

Summary of Submissions by Submitter

Proposed Plan Change 1 – Regional Coastal Plan Kermadec and Subantarctic Islands

November 2025



Department of
Conservation
Te Papa Atawhai

**Te Kāwanatanga
o Aotearoa**
New Zealand Government

Contents

Submissions by submitter 3

Rodney Russ3

New Zealand Defence Force7

Heritage Expeditions (2018) Limited8

Ponant 10

Sanford Limited..... 11

New Zealand Sealion Trust..... 17

Southland Conservation Board 19

Seaeagle Fishing Limited 21

Te Ao Marama Inc. 23

Barine Developments Ltd..... 25

Seafood New Zealand / Deepwater Council 29

Submissions by submitter

Submitter	Provision	Position	Submission	Relief
Submitter 1: Rodney Russ	Rule 40 new Condition C	Oppose	There is no evidence historical, environmental, or operational - that supports the need for this new restriction. Existing regulations and professional oversight are already functioning effectively and safely. Introducing this rule: - Undermines the authority and responsibility of trained maritime professionals; - Introduces unnecessary barriers to responsible, low-impact tourism; - Jeopardises the viability of accessing several small but ecologically and culturally important landing sites; - Misrepresents the actual risk posed by ancillary craft, which is extremely low. Expedition tourism is a critical platform for public education, conservation awareness, and the long-term sustainability of protected regions. To curtail this without sound justification would be a significant setback. a) Mischaracterisation of Ancillary Craft The proposed plan change appears to trivialise the use of ancillary craft by referring to them as "inflatable dinghies" This is either a result of a lack of technical knowledge or an attempt to downplay their significance in expedition travel operations. The most commonly used ancillary craft in expedition tourism are Zodiac Milpro Mark 5 vessels used by military, law enforcement, and search and rescue agencies worldwide. These are not recreational or leisure vessels, but purpose-built for safe operations in some of the remotest and challenging maritime environments in the world. Any regulation based on a misunderstanding of the nature of these vessels is fundamentally flawed. b) The Role of the Ship's Captain and Operational Oversight Ancillary craft are considered part of a ship's equipment, essential for Expedition Travel. Their deployment, management, and safety are under the direct responsibility of the ship's Captain, supported by his officers and senior expedition staff. Captains are certified to the highest international maritime standards, and make decisions based on training, risk assessment, and operational protocols. Senior Expedition staff bring local knowledge and experience which the Captain may lack in some locations. To impose arbitrary distance restrictions from the mother ship overrides professional maritime judgement and disregards decades of safe, incident-free operations. No bureaucratic rule can substitute for the expertise, accountability, and safety responsibility of a vessel's Master and senior expedition staff. c) Safety Record and Incident History Since tourism began in the NZ Subantarctic Islands in the 1970s, I estimate there have been in excess of 20,000+ ancillary craft deployments. There has never been a single life- threatening incident or significant fuel spill from these vessels. This exemplary track record reflects the robustness of both the vessels and the operational systems in place. d) Fuel Spill Concerns Are Unfounded Zodiac vessels are powered by outboard (petrol) engines, with their fuel stored in 2 x 25L tote tanks made of highly durable, approved materials. These containers are used globally under rigorous maritime regulations and pose an extremely low environmental risk. The worst-case scenario - minor leakage from a cap or breather - is less than negligible. This does not justify introducing a rule that could cripple safe, controlled operations. Ironically, the risk posed by a	Rule 40C be removed from the proposed Plan Change in its entirety. I suggest the following proposal as an alternative to the suggested changes to the Coastal Management Plan regarding ancillary craft operations in the Subantarctic and Kermadec Islands. It is my understanding that all concessionaires are currently required to have a professionally audited and approved safety plan in place prior to a concession being granted. In the case of operations around the Subantarctic and Kermadec Islands, I have always assumed that these plans included the use of their ancillary craft. If, however, ancillary craft operations were excluded from the original safety plan requirements due to the fact that many of these plans would have been implemented before the Coastal Management Plan was approved, then I believe there is now a clear opportunity—and necessity—to address this gap. Now that the Coastal Management Plan is in force, I propose the following: - All Subantarctic and Kermadec concessionaires should be required to prepare a dedicated operational safety plan specifically covering the use of their ancillary craft. This should be developed in consultation with their Captains, senior officers and senior expedition staff taking into account the environmental and weather conditions in these regions. - This plan should be subject to audit and approval by the incumbent Harbourmaster responsible for the Subantarctic Islands, or a delegated, approved and appropriately qualified maritime authority. This approach would achieve several important outcomes: - It would close a regulatory gap that appears to have led to the current uncertainty and inconsistency surrounding ancillary craft use. - It would ensure a fair and consistent regulatory environment for all concessionaires, removing any unintended preferential treatment or undue penalisation arising from the proposed plan changes. - It places responsibility where it properly belongs—with the Captains who have the - appropriate expertise, accountability, and on-the-ground experience to manage these operations safely and responsibly.

Submitter	Provision	Position	Submission	Relief
			large 125m+ vessel navigating into sensitive areas such as Perseverance Harbour far exceeds that of small, agile, low-impact Zodiacs. e) Emergency Response Capabilities The claim that an accident or incident with an ancillary craft may necessitate the mother ship going to its rescue and thereby place the vessel at risk is factually incorrect. Modern expedition vessels are all equipped with Fast Rescue Boats (FRBs) and crews trained in rapid, safe deployment. These are internationally mandated for SOLAS-compliant ships and form part of routine safety drills and certification. There is no scenario in which a mothership would be unreasonably endangered by supporting ancillary craft operations. f) Unintended Penalisation of Remote Site Access This rule would inadvertently deny access to several key “small” expedition sites, which some of the existing concessionaires currently have access to (and have done for many years) and are considered critical to their interpretation and conservation programs. This rule will significantly penalise/disadvantage four of the six existing concessionaries who do and can use these sites. These include: <u>Auckland Islands:</u> • Southwest Cape <u>Campbell Island:</u> • Camp Cove • Venus Cove • Garden Cove (providing access to Mt Honey) • Zodiac cruising to Davis Point from Beaman Cove. Ironically, these sites are among the most sheltered in the Subantarctic region, while the more exposed open-sea zodiac operations at the Snares, Antipodes, and Bounty Islands remain unaffected due to mother ships being able to drift nearby. g) Applicability to the Kermadec Islands The same rationale and concerns apply directly to the Kermadec Islands, where similar operational and environmental conditions exist. Applying blanket rules without consideration of location-specific factors undermines the flexibility and safety of expedition operations. The proposal as written reflects a lack of practical understanding of expedition operations and ignores an impeccable safety and environmental record. The current framework is working well and does not require amendment. For the sake of sound environmental stewardship and practical conservation outcomes, I urge the Minister to reject Rule 40C and retain the existing provisions governing ancillary craft.	
Submitter 1: Rodney Russ	Rule 47A Discretionary access to Perseverance Harbour by vessels longer than 125m	Oppose	I oppose the proposed Rule 47A, which would change the current prohibition on vessels over 125 metres accessing and anchoring within Perseverance Harbour, Campbell Island, to a discretionary activity. I believe the current rule - established through extensive consultation, expert input, and guided by a clear precautionary approach, only 9 years ago - remains appropriate and necessary. Contrary to what the authors claim there have been no significant changes in the industry that would suggest a need for change to this rule. a) <u>Inadequate Justification and Lack of Precaution</u> The current rule [Rule 47] was the result of significant research, negotiation, and consensus among experts and stakeholders with deep, long-standing experience in the Subantarctic	• Delete proposed Rule 47A in its entirety. • Maintain the current prohibition on vessels over 125m entering Perseverance Harbour, as originally adopted in the Coastal Plan following extensive expert consultation and consensus. • Uphold the precautionary principle that has underpinned Subantarctic Island management policy since inception.

Submitter	Provision	Position	Submission	Relief
			region. It was - and remains- based on the need for a precautionary approach to environmental and navigational risk and anchoring management. The Section 32 Report fails to address critical aspects of this issue, particularly: • The serious navigational and anchoring challenges of vessels over 125m in Perseverance Harbour. • The lack of evidence for supposed technological advancements in large vessel manoeuvrability. • The absence of specific, technical data on anchoring feasibility, holding ground, weather systems, and consideration of historical incidents. b) <u>Flawed Assumptions Around Vessel Design and Operation</u> The proposal generalises the entire cruise ship market and fails to recognise key distinctions between expedition cruise vessels and the larger cruise ships: • Expedition vessels are smaller (typically under 125m) with limited passenger numbers, tailored for remote, sensitive environments. • Recent expedition ships (e.g. post-2017 builds) are around 110 m in length, carrying ~130 passengers. Contrary to that the authors claim/suggestion (visits from smaller eco-tourism operators seems to be in decline) there appears to be a growing demand in the market for the smaller expedition vessels, because they are known to provide a more intimate and meaningful wilderness and wildlife experience for example Virtuoso Travel's 2026 Report signals the rise of smaller, slower, and more sustainable travel. • The claim that expedition shipbuilding is "trending larger" lacks supporting data or clarification of what constitutes improved "manoeuvring capabilities." In my experience, there have been no significant technological advancements since 2017 that justify relaxing current access rules. c) <u>Campbell Island's Extreme Remoteness and Limited Emergency Support</u> Campbell Island sits at 52° South, in the Furious Fifties, with the nearest port (Bluff) over 360 nautical miles away—approximately 36 hours steaming in good conditions. Emergency response capability in this region is severely limited: • NZ currently has no suitable off-shore salvage tug capable of reaching the island at short notice. The closest one is possibly in Australia depending on its availability. • In the event of an oil spill, grounding, or need for medical evacuation, response times would be dangerously slow, with limited support capacity—possibly only from the navy and that depends on what vessels are where. • This reality demands a precautionary approach to any increased vessel access. d) <u>Historical Incidents Prove Anchorage Is Unsafe</u> There is a long record of anchoring incidents in Perseverance Harbour: • In 1840, Sir James Clark Ross's Terror dragged anchor and grounded on what is now known as Terror Shoal. • A near-disaster involving a NZ Navy vessel (often referred to as the "8 Minutes from Court Martial" incident) occurred due to anchor dragging.	• Recognise that the anchorage at Perseverance Harbour has long been known as unsafe and this fact has not been addressed in the new proposal. • Reaffirm that any changes to rules for access in the Subantarctic should be based on environmental safety, not commercial interests, and only after thorough, independent, and evidence-based analysis involving those with proven field experience.

