



29<sup>th</sup> August 2022

Environment Southland,

Email – [consultation@es.govt.nz](mailto:consultation@es.govt.nz)

To whom it may concern,

**SUBMISSION ON PLAN CHANGE 5 TO THE SOUTHLAND REGIONAL COASTAL PLAN**

Please find attached a submission on behalf of the Minister of Conservation with respect to proposed plan change 5 to the Southland Regional Coastal Plan – Section 16 Surface Water Activities.

The coastal environment of Fiordland consists to a large extent of outstanding natural landscapes, outstanding natural character, and habitats for indigenous fauna that in combination hold significance at international, national and regional scales. The land area of the coastal environment adjoining the coastal marine area managed by the regional coastal plan, is mostly managed as part of Fiordland National Park. These areas hold wild and remote qualities that require protection and management of activities that may impact on these values.

It is understood that an increase in volume and intensity of surface water activities in the internal waters of Fiordland are having an adverse effect on the values of the coastal environment. I agree that it is a good idea to limit further or increased activities until further consideration of the carrying capacity of the Fiords, and limits can be developed and implemented through a later full review of the regional coastal plan.

It is noted that this plan change strengthens the integration between consideration of surface water activities and the management of adjacent National Park. This is strongly supported.

My submission supports the intent and the detailed amendments to the Regional Coastal Plan. The attached submission provides detail on support for specific provisions and sets out the reasons for this.

If you have any questions or would like to discuss this submission, please contact Linda Kirk on 027 627 7502 or [lkirk@doc.govt.nz](mailto:lkirk@doc.govt.nz)

Ngā mihi,

A handwritten signature in dark ink, appearing to read 'John Lucas'.

John Lucas  
*Pou Matarautaki*, Operations Manager  
Te Anau  
Department of Conservation

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## Form 5: Submission on notified proposal for policy statement or plan, change or variation

*Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991*

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**To:** Southland Regional Council (**the Council**)

**Name of submitter:** Minister of Conservation (the **Minister**)

1. This is a submission on Plan Change 5 to the Southland Regional Coastal Plan
2. I could not gain an advantage in trade competition through this submission
3. The specific provisions of the proposal that my submission relates, and the detailed decisions sought to are set out in **Attachment 1** to this submission.
4. I **seek** the following decision from the Council:
  - a. That the particular provisions of Proposed Plan 5 that I support, as identified in Attachment 1, are retained;
  - b. That the amendments, additions and deletions to Proposed Plan 5 sought in Attachment 1 are made; and
  - c. Further or alternative relief to like effect to that sought in 4. a. and 4. b. above.
5. The decisions sought in this submission are required to ensure that the Southland Regional Coastal Plan:
  - a. Gives effect to the New Zealand Coastal Policy Statement 2010;
  - b. Recognises and provides for the matters of national importance listed in section 6 of the Act and has particular regard to the other matters in section 7 of the Act;
  - c. Promotes the sustainable management of natural and physical resources; and

- d. The changes sought are necessary, appropriate and sound resource management practice.
- 6. I wish to be heard in support of my submission, and if others make a similar submission, I will consider presenting a joint case with them at the hearing.

John Lucas

Operations Manager

Te Anau

Department of Conservation

Acting pursuant to delegated authority on behalf of the Minister of Conservation

Date: 29/08/2022

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

**Address for service:**

Attn: Linda Kirk, RMA Planner

lkirk@doc.govt.nz

Ph: 027 627 7502

Department of Conservation

## ATTACHMENT 1:

### PROPOSED PLAN CHANGE 5 TO THE SOUTHLAND REGIONAL COASTAL PLAN SUBMISSION BY THE MINISTER OF CONSERVATION

The proposed provisions that my submission relates to are set out in the table below. My submissions are set out immediately following these headings, together with the reason and the decision I seek from the Council.

The decision that has been requested may suggest new or revised wording for identified sections of the proposed plan. This wording is intended to be helpful but alternative wording of like effect may be equally acceptable. Text quoted from Proposed Plan Change 5 is shown in *Italics*. The wording of relief sought shows new text as underlined and original text to be deleted as ~~strikethrough~~.

