

MALLACOOTA OCEAN ACCESS BOAT RAMP AT BASTION POINT

Independent Compliance Audit of Environmental Management Plan: 2020 Operation and Maintenance

Final Audit Report



Prepared for:
East Gippsland Shire Council

March 2021



DOCUMENT CONTROL

Client	East Gippsland Shire Council			
Title	MALLACOOTA OCEAN ACCESS BOAT RAMP AT BASTION POINT: Independent Compliance Audit of Environmental Management Plan: 2020 Operation and Maintenance			
Author	Cam Tiller & Eric Sjerp			
Manager	Eric Sjerp			
Version				
Electronic file name	21004 EGSC Bastion Pt Audit_final report			
Date last saved	19/4/2021 3:04 PM			
Distribution	Name/Business	Version	Format	Date
	Eric Sjerp	Draft v.1	WORD	30/03/2021
	EGSC	Draft v.2	WORD	31/03/2021

TABLE OF CONTENTS

DOCUMENT CONTROL	1
EXECUTIVE SUMMARY	5
1 INTRODUCTION	6
1.1 Mallacoota Ocean Access Boat Ramp (MOABR)	6
1.2 Operation and Maintenance Environmental Management Plan	6
1.3 Auditor's Statement	7
2 INDEPENDENT AUDIT	9
2.1 Audit Scope and Objective	9
2.2 Audit Period	9
2.3 AUDITING AGAINST TWO SEPARATE EMP'S	10
2.4 Operations and Maintenance Activities	10
2.4.1 Area of Operations and Maintenance	10
2.4.2 Definitions and Activities	11
2.5 Audit Methodology and Standards	11
2.6 Audit Meetings, Audit Evidence and Site Inspections	12
2.7 Compliance Rankings	13
3 DECLARED NON-CONFORMANCES	14
4 AUDIT FINDINGS	14
4.1 Audit Criteria	14
4.2 Audit Findings	14
4.3 Positive Audit Outcomes	18
4.4 Adverse Audit Outcomes	18
4.5 Areas for Improvement (2015 – 2019)	19
4.6 Areas for Improvement (2020)	23
4.6.1 Amend Weekly/Monthly Inspection Forms	23
4.6.2 Record Keeping (including contractors)	23
4.6.3 Review and amend O&M EMP (v3)	24
4.7 Requirements for EGSC to satisfy Audit Criteria	25
4.8 Previous Audit Findings	30
5 CONCLUSION	31
6 REFERENCES	33
APPENDIX 1: DETAILED AUDIT FINDINGS	34

LIST OF FIGURES

Figure 1. Mallacoota Ocean Access Indicative Crown Lease Area.	10
Figure 2. Compliance Results: 2020 MOABR O&M EMP (v2).....	15
Figure 3. Compliance Results: 2020 MOABR O&M EMP (v3).....	15
Figure 4. Comparison of Previous Audit Results	30

LIST OF TABLES

Table 1. Compliance Ranking Definitions.	13
Table 2. Summary of Compliance results from audit of MOABR O&M EMP v2 and v3.....	15
Table 3. Summary of 2020 Audit Criteria Compliance Findings O&M EMP (v2)	16
Table 4. Summary of 2020 Audit Criteria Compliance Findings O&M EMP (v3)	17
Table 5. Recommended Improvements (2015 - 2019)	20

ABBREVIATIONS

CEMP	Construction Environmental Management Plan
CEO	Chief Executive Officer, East Gippsland Shire Council
CHMP	Cultural Heritage Management Plan
CMA	Coastal Management Act
DAWE	Department of Agriculture, Water and the Environment (Commonwealth, 2020 -)
DELWP	Department of Environment Land Water and Planning (Victoria, 2015 -)
DEPI	Department of Primary Industries (Victoria, 2013 – 2015)
DoE	Department of the Environment (Commonwealth, 2013 – 2016)
DoEE	Department of Environment and Energy (Commonwealth, 2016 - 2020)
EES	Environmental Effects Statement
EGSC	East Gippsland Shire Council
EMP	Environmental Management Plan
EMS	Environmental Management System
EPBC	Environment Protection and Biodiversity Conservation Act 1999
GPM	GPM Construction Pty Ltd
GP	Gippsland Ports
MOA	Mallacoota Ocean Access
MOABR	Mallacoota Ocean Access Boat Ramp
MOABRCAC	Mallacoota Ocean Access Boat Ramp Community Advisory Committee
MSDS	Material Safety Data Sheet
O&M EMP	Operations and Maintenance Environmental Management Plan
PDS	Project Delivery Standards (also referred to as Audit Criteria)
PMST	Protected Matters Search Tool
PPE	Personal Protective Equipment
SEWPAC	Department of Sustainability, Environment, Water, Population and Communities (Commonwealth, 2010 – 2013)
SWMS	Safe Work Method Statement
TSV	Transport Safety Victoria