Submitter	Provision	Position	Submission	Relief
			- I have personally visited the island over 100 times aboard 8 different vessels (21m–124m in length), and can confirm anchor dragging on at least 6 of these on various occasions. This anchorage is known to be unsuitable and unreliable due to: - Volcanic, glacially carved bottom topography, consisting of rock and poor holding ground. - Highly variable and extreme weather, which can shift rapidly without warning. - Surrounding terrain (e.g. Mt Lyall, Mt Honey) that funnels and amplifies wind and swell, creating unpredictable and dangerous conditions. e) <u>Anchoring Feasibility is Not Adequately Addressed</u> A technical analysis based on real-world experience reveals: - Inner Anchorage: Anchoring Depth of ~28m would require at least 100m of chain at a 4:1 scope. With vessels over 125m and 300m shore buffer, there is virtually no safety margin. (laying out more Anchor chain only decreases the Safety Margin) - Outer Anchorage: Anchoring Depths of ~41m would require ~164m of chain at 4:1 Scope. With vessels over 125 metres there is more of a safety margin but this anchorage is significantly more exposed to the wind and sea (wind speed and wave height/frequency could be double that of the inner anchorage) and compounding this is the fact that the potential anchoring site is nearly 2 miles from the landing site. In either case, anchoring is precarious. If a vessel begins to drag, options are limited and recovery complicated—especially if crew are also recovering passengers in zodiacs, a situation reminiscent of the Snares Island incident. f) <u>Lack of Pilotage, and No Capacity for Oversight</u> If this anchorage were located anywhere else in New Zealand, it would almost certainly require compulsory pilotage. However, this is not practical at Campbell Island. Therefore, regulation must fall back on risk minimisation, not risk management. - This is only possible by retaining clear, firm restrictions—not weakening them through discretionary frameworks. - Professional guidance from Environment Canterbury (ECan) in the Section 32 Report only includes navigation and manoeuvring, not anchoring—a critical oversight. The ECan report concludes there is no indication that Rule 47 (prohibiting vessels longer than 125m closer than 600 metres) is not appropriate. The terms “may be acceptable” and “could be appropriate” do not reflect a precautionary approach or confidence in environmental protection. g) <u>Commercial Motivations Behind the Rule Change</u> The impetus for this rule change appears to be commercial, intended to benefit just two of the six current concessionaires—who, I understand, chose not to engage in the 2017 CMS development process despite being invited. - The recent increase in landing fees to \$1,188 + GST per person (up from \$405+gst pp) further supports the claim of commercial motivations behind pushing for larger vessel access. It is also consistent with current governments goal to deregulate and a push for government agencies to increase revenue.	

Submitter	Provision	Position	Submission	Relief
			- Cruise ship visits to NZ are in significant decline—down 40–42% for 2025/26, and projected to fall further. These two companies are international operators, and their long-term commitment to NZ waters is uncertain. - If they withdraw, the other concessionaires (with vessels under 125m) will quickly absorb unused permits, ensuring no financial loss to NZ or DOC. The grounding of one of these larger vessels would incur a huge financial and environmental loss to NZ. - Entry to Carnley Harbour at the Auckland Islands is prohibited by the same Rule 47 but the Department “after considering its morphology, water depths and lack of landing sites for large cruise ships” aren’t seeking to change this, implying that they had safety concerns. To compare; Campbell Island as we have noted in this submission is a flooded glacial cut valley 4nm long x 1500m wide whereas Carnley harbour is a flooded Caldera of an extinct volcano measuring some 12nm x 6.5nm. The Eastern Entrance to Carnley Harbour is 1100 metres wide whereas Campbell Island is only 700 metres. There are also 3 excellent sheltered anchorages in Carnley Harbour all with anchoring depths of ca25 metres compared with 28 and 40 metres for the two anchorages at Campbell. There are 5 landing sites within Carnley Harbour, none are suitable or are of interest for the large cruise ships that DOC now want to allow into Campbell Island. Again the emphasis is on revenue generating, not on environmental safety and a precautionary approach to risk management.	

Submitter	Provision	Position	Submission	Relief
Submitter 2: New Zealand Defence Force (NZDF)	Table 1 Performance Standard 2.2	Support	NZDF supports changes to the wording of the vessel inspection requirements as this allows Navy Divers to undertake these inspections. This is also in line with MPI CRMS requirements.	Retain as worded.
Submitter 2: New Zealand Defence Force (NZDF)	Appendix 4 Forms 1 and 2	Oppose in part	NZDF opposes in part the current wording of these forms regarding photos and videos, as it is not explicitly clear that only one of the representative photos needs to be provided with the report. This potentially could add onerous reporting requirements. Changing the wording would also be in line with MPI Craft Risk Management Standard (CRMS) requirements.	NZDF requests that the wording be amended to the following, or similar relief: A PDF report <u>containing a representative photo/s of each area</u> is to be sent to coastalplan@doc.govt.nz at the same time as Forms 1 and 2. <u>Further</u> photographs and videos are to be provided on request”.

Submitter	Provision	Position	Submission	Relief
Submitter 3: Heritage Expeditions (2018) Limited	General Comments	Oppose	The section 32 evaluation that accompanies the plan change is deficient	
Submitter 3: Heritage Expeditions (2018) Limited	General comments	Oppose	It is inefficient for this plan change to proceed in light of the impending replacement of the RMA. HEL seeks that the plan change be withdrawn.	Withdraw the Plan Change.
Submitter 3: Heritage Expeditions (2018) Limited	General Comments	Oppose	In preparing this submission HEL has had the benefit of reading the submission prepared by Rodney Russ. HEL supports and endorses all the points made by Mr Russ in his submission. HEL strongly recommends DOC place significant weight on the facts and reasons set out in Mr Russ's submission which are based on decades of experience running expeditions in the Subantarctic Islands. Mr Russ's submission provides a strong evidential basis for DOC to withdraw the PC1 changes relating to ancillary craft and vessels over 125m.	
Submitter 3: Heritage Expeditions (2018) Limited	Natural character - Control of surface water activities - Policy 13, Rule 40 C, Rule 56 B, and definition “Mothership” (ancillary craft controls)	Oppose	There is no evidence to justify the new restrictions. Existing regulations and professional oversight already function to ensure effective and safe ancillary craft operations. In their current form, the [proposed] restrictions will restrict current legitimate operations where there has never been an issue, and would inadvertently prevent access to key expedition sites that existing concessionaires access. The new rules would introduce inefficiencies and an unnecessary consenting barrier or requirement. The reason given for the change, in the new policy wording, does not make sense - restricting the distance that ancillary craft can travel does not reduce the risk of an incident resulting in an oil spill. If there were an incident with a tender craft, it would not be the mother ship that would come closer to the islands to effect a rescue. All vessels are required to have additional tender craft, or a Fast Rescue Boat - it would be the other tender craft or fast rescue boat that would effect the rescue, not the mother ship. The proposed distance restrictions are arbitrary and are incompatible with operations in the remote Subantarctic Islands. There are more effective ways of ensuring a mother ship. does not have to breach the 600m limit. For example, the rule could include a requirement that there be two ancillary craft in operation at all times. Or the rule could apply to the area of most risk to large vessels, namely Perseverance Harbour.	Delete the proposed changes. If the proposed changes remain in some form: a) Exempt existing operators from the application of the new restrictions b) Exempt operators that have two ancillary craft operational c) Exempt operators that have a Fast Rescue Boat d) Restrict the application of the rule to just Perseverance Harbour
Submitter 3: Heritage Expeditions (2018) Limited	Table 1 Performance Standards 1, 2, 3, New definitions <i>algal growth</i>, <i>BFMP/Biofouling Management Plan</i>, <i>BRB/Biofouling Record Book</i>, <i>goose barnacle</i> All changes to Appendix 4 Vessel hull and niche area	Oppose	The biofouling inspection and standards in the RCP should be replaced with a requirement that vessels comply with MPI's requirements for long-stay vessels in the Craft Risk Management Standard for Vessels 2023. It is inefficient and unnecessary duplication for DOC to be running a separate system when MPI has an established and proven regime. MPI has the resources, expertise and systems already in place. DOC should not be wasting its resource trying to duplicate MPI's role.	Delete the proposed changes. The biofouling inspection and standards in the RCP should be replaced with a requirement that vessels comply with MPI's requirements for long- stay vessels.

	inspection – requirements, method and forms All changes to Appendix 6: Forms A. and B.			
Submitter 3: Heritage Expeditions (2018) Limited	Amendment to Prohibited Rule 47 and New Discretionary Rule 47A: Access and anchoring, within Perseverance Harbour, Campbell Island/ Motu Ihupuku up to 0.16nm (300m) of MHWS, by vessels longer than 125m in length	Oppose	Rule 47 was put in place after robust assessment leading up to the confirmation of the Coastal Plan in September 2017. Rule 47 prohibiting access to vessels longer than 125m closer than 0.32nm (600m) is an evidence-based rule, founded on the need to take a precautionary approach to environmental risks and maritime safety. The evidence in support of the rule at the time included the Statement of Evidence of Jim Dillely dated 14 October 2016, for the Minister of Conservation. There is no evidence justifying a change to the rule. The January 2017 incident, when the <i>Ponant</i> hit a submerged rock less than 300m from the Islands is an example as to why larger vessels should not be given the opportunity to be closer than 600m. Luckily in the January 2017 incident there was no spill of contaminants. But the incident illustrates why an extremely risk averse approach should continue to apply. In the event there is an incident that either puts at risk the highly sensitive environment, or peoples' safety, it is potentially several days until rescue vessels with the appropriate equipment will arrive. HEL's expedition Captains have significant experience on a range of vessels in a range of conditions internationally, and are strongly of the view it is too dangerous to allow vessels above 125m to within 0.16nm(300m) of the Islands. The Perseverance Harbour anchorage identified in proposed rule 47A is not safe for vessels over 125m to anchor. Perseverance Harbour has a glaciated, polished sea floor, meaning vessels need to use longer chain length to hold anchor, leading to increased swing distances and the increased risk associated with that. DOC has provided no evidence on anchoring feasibility, holding ground or weather systems sufficient to establish that the risk of having vessels larger than 125m anchoring in Perseverance Harbour is acceptable. Dynamic position systems of vessels over 125m will not be sufficient in the high winds of the Subantarctic environment to effectively counter windage effects. There have been no material technological advancements since 2017 sufficient to justify a change to the current rule.	Delete the proposed changes.

Submitter	Provision	Position	Submission	Relief
Submitter 4: Ponant	Rule 40 new Condition C	Support in part	Rule 40 is supported as well as the need for operational safety limits. The safety concern about the distance to be covered by the ancillary crafts from the mother ship to the landing sites is understood. However, the 1000-metre limit could potentially impact current activities. In certain cases, due to the design of the coastline and the bathymetry, ancillary crafts might safely operate further than 1000 m from where the mother ship is authorised to access. Could the conditions (a) "and/or" (b) be clarified? (a) is potentially too restrictive for ancillary crafts/mothership activities. There are some cases where the ancillary crafts might safely operate further than 1000m from where the mother ship is authorised to access but still within 3000 metres from the mothership at any time.	We seek amendment to Rule 40 condition C.
Submitter 4: Ponant	Rule 47A Discretionary access to Perseverance Harbour by vessels longer than 125m	Support in part	Support in Full of 47A to the access to Perseverance Harbour. Would suggest adding Carnley Harbour to this rule. This would allow for more options in ship operations, such as scenic navigation in Carnley Harbour and potentially ancillary craft scenic outings. Having more operational options in Auckland Island would also help manage the general operator's ship schedule and minimise the clashes between ships.	Support in Full of 47A to Perseverance Harbour. We seek the addition of Carnley Harbour under discretionary approval.
Submitter 4: Ponant	Glossary - BRB	Support in part	The IMO uses the abbreviation BFRB for Biofouling Record Book, not BRB	Replace the abbreviation BRB with BFRB to be consistent with IMO official wording.

