

Eden Cruise Ship Facility Operation Compliance Report

Application number: SSI 7734

2024/2025 Cruise Season

November 2025

Authorised by: **Christa Sams, Senior Manager, Environment**
Final

Document Status

Revision	Author	Reviewer	Review Date
Final	Francisca Alvarez	Christa Sams	18 November 2025
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Declaration

I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:

- i. the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- ii. the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements;
- iii. the findings of the Compliance Report are reported truthfully, accurately and completely;
- iv. due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- v. the Compliance Report is an accurate summary of the compliance status of the development.

A Compliance Report Declaration Form is provided in Appendix A of this document.

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Acronyms and Definitions

Acronym/Term	Definition
BVSC	Bega Valley Shire Council (BVSC)
CCC	Community Consultative Committee.
Complaints	A written or verbal expression of dissatisfaction about an activity, or proposed activity, or failure to act by the Operator, Duty Manager Cruise Operations (DMCO) or anyone else directly or indirectly related to the Facility.
Council	Bega Valley Shire Council.
Commonwealth DCCEEW	Commonwealth Department of Climate Change, Energy, the Environment and Water
NSW DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water (previously part of DPE)
DPE	NSW Department of Planning and Environment (now NSW Department of Planning, Housing and Infrastructure).
DPHI	NSW Department of Planning, Housing and Infrastructure (previously part of DPIE and then DPE)
DPIE	NSW Department of Planning, Industry and Environment (now NSW Department of Planning, Housing and Infrastructure).
Duty Manager Cruise Operations (DMCO)	Manages the operation of the Facility on behalf of the Port Authority of New South Wales (Operator).
EIS	The <i>Eden Breakwater Wharf Extension State Significant Infrastructure – Environmental Impact Statement</i> , dated 3 November 2016, submitted to the Secretary seeking approval to carry out the SSI and as revised if required by the Secretary under the EP&A Act.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW).
EPA	NSW Environment Protection Authority.
EPBC 2016/7828	Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) Referral Decision, 13 April 2017.
Extended Use	Use of the Facility when not occupied by a cruise ship by fishing vessels, tugs, barges, lines boats, yachts and other vessels with sizes up to 100 metres in length.
Facility	Eden Cruise Ship Facility, including all infrastructure required to allow cruise ships to berth at the extended Eden Breakwater Wharf and land side areas, facilities and services for management of passenger visitation including disembarkation, embarkation and transport.
Infrastructure Approval	Infrastructure Approval (SSI) 7734 issued by the Executive Director, Priority Projects Assessment (as delegate of the Minister for Planning) Department of Planning and Environment under Section 115ZB of the <i>Environmental Planning and Assessment Act 1979</i>

Acronym/Term	Definition
	(NSW), (dated 5 July 2017) as modified on 7 November 2018 (MOD 1) and on 21 October 2020 (MOD 2).
MARPOL	International Convention for the Prevention of Pollution from Ships 1973: <ul style="list-style-type: none"> As corrected by the Procès-Verbal of Rectification dated 13 June 1978, and As affected by any amendment made under Article 16 of MARPOL, other than an amendment not accepted by Australia or that has not entered into force in Australia, and As modified and added to by the Protocol of 1978 relating to the <i>International Convention for the Prevention of Pollution from Ships, 1973</i>, as affected by any amendment to that Protocol made under Article VI of the Protocol other than an amendment not accepted by Australia or that has not entered into force in Australia.
MARPOL Annex VI	Regulations for the Prevention of Air Pollution from Ships.
m	Metre.
Minister	NSW Minister for Planning and Public Spaces.
OEMP	Operational Environmental Management Plan.
OCR	Operation Compliance Report, prepared under Conditions A21 and A23.
Operation	The operation of the Facility in accordance with the SSI Infrastructure Approval (whether in full or in part) for its intended purpose
Operator	The Port Authority of New South Wales is the Operator for the Facility and responsible for overall compliance with the OEMP, and the operational aspects of the Infrastructure Approval and EPBC Act Referral Decision.
Proponent	The person/organisation identified as such in Schedule 1 of the SSI approval and any other person carrying out any part of the SSI from time to time.
POEO Act	<i>Protection of the Environment Operations Act 1997</i> (NSW).
Relevant Maritime Authority	Harbour Master or authorised officer, as defined in the <i>Marine Safety Act 1998</i> (NSW), or authorised officer or inspector under the <i>Marine Pollution Act 2012</i> (NSW), the Port Authority of New South Wales.
Secretary	Secretary of the NSW Department of Planning, Housing and Infrastructure (or nominee, whether nominated before or after the date in which the SSI approval was granted).
SSI	The State Significant Infrastructure, as generally described in Schedule 1 of the Infrastructure Approval MOD 1, and carrying out of which is approved under the terms of the approval.

1 Introduction

1.1 Background

The construction and operation of the Eden Cruise Ship Facility (the Facility), which is a State Significant Infrastructure Project (SSI no. 7734) under Division 5.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), was approved by the Minister for Planning's delegate under Section 115ZB of the EP&A Act on the 5 July 2017.

The Infrastructure Approval was obtained by the former Department of Industry – Lands & Forestry. Construction of the Facility commenced in August 2017 and was completed in August 2019. The Facility was constructed by the former Department of Industry – Crown Lands. Operation of the Facility and Operational Environmental Management Plan (OEMP) implementation is undertaken by Port Authority of New South Wales (Port Authority). In September 2019 Port Authority became the operator of the Eden Cruise Facility and holds responsibility for the conditions of approval associated with the operation of the cruise wharf.

The Eden Cruise Ship Facility's SSI approval was modified on 7 November 2018 (MOD 1), on 21 October 2020 (MOD 2) and on 24 May 2024 (MOD 3). The SSI 7734 approval, as modified, is referred to in this report as the Infrastructure Approval. The Project was also subject to a Referral decision under the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) (EPBC Act), issued by the Commonwealth's Department of the Environment and Energy (DoEE) (now the Commonwealth Department of Climate Change, Energy, the Environment and Water – Commonwealth DCCEEW) dated 13 April 2017 (EPBC 2016/7828).

1.2 OCR

This Operational Compliance Summary Report (OCR) has been prepared for the Eden Cruise Ship Facility (the Facility) by the Operator of the Facility, Port Authority. This is the 6th year of Operational Compliance Report (OCR) reporting.

This OCR has been prepared in accordance with the requirements of Conditions A21 and A23 of the Infrastructure Approval (SSI-7734) and provides a record of the operational compliance of the Facility against approval conditions during the 2024/25 reporting season. This OCR has been prepared in consideration of the Department of Planning, Industry and Environment (DPIE)'s document *Compliance Reporting Post Approval Requirements* (DPIE, May 2020).

As required by Condition B6 of the approval, a copy of this OCR will be made publicly available on Port Authority's website: <https://www.portauthoritiesnsw.com.au/>

Applicable conditions related to this OCR are specified in Table 1-1 below.

Table 1-1: Operation Compliance Reporting Requirements

Condition	Condition requirement	Section of Report that addresses the condition
A21Operation Compliance Reports must be prepared and submitted to the Secretary for information after the first calendar year of operation, the end of the 2019/20 cruise season and following that, after the end of each cruise season, or within another timeframe agreed with the Secretary.	This report
A23Operation Compliance Reports must include: (a) a results summary and analysis of environmental monitoring	2.3

Condition	Condition requirement	Section of Report that addresses the condition
	(b) a summary of the Complaints Register required under Condition A28 including the number of any complaints received, a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints	4
	(c) details of any review of, and minor amendments made to the ...OEMP	6
	(d) a register of any consistency assessments made to the ...OEMP	6
	(e) results of any independent environmental audits and details of any actions taken in response to the recommendations of the audit	5
	(f) a summary of all incidents notified in accordance with Condition A33 and Condition A34 of this approval including actions taken to address the cause or impact of an incident	3
	(g) a Five-Year Operational Compliance Summary Report every five years from commencement of Operation, which includes: <ul style="list-style-type: none"> i. the name and size of visiting cruise ships and date of visits, ii. the number and nature of complaints in relation to specific cruise ships, iii. results of air quality monitoring and any noise monitoring undertaken to investigate repeated noise complaints, iv. identification of any issues that need to be addressed through revision of the OEMP and/or Sub-plans; 	N/A (provided in 2023/2024)
	(h) Any other matter relating to compliance with the terms of this approval or as requested by the Secretary.	2.1
B6	<p>A website providing information in relation to the SSI must be established prior to commencement of Construction and maintained for the duration of Construction and Operation. Up-to-date information (excluding confidential commercial information) must be published and maintained on the website or dedicated pages including...</p> <ul style="list-style-type: none"> e. a current copy of each document required under the terms of this approval and any endorsements, approvals or requirements from the ER and Planning Secretary, all of which must be published prior to the commencement of any works to which they relate or prior to their implementation as the case may be; and f. the outcomes of compliance tracking required under this approval. 	1.2

1.3 The Project

The Project involves the construction and operation of the Facility in accordance with the Infrastructure Approval.

The Facility is located within Lot 1 DP1268599, as shown in Figure 1-1. The Facility is at the end of Weecoon Street, Snug Cove, on the northern side of Twofold Bay, within the Port of Eden, Bega Valley Shire Local Government Area (LGA), approximately 40km north of the New South Wales and Victorian border. The Facility is shown in Figure 1-2 and Figure 1-3.



Figure 1-1 Lot boundaries and Berths at Eden Cruise Ship Facility (source: Port Authority of NSW, Bentley maps 2024)



Figure 1-2 Eden Cruise Facility within its context in Snug Cove, Eden (Source: Google maps, 2024)



Figure 1-3 The Pacific Explorer Cruise ship at the Facility (Source: Port Authority of NSW, 2019)

The Facility comprises the Eden Breakwater Wharf and the Wharf Extension (the Wharf), and all associated infrastructure required to allow cruise ships to berth and land side areas, facilities and services for management of passenger visitation including day visit disembarkation, embarkation and transport. Key elements of the Facility include:

- A 220m long Wharf
- Three mooring dolphins and two berthing dolphins
- Landside bollards to restrain the ship's bow
- Minor services (lighting, potable water, and emergency water)
- Navigation aids
- Land-based facilities and services for management of passenger visitation including disembarkation, embarkation and transport locations.

