw anchors also have the least environmental impact on the seabed.⁴

The screw anchors for mooring vessels are fitted with passive earth pressure resisting plates which prevents lateral movement. This mooring component has four 'fins' forming an X in cross section. These plates are forced into the seabed as the anchor is screwed in. As a consequence of the screw mooring design, and the passive earth pressure plates, this proposed mooring systems resists vertical pull-out loads, and the principal hydrodynamic forces exerted on moored vessels by lateral or horizontal loads of wind, waves, and tidal currents. That is, snatching effects on the vessel are eliminated by this mooring design creating a smooth mooring.

Screw piles / anchors can be installed quickly with minimal noise and vibration. Screw piles are wound into the seabed, much like a screw is wound into wood. This is an efficient means of installation, coupled with their mechanism of dispersing load, provides effective in-ground performance in a range of seabeds', including in earthquake zones with liquefaction potential.⁴

The screw anchors / piles are made of circular steel (galvanised) sections with one or more steel helical anchor / auger plates attached to them and / or a section of helical screw at the terminus. Refer figures 3 below. Screw piles cut into the seabed following a constant pitch, as opposed to auguring through it. A hydraulic motor is used to apply the torque which is required to rotate the screw pile into the seabed. https://www.youtube.com/watch?v=Tp1_6nziU3s The helical flights and shafts are specifically designed to suit the seabed composition. Once the pile has reached the target depth it remains permanently in place. The protruding end of the shaft provides the connection to the mooring tackle above via a shackle.⁴

Figure 3 – proposed mooring elevation



⁴ <https://www.boprc.govt.nz/media/456922/ocel-swing-mooring-design-report-v2.pdf>
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Once the screw anchor has penetrated 6 metres into the seabed, the only visual aspect of the mooring system is the anchor warp coming up through the seabed to the surface – refer figure 4 below. In addition, because of the tension on the mooring warp, the warp is held up clear of the seafloor and does not drag over the sea bottom and disturb benthic communities.

Figure 4



<http://reefrelieffounders.com/key-west-reef-mooring-buoy-program.html>

The proposed mooring is specifically designed to accommodate our coastal vessels up to the size of the “Fiordland Navigator” or the “Milford Mariner” (length 40 metres, beam 10 metres, draft 1.8 metres and max displacement 690 gross tonnes) – refer figure 6 below. However, we propose that the “Milford Wanderer” will also utilise the mooring during her multiday excursions (Discovery Expeditions) to Stewart Island. Currently during our 4 night – five day or 5 night – six day Discovery Expeditions the “Milford Wanderer” anchors at least one night in Glory Cove and on the nights between Discovery Expeditions the “Milford Wanderer” typically anchors in Glory Cove.

Nonetheless, the specifics of the screw anchor / pile; to be installed will depend on the composition of the seabed. MSNZ preliminary inspection of Goose Cove seafloor found soft mud, (a full arm lengths into sea bed), with sea lettuce and sea slugs present. MSNZ deemed the seabed very suitable for screw anchors/screw piles. Consequently, when undertaking the mooring installation MSNZ will carry on board the 19 metre “Soul Commitment” a range of embedded mooring types and

components - refer figure 5 below. NB the Maritime Chart indicated; that the cove bottom in the proposed mooring location, is silt and shell.

Figure 5 – examples of types of screw anchors



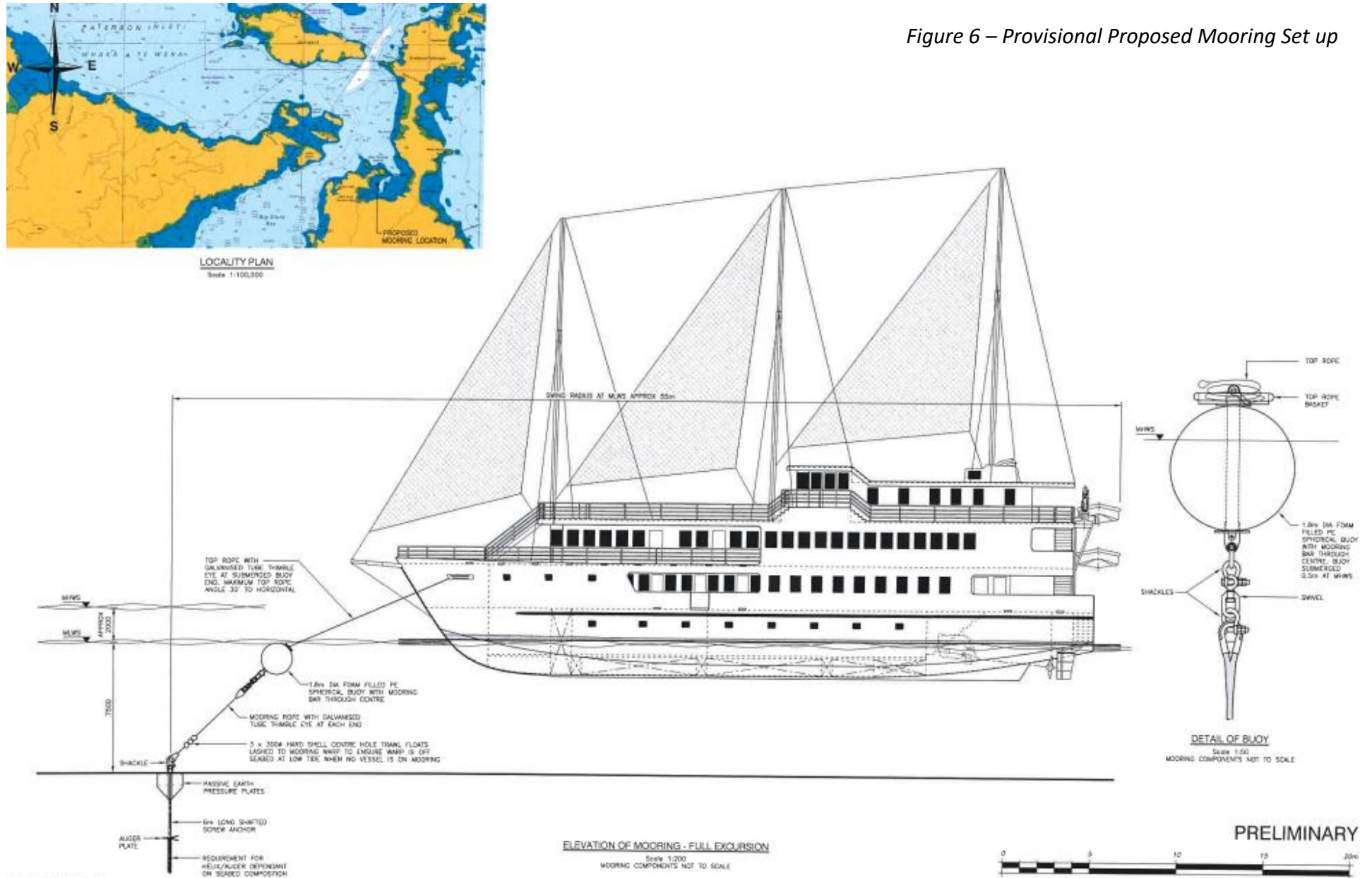
<https://www.google.co.nz/url?sa=i&url=http%3A%2F%2Fwww.eco-docks.com%2Fskrew.mooring&psig=AOvVaw1rOf3862Gt9qEmbNMhbCpb&ust=1614200636167000&source=images&cd=vfe&ved=0CAIQjRxqGAoTCPiRh5r0gO8CFQAAAAAdAAAAABCLAQ>

That is, the proposed screw anchor type may vary with respect to the following aspects:

1. the size of passive earth pressure plates;
2. screw anchor / pile length and diameter;
3. existence, size and number of helical anchor / auger plates (plates can be up to 1.2 metres in diameter and 20mm thick);
4. existence and length of helical screw at the terminus of the screw anchor.

For this mooring system MSNZ and OCEL are proposing to install a 6 metre long shafted screw anchor or pile and the specifics of the auger plates and helical screw components of the mooring will be determined during installation. Refer Figure 6 - Provisional Proposed Mooring Set up below. OCEL will create an 'as built' mooring drawing after installation.

Figure 6 – Provisional Proposed Mooring Set up



The proposed approximate mooring position is 46°58.1729'S: 168°09.9624'E which is in approximately 7 metres depth of water. Refer charts sections above and photo of vessel GSP below.

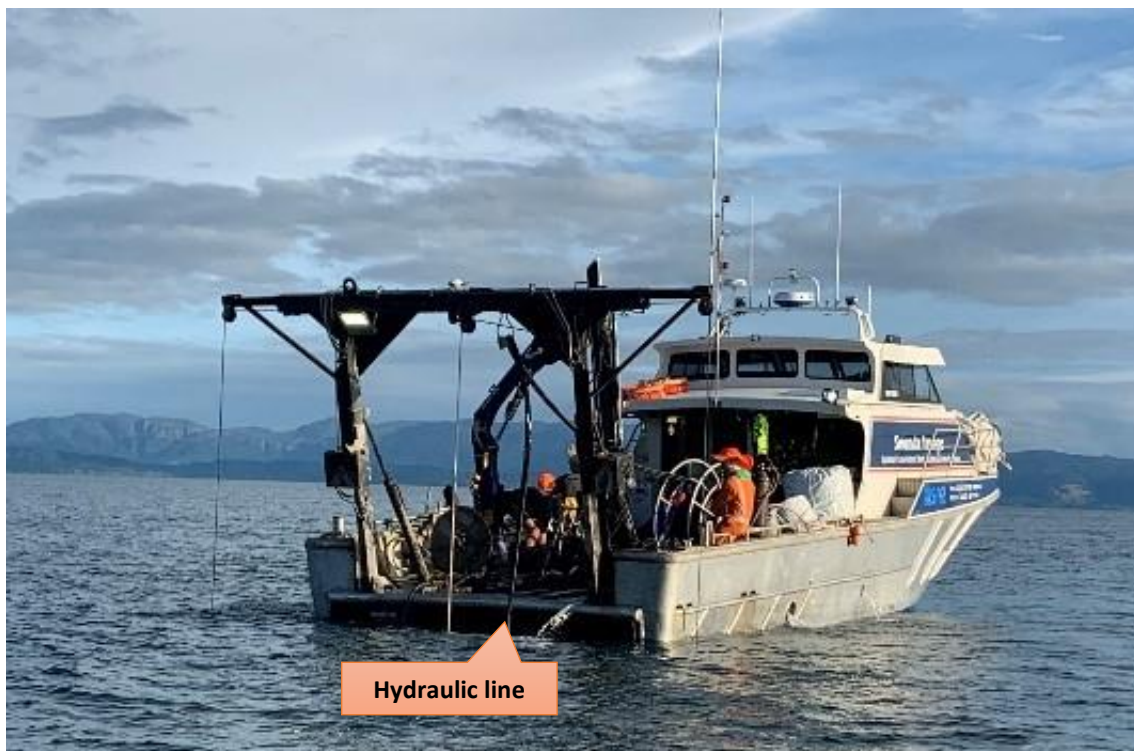
Figure 7 – Photo of GSP / Sounder on board “Southern Express” during scoping trip



MSNZ are able to accurately position the proposed mooring with their on board “Trimble” GPS system.

Figure 8 – MSNZ vessel “Soundz Image”

(MSNZ will be using “Soul Commitment” for this mooring installation)



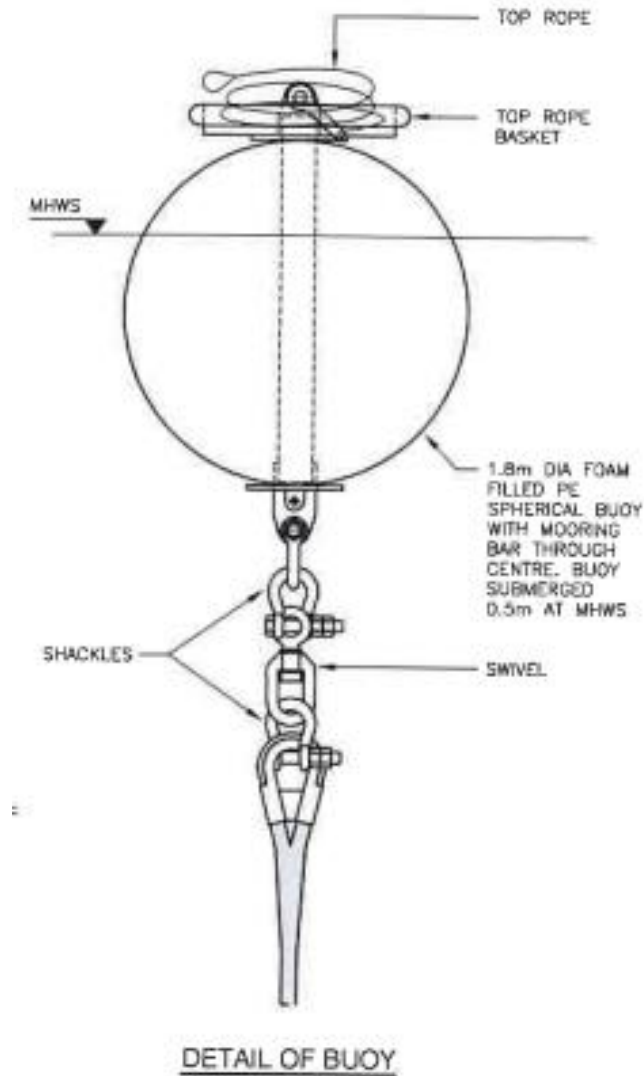
As visible in figure 8 above the “Soundz Image”; is set up with an “A” frame on the aft deck which is used to lower two clump weights on wires to the sea floor with along with the vessel anchor keeps the vessel in ‘position’. A hydraulic line with a hydraulic head driver with anti-torque device fitted, is lowered to the seafloor, and is used to screw, the screw anchor / pile into the sea floor. A diver then fits the shackle and mooring rope (with trawl floats) to the top of screw anchor/pile in the seabed and using a block and tackle, and a pulley, the mooring line is brought up to the surface where the swivels and mooring buoy along with the top rope / line (or tether) are fitted.

Figure 9 & 10 - “Soul Commitment” the 19 metre vessel which will undertake the installation



The proposed mooring buoy will be brightly coloured (red / orange); that is, necessarily conspicuous to be visible to other vessels in the area.

Figure 11 – Diagram of the type of mooring buoy to be used



We are proposing to apply for a coastal permit for a term of ten years because it is unknown what our business requirements will be in over a decade's time in this uncertain post COVID-19 era.

The details of the main Real Journeys vessels which we proposed to use the proposed mooring are as follows:

Figure 12 - Image of the “Milford Mariner”



	<i>Milford Mariner</i>
Description:	Purpose built motor vessel, designed along the lines of a traditional NZ coastal trading scow, the vessel is also equipped with 30 kayaks and two tender crafts.
Length / Beam / Draft:	38.2m/10m/1.8m
Max Displacement:	693Gross tonnage
Engines:	2 x 6AYM 484kw Yanmar
Cruising Speed:	12 knots
Surveyed for in enclosed waters:	150 passengers plus crew
Surveyed for in inshore waters:	65 passengers plus crew
Commenced service:	1 October 2000

Figure 13 - Image of the “Fiordland Navigator”



	<i>Fiordland Navigator</i>
Description:	Purpose built motor vessel, designed along the lines of a traditional NZ coastal trading scow, the vessel is also equipped with 30 kayaks and two tender crafts.
Length / Beam / Draft:	38.2m/10m/1.8m
Max Displacement:	693 Gross tonnage
Engines:	2 x 6AYM 484kw Yanmar
Cruising Speed:	12 knots
Surveyed for in enclosed waters:	150 passengers plus crew
Surveyed for in inshore waters:	85 passengers plus crew
Commenced service:	30 October 2001

Both vessels undertake day trips and backcountry trips; with the “Milford Mariner” currently operating in Milford Sound under Coastal Permit number AUTH-20181939 and the “Fiordland Navigator” operating in Doubtful Sound under Coastal Permit number AUTH-20201876. The “Milford Wanderer” operates under two coastal permits one for her Milford Sound operations Coastal Permit number 200360 and one for her multiday day Fiordland / Rakiura Discovery Expeditions Coastal Permit number 203306.

The “Milford Mariner” and “Fiordland Navigator” are effectively sister ships and only varying in their visitor accommodation configuration. The “Milford Mariner” has 30 en suite cabins, where as the “Fiordland Navigator” has 18 en suite cabins and 9 quad-share bunk style compartments with shared

bathroom facilities. Passenger accommodation on board both vessels is located on the lower and main decks of the vessels.

Figure 14 - Image of Milford Wanderer



	<i>Milford Wanderer</i>
Description:	Purpose built motor vessel, designed along the lines of a traditional NZ coastal trading scow, the vessel is also equipped with 28 kayaks and two tender crafts.
Length / Beam / Draft:	30m/8.4m/1.65m
Max Displacement:	258 Gross tonnage
Engines:	2 x 6V92 Detroit Diesel
Cruising Speed:	9.5 knots
Surveyed for in enclosed waters:	150 passengers plus crew
Surveyed for in inshore waters:	80 passengers plus crew (36 overnight passengers)
Commenced service:	1 October 1992

All three vessels carry 6.3 metre aluminium pontoon style tender crafts which will be used to transfer passengers ashore and for water activities. The “Milford Wanderer” has one tender craft and a smaller rescue tender whereas the “Milford Mariner” and “Fiordland Navigator” have two 6.3m tender crafts. The tender crafts are stored in cradles at the stern of all three vessels. The water activities include guided kayak excursions where one of the tender crafts is used as a safety vessel for the kayakers. The “Milford Mariner” or “Fiordland Navigator” other tender craft is used for cruising close inshore to show passengers various points of interest in the vicinity of where either the “Milford Mariner” or “Fiordland Navigator” is mooring or anchored.

Figure 15 - Image of tender craft and kayakers



Figure 16 - Image of the stern of the Fiordland Navigator with tender craft and kayakers



It is projected that for the proposed five day – four night excursion or a three day – two night excursions (backcountry trips) in Paterson Inlet / Whaka A Te Wera; approximately every five days the “Milford Mariner” or “Fiordland Navigator” will need to return to Bluff Harbour to refuel.

To enable the “Milford Mariner” or “Fiordland Navigator” to operate out of Paterson Inlet Real Journeys proposes to install a “water maker” on board. That is a desalination plant to convert seawater into fresh. In addition, we are considering installing an on-board wastewater treatment plant. Such plants are very expensive and there may not be sufficient demand for Paterson Inlet based trips to justify installation of this equipment.

The *Milford Wanderer*, *Milford Mariner* and the *Fiordland Navigator* already have on board effluent holding tanks that currently pump effluent ashore for treatment at their respective operating ports. However, Real Journeys is investigating installing an OMNIPURE™ on board wastewater treatment plant initially on the “Milford Mariner” as this is the vessel most likely to be used for this proposal. The OMNIPURE™ treatment process consists of the ensuing:

- Raw sewage is collected via gravity into the system’s V-1 influent collection tank.
- The OMNIPURE unit oxidizes and disinfects raw sewage by means of an electrochemical reaction in the unit’s bookcell.
- After the slurry of sewage and seawater has been electrolyzed in the bookcell, the stream is routed into the OMNIPURE unit V-2 residence tank.
- The V-2 tank is sized to provide the required retention time to assure that any remaining bacteria will be exposed to the produced hypochlorite and killed.
- After retention in the V-2 tank, the effluent overflows from the top of the V-2 tank to the sea, via gravity. If this discharge point is below a vessel’s waterline, the V-2 tank discharge is routed to an on-board centrifugal overboard discharge pump for discharge to the sea.

If the OMNIPURE™ plant was not installed or if for any reason the OMNIPURE™ on board wastewater treatment plant was out of service for repair, wastewater would be discharged in accordance with Resource Management Marine Pollution Regulations 1998 outside Paterson Inlet.

NB the Coastal Permit application for the proposed the use of an anchored or moored ship (“Fiordland Navigator” or “Milford Mariner”) as a base/accommodation facility is the subject of a separate resource consent application.

In the Regional Coastal Plan for Southland (RCP) the installation of an embedded mooring for which exclusive use is required is a **Discretionary Activity** in accordance with Rule 10.1.5, 10.1.6, 11.7.7.8. and 11.7.7.9 – refer below. Hence a Discretionary Activity Resource Consent is required and applied for under the Regional Coastal Plan for Southland

Rule 10.1.5 - Drilling and tunnelling of the Foreshore or Seabed

Except as provided by Rules 10.1.1 and 10.1.2, drilling and tunnelling of the foreshore and seabed is a discretionary activity.

Rule 10.1.6 - Disturbance of the seabed or foreshore

Except for the purposes of maintenance dredging, described in Rules 10.1.1 - 10.1.3, the disturbance of the seabed or foreshore, where the disturbance is not rectified within one month of completion of the activity giving rise to the disturbance is a discretionary activity

Rule 11.7.7.8 - Moorings in other areas

The placement of moorings, and their occupation of the coastal marine area in areas, other than those specified in Rules 11.7.7.1, 11.7.7.3, 11.7.7.4, 11.7.7.5 and 11.7.7.13, are a discretionary activity.

Rule 11.7.7.9 - Moorings for which preferential or exclusive use is required

The placement of moorings, and their occupation of the coastal marine area in the areas covered by Rule 11.7.7.1 (for which preferential or exclusive use is required), are a discretionary activity.

2.0 Assessment

2.1 Site Description

Figure 17 - Map of New Zealand



<https://www.kids-world-travel-guide.com/new-zealand-facts.html>

Stewart Island/ Rakiura the third largest island of New Zealand and is located 30 kilometres south of Bluff, across the Foveaux Strait within the Southern Ocean – refer figure 17 above. Having a land area of approximately 1,680km², the island and its many smaller islands are mostly unmodified with approximately 85% of the island being National Park. Having geological links to the granite geology of Fiordland, Stewart Island/ Rakiura contains a range of impressive landforms, from the granite and schist ridges of the southern inland ranges to the broad inland freshwater basin and bogs in the north.

In terms the marine environment, Stewart Island/ Rakiura is located within the Southern Ocean, at one of the world’s great oceanic boundaries – the subtropical convergence, where the prevailing westerly wind and currents from the Tasman Sea moderate the temperatures protecting Rakiura from the cooler Sub-Antarctic waters further south.

Figure 18 - Map showing location of proposed activity.