Submitter	Provision	Position	Submission	Relief
Submitter 5: Sanford Limited	Access and anchoring within the coastal marine area of the Subantarctic Islands: General Notes, Note 7 New condition B of Rules 40 to 43 and 46 Rule 38 Table 2, Performance Standards 5(e) and 6(c).	Oppose in part	Permitted and accessible sheltering should be a primary consideration by DOC and the Regional Council so as to provide coverage across the full extent of the Auckland islands, not just in the lower areas. Access to Port Ross. The weather conditions in the Subantarctic islands are generally considered severe to extreme due to their consistently cold, very cloudy, extreme rainfall, and extremely windy climate. The region is known for its "rough weather" and challenging, unpredictable conditions year-round, which makes the islands largely inhospitable. A Department of Conservation (DOC) media release on 30th January 2025 predicts more extreme weather for the subantarctic islands in the future. The proposed plan change appears to have no distinction between International voyages to the Subantarctic Islands versus Domestic vessels seeking shelter. Additionally, there is no distinction between various categories of vessels. The Sanford Fleet does not plan or conduct voyages to visit the Subantarctic Islands, instead they plan and conduct voyages to the southern fishing grounds and utilize the Subantarctic Islands for shelter from the severe weather events which create unsafe sea conditions in the area. <u>Concerns</u> - Port Ross is a key sheltering location for the safety of fishing vessels and crew whilst transiting to and from the fishing grounds. By Removing the existing permitted access for fishing vessels during the 1 April – 31 October winter period introduces risk to the health and safety of both vessel and crew by: - Reducing the available shelter to the southern area of Auckland Island, which will require extensive additional transit time in severe or extreme weather events. This will significantly increase the risk to vessels and crew. - Creating congestion for anchored vessels within the remaining available anchorages at the Auckland. - The Section 32 Report states “DOC considers the existing restrictions are not enough to reduce risks to the tohorā, or to vessels and their crews.” This rationale has not been backed up with evidence that the current measures are not effective. The lack of evidence supports a view that the current measures are effective for reducing and avoiding whale-vessel incidents. One near miss event was reported in 2018, involving a research vessel. A near miss implies - although close; a detrimental whale-vessel incident did not occur. This too implies the current measures are effective. - The Auckland Islands were first discovered in 1806. Port Ross was identified as a safe natural harbour due to its depth and the shelter provided by the surrounding rugged hills. Port Ross is one of the few safe anchorages in the Subantarctic. - The current operative RCP was created with a considerable risk assessment conducted and relevant mitigation measures put in place. Permitted access to Port Ross has been operating successfully for 8 years. - No domestic fishing vessel has had incident in Port Ross whilst sheltering from severe or extreme weather events. - The only recorded near miss has been with a research vessel (Section 32 Report, Pg37, Footnote 61), yet under the proposed plan change, research vessels will still	Permitted and accessible sheltering should be a primary consideration by DOC and the Regional Council so as to provide coverage across the full extent of the Auckland islands, not just in the lower areas. Permitted Access to Port Ross for safety of vessels and crew should sit higher on the importance scale than research and maintenance. This should be a permitted right of safety for all forms of Mammals (Cetacea and Human). <u>Requested Changes</u> - General notes, Note 7: be changed to read “<i>The Master of any vessel entering any of the waters of the Subantarctic Islands in the winter months (1 April to 31 October) needs to be aware of increasing numbers of whales around all of the Auckland Islands and Campbell Island (particularly Northwest Bay) as the southern right whale population continues to recover. Travel should be slow and there should be continuous bow watch for whales. Access to Port Ross is restricted to research and management vessels, and those vessels seeking shelter during that period.</i>” - Either change provision of Rules 40, 41, 42, 43, 46 to include a provision which reads “<i>Only research, management vessels and vessels seeking shelter may enter Port Ross in the zone shown on Map 2 during the period 1 April to 31 October.</i>” <u>Or</u> Change the rules section titled “Research and management” to read “Research, management <u>and sheltering vessels</u>” and also add a provision to rule 38, to read “<i>Access and anchoring within the coastal marine area of any of the Subantarctic Islands by vessels involved in management activities and/or research for the Department of Conservation, including vessels of the New Zealand Navy, or sheltering vessels.</i>” Clarification on Table 2, Standards 5(e) and 6(c) – If compliance with current Maritime Rules regarding the carriage of anchors and anchor equipment will satisfy the proposed requirement to carry additional anchoring gear.

			have permitted access, whilst vessels seeking shelter for safety purposes will not have permitted access. 5. Proposed RCP, Table 2, Standards 5(e) and 6(c), “... <i>and additional anchoring gear is to be carried on the vessel</i>” does not distinguish between recreational vessels (Non-SOLAS) versus SOLAS, and Fishing vessels. The existing Maritime Rules Part 40D provides for fishing vessels to carry a specified quantity of anchor relevant to the size of the vessel and the operating area of the vessel. The current rules require two anchors to be carried within offshore limits. The second anchor provides backup if the primary anchor is lost for any reason. It is unclear if the wording in the proposed change is a requirement for additional anchoring gear on top of the already additional anchoring gear required under Maritime Rules, or if compliance with the Maritime Rules will satisfy standards 5(e) and 6(c) of Table 2. 6. The DOC Section 32 report, Pg72, Table 7, Option 1 - has identified the risk of not including additional anchorages within Carnley Harbour. The risk has been identified by DOC as: <i>The potential for navigation safety incidents that risk human life and damage to vessels, which could also involve oil spill and biosecurity breach.</i> By removing permitted access to Port Ross for sheltering vessels directly introduces this very same significant risk to vessels and crew during the winter months. 7. The DOC Section 32 report, Pg66, Table 6, Option 1 – has identified the risk of not restricting access to Port Ross during the 1 April to 31 October period as: <i>The risk of not acting is that the Plan will not address the risk to vessels and people and risk of injury to tohorā/southern right whales when the whales are present in Port Ross in winter in large numbers for breeding and nursing.</i> The proposed change is contradictory to this stated risk from not acting. By DOC only implementing the proposed change (removing permitted access to Port Ross) on some vessels and not all vessels removes credibility that the stated risk of not acting is in fact a real risk at all. By still allowing research and maintenance vessels permitted access, the stated risk has not been mitigated. By DOC removing permitted access to port Ross for non-research or non-maintenance vessels is discriminatory to those other vessels. DOC have identified and proposed alternate risk mitigation measures within Table 2 of the proposed RCP. a) DOC considers the additional measures will mitigate the risk to and from research and maintenance vessels. Therefore, the removal of permitted access from Port Ross during the winter months for these vessels is not required. b) There is no logical reason why the same measures will not also mitigate the risk to and from fishing vessels seeking shelter.	
--	--	--	--	--

			8. DOC are requiring sheltering vessels to apply for a Discretionary Resource Consent. This is an unrealistic time and cost burden imposed on the fishing industry when sheltering is a preservation of life requirement, not a resource consent requirement. In simple terms, Resource Consents are required when the activity in question utilises natural resource for personal or commercial gain and/or where an activity may have a more than minor negative impact on the resource or environment. Seeking shelter is conducted to ensure safety of life and vessels at sea, and to mitigate the risk already identified by DOC - <i>The potential for navigation safety incidents that risk human life and damage to vessels, which could also involve oil spill and biosecurity breach.</i> Safety of life at sea is not an activity that should require resource consent. 9. Seeking shelter as a proactive trip planning event in a preventative mode does not meet the immediacy of a reactive activity or response to a defined emergency in play or soon to be (of which Rule 1 defines). To seek shelter in this way is already well established and remains in the regional plan as a permitted activity of which Port Ross should remain also.	
Submitter 5: Sanford Limited	Access and anchoring within the coastal marine area of the Subantarctic Islands: Note 7 New condition B of Rules 40 to 43 and 46 Rule 38 Table 2, Performance Standards 5(e) and 6(c).	Oppose in part	Permitted and accessible sheltering should be a primary consideration by DOC and the Regional Council so as to provide coverage across the full extent of the Auckland islands, not just in the lower areas. Access to Port Ross. The weather conditions in the Subantarctic islands are generally considered severe to extreme due to their consistently cold, very cloudy, extreme rainfall, and extremely windy climate. The region is known for its "rough weather" and challenging, unpredictable conditions year-round, which makes the islands largely inhospitable. A Department of Conservation (DOC) media release on 30th January 2025 predicts more extreme weather for the subantarctic islands in the future. The proposed plan change appears to have no distinction between International voyages to the Subantarctic Islands versus Domestic vessels seeking shelter. Additionally, there is no distinction between various categories of vessels. The Sanford Fleet does not plan or conduct voyages to visit the Subantarctic Islands, instead they plan and conduct voyages to the southern fishing grounds and utilize the Subantarctic Islands for shelter from the severe weather events which create unsafe sea conditions in the area. <u>Concerns</u> 10. Port Ross is a key sheltering location for the safety of fishing vessels and crew whilst transiting to and from the fishing grounds. By Removing the existing permitted access for fishing vessels during the 1 April – 31 October winter period introduces risk to the health and safety of both vessel and crew by: c) Reducing the available shelter to the southern area of Auckland Island, which will require extensive additional transit time in severe or extreme weather events. This will significantly increase the risk to vessels and crew. d) Creating congestion for anchored vessels within the remaining available anchorages at the Auckland.	Permitted and accessible sheltering should be a primary consideration by DOC and the Regional Council so as to provide coverage across the full extent of the Auckland islands, not just in the lower areas. Permitted Access to Port Ross for safety of vessels and crew should sit higher on the importance scale than research and maintenance. This should be a permitted right of safety for all forms of Mammals (Cetacea and Human). <u>Requested Changes</u> 3. General notes, Note 7: be changed to read “<i>The Master of any vessel entering any of the waters of the Subantarctic Islands in the winter months (1 April to 31 October) needs to be aware of increasing numbers of whales around all of the Auckland Islands and Campbell Island (particularly Northwest Bay) as the southern right whale population continues to recover. Travel should be slow and there should be continuous bow watch for whales. Access to Port Ross is restricted to research and management vessels, and those vessels seeking shelter during that period.</i>” 4. Either change provision of Rules 40, 41, 42, 43, 46 to include a provision which reads “<i>Only research, management vessels and vessels seeking shelter may enter Port Ross in the zone shown on Map 2 during the period 1 April to 31 October.</i>” <u>Or</u> Change the rules section titled “Research and management” to read “Research, management <u>and sheltering vessels</u>” and also add a provision to rule 38, to read “Access and anchoring within the coastal marine area of any of the Subantarctic Islands by