EXECUTIVE SUMMARY

Mallacoota Ocean Access Boat Ramp was constructed in 2014 by East Gippsland Shire to facilitate improved launching facilities and ocean access at Bastion Point, Mallacoota, for commercial and recreational vessels. The facility became operational in December 2014.

Operation and maintenance of Mallacoota Ocean Access Boat Ramp (MOABR) is subject to a variety of statutory approvals and conditions, which are reflected in an approved Operation and Maintenance Environmental Management Plan (O&M EMP). During the 2020 calendar year, a revision of the O&M EMP was approved by DELWP requiring this audit to assess compliance for the period 1st January to 16th November 2020 against the O&M EMP (v2) dated 1st December 2014, and to assess compliance for the period 17th November 2020 to 31st December 2020 against the O&M EMP (v3) dated 17th November 2020.

This Independent Audit seeks to establish the extent to which operation and maintenance activities undertaken by East Gippsland Shire at MOABR in 2020 comply with the requirements of the O&M EMPs. The Independent Audit is **NOT** an assessment of the boat ramp design or environmental values at Bastion Point. The Audit relates only to an assessment of compliance with the approved MOABR O&M EMPs. Similar audits were undertaken for the 2015, 2016, 2017, 2018, and 2019 operation and maintenance activities (Ethos NRM, 2017a & 2017b, 2018, 2019, 2020).

All Audit Criteria (or PDS) within the O&M EMPs have been assessed by the Auditor against agreed Compliance Rankings (**Table 1**). A summary of the Audit Findings is presented in **Table 2** and below. **Appendix 1** provides a more detailed description of Audit Findings.

In summary:

Audit Findings	O&M EMP v2	O&M EMP v3
Fully Compliant	16 out of 25, 64.0%	17 out of 25, 68.0%
Compliant but Improvements Required	5 out of 25, 20.0%	5 out of 25, 20.0%
Minor Non-Compliance	2 out of 25, 8.0%	2 out of 25, 8.0%
Major Non-Compliance	0 out of 25, 0%	0 out of 25, 0%
Critical Non-Compliance	0 out of 25, 0%	0 out of 25, 0%
Undetermined due to lack of evidence	2 out of 25, 8.0%	1 out of 25, 4%
Not Applicable	12 Audit Criteria	10 Audit Criteria

Compared to previous years' audits, these results represent a significant improvement by the staff from East Gippsland Shire Council (EGSC) responsible for the operations and maintenance of MOABR and the revision (and approval) of the O&M EMP.

A further twelve Audit Criteria in O&M EMP v2 and ten Audit Criteria in O&M EMP v3 were assessed as *Not Applicable* to the 2020 MOABR O&M EMP Audit. These (and a number of other Audit Criteria) may require further revision to ensure their relevance to the operation and maintenance activities currently undertaken at MOABR.

1 INTRODUCTION

Ocean access for vessels at Mallacoota was enhanced in 2014 through construction of a new boat ramp facility at Bastion Point. Ethos NRM Pty Ltd, Environmental Assessment and Natural Resource Management Consultants, have been engaged by East Gippsland Shire Council (EGSC) to undertake an independent compliance audit of the O&M EMP applicable to operation and maintenance of the ocean access boat ramp at Mallacoota.

This **Audit Report** covers the 2020 calendar year period. Previous similar audits have been undertaken by Ethos NRM for the 2015, 2016, 2017, 2018 and 2019 audit periods (Ethos NRM, 2017a, 2017b, 2018, 2019, 2020). For comparison purposes, all MOABR audit reports by Ethos NRM follow a similar format and content.

1.1 Mallacoota Ocean Access Boat Ramp (MOABR)

MOABR was constructed by East Gippsland Shire to facilitate improved launching facilities and ocean access at Bastion Point for commercial and recreational craft up to approximately 10 metres in length.

An existing boat ramp at Bastion Point was historically used by recreational fishers, commercial Abalone divers, fisheries patrols, emergency response agencies, Victorian Water Police, Coast Guard, and for servicing Gabo Island. The original boat ramp was used intensively during summer and Easter holiday periods, resulting in car and boat trailer parking often reaching capacity.