<https://www.topomap.co.nz/>

The east coast of Stewart Island is composed of a relatively sheltered complex of drowned river valley systems, with long inlets, tidal flats, beaches, and rocky headlands. Paterson Inlet / Whaka a Te Wera is a natural harbour situated on the north-eastern side of Stewart Island and almost bisecting Rakiura. It is an 8,900-hectare inlet, 15 km in length, with 188 kilometres of coastline, formed by post-glaciation flooding approximately 12,000 to 16,000 years ago. Its maximum depth is about 45 metres near the entrance; depths in the greater part of the inlet lie between 15 and 25 metres.

The inlet is fed by two main rivers Freshwater River and Rakeahua River and these unmodified tidal rivers include intertidal delta type estuaries – refer figure 18 above. Freshwater River drains the native forest catchment of the Mount Anglem highlands and Ruggedy Mountains area and its lower reaches meander across Freshwater Valley, and this is the largest area of flat land on Stewart Island. The dome-like peak of Mount Rakeahua overlooks the southwest arm of Paterson Inlet, is the northern catchment of the Rakeahua River and the southern catchment are the hills, which are the northern extent of the Tin Range.

Figure 19 - View of Te Whaka ā Te Wera/ Paterson Inlet from the East



<https://southlandnz.com/stewart-island/natural-attraction/glory-cove-scenic-reserve>

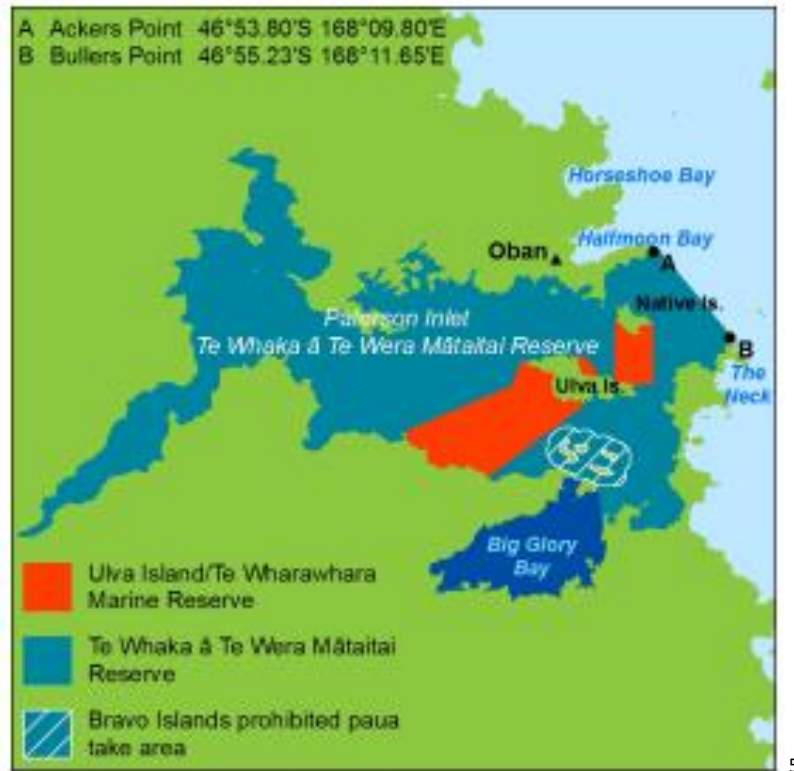
Kaipipi Bay, North Arm, and South West Arm are large tidal estuaries in the upper reaches of the inlet, where saltmarsh flourish. The inlet entrance is constricted by Ulva Island, Native Island and Bradshaw Peninsula, which protrudes northward. These obstructions and its situation on the eastern coast shelter Paterson Inlet from heavy seas. Adjacent Ulva Island is the Ulva Island-Te Wharawhara Marine Reserve established in 2004. The marine reserve encompasses 1075 hectares, that extend between the southern side of Native Island to the eastern end of Ulva Island; extends from the south facing shore of Ulva Island to the southern shore of Paterson Inlet; and there is a third small area of reserve in Sydney Cove. In addition, 80% of Te Whaka ā Te Wera / Paterson Inlet, (with the exception of Te Wharawhara-Ulva Island Marine Reserve and Big Glory Cove) is a Mātaitai Reserve area – refer figure 21 below.

Figure 20 - View of Te Whaka ā Te Wera/ Paterson Inlet from the South with Bradshaw Peninsula and The Neck in the distance



<https://teara.govt.nz/en/stewart-islandrakiura>

Figure 21 - Ulva Island-Te Wharawhara Marine Reserve



5

<https://www.mpi.govt.nz/dmsdocument/928/direct>

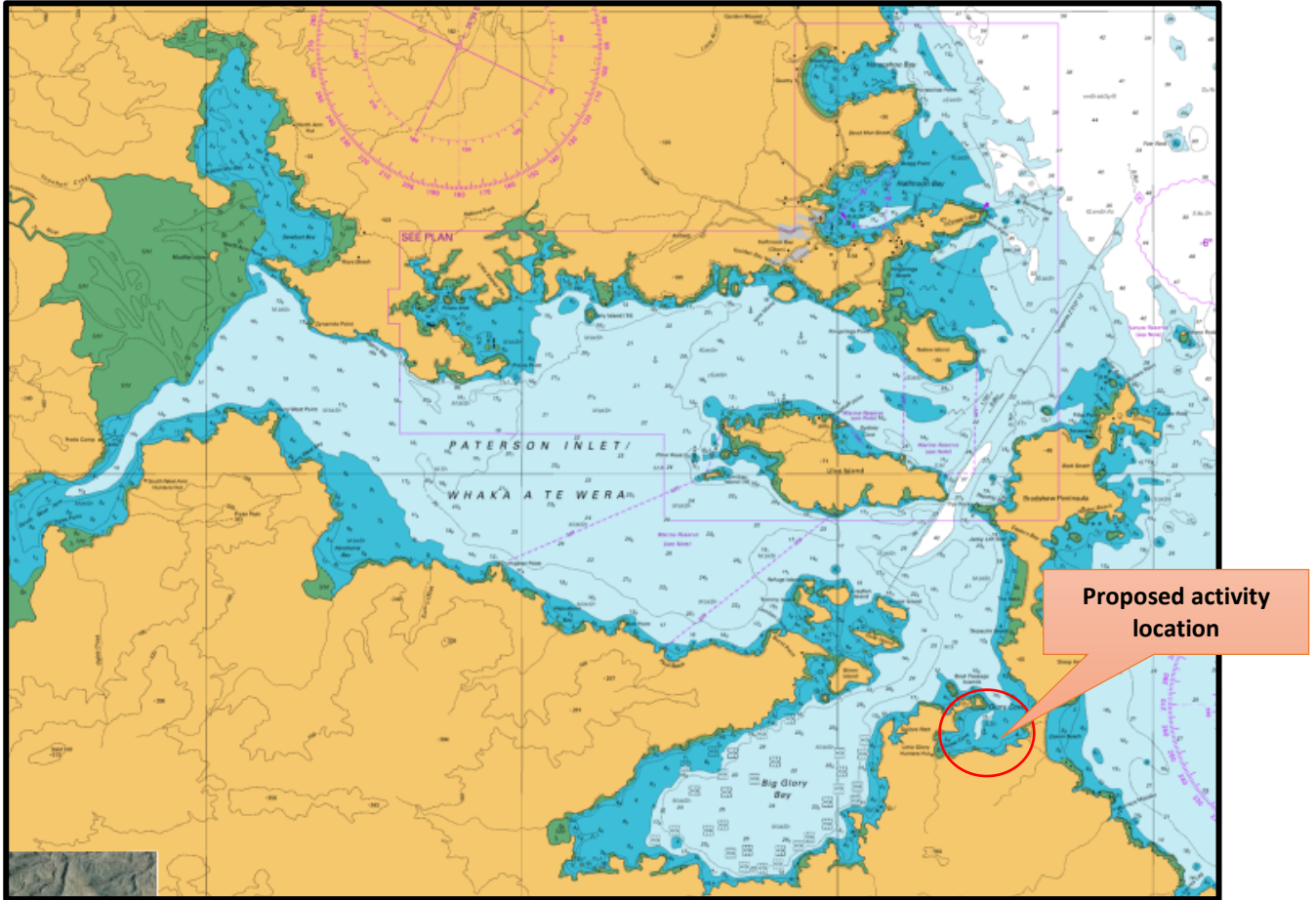
In terms of terrestrial vegetation, Stewart Island/Rakiura retains a relatively diverse number of habitats, ranging from indigenous forests and shrublands to wetlands, sand/dune communities and alpine ecosystems. The dominate forest on the island is Podocarp (with the exception of Beech species), comprising principally Rimu, Kamahi and Southern Rata, with an extensive sub-canopy of broadleaves, such as *Griselinia littoralis*, lancewood and tree ferns. Browsing from deer and possum is experienced throughout the island hence the ground and shrub tiers of the forest are often sparse with few young hardwood saplings.

An array of marine wildlife lives within the sheltered and more exposed waters off Stewart Island/Rakiura including NZ Fur Seals, Sea Lions and Yellow Eyed Penguins / Hoiho, Fiordland Crested Penguin/ Tawaki and Little Blue Penguins /Korora. There is also wide diversity of indigenous species on and around Stewart Island, including rare and endemic lizards; invertebrates, and birds such as the Stewart Island Brown Kiwi/Tokoeka, Weka, Southern NZ Dotterel, shags, Stewart Island Robin, and Stewart Island Fernbird. Rakiura also has nationally significant populations of Sooty Shearwater / Titi, Red Crowned Parakeet, and South Island Saddlebacks.

Big Glory Cove and Glory Cove open side by side immediately south of the entrance; the former is a large safe harbour which is now utilised for marine farming of mainly salmon and green-lipped mussels. Paterson Inlet is almost completely surrounded by forest, which grows mainly without interruption upwards from the inlet surface. The lowest limit of land plant growth is sharply cut by the curtailing effect of saltwater at full tide.

⁵ <https://www.fisheries.govt.nz/dmsdocument/931/direct>
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Figure 22 - Chart showing location of proposed activity.



<https://data.linz.govt.nz/search/?q=6825>

Figure 23 - Chart showing location of proposed activity

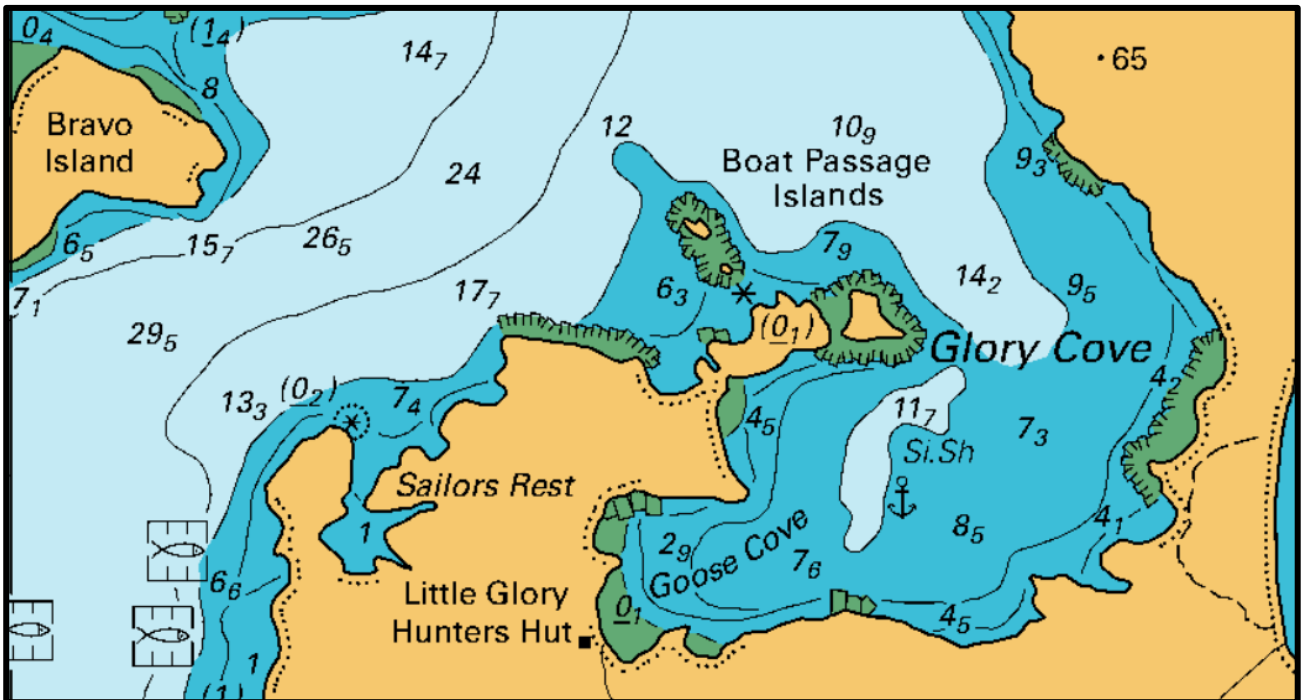
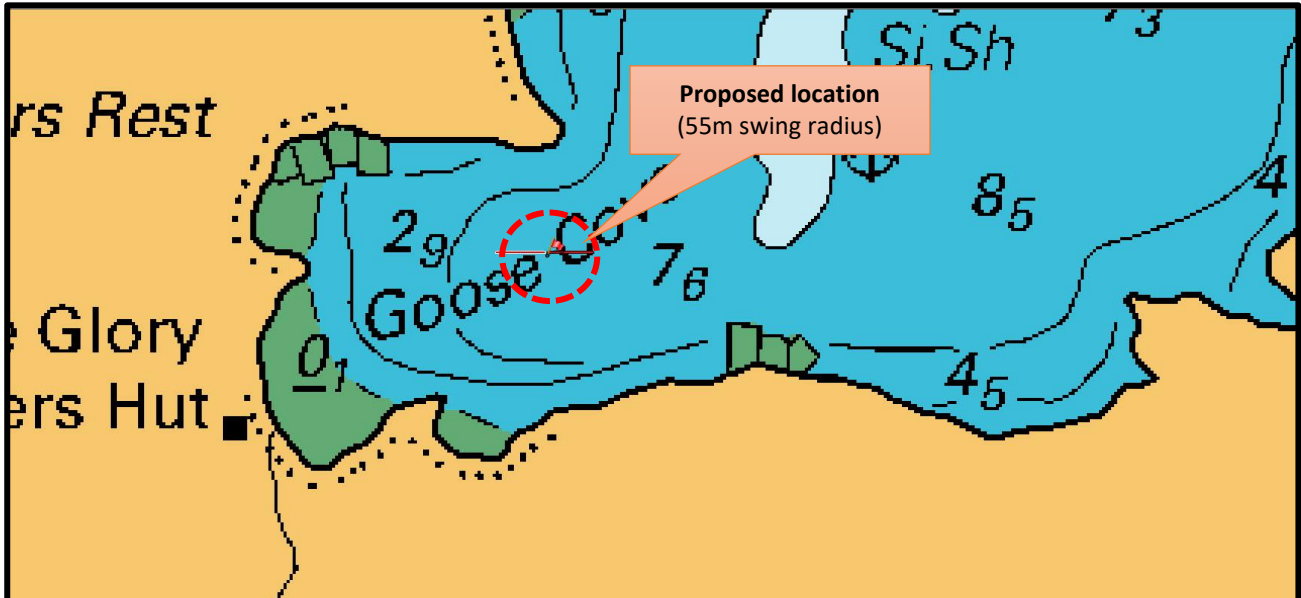


Figure 24 - Chart showing location of proposed activity



Glory Gove itself is a small, fairly sheltered, deeply indented bay which runs off the south-east of Paterson Inlet. Glory Cove lies at latitude 46° 58' south, longitude 168° 10' east. Its depth is mostly between 6 and 15 metres. Its opening is 3.5 nautical miles from the entrance of Paterson Inlet to the open sea of Foveaux Strait. It is not exposed to open ocean wave action.

Glory Cove is surrounded by slightly hilly land, forest-clad to the water's edge around its western half, and by coastal scrub on a low neck of land along its southeast margin. Its shores have no infrastructure, except a small jetty which provides access to the Glory Cove Scenic Reserve. The cove shore consists of rocky outcrops, stones, and small beaches.

Figure 25 - Photo of northern shoreline of Glory Cove



Figure 26 - Photo of view into Goose Cove



For Maori, Rakiura is translated as ‘The Island of Glowing Skies’, a reference to the long sunsets and the nocturnal sky-displays of the Southern Lights or Aurora Australis. Rakiura is also an abbreviation of Te Rakiura a Te Rakitamau, which refers to the blushing embarrassment of a young man, Te Rakitamau, when he was refused the hand in marriage of both daughters of a chief of the island. Suffice to say that the island is very important to Maori, especially as Rakiura is also referred to as Te Puka a te Waka a Maui ‘The Anchor of Maui’s Canoe’.⁶

Archaeological excavations have shown evidence of Maori habitation around Stewart Island/Rakiura from the 13th Century. Numerous middens, burial areas and waka-landing sites have been identified that support the importance of Rakiura to Maori. Hunting camps or kaika were established at many coastal sites including Port William/Potirepo Freshwater River and the Kaik near The Neck, which were reached by waka.

The area offered a wide range of kaimoana; and a range of bird life including most notably Titi, also contributed to the diversity of mahinga kai resources. A variety of plant resources were taken in the coastal area, Black mud (paru) was gathered at Ocean Beach for use as dye. Totara bark was important for wrapping poha in, to allow safe transport of the tītī harvest. Poha were made from bull kelp gathered around the rocky coast.

With respect to “The Neck Native Reserve”; this 293-acre reserve situated on the Bradshaw Peninsula was set aside as part of the Rakiura Purchase 1864 for those half-castes living there, with any remaining land reserved for Ihaia Whitiri and Hoani Tunarere. In 1871, the reserve was subdivided into smaller parcels of land; with Crown Grants being issued for the individual sections under the Stewart Island Grants Acts. Once a determination was made as to who was entitled, it

⁶<https://www.doc.govt.nz/parks-and-recreation/places-to-go/southland/places/stewart-island-rakiura/rakiura-national-park/nature-and-history/>
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was found that the land at “The Neck” was insufficient, resulting in additional land on the mainland being set aside under the Middle Island Half Caste Grants Acts. Since 1982, most of the sections at “The Neck” have been vested in the Rakiura Maori Lands Trust (RMLT) to facilitate the management, use and development of the land.⁷

The crew of Captain James Cook's ship Endeavour were the first Europeans to sight the island in 1770, however Cook mapped the island as a cape connected to the South Island. Their reports of seals and whales drew the next wave of Europeans, and sealers established the first mixed race settlement, on Whenua Hou / Codfish Island in 1818. Development of saw milling followed with the opening of the first sawmills at Kaipipi in Paterson Inlet in 1861. A ready supply of timber helped establish shipbuilding, while fish-curing and the discovery of oyster beds prompted the growth of the island's fishing industry.

Ulva Island/Te Wharawhara in Paterson Inlet became the hub of the community through its post office built in 1872 and used until 1923. Over time, European settlement steadily concentrated around Oban, although there were pastoral farming ventures. Today the livelihoods of the island's 400 permanent residents are based around the fishing industry, salmon, mussel farming and tourism including use and maintenance of the National Park.

Now Oban, mainly occupying Halfmoon Bay, is the only settlement on Stewart Island, which spills over into Golden Bay and Deep Bay in Paterson Inlet. Vaila Voe Bay, Thule Bay, Golden Bay, Deep Bay and Traills Bay in Paterson Inlet are modified to a degree either due the urbanisation of the land or because of vessel moorings and jetties.

There are also jetties at Ulva Island, Glory Cove and along with the extensive marine farms in Big Glory Bay and in Little Glory Cove there is a basic six-bunk “hunters hut”. The hut was built and funded by Southland NZ Deerstalkers' Association and is now maintained by the Rakiura Hunter Camps Charitable Trust for accommodating deer hunters who have booked the adjacent hunting blocks. Consequently, the environment of Paterson Inlet is modified to a degree accordingly Paterson Inlet has a greater potential to absorb change without detracting from landscape and visual amenity values.

In terms of recreation opportunities, Glory Cove adjoins the Glory Cove Scenic Reserve with its jetty and walking track to Ocean Beach where Kiwi viewing is a significant tourist attraction. Hunting, tramping, and recreational boating are the other predominate recreational opportunities adjacent the site of this application, with Glory Cove being a safe anchorage.

This modification of the Paterson Inlet environment is recognised in the Regional Coastal Plan for Southland in which the Landscape Unit 29 – Eastern Bays is given a naturalness rating of 3+ where 3 is characterised as a modified environment where a reasonable balance has been struck between the retention of the original vegetation and production.

⁷ <https://www.kahurumanu.co.nz/atlas>
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In the Regional Coastal Plan for Southland (Coastal Plan) the site of this application is identified as having the following key landscape elements:

- A series of crescent shaped bays, containing golden sand beaches.
- A series of coastal ridgelines and “arms” that form the bays.
- Coastal lowlands separated by ridgelines.
- The entrance to Paterson Inlet, with its prominent horizontal coastal features such as peninsulas, gravel bars and numerous islands.

Appendix 5 of the coastal plan summaries the values identified within ‘Areas Containing Significant Values’ and the coastal plan categorizes the succeeding values to be concomitant with Paterson Inlet.