			11. The Section 32 Report states “DOC considers the existing restrictions are not enough to reduce risks to the tohorā, or to vessels and their crews.” This rationale has not been backed up with evidence that the current measures are not effective. The lack of evidence supports a view that the current measures are effective for reducing and avoiding whale-vessel incidents. One near miss event was reported in 2018, involving a research vessel. A near miss implies - although close; a detrimental whale-vessel incident did not occur. This too implies the current measures are effective. 12. The Auckland Islands were first discovered in 1806. Port Ross was identified as a safe natural harbour due to its depth and the shelter provided by the surrounding rugged hills. Port Ross is one of the few safe anchorages in the Subantarctic. 13. The current operative RCP was created with a considerable risk assessment conducted and relevant mitigation measures put in place. Permitted access to Port Ross has been operating successfully for 8 years. c) No domestic fishing vessel has had incident in Port Ross whilst sheltering from severe or extreme weather events. d) The only recorded near miss has been with a research vessel (Section 32 Report, Pg37, Footnote 61), yet under the proposed plan change, research vessels will still have permitted access, whilst vessels seeking shelter for safety purposes will not have permitted access. 14. Proposed RCP, Table 2, Standards 5(e) and 6(c), “... <i>and additional anchoring gear is to be carried on the vessel</i>” does not distinguish between recreational vessels (Non-SOLAS) versus SOLAS, and Fishing vessels. The existing Maritime Rules Part 40D provides for fishing vessels to carry a specified quantity of anchor relevant to the size of the vessel and the operating area of the vessel. The current rules require two anchors to be carried within offshore limits. The second anchor provides backup if the primary anchor is lost for any reason. It is unclear if the wording in the proposed change is a requirement for additional anchoring gear on top of the already additional anchoring gear required under Maritime Rules, or if compliance with the Maritime Rules will satisfy standards 5(e) and 6(c) of Table 2. 15. The DOC Section 32 report, Pg72, Table 7, Option 1 - has identified the risk of not including additional anchorages within Carnley Harbour. The risk has been identified by DOC as: <i>The potential for navigation safety incidents that risk human life and damage to vessels, which could also involve oil spill and biosecurity breach.</i> By removing permitted access to Port Ross for sheltering vessels directly introduces this very same significant risk to vessels and crew during the winter months. 16. The DOC Section 32 report, Pg66, Table 6, Option 1 – has identified the risk of not restricting access to Port Ross during the 1 April to 31 October period as: <i>The risk of not acting is that the Plan will not address the risk to vessels and people and risk of injury to tohorā/southern right whales when the whales are present in Port Ross in winter in large numbers for breeding and nursing.</i> The proposed change is contradictory to this stated risk from not acting.	<i>vessels involved in management activities and/or research for the Department of Conservation, including vessels of the New Zealand Navy, or sheltering vessels.”</i> Clarification on Table 2, Standards 5(e) and 6(c) – If compliance with current Maritime Rules regarding the carriage of anchors and anchor equipment will satisfy the proposed requirement to carry additional anchoring gear.
--	--	--	---	--

			By DOC only implementing the proposed change (removing permitted access to Port Ross) on some vessels and not all vessels removes credibility that the stated risk of not acting is in fact a real risk at all. By still allowing research and maintenance vessels permitted access, the stated risk has not been mitigated. By DOC removing permitted access to port Ross for non-research or non-maintenance vessels is discriminatory to those other vessels. DOC have identified and proposed alternate risk mitigation measures within Table 2 of the proposed RCP. c) DOC considers the additional measures will mitigate the risk to and from research and maintenance vessels. Therefore, the removal of permitted access from Port Ross during the winter months for these vessels is not required. d) There is no logical reason why the same measures will not also mitigate the risk to and from fishing vessels seeking shelter. 17. DOC are requiring sheltering vessels to apply for a Discretionary Resource Consent. This is an unrealistic time and cost burden imposed on the fishing industry when sheltering is a preservation of life requirement, not a resource consent requirement. In simple terms, Resource Consents are required when the activity in question utilises natural resource for personal or commercial gain and/or where an activity may have a more than minor negative impact on the resource or environment. Seeking shelter is conducted to ensure safety of life and vessels at sea, and to mitigate the risk already identified by DOC - <i>The potential for navigation safety incidents that risk human life and damage to vessels, which could also involve oil spill and biosecurity breach.</i> Safety of life at sea is not an activity that should require resource consent. 18. Seeking shelter as a proactive trip planning event in a preventative mode does not meet the immediacy of a reactive activity or response to a defined emergency in play or soon to be (of which Rule 1 defines). To seek shelter in this way is already well established and remains in the regional plan as a permitted activity of which Port Ross should remain also.	
Submitter 5: Sanford Limited	Rule 42 new anchorages in condition C	Oppose in part	During previous correspondence between DOC and industry - see <i>Section 32 Report, Appendix 5: Summary of engagement with stakeholders</i> - Industry (<i>Southern Ocean Scampi Fishing Fleet email 12/04/2021</i>) requested additional anchorage locations to be allocated as permitted anchorages within the discretionary 0.16nm (300m) area of the Auckland Islands. The request for additional anchorages has been considered by DOC for this Plan Change 1. (<i>Section 32 Report, Pg42-43</i>). 1. The new anchorages within the 300m limit at Round Bay (Round Point) and Crab Bay are welcomed.	Consultation on the proposed Plan Change 1 is still underway. I am seeking a decision from the minister if a perceived lack of rationale during previous communication is sufficient grounds to exclude any further review and consideration of any topic within this Plan Change review. I am seeking reconsideration of Lookout Point as a permitted anchorage location.

			2. Lookout Point (aka Tucker Point) on the southern side of Port Ross was declined by DOC for two reasons: a) Winter months due to the proposed closure of Port Ross during the 1 April to 31 October winter period. b) Not considered as an anchorage during the summer months as DOC believes no rationale for the purpose of the anchorage was provided by the fishing industry. c) Industry is of the view the same rationale that was provided for additional anchorages within Carnley Harbour also applied to the request for Lookout Point in Port Ross.	
Submitter 5: Sanford Limited	Appendix 4, Form 1 and Form 2	Oppose in part	The Section 32 Report, Pg19 - Part 4. Drivers and proposals for change states the proposed changes are required for "giving better effect to New Zealand Coastal Policy Statement (NZCPS) 2010." DOC goes on to imply changes will occur in both the Domestic and International management of biofouling. The IMO 2023 guidelines (Resolution MEPC.378(80), Annex 17), are intended for minimizing the transfer of invasive aquatic species from international voyages. Page 8, Section 3 Application, para 3.4 states "the guidelines may not be relevant to ships which operate only in the same waters in which the biofouling was accumulated." The Ministry for Primary Industry (MPI) have incorporated this IMO concept and created their Craft Risk Management Standard (CRMS) Vessels– The standard applies to international voyages only and not to domestic voyages. See Part 1.1 of the MPI, 2023 CRMS Vessels. The current operative plan and the proposed changes do not distinguish between the biofouling risk from international voyages versus domestic voyages. DOC are applying biofouling rules as a one size fits all across both international and domestic voyages. With the current biofouling inspection requirements in place, there has been no reported incidents that I am aware of where fishing vessels have introduced a biosecurity risk to the subantarctic islands. Therefore, giving effect to the NZCPS is already effective within the domestic space. The level of inspection rigor is proposed to increase in the proposed plan change. <u>Concerns</u> 1. The time required to conduct both the inspection, and the report writing has increased with additional photo and video footage requirements. 2. The increased time will incur increased costs. 3. The increased inspection time and costs are re- occurring at every inspection. 4. For a single Sanford scampi vessel compliance with rule 29(B)(a) over a 3 year period entails a drydock period to apply the AFS, followed by 1 biofouling inspections in the first year and 3 biofouling inspections in year two, followed by another 3 inspections in year three. 7 biofouling inspections conducted over a 3 year period. This process is conducted for six vessels within the scampi fishing fleet. 5. The true financial burden imposed by the changes to the rigor of the inspections is yet to be recognised. 6. International vessels do not conduct anywhere near this level of compliance requirement due to the frequency of planned voyages to the Subantarctic Islands.	I am seeking distinction between biofouling requirements for international vessels versus domestic vessels be included in the RCP. I am seeking the proposed increased inspection rigor not be applied to domestic fishing vessels. I am seeking the current inspection rigor be maintained for domestic fishing vessels.

			7. Seeking shelter for the safety of domestic vessels and the crew have an excessive burden of compliance and financial cost. 8. The biosecurity risk from domestic vessels is considerably lower than international vessels, yet the compliance burden and financial cost is considerably higher for domestic vessels. 9. The inspection regime and level of inspection rigor under the current operative RCP have been sufficient to ensure no biosecurity risk is introduced from domestic fishing vessels whilst at the subantarctic islands. DOC has not provided any evidence to suggest otherwise. 10. There is no additional biosecurity benefit gained by introducing an increased level of rigor within the inspections for domestic vessels.	
--	--	--	---	--

Submitter	Provision	Position	Submission	Relief
Submitter 6: New Zealand Sealion Trust	General Comments		The New Zealand Sea Lion Trust (NZSLT) is a charitable trust which promotes within New Zealand (including the Kermadec and Subantarctic Islands) the conservation, protection and benefit of pakake/New Zealand sea lions and all pinnipeds. Pakake are one of the rarest sea lions in the world and are only found in New Zealand. They are nationally endangered. We welcome the opportunity to submit on Proposed Plan Change 1 – Regional Coastal Plan: Kermadec and Subantarctic Islands (Proposed Plan). The Kermadec and Subantarctic Islands are critical for pinnipeds including the New Zealand sea lion /pakake, as key areas for breeding and foraging.	
Submitter 6: New Zealand Sealion Trust (NZST)	Issue 1: Natural Character	Support	NZSLT supports the technical change to the Plan that describes issues to be managed to clarify that all the coastal marine area of both groups of islands is of an outstanding natural character.	Accept all proposed amendments to Issues, Objectives, Policies and Methods of Implementations, Issue 1 – Natural Character regarding coastal marine areas of both groups of islands being of outstanding natural character.
Submitter 6: New Zealand Sealion Trust (NZST)	Issue 1: Natural character Natural character - Control of surface water activities - Policy 13 and Rules 40 new condition C and 56 new condition B	Oppose	NZSLT opposes restricting ancillary craft (such as zodiacs) to a 1000m proximity from the main ship. If this restriction is imposed and visits to Campbell Island are to continue then larger vessels will need to be allowed into Perseverance Harbour which NZSLT opposes due to reasons given above. NZSLT supports increases to the safety of vessels, and their passengers, operating in these regions but believes it can be achieved in other ways such as restricting the operation of ancillary craft to occur in pairs so all vessels have a support craft.	Delete.
Submitter 6: New Zealand Sealion Trust (NZST)	Access and anchoring within the coastal marine area of the Subantarctic Islands - Note 7, new condition B in Rules 34, 37, 40, 41, 42, 43, 46, 49	Support	NZSLT supports tightening restrictions on vessels accessing Port Ross in the Auckland Islands during the winter months when the tohorā/southern right whales are present in large and increasing numbers. This is to reduce risk of collision, pollution of the environment and injury to the whales. NZSLT supports the protection of tohorā/southern right whales as part of the ecosystem of the Kermadec and Subantarctic ecosystem.	Accept proposed amendments to Table 2, Note 7, Rules 34, 37, 40, 41, 42, 43, 46, 49.