The original Infrastructure Approval allowed for the 'operation of the extended wharf for use by up to 60 cruise ships per annum and associated land-based facilities and services for management of passenger visitation including disembarkation, embarkation and transport'. The Infrastructure Approval enabled cruise ships with lengths up to 325m and about 3,000 persons on board, to berth between 7:00am and 10:00pm (unless extenuating circumstances prevail such as mechanical failure, an on-board emergency or severe weather conditions) alongside the extended Breakwater Wharf so that passengers can embark/disembark directly and safely via the ship's gangway.

MOD 1 of the Infrastructure Approval modified a number of conditions relating to noise and vibration and air quality. These modifications were proposed in consultation with the Community Consultative Committee (CCC) for the Project and the then Department of Planning and Environment (DP&E).

MOD 2 of the Infrastructure Approval allowed other vessels up to 100m in length to remain at berth 24 hours per day when a cruise ship is not at berth and to load/unload, refuel, carry out maintenance and servicing, and embark/disembark passengers between 7:00am and 10:00pm. The use of the berth by other vessels in accordance with MOD 2 is referred to in this OCR as the “Extended Use”.

MOD 3 of the Infrastructure Approval allows 24-hour berthing and vessels up to 370m long, removes the 60-vessel yearly limit for cruise ships, and allows for construction of an extra marine dolphin and permanent passenger walkway.

Key personnel responsible for the environmental compliance management are:

- Christa Sams, Senior Manager, Environment csams@portauthoritynsw.com.au
- Francisca Alvarez, Environmental Planning Officer falvarez@portauthoritynsw.com.au

1.4 Cruise ship visits

The Infrastructure Approval and the OEMP defines a ‘Cruise Ship Season’ as the period from the arrival of the first cruise ship in the last half of a calendar year until departure of the last cruise ship in the first half of the following calendar year.

2024/2025

A total of **25** cruise ships visited the Facility (Eden Cruise Wharf) during the 2024/25 cruise season (from 5 November 2024 to 18 April 2025), as shown in Table 1-2.

Table 1-2: Cruise ship visits to the Facility during the 2024/2025 cruise season

No.	Vessel Name	Length Overall (m)	Arrival	Departure
1	DISNEY WONDER	300	05/11/2024, 08:06	05/11/2024, 15:10
2	ROYAL PRINCESS	330	11/11/2024, 07:42	11/11/2024, 16:40
3	SILVER NOVA	243.6	03/12/2024, 07:06	03/12/2024, 15:06
4	SILVER MUSE	212.8	21/12/2024, 10:06	21/12/2024, 21:50
5	DISNEY WONDER	300	22/12/2024, 12:06	22/12/2024, 17:09
6	CROWN PRINCESS	288.63	28/12/2024, 07:36	28/12/2024, 15:54
7	DISNEY WONDER	300	29/12/2024, 10:15	29/12/2024, 17:10
8	AZAMARA PURSUIT	181	30/12/2024, 10:02	30/12/2024, 15:48
9	DISNEY WONDER	300	04/01/2025, 11:06	04/01/2025, 18:02
10	DIAMOND PRINCESS	290	06/01/2025, 08:24	06/01/2025, 16:57
11	SEABOURN QUEST	198.19	12/01/2025, 08:10	12/01/2025, 13:48
12	NORWEGIAN SUN	258	14/01/2025, 09:12	14/01/2025, 18:46
13	SILVER MUSE	212.8	17/01/2025, 08:16	18/01/2025, 11:08
14	SEABOURN QUEST	198.19	13/02/2025, 07:00	13/02/2025, 14:20
15	AZAMARA PURSUIT	181	18/02/2025, 07:09	18/02/2025, 13:45
16	VIKING VENUS	228.33	19/02/2025, 07:00	19/02/2025, 14:30
17	VIKING ORION	228.3	20/02/2025, 06:36	20/02/2025, 14:30
18	AZAMARA ONWARD	181	21/02/2025, 12:38	21/02/2025, 18:49
19	OVATION OF THE SEAS	348	22/02/2025, 07:30	22/02/2025, 15:58

No.	Vessel Name	Length Overall (m)	Arrival	Departure
20	PACIFIC ADVENTURE	289.51	12/03/2025, 07:24	12/03/2025, 16:54
21	ROYAL PRINCESS	330	15/03/2025, 07:00	15/03/2025, 15:43
22	MSC MAGNIFICA	293.8	16/03/2025, 13:12	16/03/2025, 20:25
23	OVATION OF THE SEAS	348	20/03/2025, 07:30	20/03/2025, 18:42
24	ARTANIA	230.61	22/03/2025, 07:54	22/03/2025, 16:20
25	CELEBRITY EDGE	306	18/04/2025, 08:50	18/04/2025, 09:14

1.5 Non-cruise ship visits

The Infrastructure Approval defines 'Extended Use' as 'Use of the Facility when not occupied by a cruise ship by fishing vessels, tugs, barges, lines boats, yachts and other vessels with sizes up to 100 metres in length'.

Typical non-cruise ships to use the Eden Cruise Wharf include periodic visits by navy ships, project cargo vessels for the transport of equipment, parts, etc, offshore oil and gas support vessels and any other types of non-bulk commercial vessels.

Details of berth usage with respect to the Extended Use of the Facility during the 2024/25 reporting period are shown below in Table 1-3 below.

Table 1-3: Extended Use of the Facility during the 2024/2025 cruise season (berthing at EDCWX); (noting the PT Fortitude tug has berthed after the 18 April 2025 cruise season end date).

No.	Vessel Name	Length Overall (m)	Vessel type	Arrival	Departure
1	INVESTIGATOR	93.87	Research ship	28/11/2024, 08:50	28/11/2024, 11:13
2	P T FORTITUDE	34	Tug	29/04/2025, 10:26	02/05/2025, 07:52

1.6 Compliance Reporting Period

The cruise ship season for 2024/25 is from 5 November 2024 to 18 April 2025.

Condition A21 requires that 'Operation Compliance Reports must be prepared and submitted to the Secretary for information after the first calendar year of operation, the end of the 2019/20 cruise season and following that, after the end of each cruise season, or within another timeframe agreed with the Secretary.'

This OCR reporting period covers the 2024/25 cruise season and therefore covers the period from 5 November 2024 to 18 April 2025.

2 Compliance Status

Table 2-1 provides a list of the Conditions of the Infrastructure Approval relevant to this OCR and Table 2-2 provides the EPBC 2016/7828 condition for the operation of the Facility. Table 2-1 and Table 2-2 provide the compliance status of the conditions, and any relevant details pertaining to the status of that Condition.

In accordance with DPIE (May 2020), the compliance status key is as follows:

- Compliant – The Operator has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with
- Non-compliant – The Operator has identified a non-compliance with one or more elements of the requirement

- Not Triggered – A requirement has an activation or timing trigger that has not been met at the phase of the development when the compliance assessment is undertaken, therefore an assessment of compliance is not relevant
- Not applicable.

In summary, during the 2024/25 OCR reporting period:

- There was 1 non-compliance with the conditions of approval associated with the operation of the Facility.
- Condition D24 states that ‘An Operational Monitoring Report(s) must be submitted to the Planning Secretary upon request, and to the relevant authorities and Council (listed in Condition D16 and D19) within 3 months of the monitoring being completed for each event identified within the Operational Monitoring Program.’ The arrival of the Ovation of the Seas, on 22 February 2025 triggered Air Quality Monitoring for a Quantum class event (condition D17.b). The *Operational Air Quality Monitoring Report – Quantum class event* was finalised on 29 October 2025 and provided to BVSC on 4 November 2025. This is noted to be approximately 5 months from the end of the monitoring period which extended to 28 May 2025 to cover the entire cruise season.
- Five noise complaints were received during the 2024/25 cruise season (see section 4 for further details).
- There were no incidents causing or threatening to cause material harm to the environment under the *Protection of the Environment Operations Act 1997* (NSW) (POEO Act) and requiring notification.

2.1 Infrastructure Approval (SSI 7734)

Table 2-1: Compliance assessment against SSI 7734 operational conditions during the 2024/25 Cruise Season

Condition No.	Condition	Status	Details/reference
General			
A1	<p>The SSI must be carried out:</p> <ol style="list-style-type: none"> a. in compliance with the conditions of this consent; b. in accordance with all written directions of the Planning Secretary; c. generally in accordance with the EIS and Response to Submissions: <ol style="list-style-type: none"> i. the Eden Breakwater Wharf Extension State Significant Infrastructure – Environmental Impact Statement, dated 3 November 2016, ii. Response to Submissions Report Eden Breakwater Wharf Extension, dated 24 February 2017; and iii. Eden Breakwater Wharf Extension Modification Request to Infrastructure Approval SSI 7734, dated 2 July 2018; iv. Letter titled “Re: Eden Breakwater Wharf MOD 1 – Response to Submissions – Air Quality and Noise”, dated 17 August 2018. v. Response to Submission Eden Breakwater Wharf Extension MOD 1 (SSI 7734), dated 3 September 2018; and vi. SSI 7734 MOD 1 – Addendum Modification Report, dated 14 October 2018. 	Compliant	There has been overall compliance with the conditions of approval during the reporting period (refer to this table for compliance with operational conditions).

Condition No.	Condition	Status	Details/reference
	<ul style="list-style-type: none"> vii. Eden Cruise Facility Modification 2 to SSI 7734 Extending Use of Cruise Facility to other Vessels, dated July 2020; and viii. Eden Cruise Facility Response to Submissions - Modification 2 to SSI 7734 Extending Use of Cruise Facility to other Vessels, dated August 2020. ix. Environmental Assessment Report Eden Cruise Wharf – Modification 3 to SSI 7734 dated 14 September 2023; and x. Submissions Report Eden Cruise Wharf – Modification 3 to SSI 7734 dated 16 February 2024. 		
A2	The SSI must be carried out generally in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the documents referred to in conditions A1(c) unless otherwise specified in, or required under, this approval.	Compliant	The operations generally undertaken in accordance with the terms of Condition A2.
A3	The SSI must be carried out in accordance with the terms and conditions of all other approvals, permits and licences.	Compliant	Refer to section 2.2 for the assessment against EPBC Act Referral.
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of the inconsistency, ambiguity or conflict between them and a document listed in condition A1(c). In the event of any inconsistency, ambiguity or conflict between any of the documents listed in condition A1(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Noted	-
A5	<p>The Proponent must comply with all requirements of the Planning Secretary in relation to:</p> <ul style="list-style-type: none"> a. the environmental performance of the SSI; 	Not applicable	No Secretary requirements have been imposed on the Facility outside of the Infrastructure Approval.