Bastion Point is also a popular surfing location and recreational swimming / beach bathing spot for both local residents and tourists.

Construction of the MOABR at Bastion Point was undertaken under contract by GPM Constructions on behalf of East Gippsland Shire. Construction was completed in December 2014.

Ongoing operation and maintenance of the boat ramp facility is the responsibility of East Gippsland Shire, and is undertaken in accordance with various regulatory approvals and an O&M EMP.

1.2 Operation and Maintenance Environmental Management Plan

Operation and maintenance of the MOABR at Bastion Point is subject to a variety of statutory approvals which originate from a 2009 Ministerial Assessment of the Mallacoota Ocean Access Boat Ramp Environmental Effects Statement and subsequent Coastal Management Act Consent (DELWP, 2013). Conditions contained within these approvals are reflected in the O&M EMP.

The O&M EMP outlines the environmental management requirements to be complied with during operation and maintenance of the Ocean Access Boat Ramp and its related infrastructure at Bastion Point, Mallacoota.

Version 'Final V3' (v3) dated 17th November 2020 (Crossco, 2020) is the most recent O&M EMP document and is based on the earlier approved Plan (Version 2 (v2), dated 1st December 2014). As the recent version was approved during the 2020 calendar year, both

of these EMP versions are used as the basis of this Audit. An earlier Plan (Version 5, dated 6th November, 2014) addressed both the construction and operation & maintenance requirements, whereas the most recent versions ('Final V2' and 'Final V3') address the operation & maintenance requirements only.

Environmental and statutory approvals addressed by the O&M EMP include the *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)*, *Environment Effects Act 1978*, *Coastal Management Act 1995*, *Environment Protection Act 1970*, and the *Planning and Environment Act 1987*.

The O&M EMP comprises several parts/sections based on general requirements, operational and maintenance aspects, and an environmental risk assessment and register. In summary the approved EMP includes:

- Performance requirements for environmental management during the operational phase (post-construction) of the boat ramp;
- Performance requirements for environmental management during maintenance works at the boat ramp;
- Risk assessment framework and project risk register;
- Environmental objectives and targets for different components of the operation and maintenance works;
- Environmental controls, including standards and limits, to ensure that specific objectives and targets are achieved; and
- Responsibilities for implementing the EMP.

The Environmental Risk Assessment and Register included in Appendix 5 of the O&M EMP provides an evidence-based assessment of the potential impacts from construction and operational activities upon specific environmental values. The *risk treatment / mitigation measures* identified in the Environmental Risk Assessment are reflected as *environmental controls* in the O&M EMP.

Key values and risk events identified in the Risk Assessment and Register are:

- Airborne noise;
- Coastal ecology and habitat;
- Terrestrial habitat; and
- Removal of native vegetation.

Specific environmental performance standards and targets to address the various risks are referred to as Project Delivery Standards (PDS) and Environmental Controls in the O&M EMP.

East Gippsland Shire, as the 'owner and operator' of the MOABR, is responsible for ensuring that all operational and maintenance activities relating to the MOABR comply with the O&M EMP. Council staff are responsible for day-to-day activities and engage consultants/contractors for specialist tasks.

1.3 Auditor's Statement

This Independent Audit has been completed in accordance with a Project / Audit Brief and is generally consistent with the requirements of ISO19011:2014. The Auditor is suitably qualified, experienced and competent to undertake the audit.

Ethos NRM has previously completed a variety work for EGSC, including:

- Independent Compliance Audit of Environmental Management Plan for both construction and for operation & maintenance of MOABR;
- Development of management plans for foreshore, recreation / open space and ecologically sensitive areas managed by EGSC;
- Development and involvement in preparation of environmental and planning strategies for rural land and ecologically sensitive areas;
- Independent reviews and status assessments of previously prepared management plans;
- Independent compliance reviews of previously completed revegetation works; and
- Independent assessment and reporting of environmental values and potential impacts of proposed Council works.

In addition, Ethos NRM regularly prepares environmental impact reports to accompany planning permit applications by third parties, which are then subsequently assessed by Council statutory planning staff for approval.

Ethos NRM has had no direct involvement in undertaking environmental assessments, reporting, or gaining approvals associated with establishment or operation of the MOABR. Ethos NRM did provide Council with advice regarding the scope and content of the original 2015 Project/Audit Brief for MOABR audits.