Unless specified in each-submission point, my reasons for supporting are that the provisions are consistent with the purposes of the Act.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Chapter 16 Surface water activities on the internal waters of Fiordland from Yates Point to Puysegur Point			
16.1 Introduction	Support	The additions to the introduction are supported as it sets out the tension or range of views on the impacts of increasing surface water activities in the internal waters of Fiordland. The amendments also clearly set out the intent to this plan change to avoid further adverse effects	Retain as notified.
Issue 16.1.1	Support	The additions provide for integration of activities in the coastal environment and acknowledges that activities in the coastal marine area can affect the values on the land.	Retain as notified
Objective 16.1.1	Support	The proposed amendments to this objective and the explanation are supported	Retain as notified

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Objective 16.1.2	Support	<p>Objective 16.2.2 continues to support amended Issue 16.1.1 and the integrated management of activities in the wider coastal environment.</p> <p>The additions to the explanation the increase in the volume and diversity of surface water activities and the perception of the effects that have resulted from this. This provides a solid basis for the approach to managing further activities through this plan change.</p>	Retain as notified
Objective 16.1.3	Support	Consequential changes to plan references are supported	Retain as notified
Policy 16.2.1	Support	<p>The use of dual place names is supported and is consistent with the amended Policy 16.2.6 – fiord terminology.</p> <p>The Department supports the identification and protection of areas at risk of diminished natural character, landscape and amenity values.</p>	Retain as notified
Policy 16.2.2	Support	The Department strongly supports the intent of the redrafting of Policy 16.2.2. The policy is directive with the use of the word “avoid” and is consistent with NZCPS Policies 11, 13 and 15 for example. The policy is essentially “holding the line” and provides clear direction that intensification of activities that may adversely affect significant values are not to be provided for until the allocation limits are proposed in the full review of the Coastal Plan.	Retain as notified

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Policy 16.2.3	Support	The intent of this new policy is strongly supported as giving effect to Policy 11 NZCPS	Retain as notified
Delete existing Policy 16.2.4	Support	Deletion of the policy is supported as it is not appropriate to not apply limits to activities in Milford Sound in future.	Delete existing policy as notified
Policy 16.2.4	Support	Minor changes to this policy to include dual place names is supported.	Retain as notified
Policy 16.2.5	Support	Changes and additions to this policy appropriately include reference to natural features and marine mammals, make clear what is covered by the term 'non-commercial users' and includes appropriate detail on potential non-regulatory methods for these users to avoid or limit their effects on significant values of the fiords.	Retain as notified
Delete existing Policy 16.2.6	Support	The deletion of Policy 16.2.6 is supported as it is expected that those activities that existed prior to 15 February 1997 will now have the necessary resources consents if they are still operating in Fiordland. As such, this policy is outdated.	Delete policy as notified
Policy 16.2.6	Support	The use of dual place names is supported.	Retain as notified
Policy 16.2.7	Support	The amendments and additions to this policy are supported as it refocuses on managing adverse effects of commercial surface water activities on the remoteness and wilderness experiences within the specific locations.	Retain as notified
Policy 16.2.8	Support	New policy 16.2.8 is supported as providing appropriate detail of the matters to be considered when considering resource consent applications for surface water activities.	Retain as notified

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
		Expanding the scope of consideration to the 'coastal environment' rather than just the coastal marine area allows for how adjacent land is managed under the Fiordland National Park Management Plan to be considered and allow for integration between management of coastal waters and adjacent terrestrial environments.	
Policy 16.2.9	Support	The minor changes to this policy are supported and considered to be consistent with the intent of this rule.	Retain as notified
Policy 16.2.10	Support	The minor changes to this policy, in particular the inclusion of consideration of ancillary activities.	Retain as notified
Policy 16.2.11		The integrated management of the Fiordland coastal environment is strongly supported, and the additional wording provides for effects of activities on the management of the adjacent National Park.	Retain as notified
Policy 16.2.12	Support	The additional explanation of how surface water activities for the purpose of research or statutory purposes are provided for in the coastal plan is supported	Retain as notified
Policy 16.2.13	Support	The clarification of the policy and new explanation are supported. The policy appropriately clarifies that activities are considered holistically and included the range of various ancillary activities that may be related to the primary activity.	Retain as notified
Policy 16.2.14	Support	The minor corrections to this policy are supported as improving clarity of the plan	Retain as notified

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Policy 16.2.15	Support	This new policy regarding the expiry date for resource consents is supported. The policy provides guidance to decision makers on particular matters that must be considered when determining the appropriate duration for consents in each case.	Retain as notified
Rule 16.2.1	Support	The amendments to the rule are supported as these give effect to the changes in policy direction that new or increased activities will not be granted unless the adverse effects will not increase, or a precautionary approach is required. The consideration of ancillary activities is also supported and consistent with the new policy direction.	Retain as notified
Rule 16.2.2	Support	Minor amendments to the rule and the additional explanation are strongly supported as giving effect to the change in policy direction.	Retain as notified
Definition: Ancillary activities (to a commercial surface water activity)	Support	The definition specifying what is encapsulated by the term 'ancillary activities' is supported, and it is clear the examples are not an all-inclusive list and could include other activities such as aircraft.	Retain as notified