Condition No.	Condition	Status	Details/reference
	<ul style="list-style-type: none"> b. any document or correspondence in relation to the SSI; c. any notification given to the Planning Secretary under the terms of this approval; d. any audit of the Construction or Operation of the SSI; e. the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval); and f. the carrying out of any additional monitoring or mitigation measures. g. in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval. 		
A6	Without limitation, all strategies, plans, programs, reviews, audits, report recommendations, protocols and other documents must be implemented in accordance with all requirements issued by the Planning Secretary from time to time in respect of them.	Not applicable	No Secretary requirements have been imposed on the Facility outside of the Infrastructure Approval.
A7	Where the terms of this approval require consultation with identified parties, details of the consultation undertaken, matters raised by the parties, and how the matters were considered must accompany the strategies, plans, programs, reviews, audits, protocols and the like submitted to the Planning Secretary.	Compliant	<p>The Community Consultative Committee (CCC) was replaced with the Port of Eden Stakeholder Group (ESG) in January 2025.</p> <p>Consultation with CCC / ESG was carried out during the 2024/25 reporting season.</p>
A8	This approval lapses five years after the date on which it is granted, unless Construction of the SSI has commenced on or before that date.	Not triggered	-
A9 to A13	Ancillary construction facilities	Not triggered	N/A as construction for MOD 3 has not occurred.

Condition No.	Condition	Status	Details/reference
A14 to A16	Environmental representative (for the duration of Construction of the SSI)	Not triggered	N/A as construction for MOD 3 has not occurred.
Compliance tracking program			
A17	Construction and Operation Compliance Tracking Programs to monitor compliance with the terms of this approval must be prepared. [...] The Operation Compliance Tracking Program must be submitted to the Planning Secretary for approval no later than one month prior to commencement of Operation or within another timeframe agreed with the Planning Secretary.	Compliant	The Operation Compliance Tracking Program was approved by the Secretary delegate in correspondence dated 9 August 2019 and will be maintained on our website.
A18	The [...] Operation Compliance Tracking Programs must be implemented for the duration of Construction and Operation, or within another timeframe agreed with the Planning Secretary based on the outcomes of independent audits, Environmental Representative Reports and regular compliance reviews submitted through Compliance Reports.	Compliant	The Operation Compliance Tracking Program has been implemented during the 2024/25 reporting period. This report provides details of compliance.
A19	A [...] Pre-Operation Compliance Report must be prepared and submitted to the Planning Secretary for information no later than one month prior to the commencement of ...Operation ... or within another timeframe agreed with the Planning Secretary	Compliant	A Pre-Operation Compliance Report was prepared and was first submitted to the Secretary for information on 5 February 2019. Following the update of the OEMP and OEMP Sub-plans, the Pre-Operation Compliance Report was re-submitted for information on 10 July 2019.
A20	[...] Operation must not commence until the [...] Pre-Operation Compliance Report [...] [has] been submitted to the Planning Secretary.	Compliant	Refer to A19. The Pre-Operation Compliance Report was submitted to the Secretary prior to commencement of Operation.
A21	[...] Operation Compliance Reports must be prepared and submitted to the Planning Secretary for information after the first calendar year of operation, the end of the 2019/2020 cruise season and following that, after the end of each	Compliant	The first OCR for the Facility was prepared at the end of the 2019/20 cruise season. DPE acknowledged receipt of the OCR 2019/20 Cruise Season in correspondence dated 20/7/20 and indicated that "The Department ...reviewed the Report and

Condition No.	Condition	Status	Details/reference
	<p>cruise season, or within another timeframe agreed with the Planning Secretary.</p>		<p>considers it generally satisfied the conditions approval”.</p> <p>An OCR was prepared at the end of the 2020/21 cruise season. DPE acknowledged receipt of the OCR in correspondence dated 22/8/21 and indicated that “the Department... considers it to generally satisfy conditions A21 and A23”.</p> <p>An OCR was prepared at the end of the 2021/22 cruise season. DPE acknowledged receipt of the OCR in correspondence dated 18/08/2022 and indicated that “the Department... considers it to generally satisfy the reporting requirements of the approval”.</p> <p>An OCR was prepared at the end of the 2022/23 cruise season and submitted to DPHI on 18 June 2024. DPHI acknowledged receipt of the OCR in correspondence dated 26 June 2024 and indicated that the Department “... considers it to generally satisfy the reporting requirements of the approval and the NSW Planning’s <i>Compliance Reporting Post Approval Requirements</i>”.</p> <p>A Five-Year Operational Compliance Summary Report (5-Year OCSR) and 2024/25 OCR was prepared at the end of the 2023/24 cruise season and submitted to DPHI on 17 February 2025. DPHI acknowledged receipt of the OCR and 5-yearly OCSR in correspondence dated 20 February 2025 and indicated that the Department “... considers it to generally satisfy the reporting requirements of the approval and the NSW Planning’s <i>Compliance Reporting Post Approval Requirements</i>”.</p> <p>The current OCR prepared for the 2024/25 Cruise Season (this report) will be submitted to the Planning Secretary as required.</p>

Condition No.	Condition	Status	Details/reference
Compliance reports			
A22	<p>The [...] Pre-Operation Compliance Reports must include:</p> <ol style="list-style-type: none"> details of how the terms of this approval that must be addressed prior to the commencement of [...] Operation have been complied with; in the event of a non-compliance with the terms of this approval that must be addressed prior to the commencement of [...] Operation [...], details of the non-compliance and action taken to rectify the non-compliance; and the commencement date for [...] Operation [...]. 	Compliant	Refer to A19. No non-compliances with the Infrastructure Approval were identified in the Pre-Operation Compliance Report.
A23	<p>[...] Operation Compliance Reports must include:</p> <ol style="list-style-type: none"> a results summary and analysis of environmental monitoring; a summary of the Complaints Register required under Condition A28 including the number of any complaints received, a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints; details of any review of, and minor amendments made to, the CEMP or OEMP; a register of any consistency assessments undertaken and their status; results of any independent environmental audits and details of any actions taken in response to the recommendations of an audit; a summary of all incidents notified in accordance with Condition A33 and Condition A34 of this 	Compliant	<p>This report. Refer also to Table 1-1.</p> <p>Operation began in 2019/20, which was the 1st OCR.</p> <p>A Five-Year Operational Compliance Summary Report (5-Year OCSR) and 2024/25 OCR was prepared at the end of the 2023/24 cruise season and submitted to DPPI on 17 February 2025. DPPI acknowledged receipt of the OCR and 5-yearly OCSR in correspondence dated 20 February 2025 and indicated that the Department "... considers it to generally satisfy the reporting requirements of the approval and the NSW Planning's <i>Compliance Reporting Post Approval Requirements</i>".</p> <p>In a letter dated 17 September 2024, the Planning Secretary stated that 'The Planning Secretary agrees, under Condition A23(g), that the Project can cease preparing and submitting 5-year Operational Compliance Summary Reports after the first such report is submitted.'</p>

Condition No.	Condition	Status	Details/reference
	<p>approval including actions taken to address the cause or impact of an incident;</p> <p>g. a Five Year Operational Compliance Summary Report every five years from commencement of Operation, unless otherwise agreed by the Planning Secretary, which includes:</p> <ul style="list-style-type: none"> i. the name and size of visiting cruise ships and date of visits, ii. the number and nature of complaints in relation to specific cruise ships, iii. results of air quality monitoring and any noise monitoring undertaken to investigate repeated noise complaints, iv. identification of any issues that need to be addressed through revision of the OEMP and/or Sub-plans; and <p>h. any other matter relating to compliance with the terms of this approval or as requested by the Planning Secretary.</p>		

Compliance Auditing

A24	Compliance audits of the SSI must be conducted annually, commencing within a year of the commencement of Construction, by an independent, suitably qualified and experienced expert or within another timeframe agreed with the Planning Secretary.	Compliant	<p>Port Authority wrote to the Department, DPPI on 13 August 2024 providing notification of the non-compliance and requesting to alter the frequency of Annual Independent Compliance Audits.</p> <p>DPPI, in a letter dated 7 September 2024, agreed to reduce the frequency of Independent Compliance Audits from Annual to Triennial, with the Project's next Independent Compliance Audit being the 2025 Independent Compliance Audit, and then every three years ongoing.</p>
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Condition No.	Condition	Status	Details/reference
			An audit was conducted during the 2022 calendar year. An Independent Audit is currently being carried out for 2025, with a site visit proposed for 30 November 2025.
Complaints register			
A28	A Complaints Register must be maintained for the duration of Construction and Operation.	Compliant	Port Authority maintains a Complaints Register for the operation of the Facility.
A29	The Complaints Register must be provided to the Planning Secretary upon request, within the timeframe stated in the request.	Not Triggered	The Planning Secretary did not request the Complaints Register during the 2024/25 reporting season.
A30	<p>The following information must be available to facilitate community enquiries and complaints within one (1) month from the date of this approval:</p> <ul style="list-style-type: none"> a. a 24-hour telephone number for the registration of complaints and enquiries about the SSI; b. a postal address to which written complaints and enquires may be sent; c. an email address to which electronic complaints and enquiries may be transmitted; and d. a mediation system for complaints unable to be resolved. <p>This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level.</p>	Compliant	<p>Contact details, processes and procedures for the operational phase are in place as per the requirements of this condition and are provided on our website and in the approved OEMP, OEMP Sub-plans and Community Communications Strategy (available on our website).</p> <p>See also condition A31 below.</p>
A31	The telephone number, postal address and email address required under Condition A30 of this approval must be published in a newspaper circulating in the local area prior to the commencement of [...] Operation. This information	Compliant	The contact information in Condition A31 was published in a local newspaper, the Eden Magnet, prior to the commencement of operation, and is also provided on the Port Authority website and

