



30 July 2020

Ryan Bennett
Senior Planning and Sustainability Manager
Port Authority of New South Wales
PO Box 25
Millers Point NSW 2000
Emailed to: rbennett@portauthoritynsw.com.au

Dear Mr Bennett

**Subject: Eden Cruise Facility (SSI 7734) – Proposed Modification of Project Approval:
Extending use of Cruise Wharf to other vessels**

In response to your correspondence on the subject proposal, I wish to confirm that the NSW Maritime Branch of Transport for NSW (Maritime), has **no objections** to this proposal, assessed on the grounds of impact to safe navigation.

Of note is the detail included in the supporting document which is likely to result in greater utilisation and enhanced access for a wider range of vessels: *'vessels up to 80 metres in length and draft of 4 metres have access to berthing at the original Breakwater Wharf, but are not permitted to use the Breakwater Wharf Extension under the Infrastructure Approval'*.

I can advise you that NSW Maritime is aware of Merimbula based commercial vessel operators that are likely to be appreciative of broadening the scope of use at the Eden Cruise Wharf.

The proposed modification has been reviewed by the Maritime Infrastructure Delivery Office (MIDO) and Operations and Compliance sections of Transport for NSW (Maritime), and the following comments are offered:

- Maritime understand fendering at the facility is installed at 10 metre spacings and is designed for vessels of a freeboard profile such as cruise ships, rather than for the type of vessel detailed in proposed modification. PANSW should further explore suitability of use by vessels under 100 metres in length and/or without freeboard comparable to that considered in the wharf extension design with regard to specific vessels and nuances of *operational activities*, such as passenger transfers from a charter (commercial) whale watching vessel.
- Some *operational activities* detailed in the document supporting the proposed modification, such as refueling and waste transfers, have not previously been considered at the facility and may require revision of procedures and control measures to be included in the OEMP.

It is important to note that the proponent, or any entity or contractor acting on their behalf, are not exempt from the provisions of the *Marine Safety Act 1998*, or any other relevant legislation, and all parties must comply with any direction given by NSW Maritime Authorised officers with regard to safe navigation or the prevention of pollution.

Should you have any queries in relation to this matter please contact me directly on 0419 751 852, and please forward a copy of the Determination of Consent for our information to NavSouth@transport.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Deon Voyer', written in a cursive style.

Deon Voyer
Manager Operations South
NSW Maritime