Table 1 – The Values associated with Paterson Inlet

Description	Paterson Inlet west of a line from Bullers Point to Ackers Point (excluding Big Glory Bay) and including the tubeworm mound communities on either side of Bravo Passage.
Protected Areas	<ul style="list-style-type: none"> • Most of land adjoining Paterson Inlet is protected (except freehold and Maori land on northern shore on Prices Inlet to Ringaringa Point) • Marine Reserve proposed for parts of Paterson Inlet.
Wetlands, Estuaries, Coastal Lagoons	<ul style="list-style-type: none"> • Tidal mudflats including deltas of Freshwater and Rakeahua Rivers • Most important feeding habitats for various wader species on Stewart Island e.g. New Zealand dotterel • Wetland/estuary complexes associated with the Freshwater and Rakeahua Rivers are important habitat for whitebait and a number of native fish (Chadderton per obs.) • Stewart Island freshwater systems are unique (Chadderton 1990) • Freshwater River largest stream.
Marine Mammals and Birds	<ul style="list-style-type: none"> • Extensive feeding areas for 16 species of wading birds (Meurk and Wilson; Roberts pers comm): variable oyster catcher, New Zealand dotterel, banded dotterel, reef heron, Stewart Island shag, yellow-eyed penguin • Fur seals (Wilson 1981) haul out on islets around Ulva Island; Hookers sealions and Leopard seals occasionally (Chadderton; Roberts pers comm). • Open mudflats of Freshwater and Rakeahua Rivers - Sheltered tidal flats in numerous bays and coves.
Ecosystems, Flora and Fauna Habitats	<ul style="list-style-type: none"> • Rich and diverse seaweeds • Brachiopod beds in Paterson Inlet

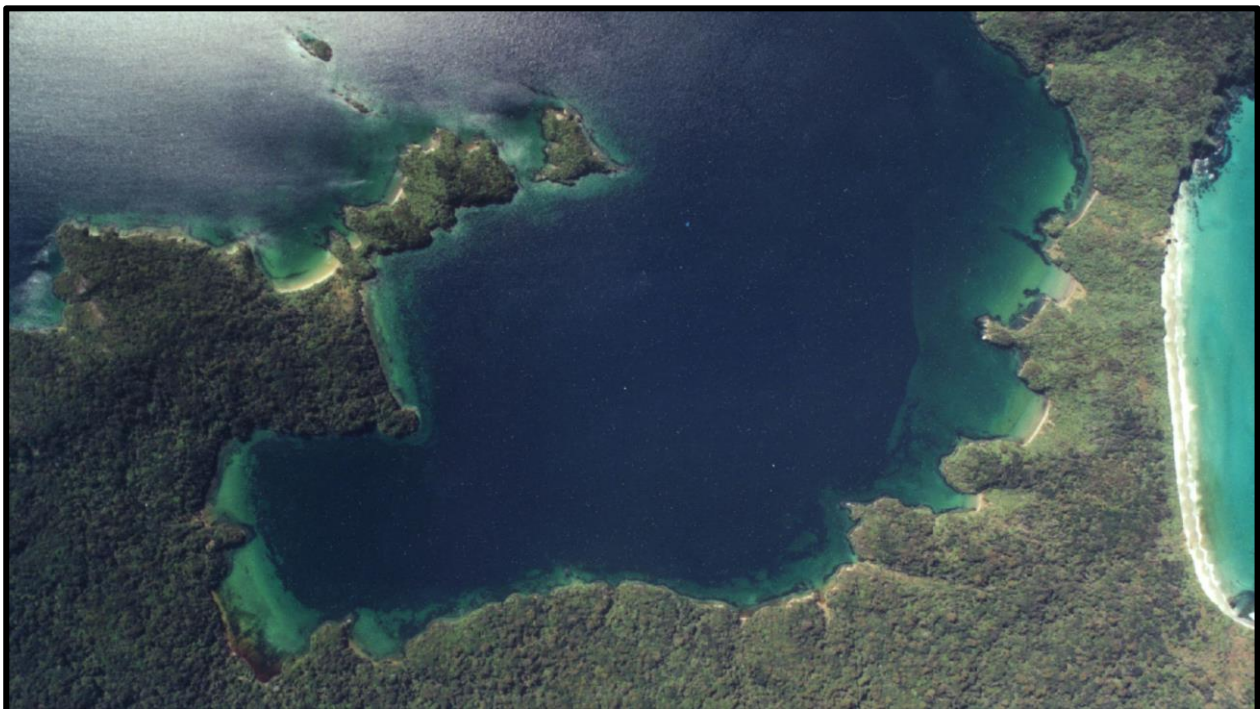
	<ul style="list-style-type: none"> • Eradication of rats' project on Ulva Island.
Scenic Values	<ul style="list-style-type: none"> • Moderately high to high values (Petrie 1989).
Historic Values	<ul style="list-style-type: none"> • Whaling base in Kaipipi • Shipwrecks: Othello, pontoon at Whalers Base, Kotare, and the Pacific (Ingram 1984).
Coastal Landforms and Associated Processes	<ul style="list-style-type: none"> • Submerged drowned river systems (Cullen 1967) of regional significance (Ballentine 1990)

In addition, the coastal plan recognises that the succeeding environmental impacts would have adverse effects on the present natural character of the Eastern Bays Landscape Unit:

- The further removal of native vegetation along the coastal ridges and arms, or any new development protruding above the immediate skyline;
- installations such as powerlines should be sited away from sensitive landscape areas, e.g., skylines, ridgelines, and coastlines;
- intensive, large scale development should be avoided in such a small-scale landscape such as Oban;
- the introduction of plantation forestry within the coastal environment should be avoided.

This application does not relate to any of the aforementioned potential adverse environmental impacts.

Figure 27 - Aerial View of Glory Cove



<https://maps.es.govt.nz/apps/historic-imagery/photos/A2041/A2041-1556-01.jpg>

Nonetheless the terrestrial environment of the landscape of Rakiura with the exception of Oban has been identified as being an Outstanding Natural Landscape, under Section 6(b) of the RMA; under Policy 15 of the NZCPS and in Southland District Plan Maps. A 2016-2017 Boffa Miskell Ltd (BML) report on the landscape and natural character of Stewart Island categorises most of the landscape and seascapes on Stewart Island as meeting the standard of outstanding natural landscapes. The exceptions are the more developed areas of Halfmoon and Horseshoe Bays, part of the north side of Paterson Inlet and Big Glory Bay with its marine farms.

Figure 28 - Aerial View of Goose Cove



Google Earth Pro

The marine ecology of Stewart Island has been studied since the 1930s and more extensively since the 1980s when marine farms were established in Paterson Inlet. The only study relating specifically to Glory Cove is the Batham E.J. (1969) Benthic Ecology of Glory Cove, Stewart Island⁸; which found that:

- Glory Cove has close to full offshore salinity.
- The bottom of Glory Cove was mostly sandy mud, with an abundance of organic matter, with a considerable amount of shell gravel, predominantly of the shells of *Maoricolpus roseus*.
- The red alga *Lenormandia chauvinii* was dominant over most of the bottom.
- Echinoderms are especially in evidence, 17 species being recorded, with *Echinocardium cordatum* and the holothurians *Amphicyclus thomsoni* and *Chiridota nigra* each present in at least three-quarters of the samples.
- Of infaunal lamellibranchs, *Paphirus largillierti* and *Tawera spissa* were present in moderate numbers.

⁸ <https://paperspast.natlib.govt.nz/periodicals/TRSBIO19690715.2.2>

- Abundant epifaunal molluscs included *Terenochiton inquinatus*, *Micrelenchus micans*, *Chlamys radiata* and *Maoricolpus roseus*, though the shells of the latter frequently house hermit crabs. *Eunice australis* and the amphipod *Maera inaequines* abounded.

A 1988 Department of Conservation survey of Paterson Inlet also found *Lenormandia chauvinii* ‘meadows’ in Glory Cove in depths from 6 to 20 metres.⁹ However, the 2006 survey performed by Golder Associates (NZ) Ltd and the Australian National Centre for Marine Conservation and Resource Sustainability found six non-indigenous species and twenty-nine cryptogenic species in the Stewart Island waters. The non-indigenous species comprised *Bugula flabellata*, *Champia affinis*, *Cryptosula pallasiana*, *Leucandra compacta*, *Undaria pinnatifida* and *Watersipora subtorquata*.¹⁰ It is unknown what the effects of the non-indigenous species and cryptogenic species has been on the benthic ecology of Glory Cove; yet Sanderson and Barrett (1989) found that in Tasmania waters *Undaria* could compete with and shade red algae.¹¹ Therefore it is likely at the very least *Undaria* has modified the ecology of the benthic communities in Glory Cove.

2.2 Environmental Effects

A. Any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects.

i) Social and Economic Affects

The proposal will have positive social and economic effects on the Southland community. Real Journeys is a tourism company that facilitates public access to view and experience the natural environment of mainly Fiordland and Rakiura. This proposal will allow visitors to undertake a stay on the “Milford Mariner” or “Fiordland Navigator” in Paterson Inlet which creates opportunities for the public to learn about and connect with the natural environment and have a positive experience in the natural environment of the CMA. As stated by David Attenborough:

“No one will protect what they don’t care about and no one will care about what they have never experienced”

This view is reflected in 2019 findings of Michael Harbrow’s DOC study that concluded New Zealanders have a strong connection to their lands and waters, which are key components of our national and cultural identity and that participation in outdoor recreation can lead to pro-environmental behaviours, including those that benefit conservation.¹²

⁹ <https://docs.niwa.co.nz/library/public/Hare1992.pdf>

¹⁰ <https://www.mpi.govt.nz/dmsdocument/32836/direct>

¹¹ <http://docs.niwa.co.nz/library/public/DeanUndaria.doc>

¹² Visitors as Advocates, A review of the relationship between participation in outdoor recreation and support for conservation and the environment, Michael Harbrow, 2019.

Real Journeys creates direct and indirect employment opportunities in both Otago and Southland. A significant number of people employed by Real Journeys reside in Southland and Otago. Wherever possible those employed seasonally by Real Journeys are carried over the winter in alternative divisions of the company; for instance, some staff are redeployed to our engineering division in winter. This creates the positive social effect of stability for families and communities alike including the positive social flow on effect as an increase in population, providing for more goods and services to become available in the area. This improves the quality of life for all of those who reside in these places.

Real Journeys creates positive economic cumulative effects in the wider community of Southland. This is because people who will visit Rakiura to undertake a stay on the “Milford Mariner” or “Fiordland Navigator” in Paterson Inlet will require other goods and services such as accommodation, transport, food, and beverages. In addition, Real Journeys is proposing to build in a half day in Oban, into the itinerary of the groups, staying aboard the “Milford Mariner” or “Fiordland Navigator” to ensure these visitors to Rakiura are given an opportunity to spend some of their money on the island. Hence, the proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, Paterson Inlet/ Whaka A Te Wera should be viewed as a positive socioeconomic effect on Southland and Otago Communities.

ii) Effects on Present and Future Generations

This proposal is to provide for on-going employment of Real Journeys staff in this post COVID-19 environment in which visitor arrivals to Fiordland are limited as the New Zealand borders remain closed to international visitors.

We are proposing a term of 10 years for this coastal permit application as hopefully in 10 years-time international visitors will once more be travelling to New Zealand and Real Journeys will be generating sufficient income from our vessel operations in Fiordland and will not need to seek alternative forms of income. If this proves to be the case the proposed mooring can be readily removed, and the site of the application will return to its former state; thus, leaving no lasting legacy for future generation.

iii) Effects on Historical, Spiritual and Cultural Values

The Rakiura Marine Area is significant to Ngāi Tahu. Under section 313 of the Ngāi Tahu Claims Settlement Act 1998, the Crown acknowledges Te Rūnanga o Ngāi Tahu’s cultural, spiritual, historic, and traditional association to Rakiura/Te Ara a Kiwa (Rakiura/Foveaux Strait Coastal Marine Area). Specifically, the mauri of the coastal area represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whanui with the coastal area. Moreover, Ngāi Tahu are kaitiaki of the CMA and any activity within the CMA should not be in conflict with Ngāi Tahu’s values for this place.

This kaitiaki of the CMA is reflected in 2004 establishment of the Te Whaka a Te Wera Mātaitai Reserve to promote fisheries sustainability in Stewart Island's Paterson Inlet / Whaka A Te Wera. The Mātaitai Reserve encompasses 80% of the inlet with the exception of Te Wharawhara-Ulva Island Marine Reserve and Big Glory Cove.

Our proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, Paterson Inlet/ Whaka A Te Wera, should not affect the historical, spiritual, or cultural values associated with this place. The proposed mooring will be basically inert therefore the mooring itself will discharge no waste. Nonetheless Real Journeys takes all practical measures to reduce the impact of vessel operations on the mauri of the CMA.

The wastewater from the *Milford Mariner* or *Fiordland Navigator* will either be treated prior to discharge or discharged outside Paterson Inlet (in Foveaux Strait) away from the Mātaitai Reserve in accordance with Resource Management Marine Pollution Regulations. The *Milford Wanderer* currently discharges wastewater outside Paterson Inlet in accordance with Resource Management Marine Pollution Regulations as there are no facilities in the area where wastewater can be discharged ashore.

Real Journeys Limited complies with the rules and regulations put in place to mitigate any potential harm that could be caused by the bio invasion of pest species into the area. Furthermore, the company adheres to the regulations in place to protect the marine reserves and marine life in and around Rakiura.

The Regional Coastal Plan for Southland identifies one historic site within the vicinity of the location of this proposal; a whaling station. From 1923 to 1933 the Norwegian company, Rosshavet or the Ross Sea Whaling Company made expeditions to Antarctica from their over-wintering and repair base in Paterson Inlet, Stewart Island. The whaling company chase boats were left in Glory Cove for the winter. In the second year an attempt was made to establish a slipway on Bravo Island in Paterson Inlet, but from 1926 the Base was located at 'Price's'. Following a glut in the whale-oil market in 1932, whaling activity shifted away from the Ross Sea. The Paterson Inlet facility closed, and the Company moved westward to operate, in part, from facilities in South Africa. Nonetheless the only relics that still can be seen today are at 'Price's'.

The Southland District Council District Plan records another historic site in at the Neck, Glory Cove: E498 (E49/8). Recorded from Howard (1940: 93-98) by Neville Ritchie, December 1977. A jumbled pile of stones was said to have been a bakehouse (Howard 1940: 94). Ritchie stated that a trypot stood on the shore of Glory Cove for many years.¹³ In addition, there are numerous middens, burial areas, and waka-landing sites in and around Glory Cove which remain unidentified.

The proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, Paterson Inlet/ Whaka A Te Wera is primarily based in the CMA and should not affect the historical, spiritual, or cultural values associated with

¹³ <https://www.marlboroughrealestate.co.nz/cutters-bay/10-the-archaeology-of-nz-shore-whaling.pdf>
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this place. Further Real Journeys takes all practical measures to reduce the impact of vessel operations on the mauri of the CMA.

Figure 29 - Map of Site indicating location of historic sites identified by NZ Archaeological Association



<https://archsite.eaglegis.co.nz/NZAAPublic>

iv) Effects on Public Access and other users of CMA

Other users of the coastal marine area of Paterson Inlet include but are not limited to recreational boaties, kayakers, trampers, and hunters; commercial marine farm operators; commercial tourism operators; and research groups; including Otago University. The land adjacent to Paterson Inlet includes public conservation land; Rakiura Maori Land Trust Land; other private land and users of the land include but are not limited to residents, holiday makers, hunters, and trampers. There are also Department of Conservation Huts and Rakiura Hunter Camps Charitable Trust Huts adjacent the Paterson Inlet.

This proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, Paterson Inlet/ Whaka A Te Wera will occupy CMA and necessarily exclude access to the small area occupied by the vessel and area immediately adjacent to the vessel utilising the mooring. Nonetheless this occupation of CMA by a vessel is relatively small (at approximately 400m²) compared to 8,900 hectare area of Paterson Inlet and there is sufficient area in Glory Cove or Goose Cove for other

vessels to anchor and the coastal plan identifies 106 other anchorages in and around Rakiura, at least 40 of which are in Paterson Inlet. Accordingly, there are numerous other places to anchor or moor vessels in Paterson Inlet therefore our proposal should not conflict with other users of the area. Because of this the proposal will have a less than minor effect on other users of Paterson Inlet.

In addition, the proposed activity is temporary in nature and will not occur year-round. That is “Milford Wanderer”, “Milford Mariner” or “Fiordland Navigator” will continue to operate in Fiordland especially during New Zealanders peak holiday season over Christmas and New Year. Accordingly, Real Journeys overnight vessels will not be in Paterson Inlet during the period of the year that the area is expected to receive the most use.

The proposal will not inhibit public access to the CMA. The public access Paterson Inlet via boats deployed from the ‘mainland’ or boats based at Stewart Island the proposal will not conflict with other users of Paterson Inlet as vessels operating in this area are subject to Maritime New Zealand’s rules; specifically, to operate in accordance with Part 22 of Maritime Rules: Collision Prevention. Moreover, our proposal will enable the public to access the CMA by providing another avenue for visitors to access Paterson Inlet.

B. Any physical effect on the locality, including any landscape and visual effects

i) Natural Character Values

Natural character is generally assessed on a continuum of modification that describes the expression of natural elements, patterns, and processes (or the ‘naturalness’) in a coastal area where the degree of ‘naturalness’ depends on:

1. The extent to which the natural elements, patterns and processes occur;
2. The nature and extent of modification to the ecosystems and landscape/seascape;
3. The degree of natural character is highest where there is least modification;
4. The effect of different types of modification upon natural character varies with context and may be perceived differently by different parts of the community.

As discussed above the Coastal Plan has given the area a naturalness rating of 3+ where five is the highest naturalness rating and one the lowest. However, the more recent Boffa Miskell report on the landscape and natural character of Stewart Island found that most of the landscape and seascapes on Stewart Island meet the standard of outstanding natural landscapes; with the exceptions of the more developed areas of Halfmoon and Horseshoe Bays; part of the north side of Paterson Inlet and Big Glory Bay. In describing Paterson Inlet, the report states that despite "... *the modification (which is centred on only a few parts of the Marine Area the majority is relatively untouched, supporting an overwhelming sense of naturalness, notably within the more sheltered parts of the Inlet.*"

The land surrounding Paterson Inlet / Whaka A Te Wera is not as immense and dominant as the Fiordland landscape, but it is still significant. The vessel mooring buoy will

necessarily need to be visually conspicuous for safety reasons however within the overall scale of Goose Cove the buoy will not be obvious.

Any vessel using the mooring will be visually prominent nevertheless with Real Journeys visually recessive hull colour, the vessel will be small in the context of the landscape – refer photo below. Moreover, because the proposed location is in Goose Cove the vessel will be tucked away out of site and not readily visible from most of the Inlet. That is, the vessel will only be visible when in Glory Cove. Also as stated above the proposed activity is relatively temporary in nature; with Real Journeys vessels continuing to mainly operate in Fiordland. Consequently, the overall impact of our proposal is assessed as not having significant effects on landscape and visual values.

Figure 30 - Photo of Stewart Island Ferry in Paterson Inlet



ii) Cumulative effects

Through decisions such as *Dye vs. Auckland Regional Council* the High Court have described a cumulative effect as concerned with things that will occur rather than with something which may occur, that being the connotation of a potential effect.....The concept of cumulative effect arising over time is one of gradual build-up of consequence. However apart from the Glory Cove wharf and a hunters' hut ashore there are no other developments therefore the cumulative effect of our proposed mooring in Goose Cove will be no more than minor especially considering that our vessel will only periodically use the proposed mooring in Paterson Inlet.

C. Any effect on ecosystems, including effects on plants or animals and any physical disturbance of natural habitats in the vicinity.

i) Wildlife and vegetation (Biodiversity)

The inlets of the eastern coast (Paterson Inlet/Whaka a Te Wera, Port Adventure, Lords River/Tūtaekawetoweto and Port Pegasus/Pikihatiti) are some of only a few remaining shallow embayments in New Zealand that retain a naturally vegetated catchment and hence rate highly in natural character. Among some of the unique features of Paterson Inlet/Whaka a Te Wera are the richest shallow water brachiopod habitats in the world. High water clarity allows algae to grow to great depths and large beds of bladder kelp (*Macrocystis spp.*) are common. Shore communities are recognised for their wealth of red seaweed diversity.¹⁴

The Stewart Island/Rakiura area is home to a wide variety of protected marine mammal and bird species including New Zealand Hooker's Sea Lions (*Phocarctos hookeri*), New Zealand Fur Seals (*Arctocephalus forsteri*), Southern Right Whales (*Eubalaena australis*), Great White Sharks (*Carcharodon carcharias*), Yellow Eyed Penguins/ Hoiho, New Zealand Dotterel /tūturiwhatu, Sooty Shearwaters/Titi, Whenua Hou Diving Petrel (*Pelecanoides whenuahouensis*), and Cook's Petrels (*Pterodroma cookii*).

Because Real Journeys currently utilises Paterson Inlet/Whaka a Te Wera during Discover Expeditions accordingly the likely vessel effects on wildlife are well understood. For instance, Titi, Petrels and other Procellariidae are not attracted to the "Milford Wanderer's" night lights / deck lights.

Real Journeys holds a marine mammal viewing permit; abides by the Marine Mammal Protection Regulations; and most of our skippers and nature guides have attended a DOC SMART (Sustainable Marine Mammal Actions in Recreation and Tourism) training program to ensure appropriate precautionary approach is taken when viewing marine mammals. Our crew likewise take a precautionary approach to interacting with and viewing all wildlife including Procellariiformes and Penguin species. As such Real Journeys takes all practicable steps to ensure no marine mammals or sea birds will be disturbed by our proposal.

The 1075-hectare Ulva Island/Te Wharawhara Marine Reserve in Paterson Inlet/Whaka a Te Wera was established in 2004. The reserve protects all indigenous marine life within its boundaries from fishing and mining, providing a safe haven and nursery for underwater life.

Rivers flowing into the marine reserve drain from largely unmodified land and carry little sediment or nutrient run-off. As a result, the inlet waters nurture a prolific range of plants

¹⁴https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/statutory-plan-publications/conservation-management-strategies/stewart-island-rakiura/section-one/part-one-management-objectives-and-policies/1_3-conservation-of-natural-resources/1_3_5/

and animals. The marine reserve is surrounded by Te Whaka a Te Wera/Paterson Inlet mātaītai reserve. In the mātaītai reserve commercial fishing is prohibited and recreational fisheries levels are managed to ensure the sustainability of important traditional Māori fishing and food-gathering areas.

Nonetheless the 2006 survey performed by Golder Associates (NZ) Ltd and the Australian National Centre for Marine Conservation and Resource Sustainability found six non-indigenous species and twenty-nine cryptogenic species in the Stewart Island waters. The non-indigenous species comprised *Bugula flabellata*, *Champia affinis*, *Cryptosula pallasiana*, *Leucandra compacta*, *Undaria pinnatifida* and *Watersipora subtorquata*.¹⁵

Further, in 2017 the oyster-killing parasite *Bonamia ostreae*, was found in Stewart Island's Big Glory Bay Oyster Farms and more than 2300 oyster cages were removed from 12 farms at Big Glory Bay in an attempt to prevent the spread of the parasite to the wild oyster fishery in Foveaux Strait.

Hence although Paterson Inlet remains an important habitat for many endemic species of plants and animals the ecology of the inlet has been modified by the introduction of non-indigenous species and the diversity of the endemic biota has likely been reduced by these introductions.