Condition No.	Condition	Status	Details/reference
	must also be provided on the website required under Condition B6 of this approval.		Community Communications Strategy (available on our website). Contact details can be found in the Port Authority website: https://www.portauthoritynsw.com.au
A32	The Complaints Register must record the: <ul style="list-style-type: none"> a. number of complaints received; b. number of people affected in relation to a complaint; c. means by which the complaint was addressed and whether resolution was reached, with or without mediation. 	Compliant	The Port Authority Complaints register incorporates these requirements. Five noise complaints were received during the 2024/25 Cruise Season (see section 4 below for further details).
Incident notification			
A33	The Planning Secretary must be notified as soon as possible and in any event within 24 hours of the Proponent being made aware of any incident.	Not triggered	There were no pollution or environmental incidents during the 2024/25 reporting season.
A34	Notification of an incident under Condition A33 of this approval must include the time and date of the incident, details of the incident and must identify any non-compliance with this approval.	Not triggered	There were no pollution or environmental incidents during the 2024/25 reporting season.
A35	Any requirements of the Planning Secretary or relevant public authority (as determined by the Planning Secretary) to address the cause or impact of an incident reported in accordance with Condition A33 of this approval, must be met within the timeframe determined by the Planning Secretary or relevant public authority.	Not triggered	Not triggered.
A36	If statutory notification is given to the EPA as required under the POEO Act in relation to the SSI, such notification	Not triggered	There were no pollution incidents during the 2024/25 reporting season.

Condition No.	Condition	Status	Details/reference
	must also be provided to the Planning Secretary within 24 hours after the notification was given to the EPA.		
Staging			
A37	The SSI may be [...] operated in stages. Where staged [...] operation is proposed, a Staging Report [...] must be prepared and submitted to the Planning Secretary for information. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of [...] one month before the commencement of operation of the first of the proposed stages of operation), or within another timeframe agreed with the Planning Secretary.	Not triggered	There is no staged approach for the Operation of the Facility.

Condition No.	Condition	Status	Details/reference
Community information, consultation and involvement			
B1	<p>Prior [...] the Proponent is required to establish a Community Consultative Committee.</p> <p>The Community Consultative Committee is to be established in accordance with the Department's Community Consultative Committee Guidelines for State Significant Projects, dated November 2016, or from an existing group that can be demonstrated to meet the purposes and objectives of the Guidelines as agreed by the Planning Secretary.</p> <p>The committee is to include representatives from port businesses, maritime user groups, residents surrounding the Port of Eden and the Relevant Maritime Authority and is to operate [...] during Operation of the SSI for a period as agreed with the Planning Secretary, but not for less than five years from commencement of operation of the committee.</p>	Compliant	<p>The Community Consultative Committee (CCC) was established in accordance with condition B1 prior to construction and has been active since then during construction and operation. Details are provided in Section 3.3 of the OEMP and OEMP Sub-plans.</p> <p>The CCC met on a quarterly basis during the 2023/24 OCR reporting period and meeting minutes are available on the project website page of the website https://www.portauthoritynsw.com.au.</p> <p>The Community Consultative Committee (CCC) was replaced with the Port of Eden Stakeholder Group (ESG) in January 2025.</p> <p>Consultation with CCC / ESG was carried out during the 2024/25 reporting season.</p>
B2	<p>A Report endorsed by the Community Consultative Committee is to be submitted to the Planning Secretary five years after commencement of Operation of the SSI, reporting on whether the purpose of the Committee has been achieved and completed, and recommending a timeframe for continued operation. Where disbandment of the committee is recommended, it is to be replaced with a community-based forum, as provided for in the Community Communication Strategy, operating for the life of the SSI unless otherwise agreed by the Planning Secretary. The Community Consultative Report recommending disbandment must be submitted to the Secretary for consideration and include:</p> <p>a. minutes of the Community Consultative Committee meeting documenting member agreement to disbandment; and</p>	Compliant	<p>Port Authority submitted the <i>Five Year Eden Community Consultative Committee Compliance Report</i> endorsed by the Eden CCC to the Planning Secretary five years after commencement of Operation of the SSI (in December 2025), reporting that the purpose of the Committee had been achieved and completed, and recommending disbandment of the Eden CCC, and formation of the new Eden Stakeholder Group (ESG) and the Terms of Reference for that group.</p> <p>DPHI acknowledged (through the Major Projects Planning Portal, 9 January 2025) receipt of the 5 Year CCC Report for the Eden Breakwater Wharf Extension and that they had no comments on the document.</p>

Condition No.	Condition	Status	Details/reference
	b. proposed membership of the community-based forum. <i>Note: the community-based forum must include local residents and may be an existing community liaison group.</i>		
B3	A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Proponent, the ER, the relevant Council, the Community Consultative Committee and/ or community-based forum, others directly impacted by the SSI during Construction of the SSI and for the life of the Operation of the SSI, unless otherwise agreed by the Secretary	Compliant	<p>A Community Communication Strategy (CCS) was prepared prior to construction and approved by the Secretary in accordance with Condition B4 in correspondence dated 8/8/2017.</p> <p>The CCS was amended and submitted to DPE as required at the commencement of site operations (Rev 1, September 2019).</p> <p>The CCS was updated as an action from the independent audit (2022) findings; updates were to reflect stakeholder context and current conditions including approved MOD 2 (Rev 2, April 2023).</p> <p>The CCS was updated in November 2025 to address the operational phase of the project, including approved MOD 3.</p> <p>The CCS is a 'live' document (on our website) and will be regularly reviewed and updated as required.</p>
B4	The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than one month prior to commencement of any work (excluding works described in paragraphs (a) to (c) in the definition of Construction) for the purposes of the SSI, or within another timeframe agreed with the Planning Secretary. Work for the purposes of the SSI (excluding works described in paragraphs (a) to (c) in the definition of Construction) must not commence until the Community Communication Strategy has been approved by the Planning Secretary.	Compliant	Refer to condition B3. The CCS is a 'live' document (on our website) and will be regularly reviewed and updated as required.
B5	The Community Communication Strategy must:	Compliant	Refer to condition B3.

Condition No.	Condition	Status	Details/reference
	<ul style="list-style-type: none"> a. identify people to be consulted during Construction and Operation; b. set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the SSI; c. provide for the formation of community-based forums that focus on key environmental management issues for the SSI arising from Compliance Reports; and d. set out procedures and mechanisms: <ul style="list-style-type: none"> i. through which the community can discuss or provide feedback to the Proponent; ii. through which the Proponent will respond to enquiries or feedback from the community; and iii. to resolve any issues and mediate any disputes that may arise in relation to environmental management and delivery of the SSI. 		
Provision of electronic information			
B6	<p>A website providing information in relation to the SSI must be established prior to commencement of Construction and maintained for the duration of Construction and Operation. Up-to-date information (excluding confidential commercial information) must be published and maintained on the website or dedicated pages including:</p> <ul style="list-style-type: none"> a. information on the current implementation status of the SSI; b. a copy of the documents listed in Condition A1 and Condition A2 of this approval, and any 	Compliant	<p>Port Authority has established dedicated pages to the Facility in its website (https://www.portauthoritynsw.com.au) including the information required under Condition B6.</p> <p>Note: Construction-related documentation is no longer required to be on the website in accordance with condition B6 as construction of the Facility occurred more than 12 months ago.</p>

Condition No.	Condition	Status	Details/reference
	<p>documentation relating to any modifications made to the SSI or the terms of this approval;</p> <p>c. a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval;</p> <p>d. a copy of each statutory approval, licence or permit required and obtained in relation to the SSI including Commonwealth permits or approvals;</p> <p>e. a current copy of each document required under the terms of this approval and any endorsements, approvals or requirements from the ER and Planning Secretary, all of which must be published prior to the commencement of any works to which they relate or prior to their implementation as the case may be; and</p> <p>f. the outcomes of compliance tracking required under this approval.</p> <p>Information relating solely to construction may be removed from the website 12 months following completion of construction.</p>		
Part C – Construction Environmental Management			
C1 to C17	Construction Environmental Management Framework and Construction Monitoring Programs.	Not triggered	N/A as construction for MOD 3 has not occurred.
Operational environmental management			Not triggered
D1	An Operational Management Plan (OEMP) must be prepared to detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in Condition A1(c) will be implemented and achieved during Operation.	Compliant	<p>The OEMP addressing D1 and D2 was prepared and approved by the Secretary’s nominee in correspondence dated 15 September 2019.</p> <p>The OEMP was updated following the MOD 3 approval. The approved and current OEMP and</p>

Condition No.	Condition	Status	Details/reference
			<p>OEMP Sub-plans (updated after MOD 3) were prepared and approved by the Secretary's nominee in accordance with the Infrastructure Approval in correspondence dated 4 October 2024, and are available on the Port Authority website:</p> <p>https://www.portauthoritynsw.com.au</p>
D2	<p>The OEMP must provide:</p> <ol style="list-style-type: none"> a. a description of management and monitoring activities. Where the OEMP covers activities to be carried out under other approvals, licences and permits, the OEMP must clearly identify which activities are to be carried out under this approval; b. details of environmental policies, guidelines and principles to be followed in the operation of the SSI; c. a list of all the OEMP Sub-plans required in respect of Operation, as set out in Condition D3. d. details of how the Operation of the SSI will be carried out under the OEMP and OEMP Sub-plans to: <ol style="list-style-type: none"> i. achieve the environmental performance outcomes identified in the documents listed in Condition A1(c); ii. implement the mitigation measures identified in the documents listed in Condition A1(c) and any additional measures recommended in Compliance Audits or to address any issues identified in the Five Year Operational Compliance Summary Reports; iii. comply with the relevant terms of this approval; and 	Compliant	Refer to condition D1.

