

FOR OFFICE USE ONLY

Date received:

Submitter ID:

Submission Form (Form 5)

Submission on Proposed Plan Change 1: Regional Coastal Plan: Kermadec and Subantarctic Islands

[Form 5](#) Submissions on a Publicly Notified Proposed Regional Coastal Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991.

Return your signed submission by 5pm 22 October 2025 via:

Email: planchange1@doc.govt.nz with subject line: Proposed Plan Change 1: Regional Coastal Plan: Kermadec and Subantarctic Islands

Post: Department of Conservation, Private Bag 3072, Hamilton 3240
Attention: Jesse Gooding, RSP Resource Management Team

All sections of this form need to be completed for your submission to be accepted. Your submission will be checked for completeness, and you may be contacted to fill in any missing information.

Full name: Samuel Gilbert Penwarden

Phone: [REDACTED]

Organisation:

Seaeagle Fishing Ltd
*(*the organisation that this submission is made on behalf of)*

Email:

Sam@seaeagle.net.nz

Postal address:

[REDACTED]
[REDACTED]

Postcode: [REDACTED]

Address for service: name, email and postal address *(if different from above):*

Trade Competition

Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.



Department of
Conservation
Te Papa Atawhai

**Te Kāwanatanga
o Aotearoa**
New Zealand Government

Please tick the sentence that applies to you:

☐ I could not gain an advantage in trade competition through this submission; or

☒ I **could** gain an advantage in trade competition through this submission.

If you have ticked this box please select one of the following:

☒ I am directly affected by an effect of the subject matter of the submission

☐ I **am not** directly affected by an effect of the subject matter of the submission

Hearing Submissions [select appropriate box]:

✓ I wish to be heard in support of my submission.

☐ I do not wish to be heard in support of my submission.

✓ If others make a similar submission, I will consider presenting a joint case with them at a hearing.

☐ If others make a similar submission, I will not consider presenting a joint case with them at a hearing.

- *In accordance with clause 7 of Schedule 1 of the RMA, the Council will make a summary of your submission publicly available. The contact details you provide will also be made publicly available, because under clause 8A of Schedule 1 of the RMA any further submission supporting or opposing your submission must be forwarded to you by the submitter (as well as being sent to Council).*
- *Section 352 of the RMA allows you to choose your email to be your address for service. If you select this option, you can also request your postal address be withheld from being publicly available. To choose this option please tick the relevant boxes below.*

✓ I would like my address for service to be my email.

☐ I have selected email as my address for service, and I would also like my postal address withheld from being publicly available.

Signature:



Date: 22/10/2025

(Signature of person making submission or person authorised to sign on behalf of person making the submission – unless you are providing your submission by email).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- *it is frivolous or vexatious:*
- *it discloses no reasonable or relevant case:*
- *it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:*
- *it contains offensive language:*
- *it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.*

Add further pages as required – please initial any additional pages

[illegible]

			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.	
Appendix 5	Removal of Approval 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

Rule 34B, 37B, 38, 39 40, 41B, 42B, 43B, 46B, Note 7	Access to Port Ross during whale season (1 April–31 October)	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 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).	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
Performance Standards 5 & 6(Table 2)	Whale protection measures during winter	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	As above

			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	
Rule 42C	Anchorage at Round Point and Crab Bay (Carnley Harbour)	Support in part	• These new anchorages 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. This issue has been raised with Jim Dilly over email July 2025, and an interim approval has been given. • 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.
Tucker Point Anchorage (Port Ross)	Request for additional anchorage	Oppose	• Industry maintains this anchorage 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.	Vessels may access and/or anchor at the following locations together with those locations listed in Rule 43 which the captain of the vessel considers appropriate: (a) Sandy Bay (in Port Ross), Auckland Island – but no closer than the 10 metre contour (<i>chartlet 3</i>) (b) Tucker Point (in Port Ross), Auckland Island (<i>chartlet 3</i>) (c) Musgrave Harbour (North) (in Carnley Harbour), Auckland Island (<i>chartlet 8</i>) (d) Musgrave Harbour (South) (in Carnley Harbour), Auckland

				Island (<i>chartlet 8</i>) (e) Round Point (in Carnley Harbour), Auckland Island (<i>chartlet 9A</i>) (f) Crab Bay (in Carnley Harbour), Auckland Island (<i>chartlet 9B</i>)
--	--	--	--	---