When the proposed mooring is being installed there will be small area of the seabed disturbed due to divers' movements and the drilling to secure the screw / pile anchors. That is seafloor silt will be stirred up during the installation nevertheless this silt will quickly settle after installation. Specifically, this type of specialist mooring unit will limit seabed disturbance to approximately 1 square metre and avoids the need for unnecessary piles or mooring blocks. Moreover, because our proposed swing mooring system will have the underwater mooring tackle under tension, there will be no chain abrasion on the seafloor as occurs with a 'traditional' mooring block and ground chain or anchoring. That is, this proposed mooring system is designed to reduce contact and scouring of the seafloor, reducing ecological impacts. Indeed, OCELS Waikato Regional Council's Swing Mooring Design Report states "*Screw anchors also have the least environmental impact on the seabed.*"¹⁶

In addition, these potential minimal affects need to be weighed against the effects of anchoring has on benthic environments as anchoring would be the alternative method of securing our vessel in place. Anchoring can cause considerable damage to areas with diverse epifauna or delicate habitats and anchoring scars persisted for up to 3 months but diminish in area and depth after 1 month.¹⁷

¹⁵ <https://www.mpi.govt.nz/dmsdocument/32836/direct>

¹⁶ <https://www.boprc.govt.nz/media/456922/ocel-swing-mooring-design-report-v2.pdf>

¹⁷ <https://www.sciencedirect.com/science/article/pii/S0301479700903827>

Dr. Batham found the bottom of Glory Cove was mostly sandy mud, with an abundance of organic matter, with considerable amount of shell gravel, predominantly of the shells of *Maoricolpus roseus* and that no significant species were present. Because the area of the cove that is likely to be affected by the mooring installation (and subsequent inspections) is so very small relative to the overall area of the cove at least 1,000,000m² in area; consequently, we contend this proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing SALM type mooring in Goose Cove, Paterson Inlet/ Whaka A Te Wera will not have any effects that are more than minor on the overall biodiversity of Paterson Inlet.

iii) Intrinsic Values

Intrinsic values of ecosystems are defined in the RMA as those aspects which have value, including biological and genetic diversity and the essential characteristics that determine an ecosystem's integrity, form, functioning, and resilience.

The New Zealand Biodiversity Strategy (NZBS) defines an ecosystem as an interacting system of living and non-living parts. Operations in the CMA need to ensure that they do not create adverse effects on these coastal ecosystems as ecosystem disturbance can impact resilience, form, and structure of the ecosystem. Our proposal will not have any effects on terrestrial ecosystems or affect mobile fauna such as sea birds and marine mammals as these animals typically stay away from vessels. The two most likely significant forms of disturbance to coastal marine environments related to this proposal, are sedimentation disturbance from marine activities; and physical habitat disturbance.¹⁸

Chart NZ 6825 Paterson Inlet / Whaka A Te Wera identifies the sea bottom in Glory Cove as silt and shells and Dr. Batham found the bottom of Glory Cove was mostly sandy mud, with an abundance of organic matter, with considerable amount of shell gravel, predominantly of the shells of *Maoricolpus roseus*. Moreover, MSNZ preliminary dive inspection found a muddy bottom with sea lettuce and sea slugs present. Our vessels will approach the proposed mooring in Goose Cove at no-wake speed, which is unlikely to stir up the bottom, accordingly our proposal will not result in an increase sedimentation disturbance within the coastal marine waters which has the potential to smother seabed ecosystems.

When the proposed mooring is being installed there will be small area of the seabed disturbed due to divers' movements and the drilling to secure the screw / pile anchor. That is seafloor slit will be stirred up during the installation nevertheless this silt will quickly settle after installation. Specifically, this type of specialist mooring unit will limit seabed disturbance to approximately 1 square metre and avoids the need for unnecessary piles or mooring blocks. Moreover, because our proposed swing mooring system will have the underwater mooring tackle under tension, there will be no chain abrasion on the seafloor as occurs with a 'traditional' mooring block and ground chain or anchoring. That is this proposed mooring system is designed to reduce contact and scouring of the

¹⁸ http://www.rmla.org.nz/wp-content/uploads/2018/04/RMJ_April_2018_FINAL-1.pdf

seafloor, reducing ecological impacts. Indeed, OCELS Waikato Regional Council's Swing Mooring Design Report states "*Screw anchors also have the least environmental impact on the seabed.*"¹⁹

In addition, these potential very minimal affects need to be weighed against the effects of anchoring has on benthic environments as anchoring would be the alternative method of securing our vessel in place. Anchoring can cause considerable damage to areas with diverse epifauna or delicate habitats and anchoring scars persisted for up to 3 months but diminish in area and depth after 1 month.²⁰

As stated above Dr Batham did not identify any significant benthic species in Glory Cove and because the area of the cove that is likely to be affected the mooring installation (and subsequent inspections) is so very small relative to the overall area of the cove at least 1,000,000m² in area; consequently, we contend this proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing SALM type mooring in Goose Cove, Paterson Inlet/ Whaka A Te Wera will not have any effects that are more than minor on the overall biodiversity of Paterson Inlet.

iv) Biosecurity

The marine pests such as *Undaria pinnatifida* are present in Paterson Inlet. Consequently, before returning to the internal waters of Fiordland, Real Journeys will arrange for our vessels hulls to be inspected for pest species prior to leaving Stewart Island. If any pest species are found, we will divert our vessel to Bluff to enable the hull to be cleaned before travelling back to Fiordland. In addition, any kayaks, tender crafts, and lines (ropes) that have been exposed to the waters of Paterson Inlet will be checked, cleaned, and dried as per Biosecurity New Zealand and MPI instructions.²¹ These are the measures we currently undertake with the "Milford Wanderer" operating under coastal permit number 203306 and comply with the requirements of the Fiordland Marine Regional Pathway Management Plan.²²

To prevent rodent incursions our vessels also have rodent traps on board located in the vessel pantry. These are laced with peanut butter and are checked daily. Our Stewart Island ferries also have rodent traps on board and are regularly for rodents checked by Sandy King and her dog Gadget. Therefore, we take all practical measures to avoid the introduction of pest species our areas of operation, hence the actual and potential environmental effect of the proposal regarding biosecurity should only be viewed as minor.

¹⁹ <https://www.boprc.govt.nz/media/456922/ocel-swing-mooring-design-report-v2.pdf>

²⁰ <https://www.sciencedirect.com/science/article/pii/S0301479700903827>

²¹ <https://www.biosecurity.govt.nz/dmsdocument/9806/direct>; <https://www.mpi.govt.nz/dmsdocument/13858>.

²² <https://www.es.govt.nz/environment/biosecurity-and-biodiversity/marine-biosecurity/fiordland-marine-pathway-plan#toc-link-6>

v) Wake

The geology of Glory Cove is variably foliated biotite granite, leucogranite, granodiorite and tonalite / variably foliated granite, granodiorite, diorite / variably foliated granite, granodiorite, diorite, and quartz monzonite with minor syenogranite. All of which are hard rocks not susceptible to erosion due to wake action.

All Real Journeys vessels approaching the proposed mooring will do so at no-wake speed and comply with Maritime New Zealand Rule Part 91 – Navigation Safety Rules and operating at 5 knots within 50 metres of any other vessel, raft, or person in the water; or within 200 metres of the shore or of any structure; or within 200 metres of any vessel that is flying Flag A. Accordingly our proposal will not result in any adverse effects caused by vessel wake.

vi) Long term effects on the coastal environment

Overseas studies have found that screw moorings can have positive long terms effects on previously degraded seafloor environments. Screw type moorings are specifically designed to prevent contact of the mooring tackle (whether it is an elasticized cord, piston or similar design) with the seafloor and can prevent scarring of seagrass (seagrass cover equivalent to reference areas) and allow for seagrass re-colonization of formerly scarred areas (Burdick et al., 2014; Demers et al., 2013; 2013).²³

For instance, screw moorings installed into New England harbours (USA) have been found to allow recolonisation of scars in some areas (Burdick et al., 2014; 2013) although the re-growth may be limited where mooring chains have altered seafloor depth (Urban Harbors Institute, 2013). Recovery from scarring is dependent on the growth rate of resident seagrass species and is frequently affected by continued disturbance in the meadow (Cole, 2016). 'Seagrass friendly moorings' (Screw moorings) may also allow recovery of benthic assemblages to more resemble reference assemblages despite possible systemic effects of mooring areas (Derbyshire et al. 2011).²³

vii) Short term effects on the coastal environment

The short effects of the proposed mooring are likely to be minor disturbance and loosening of sediments on the seafloor during screw mooring installation.

D. Any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants.

i) Effluent

²³ https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=5540&context=open_access_etds
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There will be no effluent generated specifically by this proposal to install, maintain, and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, Paterson Inlet/ Whaka A Te Wera. However, vessels will be using the proposed mooring hence it is appropriate to consider the effects of wastewater.

The *Milford Mariner* and the *Fiordland Navigator* already have on board effluent holding tanks that currently pump effluent ashore for treatment in the respect operating ports. Nevertheless, Real Journeys may install an OMNIPURE™ on board wastewater treatment plant initially on the “Milford Mariner” as this is the vessel most likely to be used for this proposal.

If the OMNIPURE™ plant is not installed or if for any reason the OMNIPURE™ on board wastewater treatment plant is out of service for repair, wastewater would be discharged outside Paterson Inlet in accordance with Resource Management Marine Pollution Regulations 1998 as detailed below.

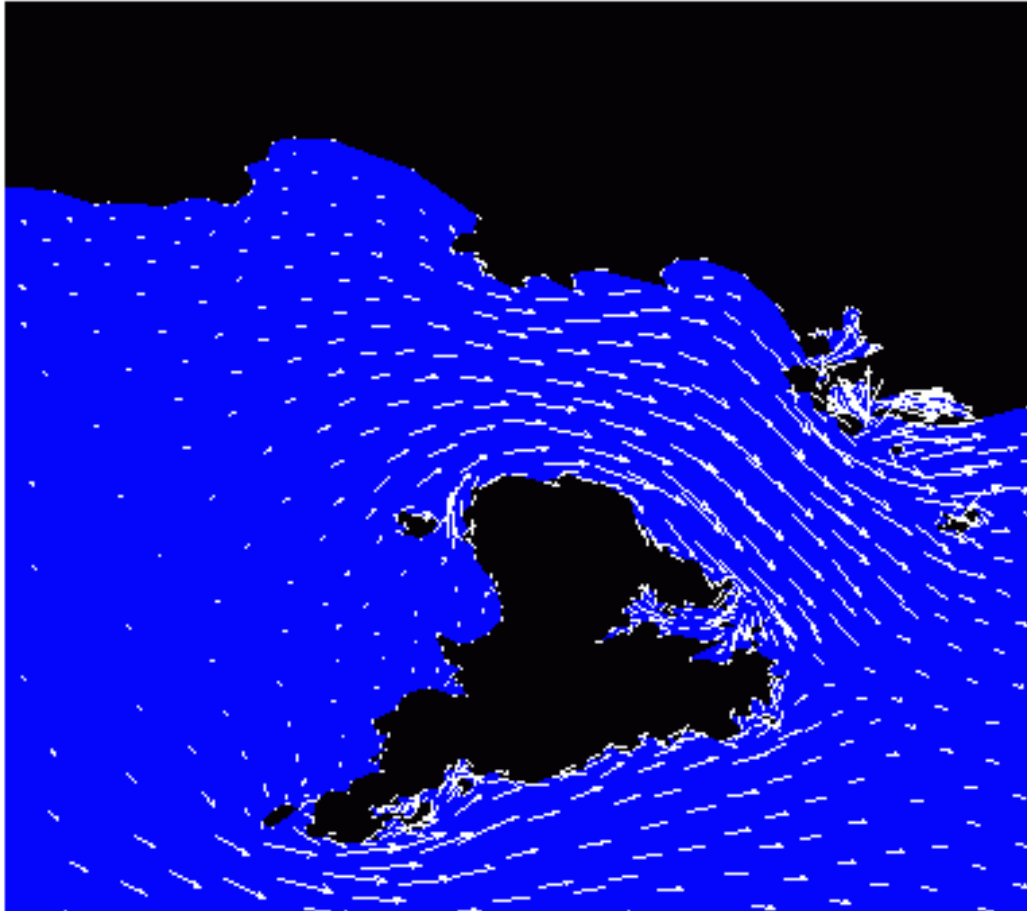
11 Discharge of sewage in coastal marine area

- (1) Before 1 July 2000, any person may discharge sewage in the coastal marine area from a ship or offshore installation, unless that discharge is within 500 metres (0.27 nautical miles) of a marine farm.*
- (2) On or after 1 July 2000, no person may discharge sewage in the coastal marine area from a ship or offshore installation unless that discharge occurs—*
 - (a) more than 500 metres (0.27 nautical miles) seaward from mean high water springs; and*
 - (b) more than 500 metres (0.27 nautical miles) from a marine farm; and*
 - (c) in water depths greater than 5 metres; and*
 - (d) more than 200 metres (0.108 nautical miles) from a marine reserve, except the marine reserve constituted by the Marine Reserve (Kermadec Islands) Order 1990; and*
 - (e) more than 500 metres (0.27 nautical miles) from an area that the Minister of Fisheries has declared by notice in the Gazette to be a mataitai reserve under regulations made under section 186 of the Fisheries Act 1996.*

Such proposed discharges would occur en route to and from Bluff Harbour when either “Fiordland Navigator” or “Milford Mariner” is travelling to Bluff for bunkering. That is, the discharges will occur in accordance with Resource Management (Marine Pollution) Regulations 1998 in Foveaux Strait and proposed effluent disposal will be promptly dispersed. As the tidal currents around the northern and southern coasts of Stewart Island and in Bluff Harbour and the Oreti Estuary are strong. Overall currents in Foveaux Strait are also strongly wind-driven with the prevailing wind being from the west. On top of this, the Southland current, which carries water from the subtropical convergence west of New

Zealand, flows through Foveaux Strait – refer image below.²⁴ Because of these prevailing currents, any waste discharged will be quickly diluted and dispersed by vessel movement (including prop wash), along with wave action. Hence by proposing to discharge effluent in Foveaux Strait all practical measures to mitigate any adverse effects of waste disposal.

Figure 31 - Foveaux Strait Ocean Currents



ii) Discharges to Air

There are no discharges to air from the proposed mooring itself, however vessels using the planned mooring do produce discharges from their engines. There potentially will be minor discharges to air from the proposed vessel's activities, that is the running of the vessels diesel generators however Real Journeys uses well maintained modern equipment to minimise discharges. Hence, all practical measures to mitigate any adverse effects from vessel exhausts are taken.

iii) Hazardous Substances

Hazardous substances will not be stored on the proposed Real Journeys mooring however the mooring will be used to secure vessels that carry fuel. To mitigate the risk of using

²⁴ <https://niwa.co.nz/our-science/coasts/research-projects/all/physical-hazards-affecting-coastal-margins-and-the-continental-shelf/news/fovmo>

these substances to operate, the *Milford Mariner* or *Fiordland Navigator* will be fuelled in Bluff prior to transferring to Paterson Inlet. The vessels tender crafts are refuelled using an enclosed fueling system while on board the *Milford Mariner* and *Fiordland Navigator* in their cradles to provide a stable platform, which reduces the risk of spillage.

Diesel and oil could also be spilled because of a catastrophic vessel collision. Such an occurrence is managed by adherence to Maritime Rule Part 22 – Collision Prevention. However, because Real Journeys operates well maintained vessels with appropriately trained launch masters, such a collision which would rupture the vessel’s fuel tanks is very unlikely.

Both the *Milford Mariner* and *Fiordland Navigator* are equipped with fuel spill equipment to clean up a minor spill. If a fuel or oil spill were to occur, then the *Milford Mariner* and *Fiordland Navigator* ‘Shipboard Oil Pollution Emergency Plan and Oily Waste Handling Plan’ will be followed. This Shipboard Marine Oil Spill Contingency Plan is approved by Maritime New Zealand and is audited annually.

Therefore, as all practical measures are taken to ensure oil or fuel spillage does not occur, as a result of this proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove.

iv) Noise Effects

The proposed mooring itself will not generate any noise. However, the drilling in of the embedded mooring will create noise during installation and is at similar level to underwater vessel engine noise– refer the following Youtube clips.

https://www.youtube.com/watch?app=desktop&v=TxNIZ10L_J4

<https://www.youtube.com/watch?v=9XduJABFL8g>

The noise associated with the mooring installation will be short lived as installation can be undertaken quite quickly. For instance, 10 screw anchors were installed in 5 hours off California at the Catalina Sea Ranch Long Beach²⁵.

Vessels using the proposed mooring may have generators operating that will produce noise. All of Real Journeys larger monohull vessels have been re-engined since construction, (mainly Volvo engines replaced with Yanmars’), in 2019, we contracted Acoustic Engineering Services Limited to undertake noise level tests on our vessels including the *Fiordland Navigator*; *Milford Mariner* and a representative tender craft; the *Ulva* – refer attached. The results show that all these vessel’s (including tender craft) noise levels comply with the Regional Coastal Plan for Southland’s Rule 5.3.4 - General noise limits and Rule 5.3.6 – Noise limits for ships in motion.

²⁵ <https://catalinasearanch.com/press>

Figure 32 – Real Journeys Vessel Noise Readings

Vessel	Sound exposure level at 25 metres (dB LAE)	
	Cruise speed	No-wake speed
Ulva	78	71
Fiordland Navigator	79	73 ¹
MV Sinbad	83	76
Milford Monarch	83	70
Milford Mariner	84	80 ²
Milford Haven	85	78
Milford Sovereign	79	75 ¹

1 – Measurement includes a noticeable contribution from wave slap on tender craft. Actual noise emissions from the craft are likely to be lower.
 2 – Includes a brief period of increased engine speed towards the end of the measurement.

The permitted baseline for noise from a ship (including recreational craft) is stipulated in the Regional Coastal Plan for Southland under Rule 5.3.6 as; 90 dB(A) in any single drive by at any position beyond a line situated 25 metres back from the line of travel. The aforementioned noise levels were recorded by Acoustic Engineering Services.

A Real Journeys tender craft the *Ulva* outboard engine had its sound level measured from a distance of 25 metres. Real Journeys’ Nature Guides manoeuvre our tender crafts at displacement speed (not planing). At this speed, the tender craft’s noise level was measured at 78 dBA. At no wake speed, the tender craft’s noise levels were measured at 71 dBA. These noise levels comply with Rule 5.3.6 of the Southland Regional Coastal Plan as both measurements were under 90db.

Hence, the noise emitted by the *Fiordland Navigator*; *Milford Mariner* and the vessel’s tender crafts is within the permitted criteria set out in the Regional Coastal Plan. Rule 5.3.8 does not apply to the *Fiordland Navigator*; *Milford Mariner* or the tender craft as it is permitted in Rule 5.3.4 and Rule 5.3.6. Because of this Council can disregard noise as an adverse effect on the environment in this application.

v) Light Effects

The Real Journeys proposed mooring itself will not generate any light in the hours of darkness. Vessels using the proposed mooring will involve the utilisation of lighting after nightfall. When at on the mooring a masthead anchor light will be shown for navigation safety purposes. On board lighting is required to enable passengers to move safely about the vessel after dark. These lights will be reduced significantly once passengers have turned in for the evening, however for safety reasons a few hallway lights will be left on

overnight. Refer figure 33 & 34 below. However, when this photo was taken some passengers were still up and the main deck and some cabin lights remained on.

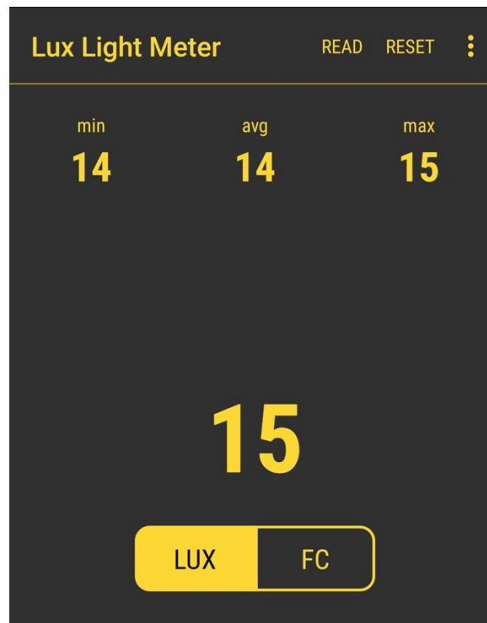
Figure 33 & 34 – Milford Mariner in Harrison Cove, Milford Sound



Figure 35 – Milford Wanderer in Harrison Cove, Milford Sound



Figure 36 – Lux reading taken with Lux Light phone App ²⁶



The “Milford Mariner” nighttime illumination level has been measured using a phone App and found to be 15 Lux, where Lux is the SI unit of illuminance and luminous emittance, measuring luminous flux per unit area; it is equal to one lumen per square metre – refer figure 36 above. To provide context to this illumination level the following are some typical illumination levels.

- Under a clear sky on a sunny day 100,000 lux
- In the shade of a tree 10,000 lux
- Inside, adjacent to a north facing window 2000 – 3000 lux
- In a typical office 300 – 750 lux
- Inside a domestic house at night 50 - 100 lux
- Under a suburban streetlight <5 – 30 lux
- Moonlight 0.5 – 1 lux

The Australian Standard AS 4282:1997 “Control of the Obtrusive Effects of Outdoor Lighting” (AS4282) addresses both spill light and glare. While AS 4282 has been cross-referenced in AS/NZS 1158, it has not been universally or mandated in New Zealand. Further, it should also be noted that AS 4282 was originally intended for evaluating lighting of high illuminance areas located within residential areas. However, AS 4282 does provide some guidance on what spill light and glare effects are acceptable and assists in evaluating spill light and glare when viewed from a specific location. To this end, in New Zealand a 10-lux illumination level has been taken as the appropriate cutoff level to determine whether the lighting can be deemed obtrusive and present a nuisance.

²⁶ <https://play.google.com/store/apps/details?id=com.doggoapps.luxlight&hl=en&gl=US>
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The 'CIE 150:2003 Guide on the limitation of the effects of obtrusive light from outdoor lighting installations' is a technical report produced by the CIE (International Commission on Illumination). CIE is an organisation devoted to international co-operation and exchange of information among its member countries on all matters relating to the art and science of light. Its membership consists of the National Committees in 37 countries (NZ included).

CIE 150:2003 is an internationally accepted guide on the limitation of the effects of obtrusive lighting installations and provides limits for the various light technical parameters in order for their effects to be considered non-obtrusive or "less than minor" in an RMA context. Content from this guide forms the basis of lighting standards in many ordinances around the world.

Table 2 - below sets out the environmental lighting zones as defined in CIE 150:2003.