Condition No.	Condition	Status	Details/reference
	<ul style="list-style-type: none"> iv. address issues during Operation, as identified through the Community Consultative Committee, community-based forums provided for under Condition B5, Complaints Register or Monitoring Programs, through a process of continual improvement; e. an inspection program detailing the activities to be inspected and frequency of inspections; f. a description of the roles and environmental responsibilities of the Proponent's employees and their relationship with the Relevant Maritime Authority and Council including roles and responsibilities for management of any matters which are to be reported in the Operation Compliance Reports required under Condition A21; g. for training and induction for employees, including contractors and sub-contractors, in relation to environmental and compliance obligations under the terms of this approval; h. a mechanism for communicating the environmental and compliance obligations under this approval to cruise ship operators; and i. for periodic review and update of the OEMP and all associated plans and programs. j. procedures for the avoidance of and timeframes for the notification of vessel strikes of marine fauna that are observed under pilotage to NPWS; k. procedures for the expediate notification of DPI Aquatic Biosecurity Unit of any new sightings of <i>C.lepadiformis</i>; l. reference to potential turbidity impacts from larger vessel classes as an operational risk; and 		

Condition No.	Condition	Status	Details/reference															
	<p>m. for the periodic review and update of the OEMP and all associated plans and programs.</p> <p><i>Note: DPI Aquatic Biosecurity is the direct contact for all marine pests and diseases. Contact for suspected reports should be via the 24-hour hotline 1800 675 888 and queries directed to the mailbox: aquatic.biosecurity@dpi.nsw.gov.au. Refer to Schedule 2 of the Biosecurity Act 2015, and Schedule 1 of the Biosecurity Regulation 2017 for prohibited and notifiable matters.</i></p>																	
D3	<p>The following OEMP Sub-plans must be prepared in consultation with the relevant government agencies identified for each OEMP Sub-plan, and in consideration of the relevant requirements in this approval and the Proposed Mitigation Measures:</p> <table border="1"> <thead> <tr> <th></th> <th>Required OEMP Sub-plan</th> <th>Relevant government agencies to be consulted</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td>Traffic, Transport and Access</td> <td>Council, Relevant Maritime Authority</td> </tr> <tr> <td>(b)</td> <td>Noise Management</td> <td>Council, EPA, Relevant Maritime Authority</td> </tr> <tr> <td>(c)</td> <td>Air Quality Management</td> <td>EPA, Relevant Maritime Authority</td> </tr> <tr> <td>(d)</td> <td>Water Quality</td> <td>DPI Fisheries</td> </tr> </tbody> </table>		Required OEMP Sub-plan	Relevant government agencies to be consulted	(a)	Traffic, Transport and Access	Council, Relevant Maritime Authority	(b)	Noise Management	Council, EPA, Relevant Maritime Authority	(c)	Air Quality Management	EPA, Relevant Maritime Authority	(d)	Water Quality	DPI Fisheries	Compliant	<p>The OEMP Sub-plans were prepared and approved by the Secretary's nominee in correspondence dated 15 September 2019.</p> <p>The OEMP was updated following the MOD 3 approval. The approved and current OEMP and OEMP Sub-plans (updated after MOD 3) were prepared and approved by the Secretary's nominee in accordance with the Infrastructure Approval in correspondence dated 4 October 2024, and are available on the Port Authority website: https://www.portauthoritynsw.com.au</p> <p>The OEMP and OEMP Sub-plans provide details of the consultation undertaken as part of the preparation of these plans.</p>
	Required OEMP Sub-plan	Relevant government agencies to be consulted																
(a)	Traffic, Transport and Access	Council, Relevant Maritime Authority																
(b)	Noise Management	Council, EPA, Relevant Maritime Authority																
(c)	Air Quality Management	EPA, Relevant Maritime Authority																
(d)	Water Quality	DPI Fisheries																
D4	<p>The OEMP Sub-plans must include, to the written satisfaction of the Secretary, information requested by an agency to be included in an OEMP Sub-plan, including copies of all correspondence from those agencies.</p>	Compliant	Refer to condition D3.															

Condition No.	Condition	Status	Details/reference
D5	The OEMP and OEMP Sub-plans must be submitted to the Planning Secretary for approval no later than one month prior to the commencement of relevant operations, unless another timeframe is agreed with the Planning Secretary. Revised OEMP and OEMP sub-plans resulting from the findings of Five Yearly Compliance Summary Report are to be submitted to the Planning Secretary for approval no later than one month following submission of the Five Yearly Compliance Summary Reports.	Compliant	<p>Refer to condition D1 and D3. The OEMP and OEMP Sub-plans were submitted to the Secretary more than one month prior to the commencement of Operations and were approved by the Secretary's nominee in correspondence dated 15 September 2019.</p> <p>The Extended Use OEMP was submitted to the Secretary more than one month prior to commencement of Extended Use Operations and was approved by the Secretary's nominee in correspondence dated 6 November 2020.</p> <p>The OEMP was updated following the MOD 3 approval. The approved and current OEMP and OEMP Sub-plans (updated after MOD 3) were prepared and approved by the Secretary's nominee in accordance with the Infrastructure Approval in correspondence dated 4 October 2024, and are available on the Port Authority website: https://www.portauthoritynsw.com.au</p>
D5A	The approved OEMP and OEMP Sub-plans must be updated to address the requirements and mitigation measures proposed in the documents listed in Condition A1(c) in relation to Modification 3.	Compliant	<p>The approved and current OEMP and OEMP Sub-plans (updated after MOD 3) were prepared and approved by the Secretary's nominee in accordance with the Infrastructure Approval in correspondence dated 4 October 2024, and are available on the Port Authority website: https://www.portauthoritynsw.com.au</p>
D6	The OEMP, as approved by the Planning Secretary and amended from time to time, must be implemented for the duration of relevant operations and must be made publicly available prior to the commencement of and for the duration of the relevant operations.	Compliant	<p>The OEMP has been implemented throughout Operation; in the 2024/25 Cruise Season and per details in this 2024/25 OCR.</p> <p>The current OEMP and OEMP Sub-plans (updated after MOD 3) were prepared and approved by the Secretary's nominee in accordance with the Infrastructure Approval in correspondence dated 4</p>

Condition No.	Condition	Status	Details/reference
			October 2024, and are available on the Port Authority website: https://www.portauthoritynsw.com.au
Operation monitoring program (Pre-Modification 3)			
D7	An Air Quality Operation Monitoring Program, as approved prior to Modification 3, and as amended from time to time, must be implemented until the end of the 2023/24 cruise season.	N/A	Condition D7 and D8 are not applicable for the 2024/25 Cruise Season as the Eden Cruise Ship Facility's SSI approval was modified on 24 May 2024 (MOD 3). The approved and current Air Quality Management Sub-plan and Air Quality Monitoring Program (updated after MOD 3) are available on the Port Authority website: https://www.portauthoritynsw.com.au Air quality monitoring for the entire 2024 / 2025 Cruise Season was undertaken and was triggered (see condition D17.b) by the event of a Quantum class ship (Ovation of the Seas) visiting the Port of Eden on 22 February 2025.
D8	The results of the Air Quality Operation Monitoring Program as approved prior to Modification 3, must be submitted to the Planning Secretary, and relevant regulatory agencies, for information in the form of an Operation Monitoring Report at the frequency identified in the Air Quality Operation Monitoring Program.	N/A	Condition D7 and D8 are not applicable for the 2024/25 Cruise Season as the Eden Cruise Ship Facility's SSI approval was modified on 24 May 2024 (MOD 3).
Operational Monitoring Programs (Modification 3)			
D9	Conditions D10 to D25 apply to operations associated with Conditions D17 and D20.	Note	-

Condition No.	Condition	Status	Details/reference
D10	<p>Operational Monitoring Program(s) must be prepared to compare actual operational performance against predicted performance of that identified in Condition A1(c)(ix) and (x).</p> <p>The Operational Monitoring Program(s) must be prepared in consultation with the identified relevant authorities. Details of information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant Operational Monitoring Program, including copies of correspondence from those agencies as required by Condition D4.</p>	Compliant	<p>The Air Quality Operational Monitoring Program and Water Quality Operational Monitoring Program addresses the requirements of D10.</p> <p>The Air Quality Operational Monitoring Program and Water Quality Operational Monitoring Program were prepared in consultation with the identified relevant authorities. The Operational Monitoring Programs and Sub-plans provide details of the consultation undertaken as part of the preparation of these plans.</p>
D11	<p>Each Operational Monitoring Program must include:</p> <ol style="list-style-type: none"> details of baseline data available; details of baseline data to be obtained and when; details of all monitoring of the project to be undertaken; the parameters of the project to be monitored; the frequency of monitoring to be undertaken; the trigger for operational monitoring the location of monitoring; the reporting of monitoring results; procedures to identify and implement additional mitigation measures where results of monitoring are unsatisfactory; and any consultation to be undertaken in relation to the monitoring programs. 	Compliant	<p>The Air Quality Operational Monitoring Program addresses the requirements of D11.</p> <p>The approved and current Air Quality Management Sub-plan and Air Quality Monitoring Program (updated after MOD 3) are available on the Port Authority website: https://www.portauthoritynsw.com.au</p>
D12	<p>Where a relevant OEMP Sub-plan exists, the relevant Operation Monitoring Program may be incorporated into that OEMP Sub-plan.</p>	Note	<p>The approved and current Air Quality Management Sub-plan and Air Quality Monitoring Program (updated after MOD 3) are available on the Port Authority website:</p>