Submitter 6: New Zealand Sealion Trust (NZST)	Rule 42 addition of two anchorages in condition C	Support in part	NZSLT supports in part providing more safe anchorage options for small vessels, including the Southern Ocean scampi fleet vessels for sheltering from bad weather in Carnley Harbour of Auckland Island subject to (1) those locations strictly being available for shelter during bad weather events only; and (2) any safe anchorage options excluding the area surrounding Figure of 8 Island.	Accept amendments to Rule 42, condition C with further amendments to note that (1) those locations are strictly available for shelter during bad weather events only; and (2) excluding the area surrounding Figure of 8 Island.
Submitter 6: New Zealand Sealion Trust (NZST)	Rule 47 exemption of Rule 47A Rule 47A Discretionary access to Perseverance Harbour by vessels longer than 125m	Oppose	NZSLT opposes allowing operators of vessels longer than 125 m to apply for a resource consent (a coastal permit) to access Perseverance Harbour on Campbell Island/Motu Ihupuku, and supports the current prohibition continuing. Perseverance Harbour is a difficult harbour to navigate due to the reefs present. Larger vessels visiting more frequently will increase the risk of accidents and, with them, the risk of environmentally disastrous side effects, such as oil spills and leakages. Vessels of over 125 m in Perseverance Harbour will require more space to anchor, presenting increased impacts on the sea floor due to the larger size of anchors and amount of anchor chain required. Larger vessels also catch the wind more and require greater speed to maintain steerage. Any accidents will detrimentally impact upon local wildlife, including sea lions and other pinnipeds. There is evidence of previous incidents involving larger vessels when permitted in the Subantarctic, e.g. L'Austral 2017. In addition, generally, allowing access by larger vessels (and with them, increased numbers of people) into ecologically vulnerable areas increases the risk of negative impacts on wildlife and biosecurity. Larger, newer vessels will also have more deck lights as this is required under maritime law. Such lighting will increase disturbance to local wildlife populations. There are a number of New Zealand sea lions (over 1000 individuals) using Perseverance Harbour and allowing operators of vessels longer than 125 m to use the harbour will increase the risk of disturbance to the sea lions due to noise, physical impacts of both the vessel and wake, oil spillages, and possible injury and death from boat strike. NZSLT would like to see the coastal plan align with similar areas such as Macquarie Island and the rules for vessels heading to Antarctica under IAATO-International Association of Antarctic Tour Operators. These rules also include limits on passenger numbers on vessels and limits of 200 people permitted for landings.	Delete amendments to Rule 47. Delete new Rule 47A.
Submitter 6: New Zealand Sealion Trust (NZST)	– Table 1 – Appendix 4 Vessel hull and niche area inspection requirements, methods and forms – Appendix 5 – Appendix 6 – Appendix 7	Support	NZSLT supports the new inspection requirements contained in the Proposed Plan to reduce the risk of introducing marine pests in vessel hull biofouling. The reduction of the introduction of marine pests which could alter the functioning of local ecosystems, limit prey availability, and/or introduce disease is key in these remote areas.	Accept all proposed amendments to Table 1, Appendix 4, Appendix 5, Appendix 6, Appendix 7.

Submitter	Provision	Position	Submission	Relief
Submitter 7: Southland Conservation Board	General comment		The Southland Conservation Board (the Board) would like to formally provide a submission on the above proposed RMA Plan Change in alignment with the board's main principals: Principle of Preservation and Protection Decisions of the Southland Conservation Board shall be based on the principle of the preservation and protection of the conservation estate and all its natural and historic resources. Activities on the conservation estate, and any effects on its whenua and its indigenous flora and fauna, shall be considered in the context of this principle. Principle of Advocacy The Southland Conservation Board shall use its voice to advocate for the mauri / integrity and wellbeing of the natural environment of Aotearoa New Zealand including, but not limited to, her land, waters, ecosystems and biodiversity.	
Submitter 7: Southland Conservation Board	Natural character - Control of surface water activities - Policy 13 Rule 40 new Condition C Rule 56 B, (ancillary craft controls)	Oppose	The board has concerns about the restriction of ancillary craft operations. These concerns pertain to the navigational safety of not only the main ship but its ancillary craft. The board perceives that the navigational safety of the ship and its ancillary craft are best managed under the ships and their field team's safety and management systems, along with direction of harbormaster and their navigational plans for the area. a. Increased ship proximity to shore There is a concern that the 1000-meter limit from the main ship may increase the likelihood of vessels having to anchor closer to shore and therefore increase the potential for incidents to happen with the main ship particularly with changeable weather and wind conditions where vessels are prone to dragging anchors. Increased ship and ancillary craft. b. Management of safety of ancillary craft Safety of ancillary craft are usually managed by other ancillary craft in the area other areas in the Sub- Antarctic/Antarctica area. For example, Macquarie Island always has a requirement of 2 ancillary craft in the water: to ensure efficient management and safety of landing sites in challenging conditions.	Delete
Submitter 7: Southland Conservation Board	- Table 1 - Appendix 4 Vessel hull and niche area inspection requirements, methods and forms - Appendix 5 - Appendix 6 - Appendix 7	Support	The board supports the change in vessel hull inspections and biofouling to protect the Sub Antarctic Islands marine environment and fauna and prevention of invasive marine species.	Retain
Submitter 7: Southland Conservation Board	Access and anchoring within the coastal marine area of the Subantarctic Islands - Note 7, new condition B in	Supports	The board supports the restrictions of vessels into Port Ross, Auckland Islands/Maukahuka during the winter months. Being a key breeding site for Southern Right Whale/Tohorā breeding during this time.	Retain

	Rules 34, 37, 40, 41, 42, 43, 46, 49			
Submitter 7: Southland Conservation Board	Rule 47 exemption of Rule 47A Rule 47A Discretionary access to Perseverance Harbour by vessels longer than 125m	Oppose	The board has concerns about the plan change to allow vessels of over 125 meters to apply for a resource consent to access Perseverance Harbour. These concerns include impacts on the natural character values of the area including wildlife and the navigational safety for these vessels which could present risks to the areas values and wildlife. a) Risk to wildlife and natural character values Larger vessels accessing Perseverance Harbour comes with greater impacts due to the nature of the vessels increased size. These impacts would include increased impact to the seafloor from anchor size and increased chain weight and length. Increased nighttime light pollution impacts arise from vessel navigational lighting required under International Maritime Law; increasing bird strike risk of species such as Sooty Shearwaters/Titi, Fairy Prions/Titi wainui and Storm petrels/Takahikare-raro. Risk of increased potential for accidental spills or contamination into the marine environment with greater impact. Larger vessels and ancillary craft in Perseverance Harbour may hold the potential of coming into closer proximity to the important wildlife hotspots in the area such as the New Zealand Sealion/pakake colony at Shoal Point. b) Navigational and vessel safety Potential for increased navigational safety risks due to vessel size and increased wind catching ability in an area prone to high winds. The board acknowledges that there have been previous incidents by vessels over 125m that have been granted resource consent to operate in the Sub Antarctic. Greater vessel size also comes with more restricted ability to maneuver, and increased area required for anchoring and have increased area prone to catching wind. c) Tourism Management and impacts on the Conservation Management Strategy Larger vessels entering the area have the potential for larger visitor numbers putting pressure on the Conservation Management Strategy and its permit allocation system which is currently under stress with increased vessel numbers and volume in the New Zealand Sub-Antarctic.	Delete

Submitter	Provision	Position	Submission	Relief
Submitter 8: Seaeagle Fishing Limited	Controls on hull and niche area fouling - Rule 29 B. (b)(ii) and (iii)	Oppose in part	- International vessels should be subject to vessel standard outlined in CRMS 2023 MPI Biosecurity standards and clearance. Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile. - The proposed changes are unnecessary, disproportionately burdensome and confusing. The level of documentation for the two domestic scampi vessels under 24m we operate is too generic and unsuitable. - The current regime already meets and exceeds IMO 2023 standards and includes rigorous inspections, niche area management, and contingency pathways. - Applying international vessel standards (outlined in CRMS Vessels 2023) to domestic operators adds compliance costs without improving biosecurity outcomes. - The vessels we operate are regularly inspected, and have a relatively small area compared to the large international Vessel CRMS must accommodate. The existing 2017 plan has is sufficient. The proposed extent of the hull check list is overly excessive and complicated for a small domestic vessel.	International vessels to comply with the new inspection protocols (Forms 1 and 2 of Appendix 4) and they are an elevated risk. Domestic vessels to be exempt from the new inspection protocols (Forms 1 and 2 of Appendix 4). Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile.
Submitter 8: Seaeagle Fishing Limited	Appendix 4 Vessel hull and niche area inspection requirements, method and Forms 1 and 2	Oppose in part	- International vessels should be subject to vessel standard outlined in CRMS 2023 MPI Biosecurity standards and clearance. Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile. - The requirement for the significant additional documentation, including 3 x photo and video evidence, is excessive for domestic vessels. We currently provide photos and video footage to DOC under 2017 plan and there have been no issues raised due to lack of visual evidence. - Our Scampi vessels already undergo frequent inspections due to regular returns to port. - The proposed changes duplicate existing requirements and will impose unnecessary administrative and cost burdens on us as an operator and DOC. - DOC does not provide any evidence as to why the current process under the Operative Plan for the scampi fleet is inadequate. - We have experienced productive and constructive correspondence with the DOC team. This demonstrates the strong engagement and adherence to the current requirements. From the information that we have at hand there has never been a denied authorisation for access to the Auckland Islands based on the current operative plan. Correspondence between operators, DOC staff and authorised inspectors has been positive under the current process, and we question why there is any appetite to change a process which is working well. . The proposed extent of the hull check list is overly excessive and complicated for a small domestic vessel.	International vessels to comply with the new inspection protocols (Forms 1 and 2 of Appendix 4) and they are an elevated risk. Domestic vessels to be exempt from the new inspection protocols (Forms 1 and 2 of Appendix 4). Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile.
Submitter 8: Seaeagle Fishing Limited	Access and anchoring within the coastal marine area of the Subantarctic Islands: – Note 7 – new condition B in Rules 34,	Oppose	- Port Ross is a critical refuge for vessels during poor weather. A full seasonal closure would remove this safety option during the most hazardous time of year. - Scampi vessels use steel anchor chains, which pose minimal entanglement risk to whales. - There is no history of whale entanglements in the scampi fishery. - While it is not clear if MPI Observers are specifically instructed to report compliance with the Regional Coastal Plans, they are required to report on protected species risk management more generally (Vessel Management Plan Audits and Operational Procedures) and are required to report protected species captures, including	We request that commercial fishing vessels are permitted to access Port Ross for safe anchorage during the winter months (1 April to 31 October) under the conditions which currently apply, with the addition of: - Requirement to use chain/wire anchor cables - Speed restrictions where practical to keep steerage