Zone	Surrounding	Lighting Environment	Examples	Max Lux
E1	Natural	Intrinsically dark	National Parks, reserves, or protected areas (no street lighting)	2
E2	Rural	Low brightness	Sparsely inhabited rural and semi-rural areas	5
E3	Suburban	Medium brightness	Industrial or residential suburbs	10
E4	Urban	High brightness	Town and city centres and other commercial areas.	25

As some of the cabin lights and main saloon lights remained on when the "Milford Mariner" nighttime illumination level was measured, we expect the Lux readings to lower after all the passengers have 'turned in' for the night. Nonetheless it is unlikely the Milford Mariner" nighttime illumination would lower to a 5-lux limit. Even so, there is no detectable 'skyglow' created by the "Milford Mariner" when on her overnight mooring. That is, at night, when out of sight of the "Milford Mariner", the vessel is not detectable. This will be the case in Goose Cove. Accordingly, the light spill created by vessels using the proposed mooring will be minimal and small in scale. Therefore, the potential effects of light spill are viewed by Real Journeys as a minor effect on the environment.

vi) Water Quality

The proposed mooring structures and fittings will be inert and will not have any effect on the water quality of Paterson Inlet / Whaka A Te Wera. Real Journeys vessels making use of the proposed mooring have exterior painted decks and aluminum walkways that are mainly cleaned using water blasters. However approximately once a week when in these vessels are in use, their exterior decks require further cleaning; then the decks are

scrubbed down with approximately a 0.05% solution of “Citro-clean”. The decks are then hosed down, which further dilutes the cleaner. Citro-clean is biodegradable and it is used in very low concentrations and is currently supplied to the vessels in a diluted state to ensure a minimal amount of product is used. Because of this, Real Journeys does not believe that this discharge has a significant impact on the environment. As required CHEMTECH “Wash ‘N’ Wax” vehicle cleansing, and wax gel is applied to the vessels’ superstructures to protect against salt spray. This product is identified as a non-hazardous substance and ‘non-dangerous good’. As it is a wax gel, it repels water and does not enter the coastal marine waters.

The domestic cleaning products that will be used on board Real Journeys vessels using the mooring. These products will not enter the Paterson Inlet as all wastewater onboard the vessel is collected and stored in the grey water holding tanks, then treated before discharge or discharged according to Resource Management (Marine Pollution) Regulations 1998.

Therefore, the environmental impact on the coastal marine water of any cleaning processes on board Real Journeys vessels utilizing the proposed mooring will be small in scale and their effects should not be viewed as more than minor.

vii) Rubbish Disposal

To reduce the effect of waste on the environment, Real Journeys is continually working with its suppliers to remove unnecessary single use mainly plastic items from its operations. This includes, where practical, using crockery; linen and where not, purchasing products with the lowest carbon footprint and engaging in recycling schemes in cooperation with our suppliers. For instance, Fonterra is collecting empty milk bottles and taking responsibility for their disposal.

Waste products generated on board either the *Milford Mariner* or *Fiordland Navigator* such as cardboard, paper, glass, plastics, aluminum, and organic food waste will be sorted on board to enable the likes of glass, plastic, cardboard, and aluminum to be recycled. These waste products will be removed from either the *Milford Mariner* or *Fiordland Navigator* via the Stewart Island Ferries and disposed of ashore in land-based recycling facilities and in landfill. Consequently, Real Journeys will ensure that any rubbish generated by the proposal does not have an adverse effect on the environment of the CMA.

E. Any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.

- (i) Hazardous substances will not be stored on the proposed Real Journeys mooring however the mooring will be used by vessels. No hazardous chemicals are stored on our vessels. Vessels will have fuel aboard and minor amounts of detergents for washing, which is no

different to any fishing, charter, or recreational vessel operating in the area. As stated, above diesel and oil could also be spilled because of a catastrophic vessel collision; yet this is very unlikely.

- (ii) Rakiura is subject to a number of natural hazards, which are outside of human control and influence. The most common being severe weather as at 47 degrees south, Stewart Island/Rakiura is situated within the 'roaring forties' westerly wind belt. Due to their geographical location, the southern and western parts of the island receive more severe weather than the northern and eastern parts. This proposed mooring alone is unlikely to be affected by any weather events. However, the proposed mooring's function is to moor vessels and when a vessel is "swinging" on the proposed mooring in adverse weather, (depending on the direction of the prevailing wind), the mooring may be subject to greater wind loads. Yet we are proposing Goose Cove as the mooring location as this location provides 360° shelter from the surrounding land. Therefore, severe weather is unlikely to impact on our proposal.

- (iii) Coastal erosion is a medium to long-term natural process that occurs across the whole of Stewart Island/Rakiura. It can directly affect structures in the coastal marine area and adjacent to the coast through bank erosion and changes in waterways and estuaries, as well as through events such as spring tides and storm surges. Rising sea levels could exacerbate these existing coastal hazards in the future.²⁷ Because Real Journeys proposed mooring will be located well away from the shoreline it will be unaffected by any coastal erosion.

- (iv) Other potential natural hazards are related to seismic events including earthquake, tsunami, and seiche. Over the years there have been numerous earthquakes focused around the Puysegur Trench that have been felt on Stewart Island²⁸. The Puysegur Trench is a deep cleft in the floor of the south Tasman Sea formed by the subduction of the Indo-Australian Plate under the Pacific Plate to the south of New Zealand. The area around the Puysegur Trench is highly seismically active, with the Alpine Fault starting at the trench's northern end. In July 2009, New Zealand's third-largest recorded earthquake (magnitude 7.8) struck close to the northern end of the trench off the coast of Fiordland. A magnitude 7.2 quake hit the trench itself in November 2004.²⁹

Seismic waves from an earthquake can emerge from the seafloor as an acoustic (sound) wave that travels through the ocean toward the surface and can strike a ship. If the sound is strong enough, the ship will be rocked. Such seaquakes will not impact on Real Journeys proposed mooring in Goose Cove a vessel secured to the mooring maybe rocked however it is extremely rare for vessels to be damaged.

Tsunami and seiche do pose a risk to marine structures. Depending on the severity of the tsunami or seiche Real Journeys proposed mooring could be damaged by the 'waves'

²⁷https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/statutory-plan-publications/conservation-management-strategies/stewart-island-rakiura/section-two/part-five-public-benefit-use-and-enjoyment-of-the-park/5_5-hazards-to-people/

²⁸ https://en.wikipedia.org/wiki/List_of_earthquakes_in_New_Zealand

²⁹ https://en.wikipedia.org/wiki/Puysegur_Trench

impulsive forces with components of the structure being washed or carried away by hydrodynamic forces.³⁰ Nonetheless this is unlikely to occur with an embedded mooring system.

Figure 37 - Identified Tsunami Evacuation Zones at Stewart Island



<https://esgis.maps.arcgis.com/apps/webappviewer/index.html?id=563538de0f1a4490b0660cb3fc59aa57>

Environment Southland have mapped some of the Tsunami Evacuation Zones in Southland including: Horseshoe Bay, Halfmoon Bay and Ulva Island – refer image above. The Red Zone is the area of the highest risk and first place to evacuate from, in the event of any sort of tsunami warning and Orange Zones are expected to be impacted if tsunami waves are above one metre. Glory Cove has not been mapped however, it is somewhat sheltered by the Boat Passage Islands which would afford some protection from significant waves in the event of a seiche or an immediately impending tsunami.

³⁰https://www.marlborough.govt.nz/repository/libraries/id:1w1mps0ir17q9sgxanf9/hierarchy/Documents/Services/EM%20-%20Engineering%20Lifelines%20List/Anticipating_Tsunami_Impacts_In_Port_Marlborough.pdf

Accordingly, any damage caused by either tsunami or seiche to the proposed mooring may be limited.

F. Alternative Locations and Methods.

Our consideration of alternative methods is necessarily tied to why Real Journeys require a mooring. That is, it is a means to an end, with that end being locating the *Milford Mariner* and *Fiordland Navigator* to Paterson Inlet to provide a venue to host groups. Thus, the succeeding discussion relates to the use of these vessels rather than the mooring itself.

Both the *Milford Mariner* and *Fiordland Navigator* are designed to operate in sheltered waterways; accordingly, the alternative locations would be another coastal sheltered waterway such as the Marlborough Sounds, the Fiords or Port Pegasus. Obviously, the other alternative locations for both these vessels would be to continue to operate in the areas they already operate in; that is Milford Sound and Doubtful Sound. Real Journeys has vessels operating in Milford Sound and Doubtful Sound year-round therefore leaving *Milford Mariner* and *Fiordland Navigator* operating in Fiordland will not tap into another income source.

That is, leaving *Milford Mariner* and *Fiordland Navigator* in Fiordland, does not address what Real Journeys is trying to achieve; that is to generate an alternative source of revenue in this post COVID-19 environment. As New Zealanders cannot travel overseas, many New Zealanders are investigating options to visit locations in New Zealand they have not been before, bringing Stewart Island more to the fore as a destination to explore. Rakiura is an ideal location for either *Milford Mariner* and *Fiordland Navigator* as it is a sheltered waterway and Real Journeys already has a base of operations on Rakiura and can readily service a moored accommodation base.

Moreover, most of the relevant planning documents such as the Fiordland National Park Management Plan and Te Tangi a Tauria, advocate for tourism operations to be located in areas where the environment is already modified, and to leave the other places of the Fiordland or Rakiura untouched. Consequently, Real Journeys believes that Paterson Inlet is an appropriate location to install and maintain the proposed mooring to enable Real Journeys Fiordland based vessels to operate in this location.

3. Statutory Provisions

The documents that are relevant to this application are the Resource Management Act, New Zealand Coastal Policy Statement (NZCPS), Southland Regional Policy Statement (RPS), and the Regional Coastal Plan (RCP). Te Tangi a Tauria, the Iwi natural resources and environmental management plan is also a document that should be considered along with Stewart Island /Rakiura Conservation Management Strategy.

3.1 Resource Management Act 1991

Regarding the coastal marine area, the Resource Management Act states:

12 Restrictions on use of coastal marine area

- (3) *Without limiting subsection (1), no person may carry out any activity—*
- (a) *in, on, under, or over any coastal marine area; or*
 - (b) *in relation to any natural and physical resources contained within any coastal marine area, — in a manner that contravenes a national environmental standard, a rule in a regional coastal plan, or a rule in a proposed regional coastal plan for the same region (if there is one) unless the activity is expressly allowed by a resource consent or allowed by [section 20A](#) (certain existing lawful activities allowed).*

Hence the Resource Management Act states that to be able to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, Paterson Inlet, Stewart Island / Rakiura, requires a Resource Consent is required from Environment Southland. To determine the activity type of the Resource Consent application the Regional Coastal Plan for Southland must be examined – refer section 3.4 below.

Section 104 of the Act sets out the matters to be considered when assessing an application for a resource consent. Section 104(1) of the Resource Management Act, 1991, states:

- (1) *When considering an application for a resource consent and any submission received, the consent authority must, subject to Part 2, have regard to:*
- (a) *any actual and potential effects on the environment of allowing the activity; and*
 - (b) *any relevant provisions of –*
 - (i) *a national environmental standard;*
 - (ii) *other regulations;*
 - (iii) *a national policy statement;*
 - (v) *a regional or proposed regional policy statement;*
 - (vi) *a plan or proposed plan; and*
 - (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

The matters which relevant for this application are discussed in the following sections.

3.2 New Zealand Coastal Policy Statement (NZCPS)

The NZCPS sets out a number of objectives and policies for achieving the purpose of the RMA in relation to the coastal environment. It contains provisions which address the ensuing matters of relevance to the proposed application:

- The provision for social and economic wellbeing;

- The precautionary approach;
- Indigenous biodiversity;
- Natural character and landscape values;
- Amenity and access;
- Treaty of Waitangi; and
- Discharges.

The NZCPS provisions relating to each matter are addressed below.

A. Social and Economic Wellbeing of communities

Regarding providing for the Social and Economic Wellbeing of communities, Objective 6, and Policies 6 of the NZCPS seek to, amongst other things, to enable people and communities to provide for their social and economic wellbeing through the use and development of natural and physical resources in the coastal environment. The relevant aspects of Objective 6 and Policies 6 to our proposal changes are detailed below:

Objective 6

To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:

- *the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;*
- *some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic, and cultural wellbeing of people and communities;*
- *functionally some uses and developments can only be located on the coast or in the coastal marine area;*
- *the coastal environment contains renewable energy resources of significant value;*
- *the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;*
- *the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;*
- *the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and*
- *historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.*

Policy 6 Activities in the coastal environment

- (1) *In relation to the coastal environment.....*
- (2) *Additionally, in relation to the coastal marine area:*

- (a) *recognise potential contributions to the social, economic, and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations;*
- (b) *recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;*
- (c) *recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;*
- (d) *recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and*
- (e) *promote the efficient use of occupied space, including by:*
 - (i) *requiring that structures be made available for public or multiple use wherever reasonable and practicable;*
 - (ii) *requiring the removal of any abandoned or redundant structure that has no heritage, amenity, or reuse value; and*
 - (iii) *considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.*

Key directives of these provisions when considering our proposal include:

- The social and economic benefits of the proposed changes are to be recognised and are to be taken into account; and
- That the protection of the values of the coastal environment does not preclude use and development where it is located in an appropriate place and form, and within appropriate limits.

Real Journeys proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, Paterson Inlet, Stewart Island / Rakiura which in turn will provide accommodation base will afford further social and economic benefits through the provision of additional domestic tourism revenue. This will assist in the objective of attempting to maintain some of the economic value of the New Zealand Tourism Industry in this post COVID-19 situation. In addition, this proposed diversification of Real Journeys tourism offerings will provide direct and indirect employment opportunities in Otago and Southland. These jobs will be associated with delivery of the proposed product including activities such as food and beverage delivery; sales and marketing, and the employment of people in supporting services for example transport, logistics, and engineering services. In light of the above, our proposal will assist in enabling people and communities to provide for their social and economic wellbeing in the post COVID-19 circumstances, where the international borders remain closed to international tourists; through the appropriate use and development of natural and physical resources in the coastal environment.

B. Precautionary Approach

Policy 3 of the NZCPS addresses the precautionary approach. It states:

Policy 3 Precautionary approach

- (1) *Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.*
- (2) *In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:*
 - (a) *avoidable social and economic loss and harm to communities does not occur;*
 - (b) *natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and*
 - (c) *the natural character, public access, amenity, and other values of the coastal environment meet the needs of future generations.*

Clause (1) of Policy 3 is considered most relevant to our proposal in that it directs decision-makers to adopt a precautionary approach towards proposed activities whose effects on the coastal environment are “*uncertain, unknown, or little understood, but potentially significantly adverse.*” However, in this instance the effects installing a mooring at Paterson Inlet are largely known and the effects of vessels using a mooring are well understood as Real Journeys currently moors the “Milford Mariner” and the “Fiordland Navigator” in Harrison Cove and Precipice Cove, respectively. In addition, there are a multitude of other vessels moored in Paterson Inlet and Halfmoon Bay therefore the effects of these activities in and around Rakiura are known and well understood. With respect to “*potentially significantly adverse*” effects, this proposal is not ‘permanent’ in nature and we do not believe it will cause significantly adverse effects.

C. Indigenous Biodiversity

Objective 1 and Policy 11 of the NZCPS are its key provisions in respect of the management of indigenous biodiversity in the coastal environment. They state:

Objective 1

To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes, and land, by:

- *maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex, and interdependent nature;*
- *protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand’s indigenous coastal flora and fauna; and*
- *maintaining coastal water quality and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.*

Policy 11 Indigenous biological diversity (biodiversity)

To protect indigenous biological diversity in the coastal environment:

- (a) *avoid adverse effects of activities on:*
 - (i) *indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;*

- (ii) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;*
 - (iii) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;*
 - (iv) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;*
 - (v) areas containing nationally significant examples of indigenous community types; and*
 - (vi) areas set aside for full or partial protection of indigenous biological diversity under other legislation; and*
- (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on:*
- (i) areas of predominantly indigenous vegetation in the coastal environment;*
 - (ii) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;*
 - (iii) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass, and saltmarsh;*
 - (iv) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional, or cultural purposes;*
 - (v) habitats, including areas and routes, important to migratory species; and*
 - (vi) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.*

In summary, Objective 1, and Policy 11 of the NZCPS seek to avoid the adverse effects of activities on significant or important indigenous biodiversity values in the coastal environment. Our proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, Paterson Inlet, Stewart Island / Rakiura will not adversely affect the life-cycle of the species and taxa identified in Clause (a) of Policy 11 of the NZCPS, and section 2.2C of our assessment of effects has not identified significant adverse effects on habitats and areas of the coastal environment in accordance with Clause (b) of Policy 11 of the NZCPS.

D. Natural Character and Landscape Values

Objective 2 of the NZCPS addresses natural character and landscape values and states:

Objective 2

To preserve the natural character of the coastal environment and protect natural features and landscape values through:

- recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;*
- identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and*

- *encouraging restoration of the coastal environment.*

Policy 13 provides direction on how natural character is to be preserved and states:

Policy 13 Preservation of natural character

- (1) *To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:*
 - (a) *avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and*
 - (b) *avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment;*
including by:
 - (c) *assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and*
 - (d) *ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies, and rules, and include those provisions.*
- (2) *Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:*
 - (a) *natural elements, processes, and patterns;*
 - (b) *biophysical, ecological, geological, and geomorphological aspects;*
 - (c) *natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs, and surf breaks;*
 - (d) *the natural movement of water and sediment;*
 - (e) *the natural darkness of the night sky;*
 - (f) *places or areas that are wild or scenic;*
 - (g) *a range of natural character from pristine to modified; and*
 - (h) *experiential attributes, including the sounds and smell of the sea; and their context or setting*

Policy 15 contains direction on how natural features and landscapes in the coastal environment are to be protected and states:

Policy 15 Natural features and natural landscapes

To protect the natural features and landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use and development:

- (a) *avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes;*
- (b) *avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment.*
Including by:

- (c) *identifying and assessing the natural features and natural landscapes of the coastal environment of the region, at a minimum by land typing, soil characterisation and landscape characterisation and having regard to:*
- (i) *natural science factors*
 - (ii) *the presence of water*
 - (iii) *legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes*
 - (iv) *aesthetic values including memorability and naturalness*
 - (v) *vegetation (native and exotic)*
 - (vi) *transient values including presence of wildlife at certain times of the day or year*
 - (vii) *whether values are shared and recognised*
 - (viii) *cultural and spiritual values including their expression as cultural landscapes and features*
 - (ix) *historical and heritage associations*
 - (x) *wild or scenic values.*
- (d) *Ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies, and rules*

As set out in Section 2.2 B above, the Real Journeys proposal install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, Paterson Inlet, Stewart Island / Rakiura will not impact natural character and landscape values as our proposal will not have significant effects on landscape and visual values. Hence, our proposal is in accordance with the management expectations set out in Clause (1)(b) of Policy 13 and Clause (b) of Policy 15 of the NZCPS.

E. Amenity and Access

Objective 4 of the NZCPS addresses the public open space and recreation values attributed to the coastal environment and states:

Objective 4

To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:

- *recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;*
- *maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and*
- *recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.*

The NZCPS contains no clear policy direction as to how activities should be managed to achieve Objective 4. Our proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, will reduce the total area of Goose Cove that can be used to anchor other vessels and this constraint on available public space will be exacerbated when the mooring is occupied. On the other hand, the mooring will not be permanently occupied hence public open space qualities will be maintained to an extent.

Yet the proposed installation of a mooring in Goose Cove allows for the proposed operation of the *Milford Mariner* or *Fiordland Navigator* as an accommodation base in Paterson Inlet which offers an opportunity for people to access and experience this public space. Also, when Real Journeys proposed mooring is not in use by Real Journeys it will be available for use by the general public. Consequently, when considered in this light the proposal is not contrary to the objectives detailed above.

Also, Policy 6 does contain the succeeding relevant matters that should be had regard to when considering our proposal.

Policy 6 Activities in the coastal environment.....

- (2) *Additionally, in relation to the coastal marine area:*
 - (a) *recognise potential contributions to the social, economic, and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations;*
 - (b) *recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;*
 - (c) *recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;*
 - (d) *recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and*
 - (e) *promote the efficient use of occupied space, including by:*
 - (i) *requiring that structures be made available for public or multiple use wherever reasonable and practicable;*
 - (ii) *requiring the removal of any abandoned or redundant structure that has no heritage, amenity, or reuse value; and*
 - (iii) *considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.*

Section 2.2 A of this AEE outlines potential effects of the Real Journeys proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, will have on other users, mainly recreational users of the area which is the subject of this application. Public access will be maintained around mooring nonetheless as discussed above there will be a level of exclusion particularly when the mooring is in use, due to the vessel "footprint" which is typical for any vessel activity. That is occupying part of the coastal marine area with a swing mooring

in Goose Cove, will reduce the total area of Goose Cove that can be utilised by other vessels. Since the proposed mooring will not be permanently occupied open space qualities will be retained to a degree.

Moreover, proposed installation of a mooring in Goose Cove will enable proposed operation of the *Milford Mariner* or *Fiordland Navigator* as an accommodation base in Paterson Inlet which offers the public further opportunities to access and recreate in this public space. Also, when Real Journeys proposed mooring is not in use by Real Journeys it will be available for use by the general public. Given the above, any adverse effects on navigation and public access will not be significant hence this proposal aligns with the management expectations of Policy 6(2)(b) of the NZCPS.

Our proposal complies with Policy 6(2)(c) as our proposed activity has a functional need to occur in CMA and because of the sheltered nature of Goose Cove we contend this is an appropriate place for our proposed activity.

With respect to Policy 6(2)(e)(i) of the NZCPS, Real Journeys will make our proposed mooring available for public use when not required by Real Journeys. Pole moorings rather than swing mooring would provide for more efficient use of space. However, pole moorings have greater visual impacts and can be a navigation safety hazard. Such drawbacks, especially in an area of Outstanding Natural Landscape values would deem pole moorings inappropriate. Consequently, by making our proposed mooring available for public use Real Journeys is taking all practicable measures to comply with the above policy.