Condition No.	Condition	Status	Details/reference
			https://www.portauthoritynsw.com.au
D13	<p>The Operational Monitoring Program(s) must be submitted to the Planning Secretary for approval at least three (3) months prior to the first visit/cruise season to be monitored is expected to occur.</p>	Compliant	<p>Refer to D17 and D20.</p> <p>The Air Quality Operation Monitoring Program was submitted to the Secretary on 23 July 2024, more than three months prior to the Quantum class vessel (Ovation of the Seas) visiting the Port of Eden on 22 February 2025.</p> <p>The Air Quality Operation Monitoring Program was approved by the Secretary's nominee in correspondence dated 11 September 2024.</p>
D14	<p>The Operational Monitoring Program(s), as approved by the Planning Secretary, must be implemented for the duration identified in the terms of this approval. Where no duration is specified in this approval, they must be implemented for the duration specified in the relevant Operational Monitoring Program or as specified by the Planning Secretary.</p>	Compliant	<p>See condition D17, which states that 'Monitoring must be undertaken for the entire cruise season in which events listed in (a) – (c) are expected to occur.'</p> <p>Air quality monitoring for the entire 2024 / 2025 Cruise Season was undertaken and was triggered (see condition D17.b) by the event of a Quantum class ship (Ovation of the Seas) visiting the Port of Eden on 22 February 2025.</p> <p>Water quality monitoring was undertaken as per the water quality monitoring program, and was triggered (see condition D20.b) by the event of a Quantum class ship (Ovation of the Seas) visiting the Port of Eden on 22 February 2025.</p>
D15	<p>Operation of the scenarios to be monitored, as identified in Conditions D17 and D20, must not commence until the Planning Secretary has approved the required Operational Monitoring Program(s), and relevant baseline data has been collected.</p>	Compliant	<p>The Air Quality Operation Monitoring Program was approved by the Secretary's nominee in correspondence dated 11 September 2024. Scenario D17.b) occurred on 22 February 2025 and air quality monitoring was undertaken as per the Air Quality Operation Monitoring Program.</p> <p>The Water Quality Monitoring Program was submitted to the Secretary on 23 July 2024 and was approved by the Secretary's nominee in correspondence dated</p>

Condition No.	Condition	Status	Details/reference
			25 September 2024. Scenario D20.b) occurred on 22 February 2025 and water quality monitoring was undertaken as per the Water Quality Operation Monitoring Program.
Operational Air Quality Monitoring (Modification 3)			
D16	An Operational Air Quality Monitoring Program must be prepared in consultation with Council.	Compliant	<p>No comments provided by BVSC.</p> <p>Port Authority wrote to BVSC on the 28 June 2024 and allowed a 2-week period (until 12 July 2024) for the BVSC to comment on the Air Quality Monitoring Program. The BVSC wrote back to advise that they would attempt to review the document and provide feedback by the 12 July. Port Authority provided an extension to 17 July and did not receive a response from BVSC.</p> <p>The approved Operational Air Quality Monitoring Program documents the above correspondence with BVSC.</p>
D17	<p>The Operational Air Quality Monitoring Program must enable the monitoring of the first cruise seasons which are scheduled to have:</p> <ul style="list-style-type: none"> a) more than 60 cruise ship visits; and b) a Quantum class (or equivalent) visit, and c) an Oasis class (or equivalent) visit. Note: Monitoring must be undertaken for the entire cruise season in which events listed in (a) – (c) are expected to occur. <p>Note: Monitoring must be undertaken for the entire cruise season in which events listed in (a) – (c) are expected to occur.</p>	Compliant	The Air Quality Operation Monitoring Program meets the requirements of this condition.

Condition No.	Condition	Status	Details/reference
D18	<p>The Operational Air Quality Monitoring Program must include:</p> <ul style="list-style-type: none"> a) details and frequency of the monitoring of SO₂, NO₂, and PM_{2.5} at locations most likely to be impacted from cruise ship emissions, as identified in the documents listed in Condition A1(c); b) a review of the monitoring results that considers the performance of the SSI relative to the ambient air quality standards and the environmental parameters. <p>Note: Where monitoring at the most impacted receptor location(s) cannot be done for logistical or access reasons, a standardised procedure to adjust the measured result to reflect the most likely value that would have occurred at the receptor location is to be implemented (e.g. a look up table for the prevailing wind condition to determine the adjustment or scaling factor, per modelling result differences between the measured location and likely most impacted receptor location under such wind conditions).</p>	Compliant	The Air Quality Operation Monitoring Program meets the requirements of this condition.
Operational Water Quality Monitoring (Modification 3)			
D19	An Operational Water Quality Monitoring Program must be prepared in consultation with DPI Fisheries.	Compliant	The Operational Water Quality Monitoring Program was provided to NSW Department of Primary Industries and Regional Development (DPIRD) Fisheries for review and consultation in accordance with Condition D19. DPIRD Fisheries endorsed the monitoring program and no changes were requested, a copy of the consultation correspondence is provided in Appendix C of the Operational Water Quality Monitoring Program.
D20	The Operational Water Quality Monitoring Program must enable the monitoring of the first:	Compliant	The Water Quality Operation Monitoring Program meets the requirements of this condition.

Condition No.	Condition	Status	Details/reference
	<ul style="list-style-type: none"> a) cruise season with more than 60 vessel visits; and b) visit of a Quantum class (or equivalent); and c) visit of an Oasis class (or equivalent). 		
D21	<p>The Operational Water Quality Monitoring Program must include:</p> <ul style="list-style-type: none"> a) details of the type and frequency of monitoring to be undertaken for single vessel events (the first Quantum class or equivalent and first Oasis class or equivalent) and the first cruise season with more than 60 vessel visits; b) a review of the monitoring results that considers the performance of the SSI relative to the environmental parameters. 	Compliant	The Water Quality Operation Monitoring Program meets the requirements of this condition.
D22	<p>If an exceedance of the environmental parameters identified in the Operational Water Quality Monitoring Program occurs, the Proponent must notify the Planning Secretary and DPI Fisheries as soon as possible and within 24 hours of the identification of the exceedance.</p> <p>This notification must provide details of the circumstances of the event, including:</p> <ul style="list-style-type: none"> a) the nature of the event; b) the parameters that were exceeded; c) the timing and duration of the event; and d) the measures employed to minimise the exceedance. 	Compliant	<p>Water quality monitoring was undertaken as per the water quality monitoring program, and was triggered (see condition D20.b) by the event of a Quantum class ship (Ovation of the Seas) visiting the Port of Eden on 22 February 2025.</p> <p>There were no exceedances of the environmental parameters identified in the Operational Water Quality Monitoring Program in the 2024/25 cruise season.</p>

Condition No.	Condition	Status	Details/reference
D23	Following a notification of an exceedance of environmental parameters (as required by Condition D22), the Planning Secretary may direct the Proponent to prepare a Report on Environmental Parameter Exceedance and submit it to the Planning Secretary within the time frame specified by the Planning Secretary. The Report must detail the cause and major contributor of the exceedance, the effectiveness of any action(s) taken in response the exceedance and the options available to prevent recurrence.	Not triggered	See D22 above. There were no exceedances of the environmental parameters identified in the Operational Water Quality Monitoring Program in the 2024/25 cruise season.

Operational Monitoring Report

D24	<p>An Operational Monitoring Report(s) must be submitted to the Planning Secretary upon request, and to the relevant authorities and Council (listed in Condition D16 and D19) <u>within 3 months</u> of the monitoring being completed for each event identified within the Operational Monitoring Program.</p> <p>The Operational Monitoring Report must include:</p> <ul style="list-style-type: none"> a) a summary of the results of Operational Monitoring Program(s); b) identification of additional mitigation measures required (where results of monitoring are unsatisfactory or where environmental parameters are exceeded); and c) timeframes for the implementation of the proposed measures. <p>The recommendations identified must be implemented as part of the SSI in the timeframes outlined in the Operational Monitoring Report. Additional mitigation measures must be included in the relevant OEMP Sub-plan.</p>	Non-compliant	<p>The arrival of the Ovation of the Seas, on 22 February 2025 triggered Air Quality Monitoring for a Quantum class event (condition D17.b) and Water Quality Monitoring for a Quantum class event (condition D20.b).</p> <p><u>Non-compliant:</u> The <i>Operational Air Quality Monitoring Report – Quantum class event</i> was finalised on 29 October 2025 and complies with condition D24. However, the report was provided to BVSC on 4 November 2025. This is noted to be approximately 5 months from the end of the monitoring period which extended to 28 May 2025 to cover the entire cruise season.</p> <p><u>Compliant:</u> The <i>Operational Water Quality Monitoring Report – Quantum class event</i> (finalised 19 May 2025) was provided to DPIRD Fisheries (in accordance with condition D19) on 4 June 2025, within 3 months of the monitoring being completed for the Quantum class event, on 22 February 2025.</p>
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Condition No.	Condition	Status	Details/reference
			<p>DPIRD Fisheries provided comments on the Final Report on 2 July 2025. Port Authority addressed DPIRD comments to their satisfaction (email dated 16 October 2025) by updating:</p> <ul style="list-style-type: none"> Water Quality Monitoring Program Revised Final, Rev 2, 23/09/2025. Updated with the new continuous water monitoring location (for the cruise vessels over 60 event) options 1C and 1D, in the vicinity of WQ1; updated Section 5.6, Figure 5.1 and Appendix C – consultation. WQ OEMP Sub-Plan Revised Final, Rev 3, 17/10/2025. Updated Table 2 and Appendix A with evidence of consultation with DPIRD Fisheries and added a revisions table. <p>The <i>Operational Water Quality Monitoring Report – Quantum class event</i> (finalised 19 May 2025) was provided to BVSC (in accordance with condition D19) on 4 June 2025, within 3 months of the monitoring being completed for the Quantum class event, on 22 February 2025. BVSC replied on the 6 June that they did not have any comments on the report.</p>
D25	If an Operational Monitoring Report identifies an exceedance of parameters that cannot be mitigated following the implementation of mitigation measures, the Proponent must write to the Planning Secretary within 30 days of the completion of the Operational Monitoring Report and identify how any non-compliant operations would be prevented from reoccurring to ensure compliance with the environmental parameters identified in the Operational Monitoring Program. The Planning Secretary may require	Not triggered	The Operational Monitoring Reports did not identify an exceedance of parameters that cannot be mitigated following the implementation of mitigation measures.