EGSC and Ethos NRM both assessed the potential for a conflict of interest and concluded that the previous work by Ethos NRM in no way compromises the independence of Ethos NRM in undertaking this audit, nor does the previous work constitute a Conflict of Interest.

2 INDEPENDENT AUDIT

2.1 Audit Scope and Objective

This Independent Audit seeks to establish the extent to which operation and maintenance of the MOABR complies with the requirements of the O&M EMPs (v2 & v3).

The Objectives of the Independent Audit, as specified in the Audit Brief (EGSC, February 2020), are to:

1. Undertake an independent compliance audit of Council's Operation and Maintenance activities against approved v2 and v3 EMPs for the respective periods, including:
 - independently assess implementation of the EMP; and
 - independently gather information that verifies compliance against all the Environmental Controls specified in the EMP.
2. Advise East Gippsland Shire of any non-conformances with the EMP.
3. Provide a written audit report to East Gippsland Shire:
 - outlining the extent of compliance for the 2020 reporting period against all Environmental Controls specified in EMP v2 and v3 against the respective dates.
 - including a clarification statement describing the reasons behind the need to audit against two separate EMP's.
 - including a summary statement of Council's current performance in comparison to the 2019 O&M EMP audit, and
 - outlining any potential improvements to the audit process for 'operational and maintenance' audits.

Importantly, the Audit Brief highlights that the Independent Audit is NOT an assessment of the boat ramp design or environmental values at Bastion Point. The Audit relates only to an assessment of compliance with the approved MOABR O&M EMP.

This Independent Audit relates only to the operational and maintenance phase of MOABR. The Audit Brief explicitly excludes auditing of construction aspects, which have been separately audited following completion of the construction phase (Ethos NRM, 2015).

2.2 Audit Period

This Audit Report covers operations and maintenance activities at the MOABR for the 2020 calendar year period. This audit was undertaken during February – March 2021.

Conditions of the *Coastal Management Act* Consent require that a separate independent operations and maintenance audit is undertaken and reported upon annually.

Previous Audit Reports cover the 2015, 2016, 2017, 2018 and 2019 periods (Ethos NRM, 2017a, 2017b, 2018, 2019, 2020).

2.3 AUDITING AGAINST TWO SEPARATE EMP'S

The 2020 Audit Period covers the unusual requirement of reporting against two separate versions of the O&M EMP. During the 2020 calendar year, a revision of the O&M EMP was approved by DELWP requiring this audit to assess compliance for the period 1st January to 16th November 2020 against the O&M EMP (v2) dated 1st December 2014, and to assess compliance for the period 17th November 2020 to 31st December 2020 against the O&M EMP (v3) dated 17th November 2020.

Where Audit Criteria have been amended between the EMP versions, criteria have been assessed separately whereas Audit Criteria that have remained the same in both versions of the O&M EMP have been assessed concurrently. These changes have been highlighted in **Appendix 1: Detailed Audit Findings**.

2.4 Operations and Maintenance Activities

2.4.1 Area of Operations and Maintenance

The area within which Council's operations and maintenance activities are permitted to occur is defined by a formal Crown Land Lease area on Plan of Crown Allotment OP123396, which is illustrated in Appendix 1 of the O&M EMP and is reproduced as **Figure 1**.