	37, 40, 41, 42, 43, 46 – Rules 38 & 39		entanglements. Based on observer records and Non-Fish or Protected Species reports, there has never been a whale entanglement involving scampi vessels and adherence to protected species risk management has been high over recent years (Deepwater Annual Review Report 2022/23).	
Submitter 8: Seaeagle Fishing Limited	Rule 42 new anchorages in condition C	Support in part	- These new anchorages, Anchorage at Round Point and Crab Bay (Carnley Harbour), provide essential shelter from hazardous north-easterly winds. Their inclusion improves safety and operational continuity for the fleet. - However additional anchorages, such as up in North Arm, are still needed to address prevailing south- westerly conditions and congestion during adverse weather. - The need for additional anchorages is amplified with talking all reasonable measures to avoid Port Ross.	Support as is, with the addition to consider the use of North Arm under the following conditions: - The master decided there was nowhere else suitable, and - The vessel remains outside 300m from shore.
Submitter 8: Seaeagle Fishing Limited	Rule 42 new anchorages in condition C – additional anchorage	Oppose	- Industry maintains anchorage at Tucker point is needed for shelter from easterly winds. - DOC rejected it citing lack of rationale, but the same safety logic used for Carnley Harbour applies here. Its inclusion would improve vessel safety during adverse conditions.	Include Tucker Point (Port Ross), Auckland Island in Rule 42 condition C, and include a Chartlet for it in Appendix 3.
Submitter 8: Seaeagle Fishing Limited	Table 2 Performance Standards 5 and 6	Oppose	While supporting whale protection, the proposed restrictions are disproportionate to the actual risk posed by scampi vessels. Due to weather and other environmental conditions, night vessel movements should be avoided if possible. However, an exemption should be granted if the vessel has equipment and procedures that provide full visual and situational awareness in reduced visibility. For example, FLUR night vision / thermal.	We request that commercial fishing vessels are permitted to access Port Ross for safe anchorage during the winter months (1 April to 31 October) under the conditions which currently apply, with the addition of: - Requirement to use chain/wire anchor cables - Speed restrictions where practical to keep steerage
Submitter 8: Seaeagle Fishing Limited	Appendix 5 Approval of inspectors	Oppose	We have built trusted relationships with approved inspectors in several ports around the country. Inspectors have become familiar with vessels and inspection scheduling. This appears to be an effective process. Several risks have been identified with the removal of approved inspectors: - Reduced assurance of adequate inspections and cleaning - Increased administrative burden for operators and DOC - Operational uncertainty for industry - Skill set to identify and properly deal with hull bio fouling is specific and requires relevant experience and training. The current well-regulated register DOC has is adequate and professional	Retain Minister approved inspectors.

Submitter	Provision	Position	Submission	Relief
Submitter 9: Te Ao Marama Inc.	General comments		This submission is made on behalf of Te Runanga o Hokonui, Te Runanga o Oraka Aparima, Te Rūnanga o Awarua and Te Runanga o Waihopai (known as Ngā Runanga). This is a submission on the proposed plan change to the Regional Coastal Plan Kermadec and Subantarctic Islands. Ngā Rūnanga submission relates to the plan change in its entirety. Papatipu Rūnaka The Te Rūnanga o Ngāi Tahu Act 1996 (the TRoNT Act) and the Ngāi Tahu Claims Settlement Act 1998 (the Settlement Act) give recognition to the status of Papatipu Rūnanga as kaitiaki and mana whenua of the natural resources within their takiwā boundaries. A significant component of the Ngāi Tahu Settlement is the cultural redress elements, which seek to restore the ability of Ngāi Tahu to give practical effect to its kaitiaki responsibilities. Off shore Islands are of specific relevance and are particularly highlighted as important in many of the Acts provisions. Relevant “cultural redress” elements of the Ngāi Tahu Settlement include ownership and control.¹ For resource management purposes in Murihiku, certain rūnanga take the lead for applications for specific areas. In respect of the Kermadec and Subantarctic Islands all four papatipu runanga share interest in this area and therefore all four are represented in this instance equally. General Position and Reasons for the Submission – Te Tangi a Tauira, 2008, states that: Off shore Islands which form part of the Murihiku natural environment represent resources of significant natural and cultural values for Ngāi Tahu ki Murihiku. Values associated with Off shore Islands include landscape features, indigenous vegetation, habitats of fauna and cultural and spiritual values. Retention of such values including the protection of customary rights is a key focus for Ngāi Tahu ki Murihiku.² Off shore Islands include the lands of islands located off the Murihiku coast (including Rakiura, the Subantarctic Islands and Fiordland), and islands found in rivers and in lakes.³ The rohe (area) that the proposed plan change applies to is within a significant cultural landscape to Ngāi Tahu because of historical and contemporary associations. These associations include (but are not limited to) the formation of landscape, wāhi ingoa (place names), mahinga kai, kaimoana, wāhi tapū, Māori land and archaeological sites. This cultural, spiritual, historic, and traditional association with the subantarctic islands is recognised by the crown under the Ngāi Tahu Claims Settlement Act, 1997. Ngā Rūnanga, as kaitiaki, are responsible for protecting the mana and mauri of the environment that the proposed plan change applies to. This submission progresses the aspirations of ngā Runanga as kaitiaki and rangatira of the Subantarctics. Continued connection and access to place is essential to Ngai Tahu cultural identity.	

			Ngāi Tahu ki Murihiku provided detailed comments on proposed provisions of the proposed Regional Coastal Plan as per Clause 4A of Schedule 1 of the Resource Management Act 1991. We note the Department's response to this feedback which is outlined on pages 84 – 87 of the Section 32 Report. We support a full review of the Regional Coastal Plan to fully enable mana whenua aspirations for the takiwā to be incorporated in the Regional Coastal Plan. Ngāi tahu seeks the same access and opportunities to the Subantarctic Islands, as afforded by the Crown. This is considered appropriate to reflect an authentic partnership relationship between iwi and the Crown. The following amendments are sought to the performance standards 5 and 6 to reflect the request outlined in paragraph 17 above making it clear that research and management work should specifically include Ngāi Tahu exercising their rights and interests to tino rangatiratanga, kaitiakitanga through the implementation of Mātauranga Māori. 1 Te Tangi a Tauira – The Cry of the People, Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 – pg 21 2 Te Tangi a Tauira – The Cry of the People, Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 – pg 205 3 Ibid – pg 203	
Submitter 9: Te Ao Marama Inc.	Issue 1: Natural character	Support in part	Changing the word 'Significant' to 'outstanding' throughout plan - it is not clear what evidence has been used to support the change from significant to outstanding. Whilst it could be considered the intent of the plan is to achieve a high level of protection and as such meets an 'outstanding values' threshold, we consider this assumption would still need to be 'tested' and / or evidential support provided with the plan change to support this change. We also seek to understand what the practical implications are on a plan user for the shift in policy framework? We further note that any contribution to the identified landscape 'value' status of the area would need to include mana whenua values. Given the operative plan is dated 2007 we consider there to be a likely knowledge gap in respect of mana whenua input into the determination of this landscape classification. As noted above, we seek to understand what the evidential basis was for the proposed change and what are the practical implications on a plan user for the shift in policy framework?	Seeks further information on evidential basis for changing the word 'Significant' to 'Outstanding'. Seeks further information on the practical implications of the wording change.
Submitter 9: Te Ao Marama Inc.	Table 2 Performance Standard 5	Oppose in part	Amendments are sought to the performance standard 5, making it clear that research and management work should specifically include Ngāi Tahu exercising their rights and interests to tino rangatiratanga, kaitiakitanga through the implementation of Mātauranga Māori. Ngāi Tahu seeks the same access and opportunities to the Subantarctic Islands, as afforded by the Crown. This is considered appropriate to reflect an authentic partnership relationship between iwi and the Crown.	Amend Performance Standard 5 as follows: Access by vessels to Port Ross in the winter months of 1 April to October 31 under Rules 38 and 39 (research and management work and <u>Ngāi Tahu exercising their rights and interests to tino rangatiratanga, kaitiakitanga through Mātauranga Māori</u>) must meet the following requirements at all times: a) No transiting at night, after sunset and before sunrise; AND b) No transiting in reduced visibility, e.g., fog or heavy rain: AND c) A bow watch for whales is kept on vessels entering, transiting and departing; AND d) Chain anchor lines are to be used and additional anchoring

				gear is carried on the vessel; AND e) Vessel has prevention and response plans in place, including: an entanglement prevention and release plan; a prevention of damage to manoeuvring equipment and response in the event of damage to manoeuvring equipment plan; AND f) Vessels shall not exceed a speed of 4 knots. g) <u>Vessels owned and/or operated by Ngāi Tahu must meet the requirements of (b) – (f) only.</u>
Submitter 9: Te Ao Marama Inc.	Table 2 Performance Standard 6	Oppose in part	Amendments are sought to the performance standard 56 making it clear that research and management work should specifically include Ngāi Tahu exercising their rights and interests to tino rangatiratanga, kaitiakitanga through the implementation of Mātauranga Māori. Ngāi Tahu seeks the same access and opportunities to the Subantarctic Islands, as afforded by the Crown. This is considered appropriate to reflect an authentic partnership relationship between iwi and the Crown.	Amend Performance Standard 6 as follows: Access by all vessels to Auckland Islands and Campbell Island generally, and particularly Northwest Bay at Campbell Island, in the winter months of 1 April to 31 October (when the southern right whales are typically present) must comply with the following requirements at all times: a) Avoid as far as practicable transiting at night, after sunset and before sunrise, and in reduced visibility, e.g., fog or heavy rain, within 0.54nm (1000m) of MHWS; AND b) Keep a bow watch for whales within 0.54nm (1000m) of MHWS; AND c) Chain anchor lines are to be used and additional anchoring gear is to be carried on the vessel; AND d) <u>Vessels owned and/or operated by Ngāi Tahu must meet the requirements of (b) – (c) only.</u>

Submitter	Provision	Position	Submission	Relief
Submitter 10: Barine Developments Ltd	General comments	Oppose in part	In summary, Barine Developments Ltd appreciates the opportunity to provide feedback on the Department of Conservation (DOC) Proposed Plan Change 1 to the Regional Coastal Plan: Kermadec and Subantarctic Islands. Whilst the submitter supports the overarching goals of environmental protection and biosecurity to ensure longevity and marine mammal protection, we ask that DOC considers the operational realities and proven compliance record of our scampi vessels; as well as ensuring the Plan is aligned with international law and right of free passage, and placing paramount importance on keeping a vessel and its crew safe. Several proposed changes—particularly those relating to biofouling inspections and seasonal access restrictions—risk imposing disproportionate burdens without delivering commensurate environmental benefits. The submitter advocates for a more balanced, risk-based approach that maintains strong protections for the marine environment while ensuring the safety and viability of domestic fishing operations.	