F. Treaty of Waitangi

Objective 3 of the NZCPS addresses the Treaty of Waitangi, and states:

Objective 3

To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:

- *recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;*
- *promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;*
- *incorporating mātauranga Māori into sustainable management practices; and*
- *recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.*

Policy 2 The Treaty of Waitangi, tangata whenua and Māori heritage

In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:

- (a) *recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;*

- (b) *involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori;*
- (c) *with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;*
- (d) *provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga, may have knowledge not otherwise available;*
- (e) *take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and*
 - (i) *where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and*
 - (ii) *consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;*
- (f) *provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:*
 - (i) *bringing cultural understanding to monitoring of natural resources;*
 - (ii) *providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;*
 - (iii) *having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaimai or other non-commercial Māori customary fishing; and*
- (g) *in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural, or spiritual significance or special value:*
 - (i) *recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape, and cultural impact assessments; and*
 - (ii) *provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.*

Objective 3 and Policy 2 of the NZCPS seek to take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment. This is particularly relevant as under section 313 of the Ngāi Tahu Claims Settlement Act 1998, the Crown acknowledges Te Rūnanga o Ngāi Tahu's cultural, spiritual, historic, and traditional association to Rakiura/Te Ara a Kiwa (Rakiura/Foveaux Strait Coastal Marine Area). This coastal permit application has examined; the Ngāi Tahu's principles outlined in Te Tangi a Taura the discussion of which is included in this application under section 3.5.

Te Ao Marama Incorporated have been identified by Real Journeys Limited as a Potentially Affected Party in this coastal permit application and will be involved as kaitiaki in this application process.

All practical measures to protect the indigenous biodiversity of the CMA are undertaken by Real Journeys Limited. Further, the proposal will not adversely affect the amenity, social, cultural, landscape and intrinsic values of Paterson Inlet / Whaka A Te Wera. These values are detailed in section 2.2 of this AEE.

G. Discharges

Policy 23 of the NZCPS addresses discharges to water in the coastal environment, and states:

Policy 23 Discharge of contaminants

- (1) *In managing discharges to water in the coastal environment, have particular regard to:*
 - (a) *the sensitivity of the receiving environment;*
 - (b) *the nature of the contaminants to be discharged, the particular concentration of contaminants needed to achieve the required water quality in the receiving environment, and the risks if that concentration of contaminants is exceeded; and*
 - (c) *the capacity of the receiving environment to assimilate the contaminants; and*
 - (d) *avoid significant adverse effects on ecosystems and habitats after reasonable mixing;*
 - (e) *use the smallest mixing zone necessary to achieve the required water quality in the receiving environment; and*
 - (f) *minimise adverse effects on the life-supporting capacity of water within a mixing zone.*
- (2) *In managing discharge of human sewage, do not allow:*
 - (a) *discharge of human sewage directly to water in the coastal environment without treatment; and*
 - (b) *the discharge of treated human sewage to water in the coastal environment, unless:*
 - (i) *there has been adequate consideration of alternative methods, sites, and routes for undertaking the discharge; and*
 - (ii) *informed by an understanding of tangata whenua values and the effects on them.*
- (3) *Objectives, policies, and rules in plans which provide for the discharge of treated human sewage into waters of the coastal environment must have been subject to early and meaningful consultation with tangata whenua.*
- (4)
- (5) *In managing discharges from ports and other marine facilities:*
 - (a) *require operators of ports and other marine facilities to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems, and habitats that is more than minor;*
 - (b) *require that the disturbance or relocation of contaminated seabed material, other than by the movement of vessels, and the dumping or storage of dredged material does not result in significant adverse effects on water quality or the seabed, substrate, ecosystems, or habitats;*

- (c) *require operators of ports, marinas, and other relevant marine facilities to provide for the collection of sewage and waste from vessels, and for residues from vessel maintenance to be safely contained and disposed of; and*
- (d) *consider the need for facilities for the collection of sewage and other wastes for recreational and commercial boating.*

As stated above the proposed mooring will be basically inert therefore the mooring will not discharge waste. However, vessels using the proposed mooring will generate waste which will be stored on board in wastewater tanks and either treated or disposed of in accordance with Resource Management (Marine Pollution) Regulations 1998 outside Paterson Inlet. Hence all practicable measures will be taken to minimise any adverse effects created by either the “Milford Mariner” or “Fiordland Navigator” discharges.

3.3 Southland Regional Policy Statement 2017

The Southland Regional Policy Statement 2017 (“**SRPS**”) became operative in 2017 and contains 17 chapters. The following chapters are relevant to our application:

Chapter 6 – Biodiversity;

Chapter 7 – Coast;

Chapter 10 – Natural Features and Landscapes; and

A. Chapter 6 – Biodiversity

The ensuing objectives and policies are applicable to our application:

Objective BIO.2 – Maintain and protect

Maintain indigenous biodiversity in Southland and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna for present and future generations.

Policy BIO.3 – Protect coastal indigenous biodiversity

Protect indigenous biodiversity from adverse effects in the coastal environment as set out in Policy 11 of the New Zealand Coastal Policy Statement 2010.

Policy BIO.4 – Maintain indigenous biodiversity

Manage a full range of indigenous habitats and ecosystems to achieve a healthy functioning state, and to ensure viable and diverse populations of native species are maintained, while making appropriate provisions for lawful maintenance and operation of existing activities.

In giving effect to this policy, regard will be had to the following potential adverse effects:

- (i) *fragmentation of, or reduction in the extent of, indigenous vegetation or habitats of indigenous fauna;*
- (ii) *fragmentation or disruption of connections and linkages between ecosystems or habitats of indigenous fauna;*
- (iii) *loss of, or damage to, buffering of ecosystems or habitats of indigenous fauna;*
- (iv) *loss or reduction of rare or threatened indigenous species’ populations or habitats.*

Objective BIO.2 seeks to maintain indigenous biodiversity and enhance significant biodiversity. In the coastal environment, this is to be achieved by Policy BIO.3, which seeks to protect indigenous biodiversity from adverse effects in the coastal environment. Furthermore, Policy BIO.4 seeks to

achieve a healthy functioning ecosystem, ensuring populations of native species are maintained, and making appropriate provision for the lawful operation of existing activities.

We have reviewed the likely effects on biodiversity in section 2.2C of our assessment of effects above and have not identified significant adverse effects on habitats and areas of the coastal environment therefore none of the adverse effects identified in Policy BIO.4 will occur as a result of our proposal.

B. Chapter 7 – Coast

Chapter 7 of the SRPS addresses the coastal environment and contains five objectives and seven policies. Those relevant to the proposed changes are set out and analysed below.

Objective COAST.2 – Activities in the coastal environment

Infrastructure, ports, energy projects, aquaculture, mineral extraction activities, subdivision, use and development in the coastal environment are provided for and able to expand, where appropriate, while managing the adverse effects of those activities.

Objective COAST.3 – Coastal water quality and ecosystems

Coastal water quality and ecosystems are maintained or enhanced

Objective COAST.4 – Natural character

The natural character of the coastal environment is restored, rehabilitated, or preserved

Policy COAST.2 – Management of activities in the coastal environment

Ensure adequate measures or methods are utilised within the coastal environment when making provision for subdivision, use and development to:

- (a) protect indigenous biodiversity, historic heritage, natural character, and natural features and landscape values;*
- (b) maintain or enhance amenity, social, intrinsic, ecological, and cultural values, landscapes of cultural significance to tangata whenua and coastal dune systems;*
- (c) maintain or enhance public access; and*
- (d) avoid or mitigate the impacts of natural hazards, including predicted sea level rise and climate change*

Policy COAST.3 – Protection of the coastal environment

Ensure that subdivision, use and development activities:

- (a) avoid adverse effects on areas of outstanding natural features and landscapes, and/or outstanding natural character;*
- (b) avoid significant adverse effects, and avoid, remedy, or mitigate other adverse effects on other natural features and landscapes and/or natural character in the coastal environment;*
- (c) protect and provide for nationally significant, regionally significant, and critical infrastructure, including ports and energy projects for the region, including by:
 - (i) recognising that new development of the National Grid should seek to avoid adverse effects on the values of outstanding natural features and landscapes, and/or areas of outstanding or high natural character located within rural coastal environments. In the coastal environment, in some circumstances, adverse effects on those areas must be avoided.**

Policy COAST.5 – Management of effects on coastal water quality and ecosystems

Avoid, remedy, or mitigate adverse effects of land-based and marine activities on coastal water quality and its ecosystems.

Policy COAST.7 – Management of activities in the coastal marine area

Within the coastal marine area, provide a framework to avoid or mitigate adverse effects on the coastal environment for the following activities:

- (a) the allocation, use and occupation of coastal space;*
- (b) the use and development of the natural and physical resources of the coastal marine area;*
- (c) the emission of noise;*
- (d) commercial activities on the water and on the foreshore and seabed.*

The SRPS provides more guidance through Policy COAST.2 but it also relies on the Regional Coastal Plan for implementation of the policies yet RCP pre-dates the SRPS and its objectives and policies go some way to implementing these policies. Development within the CMA is constrained by Policies COAST.3 and COAST.5. Still, our proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, will not result in adverse effects on natural features, landscapes, or character in the coastal environment as detailed in Policy COAST.3. With respect to water quality and ecosystems Real Journeys proposal will not significantly impact on these elements in Paterson Inlet.

Policy COAST.7 provides direction to the Council to, amongst other things, manage allocation, use and occupation of space, noise, and commercial surface water activities in the CMA. As discussed above our proposed mooring and use of that mooring by a vessel will occupy CMA but not to a degree that will preclude further use and enjoyment of Paterson Inlet. Likewise, our vessel occupying the proposed mooring will comply with the noise limits set in the Regional Coastal Plan.

C. Chapter 10 – Natural Features and Landscapes.

The subsequent objective is relevant to our application:

Objective LNF.1 - Identification and protection of outstanding natural features and landscapes

Southland's outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.

Policy LNF.4 – Protection of outstanding natural features and landscapes

Local authorities shall protect outstanding natural features and landscapes from inappropriate subdivision, use and development by having regard to the following:

- (a) whether the adverse effects of inappropriate activities on outstanding natural features and landscapes are avoided;*
- (b) the extent to which the outstanding natural feature or landscape would be modified or damaged including duration, frequency, magnitude, or scale of any effect;*
- (c) the irreversibility of adverse effects on outstanding natural features or landscape values;*
- (d) the resilience of the outstanding natural feature or landscape to change;*
- (e) opportunities to remedy or mitigate previous adverse effects on the outstanding natural feature or landscape;*

- (f) whether the activity will lead to cumulative adverse effects on the outstanding natural feature or landscape;*
- (g) the relationship of the landscape to the surrounding environment.*

As stated, above Boffa Miskell have categorised Little Glory Cove (including Goose Cove) as Outstanding Landscape yet our proposal will not impact significantly on the natural features and outstanding landscapes of Paterson Inlet.

3.4 Regional Coastal Plan for Southland (RCP)

The Regional Coastal Plan for Southland contains 20 chapters. The chapters containing objectives and policies relevant to this application include:

- 4. Fundamental Principles;
- 5. General Matters;
- 7. Coastal Water;
- 8. Occupation;
- 10. Seabed and Foreshore; and
- 11. Structures.

A. Chapter 4 Fundamental Principles

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.

Policy 4.2.3 - Minimising size

Minimise the size of structures and development in the coastal marine area.

As detailed in objective and policy 4.2.1 our proposed activity can only be carried out in the CMA because the proposed installation of a mooring in Paterson Inlet / Whaka A Te Wera is to enable the use of one of our Fiordland based vessels at Rakiura and the “Milford Mariner” and “Fiordland Navigator” are coastal vessels.

While there may be alternative areas where the activity could be carried out, it can only be areas within the coastal marine area. We have considered alternative locations however Real Journeys is primarily an Otago – Southland based company with appropriate infrastructure in and around Fiordland and Stewart Island to readily support the proposed use of “Milford Mariner” and “Fiordland Navigator” as an accommodation base. Locating the proposed mooring in another region of the CMA would require the provision of additional infrastructure such as the operation of additional vessels which would not comply with policy 4.2.3.

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.

Moorings in Golden Bay, Iona Island (eastern side), Leask Bay, Braggs Bay, Halfmoon Bay, Horseshoe Bay and Deep Bay (north-west side) are permitted activities in RCP accordingly these are the areas where nearly all the vessels moored around Rakiura are located. However Real Journeys vessels “Fiordland Navigator” or “Milford Mariner” are too large to be safely moored in these anchorages; with the Rakiura topography; and the number of existing moorings that have been installed in an ad hoc fashion with no planning to maximise the use of the space. In addition, Real Journeys wishes to offer its clients a remote experience therefore we are seeking to moor our ship away from built up areas. That is, it is not practicable to locate our proposed structure where existing development is located consequently, we cannot comply with objective and policy 4.6.1.

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.

Under the RMA cumulative effects are defined as follows:

3 Meaning of effect

*In this Act, unless the context otherwise requires, the term **effect** includes—*

- (a) any positive or adverse effect; and*
- (b) any temporary or permanent effect; and*
- (c) any past, present, or future effect; and*
- (d) any cumulative effect which arises over time or in combination with other effects—***
regardless of the scale, intensity, duration, or frequency of the effect, and also includes—
- (e) any potential effect of high probability; and*
- (f) any potential effect of low probability which has a high potential impact.*

Yet through decisions such as Dye vs. Auckland Regional Council the High Court have described a cumulative effect as concerned with things that will occur rather than with something which may occur, that being the connotation of a potential effect.....The concept of cumulative effect arising over time is one of gradual build-up of consequence. Accordingly, Objective and Policy 4.7.1, seek to limit the cumulative effects from multiple developments in the same area. However apart from the Glory Cove wharf and a hunters' hut ashore there are no other developments therefore the cumulative effect of our proposed mooring in Goose Cove will be no more than minor especially considering that our vessel will only periodically use the proposed mooring in Paterson Inlet.

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.

The above objective and policy make the distinction between commercial and non-commercial surface water activities consequently our proposed activity is identified a commercial surface water activity.

B. Chapter 5. General Matters

Due to the outstanding natural landscape classification of the site of our application the ensuing policies and objectives are applicable.

Objective 5.1.1- Preserve natural character

To preserve the natural character of the coastal marine area

Objective 5.2.1 - Protecting outstanding natural features and landscapes

To protect outstanding natural features and landscapes in the region's coastal marine area from the adverse effects of use, development, and subdivision.

As set out in Section 2.2 B above, the Real Journeys proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, will not impact the natural character and landscape values.

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 5.3.6 - Safe environment

To maintain a safe environment for all people using of the coastal marine area.

Policy 5.3.1 - Amenity values

Protect amenity values of the coastal marine area

Policy 5.3.2 - Open space values

Maintain and enhance open space values of the coastal marine area.

Amenity values being those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. The proposed mooring itself because of its very small 'footprint' will have little effects on the amenity values of Glory Cove. However when a vessel is secured to the proposed mooring there will be some impact on amenity values due to the vessel presence; vessel movements including kayaks and tender craft activities; and noise, even though neither the "Milford Mariner" or "Fiordland Navigator" breach the noise standards in the RCP. Still currently, the site which is the subject of this application is regularly used by other vessels including Real Journeys vessels embarking and disembarking passengers at Glory Cove Scenic Reserve and "Milford Wanderer" anchoring in Glory Cove during multiday trips in and around Rakiura. That is, it is generally expected that there will be vessel activity in the Glory Cove area however because of their temporary nature such vessel activity, it does not significantly adversely impact on the amenity values of Glory Cove.

With respect to maintaining a safe environment in the CMA; Real Journeys proposed mooring in Goose Cove will not compromise navigational safety in Glory Cove as there will be sufficient "sea room" around any vessel secured to our proposed mooring to allow other vessels to safely navigate.

In addition, the proposed mooring will provide a safe all weather mooring for Real Journeys and other users when not required by Real Journeys. Specifically, after storms the sea floor in Glory Cove is often covered in a mat of seaweed which makes anchoring difficult. That is, the anchor cannot grip on the bottom but just drags over the weed on the bottom. (NB this has been experienced several times by the *Milford Wanderer* crew when anchoring in Glory Cove). Hence the provision of a mooring will ensure the safety of this anchorage.

But our proposal will adversely affect the open space values of Glory Cove by occupying a small area of this “open space” with a mooring and a larger area when the mooring is in use by a vessel. Yet this occupation of space by the mooring itself is very small in nature compared to the overall area of Glory / Goose Cove. Plus, the greater occupation by a vessel will be temporary in nature and is consistent with current use of the site by other vessels hence our proposal will at the very least maintain open space values.

Policy 5.3.6 - Activities and structures

Limit activities and structures in the coastal marine area to those that:

- 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*

As discussed above Real Journeys proposed mooring and in turn the “Milford Mariner” or “Fiordland Navigator” have a functional need to be in the CMA, including a functional need to undertake activities on the adjoining land. The “Milford Mariner” or “Fiordland Navigator” can provide accommodation for around 60 passengers and crew and there are no accommodation facilities on Rakiura that can accommodate that number of people in one place. Accordingly, Real Journeys proposal will comply with policy 5.3.6.

Policy 5.3.16 - Health and well-being of people

Protect the health and well-being of the public from the adverse effects of noise in the coastal marine area.

Rule 5.3.4 - General noise limits

Excluding Rule 5.3.8, unless subject to other rules in this Plan, it is a permitted activity for any activity within the coastal marine area to generate noise provided that the following noise limits are not exceeded, at any point at the landward boundary of the coastal marine area:

- i. between 7:00 a.m. and 10:00 p.m. the L10 shall not exceed 50 dBA;*
- ii. between 10:00 p.m. and 7:00 a.m. the following day, the L10 noise level shall not exceed 40 dBA;*
- iii. between 10:00 p.m. and 7:00 a.m. the following day, the Lmax noise level shall not exceed 70 dBA.*

Noise shall be measured and assessed in accordance with the provisions of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound".

The proposed mooring will not emit any noise however the vessels Real Journeys is proposing to moor in Goose Cove (including their tender crafts) comply with the above noise limits set in the RCP thereby protecting the public from the adverse effects of noise in the coastal marine area.

Objective 5.4.1.1 - Protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna

To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna within the coastal marine area.

Objective 5.4.1.2 - Protect intrinsic values of ecosystems

To protect the intrinsic values of ecosystem

Policy 5.4.1.1 - Disturbance of areas of significant indigenous vegetation and significant habitats of indigenous fauna

Avoid significant adverse effects of disturbance to areas of significant indigenous vegetation or significant habitats of indigenous fauna.

Policy 5.4.1.2 - Protection of habitats of important species

Protect the habitats of species in the coastal marine area which are important for commercial, recreational, traditional, or cultural purposes

As identified above in section 2.2, Goose Cove provides habitat for indigenous species and therefore maintains ecosystems for indigenous species however Goose Cove is not significant habitat or an area where significant / important indigenous species are located. The proposed mooring has the potential to disturb a small area of benthic communities in Goose Cove, yet this is offset against the damage anchoring causes. Thus, our proposal will not significantly adversely affect significant indigenous vegetation and significant habitats of indigenous fauna.

Objective 5.5.1 - Maintain and enhance public access

Where appropriate, to maintain and enhance public access by suitable means to and along the coastal marine area.

Policy 5.5.2 - Access to sites of value to tangata whenua

Identify as far as practicable, the access which Maori people have to sites of cultural value to them, according to tikaka Maori.

Policy 5.5.3 - Maintenance and enhancement of public access

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:

- 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.*

As stated above Real Journeys proposal will not compromise access to CMA, including sites of value to tangata whenua, but through the provision of a safe mooring will provide additional opportunities for the public to access the CMA via a stay on board either the “Milford Mariner” or “Fiordland Navigator”. That is, Real Journeys proposal to install, maintain and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove will enhance access to the Rakiura Coastal Marine Area.

Objective 5.6.1 - Recognise values of Ngai Tahu

To recognise and provide for cultural, spiritual, and traditional values and uses of Ngai Tahu in the coastal marine area.

Objective 5.6.2 - Consultation with tangata whenua

To ensure that consultation takes place with tangata whenua in appropriate circumstances.

Policy 5.6.1 – Kaitiakitaka

Have particular regard to the concept of kaitiakitaka in relation to managing the use, development, and protection of natural and physical resources in the coastal marine area.

Objectives 5.6.1, 5.6.2 and Policy 5.6.1 of the Coastal Plan seek to recognise the values of Ngāi Tahu, and ensure consultation takes place where appropriate. Te Ao Marama Incorporated have been identified by Real Journeys Limited as a Potentially Affected Party in this coastal permit application and will be involved as kaitiaki in this application process.

C. Chapter 7 Coastal Water

The succeeding objectives and policies seek the maintenance of coastal water quality where it is suitable for a range of activities and to ensure healthy aquatic ecosystems.

Objective 7.2.2.1 - Maintenance of coastal water quality

To maintain the quality of coastal waters in those areas where ambient water quality is suitable for:

- a. *contact recreation;*

- b. the growth of shellfish, the human consumption of which is not limited by pathogenic or chemical contamination;*
- c. the health and vitality of aquatic ecosystems; and*
- d. a fishery, including aquaculture, the produce of which is not limited for human consumption by pathogenic or chemical contamination:*

and except for the area described in Objective 7.2.2.3, to enhance the quality of coastal waters in areas where ambient water quality has been degraded, to a level which is suitable for:

- a. contact recreation;*
- b. the growth of shellfish, the human consumption of which is not limited by pathogenic or chemical contamination;*
- c. the health and vitality of aquatic ecosystems; and*
- d. a fishery including aquaculture, the produce of which is not limited for human consumption by pathogenic or chemical contamination by the year 2020.*

Objective 7.2.2.2 - Protect the natural state of some coastal waters

To protect the natural state of coastal waters wherever it is considered that they can be fairly described as being in their natural state.

Policy 7.2.2.2 - Natural state (NS) waters

Manage areas of water in the coastal marine area as Class NS Water (being water managed in its natural state) where:

- a. water in these areas has been identified as being, for the most part, unaffected by land use practices and*
- b. is considered to be in its natural state (NS)*

Objective 7.3.2.1 - Effects on the amenity of the coastal marine area

To avoid adverse effects on the amenity of the coastal marine area caused by inappropriate discharge of waste products of marine species from ships in the coastal marine area.

Policy 7.3.2.1 - Adverse effects of the discharge of contaminants

Avoid, remedy, or mitigate the adverse effects of the discharge of contaminants into the coastal marine area of Southland.

Policy 7.3.2.12 - Discharges of human sewage and ballast water into coastal waters from ships

Strongly discourage discharges of human sewage and ballast water into coastal waters from ships.

Policy 7.3.2.13 - Encourage the use of onboard sewage collection and treatment

Encourage the use of systems onboard ships for the collection, storage, treatment, and transfer of human sewage to avoid, wherever practicable, mitigate or remedy the adverse effects of discharging sewage into the coastal marine area.