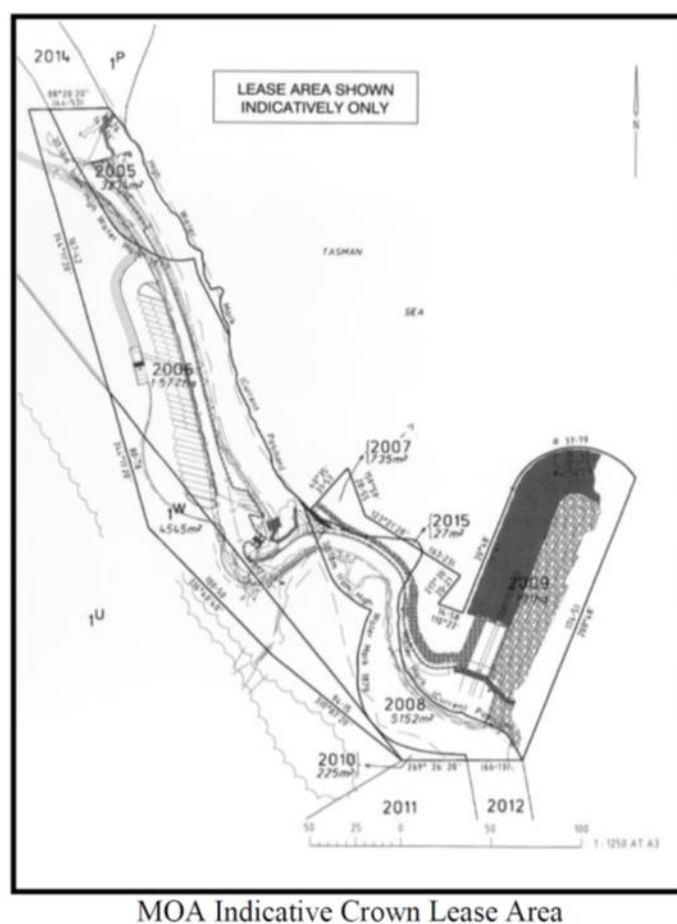


Figure 1. Mallacoota Ocean Access Indicative Crown Lease Area.

2.4.2 Definitions and Activities

'Operations' is defined in the O&M EMP as:

- Operations include the launching and / or retrieval of vessels and temporary berthing of vessels associated with launching and retrieval of vessels.
- Operational activities will be carried out by commercial, recreational and Government Agency users.
- Operations will be undertaken in accordance with the Maritime Safety Operational Manual as required by condition 3 of the Coastal Management Act consent dated 14 January 2013.

'Maintenance' is defined in the O&M EMP as:

- Maintenance works are works required or undertaken to preserve the infrastructure constructed in good working order, and as near to "as designed" and "as constructed" for as long as possible.
- Maintenance works may be routine or on an "as required" basis.
- Maintenance works are the responsibility of EGSC and will be carried out by or on behalf of EGSC.

Operations and maintenance activities that may occur at the MOABR are listed in Appendix 1 of the O&M EMP, and include but are not necessarily limited to:

- Establish environmental & cultural heritage management controls and OHS in accordance with approved plans
- Removal of sand and/or kelp from boat ramp
- Landscaping
- Timber structures (jetty, bollards, walkway)
- Roadways and pedestrian access paths
- Breakwater
- Navigational aids
- Ablutions
- Lighting
- Pavement line marking
- Signage
- Navigational channel
- Servicing infrastructure (electricity, sewer, water)
- Parking of vehicles and associated trailers.

2.5 Audit Methodology and Standards

Requirements of AS/NZS ISO 19011:2014 Guidelines for Auditing Management Systems have been used to direct this audit. AS/NZS ISO 19011:2014 provides a clear systematic approach for undertaking audits and allows for a consistent approach across multiple or recurrent audits. Definitions used throughout this Audit Report are generally consistent with AS/NZS ISO 19011:2014.

The audit methodology is consistent with the **Audit Brief** issued by Council and with the Coastal Management Act Consent conditions stipulated by the Department of Environment Land Water and Planning (DELWP, 2013).

The environmental requirements, standards and limits assessed by this audit are listed as 'PDS' and 'Environmental Controls' in the O&M EMPs (v2 & v3) and are referred to in this report as **Audit Criteria** for the purposes of assessing compliance with the O&M EMPs. Individual Audit Criteria are listed in the 'Register of Environmental Objectives and Targets' of the O&M EMPs (Table 4 to Table 10, Appendix 4), and in Table 3 of the O&M EMPs.

Due to the revision of the O&M EMP during the **Audit Period**, this audit is to provide assessment against both versions for the periods specified previously. Where **Audit Criteria** have not been changed between versions of the O&M EMP, they have been assessed concurrently. However, where **Audit Criteria** have been altered between versions, the assessment has addressed each separately and is reflected in **Appendix 1: Detailed Audit Findings**.

An **Audit Plan** was developed in cooperation with EGSC staff to direct specific audit tasks and to ensure the audit objectives and methodology were clear.

The audit methodology involved:

- Audit Commencement Meeting
 - Agreed Audit Plan
 - Confirmation of Audit Criteria
 - Confirmation of compliance rankings
- Exchange of audit evidence and related information
- Audit meetings
- On-site inspection at Bastion Point
- Audit assessment
- Issuing of Draft Audit Findings
- Issuing of Final Audit Findings
- Audit Closure

2.6 Audit Meetings, Audit Evidence and Site Inspections

An audit inception / commencement meeting was held on 8th February 2021, where the Draft Audit Plan, method and Audit Criteria were confirmed.

A subsequent meeting (25th March 2021), phone calls and email exchanges took place over the following weeks in order to facilitate the transfer and assessment of information and audit Evidence provided by Council staff, and to discuss recommendations made in the previous MOAB compliance audits (2015, 2016, 2017, 2018 and 2019) for a range of improvements.