Submitter 10: Barine Developments Ltd	Controls on hull and niche area fouling - Rule 29 B. (b)(ii) and (iii)	Oppose in part	- International vessels should be subject to vessel standard outlined in CRMS 2023 MPI Biosecurity standards and clearance. Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile. Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile. - The proposed changes are unnecessary, disproportionately burdensome for fishing operators. - The current regime already meets and exceeds IMO 2023 standards and includes rigorous inspections, niche area management, and contingency pathways. - Applying international vessel standards (outlined in CRMS Vessels 2023) to domestic operators adds compliance costs without improving biosecurity outcomes. Unnecessary, additional costs to fishing operators have a flow on affect to quota shareholders, and the full supply chain.	International vessels to comply with the new inspection protocols (Forms 1 and 2 of Appendix 4) and they are an elevated risk. Forms 1 and 2 of Appendix 4). Domestic vessels to be exempt from the new inspection protocols (Forms 1 and 2 of Appendix 4). Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile.
Submitter 10: Barine Developments Ltd	Appendix 4 Vessel hull and niche area inspection requirements, method and Forms 1 and 2	Oppose in part	- International vessels should be subject to vessel standard outlined in CRMS 2023 MPI Biosecurity standards and clearance. Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile. Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile. - The requirement for additional documentation, including photo/video evidence, is excessive for domestic vessels. - Scampi vessels already undergo frequent inspections due to regular returns to port. - The proposed changes duplicate existing requirements and impose unnecessary administrative and cost burdens. - DOC does not provide any evidence as to why the current process under the Operative Plan for the scampi fleet is inadequate. - We have experienced productive and constructive correspondence with the DOC team. This demonstrates the strong engagement and adherence to the current requirements. From the information that we have at hand there has never been a denied authorisation for access to the Auckland Islands based on the current operative plan. Correspondence between operators, DOC staff and authorised inspectors has been positive under the current process, and we question why there is any appetite to change a process which is working well.	International vessels to comply with the new inspection protocols (Forms 1 and 2 of Appendix 4) and they are an elevated risk. Domestic vessels to be exempt from the new inspection protocols (Forms 1 and 2 of Appendix 4). Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile.
Submitter 10: Barine Developments Ltd	Access and anchoring within the coastal marine area of the Subantarctic Islands: - Note 7 - new condition B in Rules 34, 37, 40, 41, 42, 43, 46 - Rules 38 & 39	Oppose	- Port Ross is a critical refuge for vessels during poor weather. A full seasonal closure would remove this safety option during the most hazardous time of year. Ensuring the safety of vessels and crew must remain the highest priority in anchorage planning. - Scampi vessels use steel anchor chains, which pose minimal entanglement risk to whales, rather than rope-based systems. Steel chains rest on the seafloor and do not pose the same entanglement risk as floating or slack rope, which is known to be a primary cause of whale entanglements with other vessels. This, along with the required measures within the current operative Plan means the risk profile of scampi operations in Port Ross is inherently low. - There is no history of whale entanglements in the scampi fishery. - While it is not clear if MPI Observers are specifically instructed to report compliance with the Regional Coastal Plans, they are required to report on protected species risk management more generally (Vessel Management Plan Audits and Operational	Requests that commercial fishing vessels are permitted to access Port Ross for safe anchorage during the winter months (1 April to 31 October) under the conditions which currently apply, with the addition of: - Requirement to use chain/wire anchor cables - Speed restrictions where practical to keep steerage

			Procedures) and are required to report protected species captures, including entanglements. Based on observer records and Non-Fish or Protected Species reports, there has never been a whale entanglement involving scampi vessels and adherence to protected species risk management has been high over recent years (Deepwater Annual Review Report 2022/23). • New Zealand scampi fishing vessels do not plan or conduct voyages to visit the Subantarctic Islands, instead they conduct voyages to the southern fishing grounds and utilise the Subantarctic Islands for shelter as the only available safe haven when unsafe sea conditions arise in the fishing grounds. • Port Ross also serves as a critical anchorage during transit between New Zealand and the Auckland Islands fisheries. Vessels anchor in Port Ross under poor weather conditions, when continuing at sea would pose a risk to vessel integrity and crew safety. A winter closure would effectively remove this vital refuge during the very season when it is most needed, potentially forcing vessels to remain at sea in unsafe conditions or divert to less suitable anchorages. • The proposed winter closure of Port Ross, intended to reduce the risk of whale interactions, must be carefully weighed against the operational realities and safety considerations of the Southern Ocean scampi fishery. With Research and Management vessels permitted to access Port Ross during the winter period, whilst implementing precautionary measures, there is no logical reason why sheltering fishing vessels should not also be a permitted activity. • Permitted Access to Port Ross for safety of vessels and crew should sit higher on the importance scale than research and maintenance. • BDL supports the position that, given the absence of historical whale interactions, the low-risk gear type, and the essential safety function Port Ross provides, a full seasonal closure is disproportionate to the actual risk.	
Submitter 10: Barine Developments Ltd	Access and anchoring - Rule 42 new anchorages in Condition C	Support in part	• These new anchorages, Anchorage at Round Point and Crab Bay (Carnley Harbour), provide essential shelter from hazardous north-easterly winds. Their inclusion improves safety and operational continuity for the fleet. • However additional anchorages, such as up in North Arm, are still needed to address prevailing south- westerly conditions and congestion during adverse weather. • Ultimately, ensuring the safety of vessels and crew must remain the highest priority in anchorage planning. • The seabed in the proposed Carnley Harbour anchorages drops off steeply, making anchoring technically challenging and are not suitable for south-westerlies as this would create a close lee shore anchoring situation that is unsafe for both vessel and environment. • However, further anchorage options are still required within Carnley Harbour to accommodate prevailing south-westerly conditions, which are more frequent and often more severe. • We also point out that access to safe anchorage is a vessels legal right under law, and a Captain/Master has a right to access safe anchorages if they alone determine a need. • Ensuring the safety of vessels and crew must remain the highest priority in anchorage planning. The subantarctic environment is highly dynamic, with rapidly changing weather and limited safe havens. The ability to access appropriate shelter in response to prevailing conditions is essential to avoid damage to vessels and maintain operational continuity. • While we are fully supportive of the proposed additions, there is still a limited number of anchorages in Carnley Harbour to protect vessels from the prevailing and often strong	Support the proposed new anchorages in Rule 42(C) with the addition of considering the use of North Arm under the following conditions: • The master decided there was nowhere else suitable, and • The vessel remains outside 300m from shore.

			south-westerlies. Carnley Harbour can also become congested during adverse weather, when multiple vessels seek shelter simultaneously, which may compromise safety and force vessels to anchor in less preferable areas.	
Submitter 10: Barine Developments Ltd	Rule 42 new anchorages in condition C – additional anchorage	Support	- Industry maintains anchorage at Tucker point is needed for shelter from easterly winds. - DOC rejected it citing lack of rationale, but the same safety logic used for Carnley Harbour applies here. Its inclusion would improve vessel safety during adverse conditions. - In the Section 32 Report DOC states that the fishing industry did not provide any rationale for requesting the Tucker Point anchorage. However, the same rationale applied to the Carnley Harbour anchorages was intended to be applied to Tucker Point, i.e. the need to shelter from north-easterly winds (although in this case more easterly). Industry maintains the view that anchorage at Tucker point is needed for safe sheltering (Appendix 1).	Include Tucker Point (Port Ross), Auckland Island in Rule 42 condition C, and include a Chartlet for it in Appendix 3.
Submitter 10: Barine Developments Ltd	Table 2 Performance Standards 5 and 6	Oppose	While supporting whale protection, the proposed restrictions are disproportionate to the actual risk posed by scampi vessels. Due to weather and other environmental conditions, night vessel movements should be avoided if possible. However, an exemption should be granted if the vessel has equipment and procedures that provide full visual and situational awareness in reduced visibility. For example, FLUR night vision / thermal.	That commercial fishing vessels are permitted to access Port Ross for safe anchorage during the winter months (1 April to 31 October) under the conditions which currently apply, with the addition of: - Requirement to use chain/wire anchor cables - Speed restrictions where practical to keep steerage
Submitter 10: Barine Developments Ltd	Appendix 5 – Approval of inspectors	Oppose	Scampi vessel operators have built trusted relationships with approved inspectors in several ports around the country. Inspectors have become familiar with vessels and inspection scheduling. This appears to be an effective process. Several risks have been identified with the removal of improved inspectors: - Reduced assurance of adequate inspections and cleaning - Increased administrative burden for operators and DOC - Operational uncertainty for industry	Retain Minister approved inspectors.

Submitter	Provision	Position	Submission	Relief
Submitter 11: Seafood New Zealand / Deepwater Council	General comments	Oppose	SNZ represents deepwater commercial fishing interests, including operators in the scampi fisheries which operate adjacent to the Auckland Islands (SCI 6A). These vessels rely on safe anchorage and operational certainty in the Sub-Antarctic region. The New Zealand scampi fleet does not plan or conduct voyages to visit the Subantarctic Islands, instead they conduct voyages to the southern fishing grounds and utilise the Subantarctic Islands for shelter when unsafe sea conditions arise in the fishing grounds. Based on the information available in the Section 32 Report and supporting information, the risk level at the Auckland Island hasn't changed, since the current Plan (Regional Coastal Plan 2017) was established. As responsible operators who are dependent on the health of the marine environment, we support the overarching goals of environmental protection and biosecurity. We appreciate the need to review and update the Plan in light of evolving risk and best practice. However, we question DOC's basis for the significant and vast scope of changes to a document that was developed very recently at great cost and effort. The plan in its current form has proved to be fit for purpose. The evolution of best practice and the environment factors specific to the Subantarctic Islands has not changed proportionally and in line with what DOC have proposed. We wish to raise several concerns regarding the proposed changes, particularly where they lack supporting evidence and rationale, and may disproportionately affect domestic scampi operators without a commensurate environmental benefit. While SNZ supports the overarching goals of environmental protection and biosecurity, we urge DOC to consider the operational realities and proven compliance record of the domestic scampi fleet. As well as ensuring the Plan is aligned with international law and right of free passage, and especially the ability to keep a vessel and its crew safe. Several proposed changes – particularly those relating to biofouling inspections and seasonal access restrictions – risk imposing disproportionate burdens on scampi operators without demonstrating addition environmental risk and delivering commensurate and demonstrable environmental benefits. SNZ advocates for a more balanced, risk-based approach that maintains strong protections for the marine environment while ensuring the safety and viability of domestic fishing operations. •	
Submitter 11: Seafood New Zealand / Deepwater Council	Controls on hull and niche area fouling - Rule 29 B. (b)(ii) and (iii)	Oppose in part	• SNZ questions how the imposition of the MPI Craft Risk Management Standard (CRMS) Vessels 2023 on domestic vessels in the Sub-Antarctic is "giving better effect to New Zealand Coastal Policy Statement (NZCPS) 2010". • The CRMS represents the ratification of IMO 2023 guidelines (Resolution MEPC.378 (80), Annex 17) by MPI, which is applied to international vessels and not vessels undertaking domestic voyages (e.g., scampi vessels) as minimise/mitigate the incursion invasive aquatic species on those international vessels. • As such the application of international vessel standards (outlined in Craft Risk Management Standard (CRMS) Vessels 2023) to domestic operators (undertaking activities in adjacent waters) is unnecessary and arguably over-reach. • The current regime already meets and exceeds IMO 2023 standards and includes rigorous inspections, niche area management, and contingency pathways. SNZ asks where is the risk that supports the imposition of these proposed changes which are unnecessary and disproportionately burdensome for domestic scampi vessels (e.g. international vessels rarely enter Sub-Antarctic waters, Scampi vessels undertake frequent voyages.	Domestic vessels to be exempt from the new inspection protocols (Forms 1 and 2 of Appendix 4). Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile.