As stated above the proposed mooring is inert so the mooring discharges no waste nonetheless vessels utilizing the proposed mooring will generate waste. Therefore through the potential installation of an OMNIPURE™ wastewater treatment plant on board the “Milford Mariner” or “Fiordland Navigator” or discharge effluent as per Resource Management (Marine Pollution) Regulations 1998 outside Paterson Inlet; the water quality of Glory Cove will be maintained for the activities listed in Objective 7.2.2.1, and to ensure a healthy aquatic ecosystem.

D. Chapter 9. Occupation

The ensuing RCP objective is also applicable to our application.

Objective 9.1.2 – Occupation

To ensure that any exclusive or preferential occupation of the coastal marine area is justified.

Section 12(2)(a) of the RMA provides for the occupation coastal space, which affords the occupier of that space effectively with the right to exclude others for the terms of the consent. Hence our application for a coastal permit for a proposed mooring will be for exclusive occupation of this coastal marine area, however, when the proposed mooring is not in use by Real Journeys it will be available for public use. In addition, our proposal to install a mooring will facilitate the use of our coastal vessels that have a functional need to be in the CMA.

In terms of occupation of the proposed mooring will accommodate the “Milford Mariner” or “Fiordland Navigator” and either vessel will only be able to remain in Paterson Inlet for under a week at a time, before needing to travel to Bluff to re-fuel. Both vessels are designed to operate out of Milford Sound and Deep Cove respectively and need to be re-fuelled regularly as they do not have “long range” tanks. Moreover, it is proposed either “Milford Mariner” or “Fiordland Navigator” will only operate in Paterson Inlet periodically, mainly in the off season from March to November and when in Paterson Inlet the ship will be moved about to various locations to allow passengers to undertake guided walks ashore or kayaking. Consequently, Real Journeys vessel will not remain in one place all the time, diminishing the potential adverse effects of this proposed use of the mooring which is the subject of this application. Also as discussed above it is proposed that the mooring will be “tucked away” in Goose Cove so as the proposed activity will not to impact on the wider landscape of Paterson Inlet.

As formerly discussed, this mooring proposal relates to Real Journeys proposition to host groups of approximately 36 to 48 passengers on “Milford Mariner” or “Fiordland Navigator” as an adjunct to “MICE” and there are not facilities on Rakiura large enough to accommodate groups of this size, in one place. That is, there is no practical alternative to using a ship as a base/accommodation facility (with accommodation of this standard) and the effects of doing so would be considerably less than providing for this style of accommodation on adjoining land which is mostly public conservation land. In addition, because of the style of Real Journeys vessels, that is with significant windage, they need to be accommodated in a sheltered anchorage; which is what Goose Cove offers. Namely there is a demonstrable need to use a ship as a base/accommodation facility.

E. Chapter 10 Seabed and Foreshore

This chapter of the RCP recognises the need for dredging, excavation, drilling, tunnelling, and drainage works in the CMA to enable people and communities to provide for their social, economic, and cultural well-being. Nonetheless the RCP aims to manage the adverse effects associated with these seabed and foreshore disturbance activities in the CMA. The following RCP objectives, policies and rules are relevant to our application.

Objective 10.1.1 - Disturbance to the seabed or foreshore

To avoid, remedy, or mitigate the adverse effects of disturbance to the seabed or foreshore.

Policy 10.1.3 - Drilling, tunnelling, excavation, dredging and drainage activities

Avoid, remedy, or mitigate the impact of drilling, tunnelling, excavation, dredging and drainage activities on the environment in which they are undertaken.

Policy 10.1.5 - Activities which have minor effects

Provide for activities which have minor effects on the foreshore or seabed

Because this proposal is for a SALM mooring a very small area of seabed will be disturbed during the drilling in the screw anchor or pile the disturbance of the seabed will be minimal. In addition because the mooring tackle will be held up off the seabed by the mooring buoy no ground chain will drag across the seafloor minimising disturbance of the seabed.

Rule 10.1.5 - Drilling and tunnelling of the Foreshore or Seabed

Except as provided by Rules 10.1.1 and 10.1.2, drilling and tunnelling of the foreshore and seabed is a discretionary activity.

Rule 10.1.6 - Disturbance of the seabed or foreshore

Except for the purposes of maintenance dredging, described in Rules 10.1.1 - 10.1.3, the disturbance of the seabed or foreshore, where the disturbance is not rectified within one month of completion of the activity giving rise to the disturbance is a discretionary activity

As per these two rules, the drilling into the seabed and seabed disturbance to install an embedded mooring in this Goose Cove location is designated as a discretionary activity consequently a resource consent is required.

F. Chapter 11 Structures

This chapter of the RCP recognises the need for structures to be located in the CMA to enable people and communities to provide for their social, economic, and cultural well-being. Nonetheless the RCP aims to manage the adverse effects associated with the installation of structures in the CMA; such as reduced visual amenity, loss of public access, loss of habitat, and reduced natural character. In this context the subsequent objectives; policies and rules are pertinent to our application.

Objective 11.2.1 - Location of structures

To ensure that structures are located in the most appropriate site so as to avoid, remedy, or mitigate adverse effects of their presence.

We contend the intended location of Real Journeys proposed mooring in Goose Cove is the most appropriate location given the vessels we intend to accommodate on this mooring. Further in Goose Cove the proposed mooring is tucked away limiting adverse effects on the natural character of the wider Inlet.

Objective 11.2.2 - Social, economic and safety benefits

To recognise the social, economic, cultural and safety benefits of structures in the coastal marine area.

Real Journeys proposal will offer employment, recreational and enjoyment opportunities as well as providing for navigation safety of Real Journeys vessels.

Policy 11.2.1 - New structures and extensions to existing structures

Avoid, wherever practicable, remedy or mitigate any adverse effects associated with the presence and construction of new structures, and extensions to existing structures, in the coastal marine area.

The proposed mooring itself, is low profile and will not be visually dominant in Goose / Glory Cove accordingly Real Journeys has sort to mitigate any adverse effects associated with the presence of the intending mooring.

Policy 11.2.3 - Public benefit

In considering the use and development of the coastal marine area, preference will be given to structures that provide public benefit.

As detailed above anchoring in Goose / Glory Cove can be problematic as after storm events the sea floor becomes covered in seaweed debris making it difficult to “set” an anchor. Consequently, the proposed mooring will provide wider public benefit as it will provide a safe alternative to anchoring when the proposed mooring is not required by Real Journeys.

Policy 11.2.10 - Soundness and safety

Any structure in the coastal marine area is to be designed, constructed, and maintained in a manner which ensures that its soundness and safety is not compromised by its use, corrosion, the action of marine organisms, or fluvial or coastal processes.

Real Journeys proposed mooring will be appropriately engineered to ensure the mooring is safe for use by either “Milford Mariner” or “Fiordland Navigator”. Also, the proposed mooring can be readily maintained as it is to be located in depth of water which will allow the mooring to be readily “dive” inspected.

Policy 11.2.16 - Natural character, amenity, landscape, seascape, and open space values

Avoid, remedy, or mitigate the adverse effects of structures on the natural character, amenity, landscape, seascape, and open space values of the coastal marine area.

Objective 11.7.7.1 - Establishment of moorings

Avoid, wherever practicable, remedy or mitigate the adverse effects of moorings

As set out in Section 2.2 B above, the Real Journeys proposal install, maintain, and exclusively occupy part of the coastal marine area with a swing mooring in Goose Cove, Paterson Inlet, Stewart Island / Rakiura will not significantly impact natural character and landscape values. Plus, this proposed mooring will enable navigational safety of Real Journeys vessels and public access for additional visitors to Rakiura.

Policy 11.7.3.3 - Facilities for servicing fishing and tourism ships

Provide for facilities to service the fishing and tourist ships.

The coastal plan recognises the need for facilities to service tourist ships.

Objective 11.7.7.2 – Anchorages

To ensure that adequate anchorages remain available for all mariners.

Policy 11.7.7.1 - Anchorage value of coves and embayments

Maintain the anchorage value of coves and embayments that are recognised anchorages.

There will be sufficient “sea room” around the proposed mooring to provide sufficient space for other vessels to anchor.

Objective 11.7.7.4 - Safe navigation of Southland’s coast

To ensure that safe navigation of coastal waters is not unnecessarily put at risk by inappropriate use and development within the coastal marine area.

This proposal will not impact on the safe navigation of other mariners because there will be sufficient “sea room” around the proposed mooring to allow other vessels to safely navigate and it will provide a safe mooring in an area where anchoring can be problematic.

Policy 11.7.7.3 - Compatibility of moorings and ships

Avoid, where practicable, remedy or mitigate the adverse effects of ships using moorings that are incompatible with the size of the ship and the prevailing coastal processes.

Real Journeys proposed Goose Cove mooring will be designed for “Fiordland Navigator” or “Milford Mariner” and these are likely the largest ships to utilise the area therefore it is unlikely the proposed mooring will be incompatible with the size of the ship. Furthermore, Real Journeys will mark the mooring buoy the maximum designed ship tonnage of the mooring to ensure this policy is enabled.

Policy 11.7.7.6 - Mooring types

Require moorings to:

- i be visually unobtrusive; and*
- ii minimise damage to benthic ecosystems; and*
- iii make efficient use of space.*

As described formerly, we are proposing to install a swing mooring as this mooring type will have a lower visual impact, is safer navigation and overall, the proposal is designed to reduce the affects anchoring has on benthic communities. Swing moorings are not characterised as using space efficiently however this consideration is balanced by the reduced visual effects of the proposal.

Policy 11.7.7.7 - Use of specified mooring areas

Encourage moorings to take place in areas set aside for that purpose.

Seeing that the Real Journeys vessels that are to utilise the proposed mooring are such, that it is impractical for this proposed mooring to be located in the areas of Paterson Inlet / Whaka A Te Wera set aside as mooring locations we cannot fulfil this policy.

Policy 11.7.7.8 - Establishment of mooring facilities in recognised anchorages

Allow the establishment of mooring facilities in recognised anchorages where such facilities are available for the use of all mariners with no rights of preferential or exclusive occupation.

Policy 11.7.7.9 - Establishment of private mooring facilities in recognised anchorages

Allow the establishment of private mooring facilities in recognised anchorages only where there is no shortage of suitably sheltered space in the foreseeable future.

This proposal involves the establishment of a mooring facilities in a recognised anchorage where there is no shortage of suitably sheltered space; however exclusive occupation is required to enable Real Journeys is able to use the mooring when required.

Policy 11.7.7.10 - Moorings and marinas to be maintained

Moorings and marinas are to be regularly inspected and maintained in good condition by their owners.

Because the depth of water in Goose Cove is 10 metres or less; Real Journeys proposed mooring can readily be inspected and maintained by divers conforming to this policy.

Policy 11.7.7.14 - Access to shore facilities near mooring areas

Maintain an area for uninterrupted and safe navigation to and from wharves and boat launching areas that are located near mooring areas.

There are no boat launching facilities adjacent the site and the Glory Cove Jetty is about one kilometre away from the site of the proposed mooring hence this proposal is in accordance with this policy.

Rule 11.7.7.8 - Moorings in other areas

The placement of moorings, and their occupation of the coastal marine area in areas, other than those specified in Rules 11.7.7.1, 11.7.7.3, 11.7.7.4, 11.7.7.5 and 11.7.7.13, are a discretionary activity.

As per this rule, a mooring in this Goose Cove location is designated as a discretionary activity consequently a resource consent is required.

Rule 11.7.7.9 - Moorings for which preferential or exclusive use is required

The placement of moorings, and their occupation of the coastal marine area in the areas covered by Rule 11.7.7.1 (for which preferential or exclusive use is required), are a discretionary activity.

Exclusive occupation is requested to clearly align with s122(5) of the Resource Management Act 1991 (RMA). Under s122(5) of the Act a Coastal Permit does not authorise the consent holder to exclude the public from the lawful use and occupation of the area unless and to the extent that:

- (a) that the coastal permit expressly provides otherwise; and*
- (b) that is reasonably necessary to achieve the purpose of the coastal permit.*

The Regional Coastal Plan for Southland defines exclusive and preferential occupation as:

Preferential Occupation - allows the use of an area by the general public except in circumstances where the person with the occupation right wants to use the area.

Exclusive Occupation - where no one is allowed access to an area other than the person with the right to occupy.

Case law states³¹ that that the default of any Coastal Permit is that public use and access is permitted. However, in accordance with s122(5) of the Act, Real Journeys needs to be able to exclude the public when their vessel is occupying the mooring to have a safe mooring location to operate in the CMA of Rakiura. Real Journeys is requesting that the proposed Coastal Permit expressly provide for Real Journeys occupation under 'exclusive occupation' with a consent condition that states:

- *The public may use the mooring when not in use by the consent holder; and*
- *The public must leave the mooring if the consent holder requires to use the mooring.*

3.5 Te Tangi a Taurira – The Cry of the People

This Iwi Management Plan details Ngāi Tahu values, knowledge and perspectives on natural resource and environmental issues within the Southland environment. The Plan assists Ngāi Tahu in carrying out kaitiaki roles and responsibilities within Murihiku including offshore islands such as Rakiura. The Te Tangi a Taurira policies which relate to this coastal permit application are examined below.

Te Ākau Tai Tonga - Southland's Coastal Environment

3.6.1 General Policy for Southland's Coastal Environment

Ngā Kaupapa – Policy

³¹ Hume v ARC [2002] NZRMA 422 [25]

2. *Recognise that the degree of connection between the coastal and inland environments is inherent when developing robust systems to address areas of degradation and mitigate for future and potential environmental effects.*
6. *Respect, protect and enhance coastal areas of importance where possible.*
7. *Protect and enhance kaimoana and kaimataitai for future generations.*

Real Journeys supports, the integrated management of the CMA to protect and enhance the coastal marine environment of Rakiura including those areas where Ngāi Tahu collect kaimoana.

3.6.2 Coastal Land Use and Development

Ngā Kaupapa – Policy

1. *Require that all decisions related to coastal land use and development activities within Southland's coastal environment recognise and give effect to the spiritual and historical association of Ngāi Tahu ki Murihiku within the coastal environment. Any activity within, adjacent to or that may potentially impact on Statutory Acknowledgment areas, including Te Mimi o Tū Te Rakiwhānoa (Fiordland Coastal Marine Area) and Rakiura/ Te Ara a Kiwa (Stewart Island/Foveaux Strait Coastal Marine Area), will require consultation with both Te Rūnanga o Ngāi Tahu, Ngāi Tahu ki Murihiku and Tangata Tiaki gazetted under the South Island Customary Fishing Regulations 1998.*
3. *Encourage positive community, conservation, and cultural outcomes by working with developers throughout project development. This is especially significant where developments are located in areas of cultural significance affecting tikanga and rangatiratanga.*
4. *Ensure that Ngāi Tahu ki Murihiku retain the right to be involved in, and contribute to, resource allocation and management decisions which impact on coastal resources and ensure that the principles of the Treaty are upheld.*
6. *Promote education and awareness of Ngāi Tahu ki Murihiku values associated with water, and how those values can be adversely affected by activities involving the discharge of contaminants to water.*
7. *Require that an Assessment of Environmental Effects includes an assessment of cultural effects and potential cumulative effects on the natural character of the coastal environment.*
12. *Encourage use of colours and design which are inharmony with the surrounding coastal environment.*
13. *Require that each application for coastal land use or development is assessed on a case by case basis and includes managing for potential cumulative effects.*
16. *Recognise for adverse effects on cultural landscapes regardless of whether areas are significant.*
23. *Avoid large scale and imposing development that intrudes on the natural character and visual amenities associated with the coastal environment.*
24. *Require continued access to coastal environments where mahinga kai is gathered for customary use.*
25. *Recognise for Ngāi Tahu history and use of the coastal environment and the identification and protection of wāhi tapu and wāhi taonga sites when new land use development occurs.*

These policies advocate for consultation Te Rūnanga o Ngāi Tahu, Ngāi Tahu ki Murihiku. Although no formal consultation has been carried out with Te Runanga o Ngai Tahu (TRONT) (for statutory acknowledgement and customary marine title claim) once this application is completed and lodged, a copy will be forwarded to TRONT and Te Ao Marama for their feedback.

Regarding policy 6 above, Real Journeys consults the relevant Papatipu Runanga with respect to Ngāi Tahu cultural information including Topuni or Statutory acknowledgement information contained in the Ngāi Tahu Claims Settlement Act to ensure the interpretation information provided to our passengers is consistent with and advocates for Ngāi Tahu ki Murihiku values.

Our AEE above has considered the cumulative effects of our proposal which we deemed not significant and our proposal will not have any effects on Ngāi Tahu cultural values. Vis-à-vis colours and design being harmonious with the surroundings; the proposed mooring needs to be visually conspicuous for safety reasons therefore we cannot fulfil this policy.

The concept of cultural landscape is implied in the definition of 'historic heritage' in s2 of the RMA through the inclusion of '*...surroundings associated with the natural and physical resources*'. The cultural associations with Rakiura are detailed above in the AEE and as stated above Real Journeys proposal will not impact on Ngāi Tahu associations with the Rakiura landscapes or wāhi tapu and wāhi taonga sites. Our proposal is not large in scale and will not significantly impact on the natural character or visual values of Paterson Inlet / Whaka a Te Wera. Access to the CMA or areas where mahinga kai is gathered will not be compromised by our proposal either. Therefore, Real Journeys proposal is not contrary to the policies stated above

3.6.4 Coastal Access

Ngā Kaupapa – Policy

- 1. Ensure that all coastal regions are sustained and protected in perpetuity for all New Zealanders and visitors to enjoy.*
- 2. Ensure that access across any private land to coastal areas is in consultation with the landowner.*
- 3. Encourage education among tourists and other visitors about the cultural importance of the coastal environment and its links to inland river, lakes, and lands.*
- 4. Work with stakeholders, local government agencies and others whom have an interest in the coastal environment to promote and provide information relating to values associated with the area and the need to respect the environment through promotion of responsible tourism.*
- 5. All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect coastal environment landscapes, wāhi tapu and mahinga kai sites and the history and traditions that are linked to these landscapes.*
- 6. Advocate limits to coastal areas (which may include camping sites, reserves, parks) that are considered under pressure or susceptible to increased demand and do not have adequate facilities to meet pressures.*

- 7. Ensure robust consultation with Ngāi Tahu ki Murihiku in respect to aspects of improved access to the coastal environment. This includes the development of structures to facilitate access such as public toilets, upgrading of existing structures, and waste disposal and discharge methods.*

Real Journeys Limited complies with access regulations to the CMA. The company has the required coastal permits; Marine Mammal Viewing Permits and concessions to operate within this area. The proposal will not restrict public access to the CMA, it will in fact facilitate access to of Paterson Inlet / Whaka a Te Wera and will enable more visitors to experience the inlet. Also, Real Journeys ensures the interpretation information provided to our passengers is consistent with and advocates for Ngāi Tahu ki Murihiku values.

3.6.7 Coastal Water Quality

Ngā Kaupapa – Policy

- 2. Ensure that commercial and recreational vessels recognise for impacts of discharge on coastal water quality. Policies 1-4 under provision 3.6.6 (Fiordland Commercial Surface Water Activities) above should also be recognised by all coastal water commercial and recreational vessel users within Southland.*
- 3. Encourage protection and enhancement of the mauri of coastal waters, to ensure the ability to support cultural and customary usage.*
- 4. Avoid impacts on coastal waters as a result of inappropriate discharge from activities occurring upstream and in areas adjacent to coastal waters.*
- 7. Avoid the use of coastal waters and the ocean as a receiving environment for the direct discharge of contaminants. Ensure the quality of water in all waterways is improved to support biodiversity in estuarine and coastal waters*
- 10. Ensure that all fish species have uninhibited access between inland and coastal waters.*
- 11. Ensure that there is no sewage or grey water discharged directly into our oceans from coastal activities or vessels/ structures. Any removal of sewage or grey water should be undertaken where appropriate discharge facilities are located to avoid any unwarranted discharge into coastal waters*

As stated above the proposed mooring is inert therefore the mooring will discharge no waste. Yet the vessels using the mooring will produce waste and to attend to the vessel wastewater Real Journeys is considering installing OMNIPURE™ on board wastewater treatment plant initially on the “Milford Mariner” as this is the vessel most likely to be used for this proposal. In the event that, this treatment plant is not installed or is out of service, wastewater will be discharged in accordance with Resource Management Marine Pollution Regulations 1998 outside Paterson Inlet / Whaka a Te Wera.

This proposal will not impede fish species access from coastal waterways to inland waterways and will not affect customary usage of Paterson Inlet / Whaka a Te Wera. Accordingly, as much a practicable Real Journeys will comply with the aforementioned policies.

3.6.13 Coastal Ecosystem

Ngā Kaupapa – Policy

1. *Avoid coastal activities that may disturb, and have a direct or indirect detrimental impact, on areas of significant vegetation and habitats. Direct impacts may be physical damage while indirect impacts may include effects arising from siltation, deposition, or displacement over time.*
2. *Advocate protection of species located in the coastal environments that are of cultural importance to ensure continued cultural well-being.*
3. *Have active involvement in promoting the understanding of ecosystem interactions within the coastal environment and the impacts that changes to water quality and levels of deposition and disturbance may have on each organism and their subsequent role in maintaining ecosystem health.*
4. *Promote the uniqueness of estuarine ecosystems through maintenance and enhancement of their productive nature.*
5. *Provide and recognise for the strong cultural links with coastal landscapes and biodiversity held by Ngāi Tahu ki Murihiku.*
6. *Avoid changes to coastal landscapes and biodiversity which have detrimental impacts on Ngāi Tahu ki Murihiku relationships and associations with coastal land, water, wāhi tapu and wāhi taonga areas.*
7. *Recognise for the importance of coastal wetland areas as mahinga kai communities and, where appropriate, expand or create new coastal wetland areas.*
8. *Advocate and support initiatives for restocking of lagoon and other coastal waterways with indigenous fish species and be actively involved in maintaining these areas as a suitable fishery habitat.*
9. *Ensure Ngāi Tahu ki Murihiku participation in the development of new coastal reserves and/or marine protected areas to ensure an assessment is undertaken with respect to effects of such on areas of cultural importance and continued access.*
10. *Advocate for protection and methods of enhancement of threatened coastal species, particularly those of cultural significance.*
11. *Promote the importance of the health of kaimoana in coastal waters.*
12. *Ensure continued access to coastal areas for customary use and to promote continued support among local authorities to ensure such access is maintained.*
13. *Avoid adverse impacts on vulnerable coastal dune environments as a result of subdivision, residential development, forestry, farming, mineral extraction, tourism, and general public access.*
14. *Encourage and support projects for the re-establishment and restoration of indigenous plants in coastal dune environments.*
15. *Discourage use of recreational vehicles or coastal activities whereby dune environments may be damaged and bird nesting areas threatened.*
16. *Support and encourage information sharing between agencies with respect to coastal biosecurity risks.*

17. *Support effective communication among coastal users with respect to risks posed by entry of unwanted organisms to New Zealand marine environments.*
18. *Avoid cleaning of hulls or “lay-ups” whereby indigenous marine biodiversity will be compromised. Agencies should form best practice protocol for such activities and actively implement these among coastal users.*

Real Journeys Limited’s proposal is not contrary to the policies detailed above. The proposal does not impact directly on the coastal marine area’s habitats, biodiversity, or species. The proposed mooring will occupy a small area of Paterson Inlet / Whaka a Te Wera, and Real Journeys are using the intended mooring vessel crew will continue to follow the Marine Mammal Protection Regulations; the conditions of our commercial marine mammal viewing permit; and comply with the requirements of the Fiordland Marine Regional Pathway Management Plan Fiordland on return to Fiordland. This is detailed in section 2.2 of the AEE above.