All available evidence was freely provided by EGSC to the Auditor.

Assessment of Audit Evidence occurred in March 2021.

The Auditor also benefited from a site visit conducted during May and June 2020 allowing for observations of day-to-day operational aspects and during which photographic evidence was obtained.

A draft Audit report was issued to East Gippsland Shire on 31st March 2021.

The Final Audit report was issued to East Gippsland Shire on 19th April 20201 and Audit Closure is expected to occur on the same day.

2.7 Compliance Rankings

Compliance Rankings and definitions listed in the Audit Brief were confirmed at the Commencement Meeting as being appropriate for use in undertaking a compliance audit of the O&M EMP. **Table 1** below lists the adopted compliance rankings.

The ranking applied to an O&M EMP non-conformance (ie Minor, Major or Critical), was determined by assessing the extent to which the non-conformance impacts on environmental values, as outlined in the Environmental Risk Register included in Appendix 5 of the O&M EMP, and with the regulatory (legal) approvals governing that specific non-conformance.

There has been an addition to the Compliance Ranking definitions from previous audits. **Audit Criteria** that address an “event that did not occur and/or no actions were required to conform with the criteria” are now to be assessed as “NOT APPLICABLE”. This may result in a difference in the comparability of audit compliance findings between this and previous audits. The addition was made to provide greater clarity between the following categories:

NOT APPLICABLE: Audit criteria did not require any action.

COMPLIANT: Action was required and performed appropriately.

NON-COMPLIANT: Action was required but not performed appropriately.

Table 1. Compliance Ranking Definitions.

Compliance Rank / Grade	Description
Fully Compliant	There is sufficient evidence to confirm that actions have been undertaken, prepared and/or implemented in full compliance with the requirements of the auditable element.
Compliant but with Improvements Required	There is evidence to confirm that actions have been implemented to achieve compliance with the auditable element, but improvements are required to achieve Full Compliance.
Minor Non-Compliance	The evidence shows that actions are not in full compliance with the requirements of the auditable element but it is unlikely that this will cause the environment to be seriously affected.
Major Non-Compliance	The evidence shows that actions are not in full compliance with the requirements of the auditable element and this gives risk to a high potential that the environment will be seriously affected if the non-compliance is not rectified.
Critical Non-Compliance	The evidence shows that actions are not in full compliance with the requirements of the auditable element and this gives rise to a serious or imminent risk to the environment.
Undetermined	There is insufficient evidence to make a judgement on compliance.
Not Applicable	The auditable element falls outside the scope of the audit, e.g. work relevant to the environmental control/standard has not yet commenced, <u>OR</u> An event did not occur and/or no actions were required to conform with the criteria.

3 DECLARED NON-CONFORMANCES

During the commencement and audit meetings, East Gippsland Shire staff indicated that there were no operational incidents during 2020 that required a declaration of non-conformance.

Dredging commenced on 8th and 9th January particularly to ensure clear access for Emergency Service Vessels (i.e. Police, Coast Guard and Navy) that were assisting with the bushfire emergency at the time. There are records of vessels (i.e. Coast Guard) becoming stuck at the mouth at low tide, but these were not classed as an incident.

4 AUDIT FINDINGS

4.1 Audit Criteria

The environmental requirements, standards and limits evaluated by this audit are listed as Project Delivery Standards and Environmental Controls in the MOABR O&M EMPs (v2 & v3), and are referred to in this audit report as Audit Criteria for the purposes of assessing compliance with the O&M EMP.

Detailed Project Delivery Standards and Environmental Controls are listed in Table 4 to Table 10 of the 'Register of Environmental Objectives and Targets', Appendix 4 of the O&M EMPs (v2 & v3). The tables address the following Audit Criteria themes:

- General Management of Maintenance Activities
- Marine-based works
- Dredging / excavation and plume
- Channel maintenance schedule
- Dredged / excavated material management
- Land based standards

Additional Audit Criteria listed in Table 3 of the O&M EMP relate to External Notification and Reporting.

4.2 Audit Findings

A detailed assessment of compliance against all Audit Criteria is documented in **Appendix 1: Detailed Audit Findings**.