Condition No.	Condition	Status	Details/reference
	<p>the Operational Monitoring Program(s) to be updated and re-submitted for approval.</p> <p>Note: The intent of this condition is to address systemic issues and not respond to a single non-compliance.</p>		
Terms of approval			
E2	In addition to the performance outcomes, commitments and mitigation measures specified in the documents listed in Conditions A1(c), all reasonably practicable measures must be implemented to minimise noise impacts and the emission of air pollutants during Operation of the SSI.	Compliant	All reasonably practicable measures must be implemented to minimise noise impacts and the emission of air pollutants during Operation of the SSI.
Dilapidation Report			
E3 & E4	(N/A as construction for MOD 3 has not occurred.)	Not triggered	N/A as construction for MOD 3 has not occurred.
Traffic, transport and access			
E5 & E6	(N/A as construction for MOD 3 has not occurred.)	Not triggered	N/A as construction for MOD 3 has not occurred.
E7	<p>The Traffic, Transport and Access OEMP Sub-plan must include detail on the provision of infrastructure, facilities and services to cater for cruise ship passengers and ensure safe access including:</p> <ol style="list-style-type: none"> pedestrian access to Eden Town Centre and Port of Eden retail areas; pedestrian access to tourist facilities and other local businesses; passenger transport services for visits to local and regional businesses and attractions; shuttle bus routes for Quantum and Oasis class vessels; 	Compliant	<p>The approved and current Traffic, Transport and Access Sub-plan (updated after MOD 3) includes details required by condition E7, and is available on the Port Authority website:</p> <p>https://www.portauthoritynsw.com.au</p>

Condition No.	Condition	Status	Details/reference
	<ul style="list-style-type: none"> e. bus parking bays, waiting areas, shelters, signage and the like at the wharf and at pick up points in the local area; and f. provision of personnel to oversee pedestrian movements on the wharf and surrounding areas during cruise ship visits. 		
E7A	Shuttle buses servicing Quantum and Oasis class (or equivalent) vessels must not use the Barclay Street/Princes Highway intersection, unless agreed to by the relevant road authority.	Compliant	This condition is included in the approved Traffic, Transport and Access Sub-plan (updated after MOD 3) available on the Port Authority website: https://www.portauthoritynsw.com.au
Noise and vibration			
E8	The SSI is to be [...] operated to minimise noise impacts on surrounding residents.	Compliant	The Facility has been operated to minimise noise impacts on surrounding residents. Refer also to E17 below.
E9 & 10	(N/A as construction for MOD 3 has not occurred.)	Not triggered	N/A as construction for MOD 3 has not occurred.
E11 to E16	(N/A as related to dredging activities associated with the original approval)	Not triggered	N/A as related to dredging activities associated with the original approval.
E17	<p>The Noise Management OEMP Sub-plan must identify measures to reduce noise impacts on Sensitive Receivers including:</p> <ul style="list-style-type: none"> a. no deck announcements and music from open decks while berthed at the Breakwater Wharf Extension, with the exception of safety announcements; b. ship engine, generator, exhaust and ventilation systems including air conditioning must be 	Compliant	The approved and Noise Management Sub-plan (updated after MOD 3) incorporates measures in accordance with Condition E17 and is available on the Port Authority website: https://www.portauthoritynsw.com.au

Condition No.	Condition	Status	Details/reference
	<p>maintained and operated efficiently to reduce noise emissions while in the Port of Eden;</p> <p>c. ships must run on the minimum generator/engine power required while at the berth;</p> <p>d. a procedure for management of non-compliant cruise ships including details on proposed actions, timeframes and consequences in the event of non-compliance with (a) to (c) in this condition.</p>		
E18	<p>Where a complaint is received from a Sensitive Receiver in relation to a specific cruise ship at the Breakwater Wharf Extension, the source and nature of the noise must be investigated while the ship is at berth (unless this is not possible due to the timing of the complaint or imminent departure of the ship), and corrective actions implemented as required.</p> <p>If there are further complaints or the investigation indicates ongoing exceedance of the noise levels predicted in the documents listed in Condition A1(c) on the return of the cruise ship, future visits must be managed in accordance with the requirements of the Noise Management OEMP Sub-plan and specific actions, timeframes and consequences agreed by the Secretary in the event of repeat non-compliance.</p>	Compliant	<p>Five noise complaints were received during the 2024/25 Cruise Season (see section 4 below for further details) in relation to five different cruise ships.</p> <p>The source and nature of the noise was investigated while each ship was at berth and corrective actions implemented as required (see section 4 below for further details).</p>
E18A	<p>The Proponent must prepare a Cruise Noise Mitigation Plan (CNMP) to identify the mitigation for operational noise that would be implemented for scheduled overnight berthing of cruise ships. The CNMP must:</p> <p>a) identify the appropriate project noise trigger levels (as per the NSW Noise Policy for Industry (EPA, 2017)) that are applicable to the night-time period for the overnight berthing of cruise ships, including consideration of the predicted operational noise levels;</p>	Not triggered	N/A as there was no scheduled overnight berthing of a cruise ship in 2024/25.

Condition No.	Condition	Status	Details/reference
	<ul style="list-style-type: none"> b) consider the impacts of low-frequency noise on the predicted impacts identified in the Noise Assessment Report (Appendix C2 of the Modification Report) as listed in Condition A1(c)(ix); c) investigate and identify noise mitigation measures required to address noise exceedances above the project noise trigger levels; d) review any residual impacts from the operations associated with Modification 3. <p>The CNMP must be verified by an independent acoustic expert. The CNMP must be made publicly available prior to the first scheduled overnight berthing of a cruise ship. Identified noise mitigation measures must be implemented prior to the scheduled overnight berthing of cruise ships.</p>		
E18B	The CNMP must be reviewed and updated every ten (10) years, unless otherwise agreed to by the Planning Secretary.	Not triggered	N/A as a CNMP has not been prepared. There was no scheduled overnight berthing of a cruise ship in 2024/25.
Operational Noise Monitoring			
E18C	<p>The Proponent must undertake monitoring of operational noise to compare actual noise performance of Modification 3 against the noise performance predicted for the following scenarios:</p> <ul style="list-style-type: none"> a) the first scheduled overnight berthing of a cruise ship; b) the first scheduled overnight berthing of a Quantum Class (or equivalent); c) the first scheduled overnight berthing of an Oasis Class (or equivalent); and d) the first berthing of a large non-cruise ship over 325m LOA. 	Not triggered	N/A as scenarios in condition E18C did not occur in 2024/25.

Condition No.	Condition	Status	Details/reference
	The noise monitoring must be undertaken in accordance with the EPA's Approved methods for Measurement and Analysis of Environmental Noise in NSW (EPA, 2022).		
Operational Noise Compliance Report			
E18D	An Operational Noise Compliance Report (ONCR) must be prepared to document the findings of the operation noise monitoring carried out under Condition E18C. The ONCR must address the following:...	Not triggered	N/A as scenarios in condition E18C did not occur in 2024/25.
Air Quality			
E19	The SSI is to be operated to: (a) minimise the risk to Sensitive Receivers from adverse health impacts from exposure to cruise ship emissions; (b) support management strategies to reduce exposure; and (c) national environmental protection standards (as revised from time to time) set out in the <i>National Environment Protection (Ambient Air Quality) Measure</i> .	Compliant	The Cruise Ship Facility has been operated to comply with the requirements of Condition E19.
E20	The OEMP Air Quality Management OEMP Sub-plan must include the following measures to reduce emissions from cruise ships: a. prior to 1 January 2020: i. no more than 20 cruise ship visits to the Breakwater Wharf Extension (which represents the "typical operations" modelled in the Refined SO2 Emission Modelling); and ii. emissions from cruise ships berthed at the Breakwater Wharf Extension must not result in an exceedance of the maximum cumulative SO ₂ concentration at the most	Compliant	The Air Quality Management OEMP Sub-plan addresses the requirements of Condition E20. The OEMP Sub-plans were approved by the Secretary's nominee in correspondence dated 4 October 2024.

Condition No.	Condition	Status	Details/reference
	<p>affected sensitive receiver as predicted in the Refined SO₂ Emission Modelling for “typical operations”;</p> <ul style="list-style-type: none"> b. from 1 January 2020, cruise ships must meet emission restrictions specified under MARPOL Annex VI, as implemented through the relevant Maritime Acts, or more stringent emission restrictions under these Acts; c. ship engine, generator, exhaust and ventilation systems must be maintained and operated efficiently to reduce air emissions while at berth at the Breakwater Wharf Extension; and d. a procedure for management of non-compliant cruise ships including details on proposed actions, timeframes and consequences in the event of non-compliance with (a)ii, (b) and (c) in this condition. 		
E21	<p>Unless otherwise agreed with the Planning Secretary, the Operation Monitoring Program required under Condition D7 must, as a minimum, include monitoring of NO₂, SO₂ and PM_{2.5} at the closest potentially impacted sensitive receiver (taking into account prevailing winds) at least two days prior to the arrival of the first three cruise ship of the season, while they are at berth and for at least two days following departure. Where there is less than two days between departure of a cruise ship and arrival of the next cruise ship, monitoring must continue until there is at least two days between ship departures and arrivals.</p>	Compliant	<p>The Air Quality Operational Monitoring Program outlined in the Air Quality OEMP Sub-plan addresses and is compliant with the requirements of Condition E21.</p>
E22	<p>Where a complaint is received from a Sensitive Receiver in relation to a specific cruise ship at the Breakwater Wharf Extension about dark smoke emissions or offensive odours, the source and nature of the dark smoke emission or offensive odour must be investigated in accordance with the Complaints Procedure in the OEMP and the procedure for non-compliant ships under the Air Quality OEMP Sub-Plan,</p>	Compliant	<p>The procedure for non-compliant cruise ships is detailed in Section 5.2.4 of the OEMP.</p> <p>No complaints relating to dark smoke emissions or offensive odours were received during the 2024/25 OCR reporting period.</p>

Condition No.	Condition	Status	Details/reference
	and actions undertaken in accordance with these procedures.		
Lighting			
E23	All maritime lighting to be implemented as part of the SSI shall have regard to the location of nearby residential dwellings. Lighting impacts shall be minimised to the extent possible and comply with <i>AS 4282:1997 – Control of the Obtrusive Effects of Outdoor Lighting</i> and relevant Australian Standards in the series <i>AS/NZ 1158 – Lighting for Roads and Public Spaces</i> .	Compliant	Lighting requirements are outlined in Section 7.2, 7.9 and 7.10 of the OEMP. No complaints related to lighting were received during the 2024/25 OCR reporting period.
Social			
E24 to E27	Social Impact Management Plan	Not triggered	N/A as the SIMP is required to be submitted to the Planning Secretary for approval at least three (3) months prior to the commencement of the first cruise season with more than 60 cruise ship visits is expected to occur. This scenario has not been triggered.