			It is SNZ's submission that the imposition Rules 29A and B(b) (relating to Performance Standards 1- 4) add additional compliance costs, and operational burden without improving biosecurity outcomes.	
Submitter 11: Seafood New Zealand / Deepwater Council	Access and anchoring within the coastal marine area of the Subantarctic Islands: - Note 7 - new condition B in Rules 34, 37, 40, 41, 42, 43, 46 - Rules 38 & 39	Oppose	- SNZ questions the rationale behind this disproportionate measure that risks vessel safety, to reduce entanglement risk to whales in the harbour, of which no entanglements or interactions been observed or reported. It is SNZ's submission that permitted access to Port Ross for safe anchorage in adverse weather conditions is critical. To these ends SNZ requests that express provision is made in the plan for 'sheltering vessels' (e.g. to rules 38, 40, 41, 42, 43, and 46). - The harbour in the vicinity of Port Ross is deep, sheltered, and ringed with hills – and as such is one of the few safe anchorages in the Sub-Antarctic and is a critical refuge for vessels during poor weather. - A full seasonal closure would remove this safety option during the most hazardous time of year. - Scampi vessels use steel anchor chains, which hang rather than float and pose minimal entanglement risk to whales. - There is no history of whale entanglements in the scampi fishery, nor with scampi vessels seeking shelter at Auckland Island. - While it is not clear if MPI Observers are specifically instructed to report compliance with the Regional Coastal Plans, they are required to report on protected species risk management more generally (Vessel Management Plan Audits and Operational Procedures) and are required to report protected species captures, including entanglements. Based on observer records and Non-Fish or Protected Species reports, there has never been a whale entanglement involving scampi vessels and adherence to protected species risk management has been high over recent years (Deepwater Annual Review Report 2022/23). - The Sub-Antarctic is recognised as having some of the most extreme weather conditions, and the exclusion of safe anchorage in the North of the Island away from the southerlies and easterlies is risking scampi vessels and the lives crew. - SNZ is surprised that the proposed plan makes provision in Port Ross for vessels undertaking management activities and/or research for DOC, including vessels of the New Zealand Navy, but excludes other vessels seeking shelter (e.g., scampi vessels) – who under the plan must transit in adverse conditions to the south of Island, unless they have applied for and have been granted <i>Discretionary Resource Consent</i>. - It is SNZ's strong submission that a plan written by DOC that provides for permitted anchorage for DOC's own vessels in adverse weather, but excludes other vessels (e.g., commercial scampi vessels) subject to their having consent is unconscionable. Safety of the lives of crew in times of distress should never require consent or a permit!	Commercial fishing vessels are permitted to access Port Ross for safe anchorage (particularly during the winter months: 1 April to 31 October) under the conditions which currently apply, with the addition of: - Requirement to use chain/wire anchor cables - Speed restrictions where practical to keep steerage
Submitter 11: Seafood New Zealand / Deepwater Council	Access and anchoring - Rule 42 new anchorages in Condition C	Support in part	- These new anchorages at Round Point and Crab Bay (Carnley Harbour) provide essential shelter from hazardous north-easterly winds. - However, additional anchorages are still needed to address prevailing south-westerly conditions and congestion during adverse weather, particularly up North Arm. - Their inclusion improves safety and operational continuity for the fleet. We strongly support the inclusion of new anchorage sites in Carnley Harbour at Round Point and Crab Bay, as these provide much-needed shelter from rare but hazardous north- easterly wind events. However, further anchorage options are still required within Carnley	Support as is.

			Harbour to accommodate prevailing south- westerly conditions, which are more frequent and often more severe. • We also point out that access to safe anchorage is a vessels legal right under law and a Captain has a right to access safe anchorages if he alone determines a need. • Ensuring the safety of vessels and crew must remain the highest priority in anchorage planning. The subantarctic environment is highly dynamic, with rapidly changing weather and limited safe havens. It is vital that vessels have access to safe anchorages that provide protection from severe conditions, and where the anchorages match the conditions. The ability to access appropriate shelter in response to prevailing conditions is essential to avoid damage to vessels, injury to crew and maintain operational continuity. • While we are fully supportive of the proposed additions, there is still a limited number of anchorages in Carnley Harbour to protect vessels from the prevailing and often strong south-westerlies. Carnley Harbour can also become congested during adverse weather, when multiple vessels seek shelter simultaneously, which may compromise safety and force vessels to anchor in less preferable areas. • Furthermore, the seabed in the proposed Carnley Harbour anchorages drops off steeply, making anchoring technically challenging, especially in south- westerly conditions, where the creation of a close lee shore anchoring situation makes the anchorage unsafe for both vessel and environment.	
Submitter 11: Seafood New Zealand / Deepwater Council	Rule 42 new anchorages in condition C – additional anchorage	Oppose	• SNZ strongly submits that Tucker Point Anchorage (Port Ross) is needed for shelter from southerly and easterly winds. • DOC rejected its inclusion citing lack of rationale, but the same safety logic used for Carnley Harbour applies here. • The inclusion of Tucker Point provides vessel safety during adverse conditions. • Industry has long requested access to additional anchorage locations to be allocated as permitted anchorages (e.g., Tucker Point (or Lookout Point) on the southern side of Port Ross). In the Plan Change 1 (Section 32 Report, pp 42-43). DOC states that the fishing industry did not provide any rationale for requesting the Tucker Point anchorage. • It is SNZ's submission that the same rationale that applies to the Carnley Harbour anchorages also applies to Tucker Point – safe anchorages for vessels and crew that accord with the conditions (i.e.' the need to shelter from north-easterly winds (in this case more easterly)). • SNZ maintains the view that this anchorage is needed for safe sheltering (Appendix 1).	Include Tucker Point (Port Ross), Auckland Island in Rule 42 condition C, and include a Chartlet for it in Appendix 3.
Submitter 11: Seafood New Zealand / Deepwater Council	Table 2 Performance Standards 5 and 6	Oppose	While supporting whale protection, the proposed restrictions are disproportionate to the actual risk posed by scampi vessels (which use steel anchor chains). It is SNZ's submission that permitted access to Port Ross for safe anchorage in adverse weather conditions is critical. To these ends SNZ requests that express provision is made in the plan for 'sheltering vessels' (e.g. to rules 38, 40, 41, 42, 43, and 46).	We request that commercial fishing vessels are permitted to access Port Ross for safe anchorage (particularly during the winter months: 1 April to 31 October) under the conditions which currently apply, with the addition of: • Requirement to use chain/wire anchor cables • Speed restrictions where practical to keep steerage

Submitter 11: Seafood New Zealand / Deepwater Council	Appendix 4 Vessel hull and niche area inspection requirements, method and Forms 1 and 2	Oppose	• The requirement for additional documentation, including photo/video evidence, is excessive for domestic vessels (and even more so for those vessels working within adjacent waters). • Scampi vessels already undergo frequent inspections due to regular returns to port. • The proposed changes duplicate existing requirements and impose unnecessary administrative and cost burdens. • DOC does not provide any evidence as to why the current process under the Operative Plan for the scampi fleet is inadequate. • Correspondence obtained from operators demonstrates strong engagement and adherence to the current requirements. Information that we have at hand indicates that authorisation for access to the Auckland Islands based on the current operative plan has never been denied. • SNZ questions the rationale behind the implementation of duplicate, disproportionate and unduly burdensome inspection requirements. DOC staff and authorised inspectors has been positive under the current process, and not indicative of any change of a process which (by all accounts) is working well. • We strongly oppose that the New Zealand scampi fleet should have to adhere to the proposed changes to the biofouling rules as outlined in Plan Change 1. Notwithstanding that there is no evidence presented demonstrating that the proposed changes to the biofouling risk management regime are in response to increased risk or will provide a great benefit, these changes are unnecessary, inappropriate, and disproportionately burdensome for domestic scampi vessels, which already meet a very high standard of hull and niche area maintenance under the current regulatory framework. The current regime was developed in consultation with NIWA and DOC biosecurity experts and incorporates all key elements of the IMO framework. These include: ○ The use of appropriate anti-fouling systems and risk based framework; ○ Rigorous inspection protocols; Niche area management; ○ Contingency pathways; . Documentation of standards • The current Plan requires vessels to submit documentation at least one week prior to arrival, demonstrating that an anti-fouling system has been applied in accordance with manufacturer specifications and is suitable for the vessel and operating environment. Maintenance records must cover all components, including niche areas such as sea chests and anodes—mirroring the IMO’s emphasis on proactive system maintenance. • Certified diver inspections are required every 3-6 months (depending on when the most recent anti- fouling has been applied). Vessels must be free of all visible organisms (with specified exemptions) after these inspections. This threshold is identical to the Level 1 standard in the IMO 2023 Guidelines and MPI’s CRMS for International Vessels 2023. • The Plan also addresses niche areas, requiring inspection of all accessible spaces and allowing for risk assessment where inspection is impractical. If a vessel fails inspection and cleaning is not viable, the Plan provides a clear contingency pathway through an independent risk assessment and coastal permit application, processed within 24 hours— consistent with IMO’s risk-based approach. • SNZ submits that correspondence obtained from operators demonstrates the strong engagement and adherence to the current requirements by scampi vessel operators. What is more, from the information that we have at hand there is no record that any authorisation for Access to the Auckland Islands has ever been denied. Any biofouling	Domestic vessels to be exempt from the new inspection protocols (Forms 1 and 2 of Appendix 4). Domestic vessels should maintain requirements under the current Regional Coastal Plan (2017) due to the lower risk profile.
---	--	---------------	--	--

			identified by the inspectors, is cleaned on site to ensure that the vessel meets the standards. • In addition, the correspondence with respect to biofouling risk management between operators, DOC staff and authorised inspectors has been positive under the current process with no incident or issue ever being raised, which raises the question as to why a process which is working well is being changed and intensified. Domestic vs international. • The proposed Plan references and essentially implements the MPI Craft Risk Management Standard (CRMS) Vessels, notwithstanding that these Standards are intended to ratify the IMO 2023 Guidelines with respect to the management of vessels transiting into New Zealand from international waters. It is SNZ's submission that the IMO 2023 Guidelines are also explicit that for vessels operating in the same waters in which biofouling accumulated these international measures (which mitigate/minimise the transfer of invasive aquatic from international locations) "may not be relevant". Therefore, while the CRMS for Vessels 2023 which is referenced in the Section 32 Report as a benchmark, it is designed specifically for international vessels entering New Zealand's territorial waters. It should not apply to domestic vessels operating solely within New Zealand, and even more so in adjacent waters, such as the Southern Ocean scampi fleet. • Applying the same level of documentation and inspection detail to these vessels is disproportionate to the low levels of risk these domestic vessels pose and imposes unnecessary and significant compliance costs. The additional report writing and photo / video footage requirements outlined in Appendix 4 of the Proposed Plan Change 1, is excessive for the domestic scampi fleet. These vessels are already required to undertake these inspections far more frequently than international vessels due to their frequency of transit to and from the mainland. • The current regime already provides a robust framework for managing biofouling risk from domestic vessels, and there is no evidence to suggest that it has been ineffective in practice, and no evident policy basis to intensify Risk Management measures for commercial scampi vessels operating in the Sub- Antarctic. The current biofouling regime meets and exceeds the standards set by the IMO 2023 Guidelines and is already consistent with the intent of the CRMS for Vessels 2023. It is tailored to New Zealand's unique marine environments and enforced through a robust, risk-based framework. For domestic vessels with proven compliance records, the proposed changes in Plan Change 1 would duplicate existing requirements, increase compliance costs, and offer no additional biosecurity benefit. We therefore respectfully submit that no changes should be made to the biofouling rules for domestic operators.	
--	--	--	--	--