The compliance results from the Audit of MOABR O&M EMP (v2 and v3) are presented in **Table 2**. These are separated into sections for O&M EMP (v2) in **Table 3** and for O&M EMP (v3) in **Table 4**. Findings are listed only for the 2020 operational and maintenance phase of the MOABR. An audit of construction activities was completed separately in 2015 (Ethos NRM, 2015), and previous operational and maintenance audits for 2015, 2016, 2017, 2018 and 2019 were reported on separately (Ethos NRM 2017a; Ethos NRM 2017b, Ethos NRM 2018, Ethos NRM 2019, Ethos NRM 2020).

A total of twenty-five (25) Audit Criteria were assessed by the Auditor under both v2 and v3 of the O&M EMP, with the *Not Applicable* results excluded from **Figure 2** and **Figure 3**.

Table 2. Summary of Compliance results from audit of MOABR O&M EMP v2 and v3.

Audit Findings	O&M EMP v2	O&M EMP v3
Fully Compliant	16 out of 25, 64.0%	17 out of 25, 68.0%
Compliant but Improvements Required	5 out of 25, 20.0%	5 out of 25, 20.0%
Minor Non-Compliance	2 out of 25, 8.0%	2 out of 25, 8.0%
Major Non-Compliance	0 out of 25, 0%	0 out of 25, 0%
Critical Non-Compliance	0 out of 25, 0%	0 out of 25, 0%
Undetermined due to lack of evidence	2 out of 25, 8.0%	1 out of 25, 4%
Not Applicable	12 Audit Criteria	10 Audit Criteria

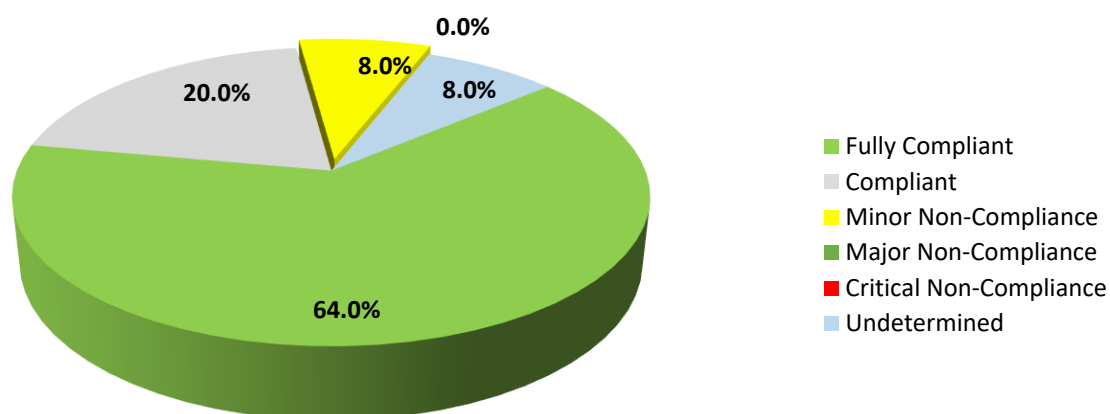


Figure 2. Compliance Results: 2020 MOABR O&M EMP (v2)

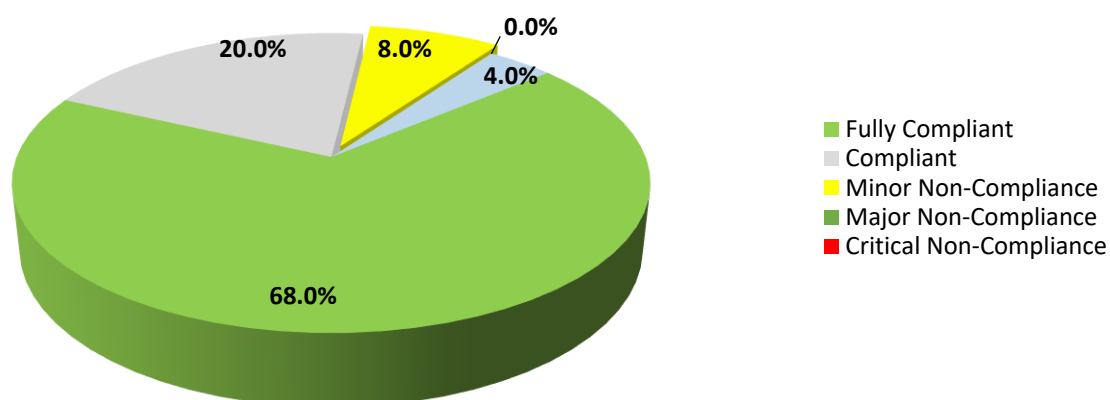


Figure 3. Compliance Results: 2020 MOABR O&M EMP (v3)