2.2 EPBC Act Referral Decision (EPBC 2016/7828)

The Commonwealth’s Department of the Environment and Energy made the decision under Sections 75 and 77A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) that the project was not a controlled action if undertaken in a particular manner (Referral Decision dated 13 April 2017, EPBC 2016/7828). Condition 4(b) of the Referral Decision relate to operations.

Table 2-2 provides details of the EPBC Act Referral Decision relevant to the operational phase of the project.

Table 2-2: Compliance assessment against EPBC 2016/7828

Condition No.	Condition	Status	Details/reference
4(b) and DoI Crown Lands letter 16/01/2019 to Paul Robinson A/General Manager Property, Port Authority of New South Wales	All cruise ships arriving at and departing from the Eden Breakwater wharf must be aware of the potential presence of whales and maintain a suitable speed within the Port of Eden limits to avoid collisions with whales.	Compliant	<p>Note: The speed of 10 knots or less within the port limits was a condition of the Referral Decision (4(a)) for the dredging and construction phase but has been applied in the OEMPs.</p> <p>The OEMP provides the following management action:</p> <p><i>Vessels within the Port will adhere to speeds of 10 knots or less, except in circumstances where the Harbour Master or a Pilot considers that a higher speed is necessary to maintain safe navigation in the Port.</i></p>

2.3 Environmental Monitoring and Visual Surveillance

Condition A23(a) requires a results summary and analysis of environmental monitoring. This includes air, water, noise and visual monitoring required for the Facility for the 2024/25 Cruise Season.

Air Quality Monitoring

The arrival of the Ovation of the Seas, on 22 February 2025 triggered Air Quality Monitoring for a Quantum class event (condition D17.b).

The *Operational Air Quality Monitoring Final Report – Quantum class event* (29 October 2025) and quarterly reports (October 2024 to December 2024, January to March and April to May 2025) are on our website.

In summary, all monitored SO₂ and NO₂ concentrations between 22 October and 28 May 2025 remained below the short-term criteria for both 1-hour and 24-hour averaging periods. Observed values ranged from 84% below the relevant criteria (maximum 1-hour average NO₂) to 95% below (maximum 24-hour average SO₂), with no exceedances recorded during the whole monitoring period. This confirms full compliance with all applicable SO₂ and NO₂ standards throughout the assessment timeframe. Exceedances of the PM_{2.5} criteria observed on 18th, 19th and 20th April 2025 were potentially influenced by elevated regional background particulate levels.

Water Quality Monitoring

The arrival of the Ovation of the Seas, on 22 February 2025 triggered Water Quality Monitoring for a Quantum class event (condition D20.b).

The *Operational Water Quality Monitoring Report – Quantum class event* (finalised 19 May 2025) was provided to BVSC and DPIRD Fisheries (in accordance with condition D19) on 4 June 2025. BVSC replied on the 6 June that they did not have any comments on the report. DPIRD Fisheries provided comments on the Final Report on 2 July 2025. Port Authority addressed DPIRD comments to their satisfaction (email dated 16 October 2025) by updating:

- Water Quality Monitoring Program Revised Final, Rev 2, 23/09/2025. Updated with the new continuous water monitoring location (for the cruise vessels over 60 event) options 1C and 1D, in the vicinity of WQ1; updated Section 5.6, Figure 5.1 and Appendix C – consultation.
- WQ OEMP Sub-Plan Revised Final, Rev 3, 17/10/2025. Updated Table 2 and Appendix A with evidence of consultation with DPIRD Fisheries and added a revisions table.

The *Operational Water Quality Monitoring Report – Quantum class event* (19 May 2025) is on our webpage.

The Water Quality Monitoring Program Revised Final, Rev 2 and WQ OEMP Sub-Plan Revised Final, Rev 3 are currently with Planning to approve, and will then be uploaded onto our website.

Noise Monitoring

As per condition E18C, Port Authority will undertake monitoring of operational noise to compare actual noise performance of Modification 3 against the noise performance predicted for the following scenarios:

- a) the first scheduled overnight berthing of a cruise ship;
- b) the first scheduled overnight berthing of a Quantum Class (or equivalent);
- c) the first scheduled overnight berthing of an Oasis Class (or equivalent); and
- d) the first berthing of a large non-cruise ship over 325m LOA.

The above scenarios did not occur during the 2024/25 cruise season, and associated noise monitoring was therefore not undertaken.

The Noise Management Sub-Plan (NMP) states that 'Additional noise monitoring will be undertaken by Port Authority on a voluntary basis as considered necessary by the SECO and Senior Manager Environment. Should an investigation undertaken in accordance with Section 4.2 indicate noise levels require monitoring, Port Authority will implement noise monitoring during the repeat ship visit in accordance with this NMP.'

Section 4.2 of the Noise Management Sub-Plan provides a procedure for non-compliant cruise ships ‘in the event that a cruise ship is found to be non-compliant with the conditions of the Infrastructure Approval regarding noise (Conditions E17 and E18) including failure to meet the Predicted Noise Levels presented in NMP, ships making deck announcements/music from open decks while at berth (non-safety related), ships’ engine, generator, exhaust and ventilation systems not being maintained and operated efficiently to reduce noise emissions, and ships not running on the minimum generator/engine power required while at berth...’

Noise Monitoring was not undertaken in the 2024/25 cruise season in relation to complaints (see section 4).

Visual Monitoring

As required under the OEMP, environmental inspections were undertaken involving a walk-over of the land-based areas of the Facility. The visual inspections involved surveillance for:

- Visible signs of water or sediment contamination and disturbance
- Any signs of ecological impact
- Unusual noise or emissions to air from Extended Use operations
- Traffic congestion caused by Extended Use operations
- Presence of litter or waste at the wharf
- Presence of chemical containers in un-bunded areas at the wharf

A daily cruise checklist is completed for each cruise ship berthing at the Eden Cruise Wharf.

No observations outside of the norm were noticed.

3 Incidents

There were no pollution incidents requiring notification during the 2024/25 OCR reporting period.

4 Complaints

Five noise complaints were received during the 2024/25 cruise season (from 5 November 2024 to 18 April 2025). Table 4-1 below details the complaints received during the 2024/25 reporting period.

As per condition E18, Port Authority investigated the source and nature of the noise while each ship was at berth and corrective actions were implemented as required (see section 4 below for further details).

Table 4-1: 2024/25 Cruise Season complaints received (from 5 November 2024 to 18 April 2025).

#	Date & time	Vessel	Issue	Detail of complaint & response
1	11/11/2024 6:51	ROYAL PRINCESS	Noise, cruise announcements	Noise investigated and confirmed with cruise operations team that this was a routine announcement regarding quarantine information for passengers.
2	12/03/2025 8:21	PACIFIC / CARNIVAL ADVENTURE	Noise, cruise music	Port Authority staff in Eden were notified, and they contacted Port Agent and music was reduced. No further complaint was received for this vessel.
3	15/03/2025 9:20	ROYAL PRINCESS		Port Authority staff in Eden were notified, and they contacted Port Agent and music was reduced. No further complaint was received for this vessel.
4	16/03/2025 14:41	MSC Magnifica		Noise complaint caused by music being played at MSC Magnifica. Message received directly to Supervisor Eden Cruise Operations who spoke to the

				ship's agent on the day to reduce music noise. No further complaint was received for this vessel.
5	20/03/2025 9:49	OVATION OF THE SEAS	Noise, cruise games	Port Authority staff in Eden were notified, and they contacted the Port Agent to notify vessel of complaint and to direct them to reduce noise. Port Authority responded to the complainant with updates. No further complaint was received for this vessel.

As a result of the above complaints, Port Authority has streamlined the complaints process to ensure our cruise operations team on the ground are notified directly when we receive a complaint in Eden.

5 Independent Environmental Audits

Condition A24 states that compliance audits of the SSI must be conducted annually within a year of the commencement of Construction, by an independent, suitably qualified and experienced expert or within another timeframe agreed with the Planning Secretary.

Port Authority requested to alter the frequency of Annual Independent Compliance Audits (in a letter dated 13 August 2024). DPHI agreed to reduce the frequency of Independent Compliance Audits from Annual to Triennial, with the Project's next Independent Compliance Audit being the 2025 Independent Compliance Audit, and then every three years ongoing (letter dated 7 September 2024).

An Independent Audit is currently being carried out for 2025, with a site visit proposed for 30 November 2025. This Independent Audit is outside the 2024/25 OCR reporting period, and results will therefore not be provided in this OCR.

6 OEMP Reviews and Consistency Assessments

The approved OEMP and OEMP Sub-plans (updated after MOD 3) were prepared and approved by the Secretary's nominee in accordance with the Infrastructure Approval in correspondence dated 4 October 2024 and are available on the Port Authority website: <https://www.portauthoritynsw.com.au/port-of-eden/port-services-facilities/eden-cruise-wharf/>

No reviews of the OEMPs or consistency assessment were undertaken during the 2024/25 OCR reporting period.

Appendix A Compliance Report Declaration Form


Compliance Report Declaration Form	
Project Name	Eden Cruise Ship Facility
Project Application Number	SSI 7734
Description of Project	Eden Breakwater Wharf and the Wharf Extension, and all associated infrastructure
Project Address	Weecoon Street, Snug Cove, Eden
Proponent	Port Authority of NSW
Title of Compliance Report	Operation Compliance Report

I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:

- i. the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- ii. the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements;
- iii. the findings of the Compliance Report are reported truthfully, accurately and completely;
- iv. due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- v. the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

- Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both).

Name of Authorised Reporting Officer	Christa Sams
Title	Senior Manager, Environment
Signature	
Qualification	BEng (Env)
Company	Port Authority of NSW
Company Address	Level 4, 20 Windmill St, Walsh Bay, NSW 2000

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