3.6.14 Marine Birds

Ngā Kaupapa – Policy

1. *Recognise for Ngāi Tahu ki Murihiku cultural, historical, and spiritual association with taonga species. Such associations must be provided for within all management planning documents (Taonga Species as listed under the Ngāi Tahu Claims Settlement Act 1998 are found in Appendix 4)*
2. *Protect coastal environments in which marine birds’ nest and feed, particularly tītī populations.*
3. *Continue working with local authorities to ensure the protection and education of the public of important marine bird populations.*
4. *Avoid compromising marine bird habitats as a result of inappropriate coastal land use, subdivision, or development.*

Real Journeys has a formal comprehensive Conservation and Environmental Policy in recognition of the unique locations where we operate. This policy is published in the company handbook which is distributed to all Real Journeys employees. Our company is committed to adopt a firmly supportive stance on conservation and operate in an environmentally sensitive and responsible manner in all operational areas. To this end Real Journeys developed the following codes.

Cruising Code of Practice

- Ensure that all native animals, plants, and marine life are fully protected.
- Ensure that all rubbish is carried on board the ship for later disposal in approved recycling depots and landfill sites.
- Ensure that recycling of material on board the ship is completed whenever possible.
- Ensure that other users of the area are considered.
- Ensure that our cultural heritage is respected.
- Ensure that all staff seek to minimise the impact of the Company’s operation on the environment.

Activity Code of Practice

- Ensure that all native animals, plants, and marine life are fully protected.

- Ensure that all visitors follow pertinent activity guidelines.
- Ensure that all rivers, streams, lakes, and fiords remain free of introduced substances.
- Ensure that other users of the area are considered.
- Ensure that our cultural heritage is respected.
- Ensure that all staff seek to minimise the impact of the Company’s operation.
- Ensure that germane concession agreements are followed.

These codes are designed to ensure Real Journeys staff show the relevant respect to taonga species and their habitats in compliance with the above marine bird policies. In addition, our nature guides aim to enlighten our passengers about the importance and specialness of our endemic wildlife including marine species.

3.3.6 Visitor Management

Ngā Kaupapa – Policy

Visitor Impacts

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.*
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).*

Regarding the above policies; as stated above because of the size of the “Fiordland Navigator” or “Milford Mariner” it is not possible to locate the proposed mooring in the existing mooring sites in Paterson Inlet / Whaka a Te Wera. Consequently, it is necessary to select an alternative location within Paterson Inlet / Whaka a Te Wera. Real Journeys have deemed that Glory Cove would provide the safest location for our proposed activity and the requirement safety overrules preference of Ngāi Tahu ki Murihiku to concentrate infrastructure and activities in areas that are already developed.

Where possible Real Journeys adopts new technology and runs well maintained equipment to reduce the effects of our operations on the environment. For instance, we are actively investigating electric vehicle technology in anticipation of moving away from diesel powered vehicles including vessels to equipment powered by electric engines.

3.6 Rakiura Conservation Management Strategy (CMS) and National Park Management Plan

In the Rakiura CMS Paterson Inlet/Whaka a Te Wera is described as *“popular with recreational boaties and visitors undertaking scenic cruises, with many accessible beaches and sheltered waterways available.....Recreational boaties can be encountered along the coastline, in particular within the sheltered inlets on the eastern side of Stewart Island/RakiuraHunting parties are*

often dropped off by charter vessel in these areas, along with smaller craft used for navigating the calmer waters. There are also opportunities for tourist vessels to cruise the waters within the Stewart Island/Rakiura CMS area. These tourist vessels are usually small-scale cruise vessels, however occasionally larger cruise vessels enter Paterson Inlet/Whaka a Te Wera. Some of these visit the Stewart Island/ Rakiura CMS area for a short period of time in remote areas, providing visitors with an instant immersion in the values associated with these areas.”.....

This description aligns with our proposal to use a ship as a base/accommodation facility and provide visitors with a remote experience of Rakiura.

The Public benefits recognised in the “Oban/Paterson Place” are detailed below:

A large number of recreational activities are undertaken within the Oban/Paterson Place due to the ease of access. The coastline surrounding Paterson Inlet/Whaka a Te Wera is particularly popular. The primary means of access is by watercraft, including kayaks. The country extending inland from the southern shores of Paterson Inlet/Whaka a Te Wera from South-west Arm to Big Glory Bay is popular with recreational hunters with a number of hunting blocks available for use. Many of the islands, bays, beaches, and coves within Paterson Inlet/Whaka a Te Wera receive visitors on a daily basis. Use of these areas is often associated with recreational fishing, hunting, and diving as well as general sightseeing. The islands within Paterson Inlet/Whaka a Te Wera, particularly Ulva Island, have special significance as some of them are free from introduced animals. People visiting these islands gain an appreciation and understanding of conservation management on islands and the effects that introduced animals such as feral cats, deer, rats and possums have on native species.”

In the CMS to achieve the integrated management of the conservation lands Paterson Inlet/Whaka a Te Wera are within “the Oban/Paterson Place” which is classified as a “Place” readily accessible to the Oban/Halfmoon Bay community and visitors.

The “Outcomes” identified for “The Oban/Paterson Place” are as follows:

The conservation lands, harbours, and waterways close to the Halfmoon Bay/Oban settlement are the extension of the community’s backyard and the gateway to Rakiura National Park. The community enjoys fresh air, bird song, and the ability to take visitors to share a bush or water experience with ease. A portion of the nationally significant marine environment of Paterson Inlet/Whaka a Te Wera is protected. Facilities with a community purpose and benefit are developed consistent with the conservation values. Historical and cultural heritage, archaeological sites and Māori cultural landscapes are protected and respected.

Our proposal to install a mooring will in turn through use of a vessel, allow visitors to experience the waterway of Paterson Inlet / Whaka a Te Wera with ease and not affect the historical and cultural heritage, archaeological sites, and Māori associations with the Rakiura landscape.

The Oban/Paterson Place provides the opportunity for recreational and tourism activities that showcase and explore the unique historical, cultural, and natural values of the Island. This Place can accommodate a relatively high number of visitors compared to the rest of Stewart Island/Rakiura. Close proximity to the Oban settlement provides access to many historical, cultural, archaeological, and scenic sites, short- and half--day walks, catering for a variety of interests and capabilities.

Concessionaire use is encouraged, provided it complements the intrinsic values and visitor experience of the Place.

Our mooring proposal will provide for the to use a ship as a base/accommodation facility will provide for a recreational and tourism activity that showcases and allows visitors to explore the unique historical, cultural, and natural values of the Island. Moreover, it is identified in the outcomes above that “The Oban/Paterson Place” is expected to provide for a relatively high number of visitors compared to the more remote areas of Rakiura which is consistent with our proposal.

The following CMS Management objectives are germane to our proposal.

- 1. To acknowledge the relationship of tāngata whenua with regard to the management of Paterson Inlet and the Paterson Inlet/Te Whaka a Te Wera Mataitai reserve.*
- 2. To preserve, protect and manage the indigenous biodiversity, natural landscapes, natural character, historical and cultural heritage, and archaeological sites present in the Place.*
- 3. To protect and manage the Ulva Island/Te Wharawhara Marine reserve.*
- 4. To encourage and focus future growth in recreational activities, visitor numbers and concessionaire use of the Stewart Island/Rakiura CMS area within this Place while ensuring visitor experiences are enhanced and intrinsic values, natural resources, historical and cultural heritage values are not diminished.*
- 5. To provide interpretation at appropriate sites within the Oban/Paterson Place to enhance visitor experience.*

Real Journeys acknowledges the relationship of tāngata whenua has with Rakiura including Paterson Inlet/Te Whaka a Te Wera; our nature guides deliver interpretation regarding the Oban/Paterson Place to enhance visitor experience. Consequently, our proposal to install a mooring to enable the use a ship as a base/accommodation facility conforms to the above objectives

4. Consultation

No formal consultation has been carried out with potentially affected parties at this time. Once Real Journeys application is completed and lodged, a copy will be forwarded to: TRONT (for statutory acknowledgement and customary marine title claim); Te Ao Marama; and Department of Conservation. For other affected parties, Real Journeys will also provide them with a copy of the application once it is lodged with Environment Southland.

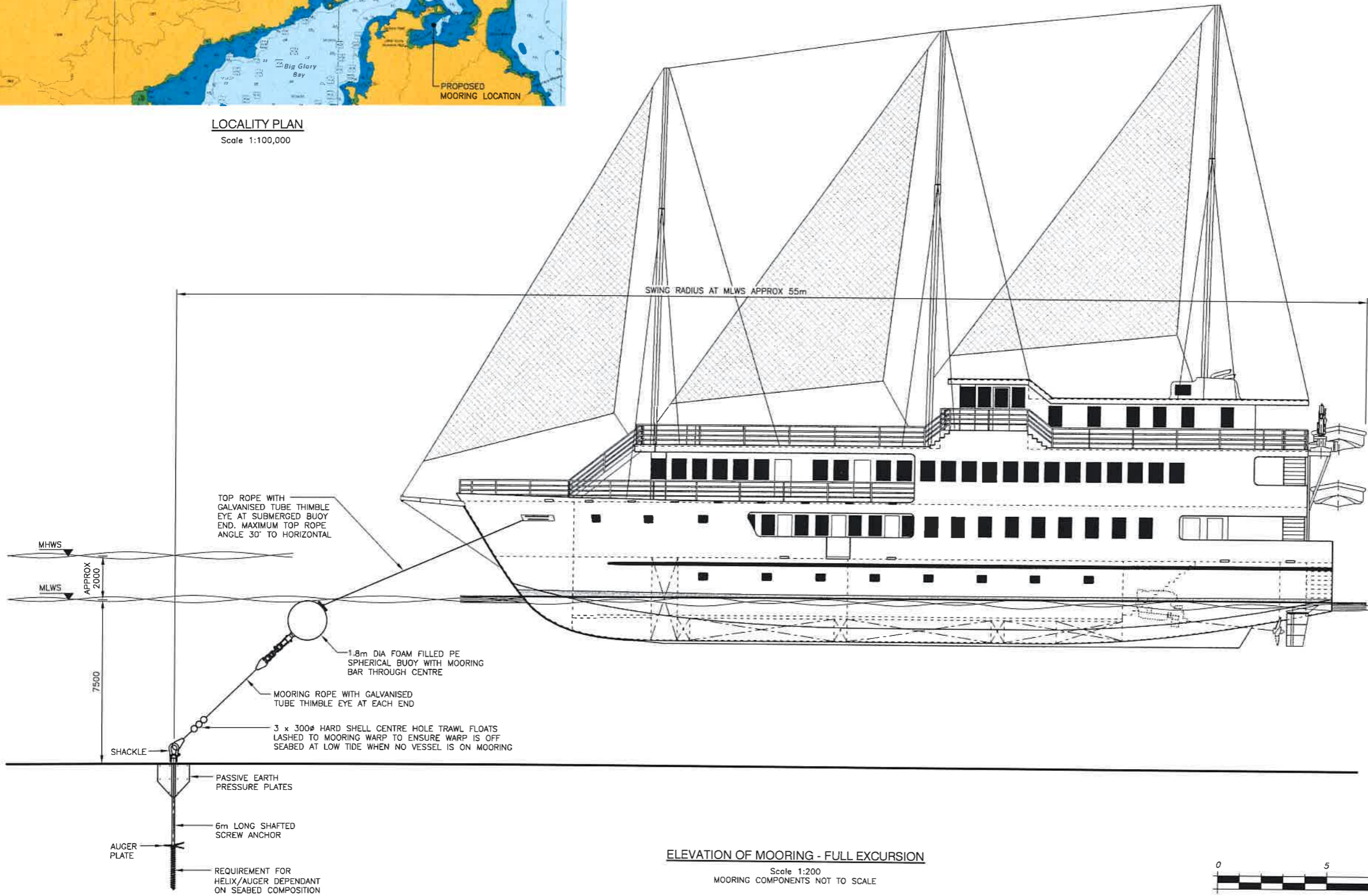
5. Conclusion

It is the conclusion of this assessment of environmental effects that the overall effect of the Real Journeys proposal install, maintain and exclusively occupy part of the coastal marine area with a swing(SALM) mooring in Goose Cove (off Glory Cove), Paterson Inlet, Rakiura; is no more than minor. If this assessment is confirmed, the application is able to be processed without notification.

The assessment is the potential adverse effects of this proposal will be no more than minor, and that it is not inconsistent with the pertinent planning documents. The application may therefore be processed and granted.

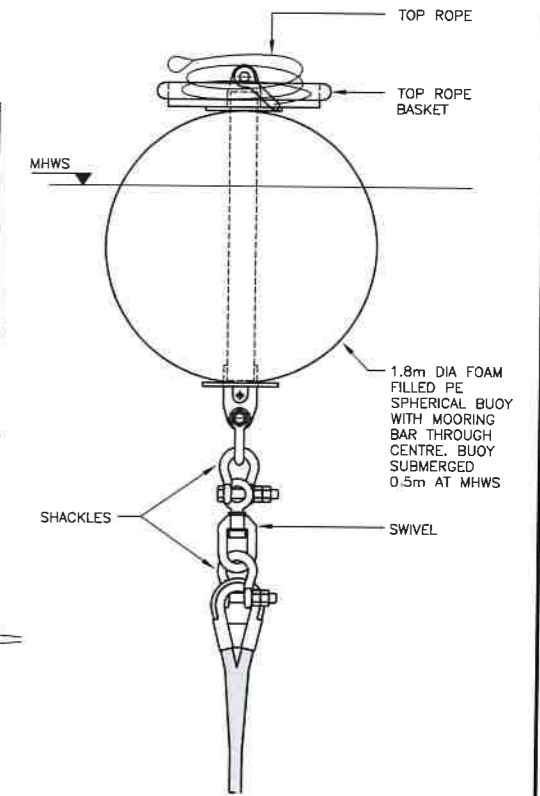


LOCALITY PLAN
Scale 1:100,000



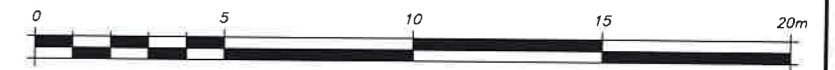
ELEVATION OF MOORING - FULL EXCURSION

Scale 1:200
MOORING COMPONENTS NOT TO SCALE



DETAIL OF BUOY

Scale 1:50
MOORING COMPONENTS NOT TO SCALE



Scale 1:200

PRELIMINARY

DO NOT SCALE FROM DRAWING

Amendments	Rev'n	Date	Drawn	Issued for	Checked	Approved	Date
PRELIMINARY ISSUE	1	16/12/2020	RVE	PRELIMINARY			

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REAL JOURNEYS LIMITED
SWING MOORING FOR FIORDLAND NAVIGATOR
GLORY COVE, PATERSON INLET, STEWART ISLAND
GENERAL DETAILS

Scale (A3)	ACAD Filename
1:200	201202/DR-201202-001R1
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File Ref: AC19099 – 02 – R1

4 June 2019

Ms F. Black
Real Journeys Limited
PO Box 1
Te Anau

Email: fblack@realjourneys.co.nz

Dear Fiona

Re: Sound level measurements of vessels in Milford Sound

As requested, Acoustic Engineering Services undertook sound level measurements of several vessels in Milford Sound to determine whether their noise emissions comply with the relevant noise standards in the Regional Coastal Plan for Southland (the 'Plan').

1.0 NOISE STANDARDS

The noise standards which are relevant to the operation of these vessels are Rules 5.3.4 and 5.3.6 of the Plan as reproduced below.

Rule 5.3.4 – General noise limits

Excluding Rule 5.3.8, unless subject to other rules in this Plan, it is a permitted activity for any activity within the coastal marine area to generate noise provided that the following noise limits are not exceeded, at any point at the landward boundary of the coastal marine area:

- i between 7:00 a.m. and 10:00 p.m. the L₁₀ shall not exceed 50 dBA;*
- ii between 10:00 p.m. and 7:00 a.m. the following day, the L₁₀ noise level shall not exceed 40 dBA;*
- iii between 10:00 p.m. and 7:00 a.m. the following day, the L_{max} noise level shall not exceed 70 dBA.*

Noise shall be measured and assessed in accordance with the provisions of NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound".

This Rule shall not apply to The activities specified in Rules 5.3.6

Rule 5.3.4 is relevant to the operation of Real Journeys vessels which are moored overnight with passengers aboard and one generator running (the Fiordland Navigator and Milford Mariner).

Rule 5.3.6 – Noise limits for ships in motion

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".

Rule 5.3.4 is relevant to vessels operating in the coastal marine area.

2.0 VESSELS MEASURED

Measurements of the Milford Mariner, Milford Haven and Milford Sovereign were undertaken during the course of their scheduled cruises, with passengers aboard. The MV Sinbad and Milford Monarch were operated specifically to measure their noise emissions.

While it typically operates in Doubtful Sound, the Fiordland Navigator was also in Milford Sound to undergo maintenance works and was measured, along with the Ulva tender craft.

These boats were all measured at their cruise speed, which was typically between 10 – 12 knots. The Ulva had a higher cruise speed of 15 knots. We also obtained measurements of each vessel at a slower 'no wake' speed, representative of their speed close to shore.

The noise emissions from the generators on the Milford Mariner and Fiordland Navigator were also measured. We understand that a single generator will run overnight when these vessels are moored with passengers aboard for overnight cruises. The exhaust stacks were observed to be the main noise generating source, and close proximity measurements were obtained. Measurements at a greater distance from a stationary drifting vessel were not practical due to the contribution from ambient noise in the area and the relatively low noise levels from the generators.

3.0 TEST CONDITIONS

Measurements were undertaken in general accordance with NZS 6801:1991 *Measurement of Sound*. The majority of the measurements were from a stationary drifting vessel (the Ulva) where the height of the sound level meter above the water was in the order of 1.5 metres. The Ulva was measured from the Navigator, with a height above water in the order of 3 metres.

During the measurements each skipper attempted to pass the tender craft as close to 25 metres as practical. The measurements at distance have then been adjusted to 25 metres.

The measurement conditions and equipment are outlined below:

<i>Operator:</i>	<i>William Reeve, Acoustic Engineering Services</i>
<i>Measurement periods:</i>	<i>1325 to 1500 hours, 20th May 2019 0915 to 1115 hours, 21st May 2019</i>
<i>Weather:</i>	<i>Light air (SE), clear on 20th of May and low cloud clearing on 21st May, ~14 °C</i>
<i>Equipment:</i>	<i>Brüel & Kjær Type 2250 Class 1 Sound Analyser (Serial Number 3008199, calibration due 28 April 2020) Brüel & Kjær 4231 Acoustic calibrator (Serial Number 3011404, calibration due 16 April 2020)</i>
<i>Notes:</i>	<i>Analyser calibrated before and after measurements. No significant variation observed.</i>
<i>Measurement settings:</i>	<i>A-frequency weighting (dBA), fast response</i>

All measurements include a contribution from wave slap on the tender craft. Where this was deemed to influence the measured result this is noted in table 4.1 below.

4.0 MEASUREMENT RESULTS AND DISCUSSION

4.1 Ships in motion

The noise levels from ships in motion at 25 metres were calculated using the formula provided in ISO 2922:2000 *Acoustics – Measurement of airborne sound emitted by vessels on inland waterways and harbours* as summarised in table 4.1.

Table 4.1 – Measured results

Vessel	Sound exposure level at 25 metres (dB LAε)	
	Cruise speed	No-wake speed
Ulva	78	71
Fiordland Navigator	79	73 ¹
MV Sinbad	83	76
Milford Monarch	83	70
Milford Mariner	84	80 ²
Milford Haven	85	78
Milford Sovereign	79	75 ¹

1 – Measurement includes a noticeable contribution from wave slap on tender craft. Actual noise emissions from the craft are likely to be lower.
2 – Includes a brief period of increased engine speed towards the end of the measurement.

The sound exposure level from all measured vessels in motion at 25 metres is less than the 90 dBA limit outlined in the Plan.

No clearly audible tones or noise of a distinctly impulsive character was observed from these vessels with the exception of the Milford Haven. When this vessel travelled at the lower no wake speed it generated a distinctive clanging sound from the exhaust stack rain caps which was not evident at cruise speed. Even if a +5 dB penalty is applied to account for this special character, in line with NZS 6802:1992 (or the later 2008 version), noise emissions from this vessel would still comply with the Plan requirement.

4.2 General noise limits for moored vessels

The sound power from the relevant exhaust stacks has been calculated based on our close proximity measurements of a single generator operating to simulate operation during the night time period as follows:

Fiordland Navigator – 79 dB L_{WA}

Milford Mariner – 74 dB L_{WA}

Based on these sound power levels, SoundPlan computational noise modelling based on ISO 9613¹ has been used to calculate the propagation of noise to the landward boundary closest to the mooring locations for these vessels as follows:

¹ ISO 9613 is a general purpose standard for outdoor noise propagation, and includes consideration of air absorption, terrain effects and metrological conditions. The ISO 9613 method utilised in SoundPlan predicts noise levels likely to occur under conditions favourable to noise propagation, i.e. downwind or under a moderate ground-based temperature inversion that may occur at night. Under down wind conditions the noise model assumes that the wind is 'blowing' from the noise source equally in all directions.

Fiordland Navigator at First Arm (297 metres) – 22 dBA L₁₀

Fiordland Navigator at Precipice Cove (200 metres) – 25 dBA L₁₀

Milford Mariner at Harrisons Cove (117 metres) – 25 dBA L₁₀

The predicted sound emissions from these vessels in these mooring locations therefore comply with the night time Plan requirement of 40 dBA L₁₀ by some margin.

Please do not hesitate to contact me to discuss further as required.

Kind Regards,



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