Table 3. Summary of 2020 Audit Criteria Compliance Findings O&M EMP (v2)

Audit Criteria	Fully Compliant	Compliant but improvements required	Minor Non-Compliance	Major Non-Compliance	Critical Non-Compliance	Undetermined (due to lack of Evidence)	Not Applicable
1. Hours of operation	1						
2. Airborne noise		1					
3. Waste management	2	2	1				
4. Equipment maintenance	1						
5. Fuels, oils, chemicals and hazardous goods	1						
6. Emergency response preparedness	2						1
7. Marine pests	1						3
8. Vessel Refuelling	1						
9. Cetacean – vessel manoeuvring							1
10. Heritage (marine based) – identification of potential relics							1
11. Dredging / excavators and plume		2					
12. Dredging / excavator schedule	1						
13. Consideration of season sensitivities	1						
14. Dredged / excavated material disposal	1					1	
15. Disposal site monitoring			1				
16. Excavation, placement and stockpiling of material	1						
17. Removal and management of native vegetation	2						
18. Weeds and pest animals						1	2
19. Sediment transport control							2
20. External notification and reporting	1						2
TOTALS	16	5	2	0	0	2	12
% TOTALS (excl Not Applicable)	64.0%	20.0%	8.0%	0%	0%	8.0%	

Table 4. Summary of 2020 Audit Criteria Compliance Findings O&M EMP (v3)

Audit Criteria	Fully Compliant	Compliant but improvements required	Minor Non-Compliance	Major Non-Compliance	Critical Non-Compliance	Undetermined (due to lack of Evidence)	Not Applicable
1. Hours of operation	2						
2. Airborne noise		1					
3. Waste management	2	2	1				
4. Equipment maintenance	1						
5. Fuels, oils, chemicals and hazardous goods	1						
6. Emergency response preparedness	2						1
7. Marine pests	1						3
8. Vessel Refuelling	1						
9. Cetacean – vessel manoeuvring							1
10. Heritage (marine based) – identification of potential relics							1
11. Dredging / excavators and plume		2					
12. Dredging / excavator schedule	1						
13. Consideration of season sensitivities	1						
14. Dredged / excavated material disposal	1					1	
15. Disposal site monitoring			1				
16. Excavation, placement and stockpiling of material	1						
17. Removal and management of native vegetation	2						
18. Weeds and pest animals	All criteria for this section were removed from O&M EMP (v3)						
19. Sediment transport control							2
20. External notification and reporting	1						2
TOTALS	17	5	2	0	0	1	10
% TOTALS (excl Not Applicable)	68.0%	20.0%	8.0%	0%	0%	4.0%	

These findings from Audit of both O&M EMP (v2) and O&M EMP (v3) are a significant improvement from the results determined for all years 2015 – 2019. The combined percentage of Compliant results has improved by over 20% from last year's audit and the percentage of Non-compliant results has reduced by two-thirds.

Further areas for improvement are highlighted in **Section 4.5 and 4.6** below, whilst **Section 4.7** provides details on the minimum requirement for EGSC to satisfy all current **Audit Criteria**.

4.3 Positive Audit Outcomes

Positive outcomes from this independent compliance audit of the MOABR EMP for operations and maintenance activities at Bastion Point during 2020 are:

- Successful operation of EGSC Catfish dredge vessel throughout the year.
- Update of the "Operations and Maintenance Environmental Management Plan, Bastion Point, Mallacoota" to better reflect current operations.
- Continued preparedness and commitment by EGSC on-site operational staff to operate and maintain the MOABR in accordance with the intent of all regulatory requirements and the MOABR O&M EMP.
- Continued strong working relationship and operational / procedural arrangements between EGSC on-site operational staff and contractors working at the MOABR, particularly McKinnon Earth Constructions, Kina Diving, and Environmental Marine Solutions.
- No major operational incidents resulting in catastrophic environmental impact.
- No Critical Non-Compliance and no Major Non-Compliance audit findings.
- Revision of O&M EMP resulted in the removal of **Audit Criteria** that were not relevant to Operations and Maintenance of the MOABR.
- 64.0% (v2) and 68.0% (v3) of assessed Audit Criteria are Fully Compliant.
- The percentage of Non-Compliant findings have been reduced by two-thirds from last year's audit.

Details are documented in Appendix 1: Detailed Audit Findings.

4.4 Adverse Audit Outcomes

As found in previous independent compliance audits of the MOABR O&M EMP, operation and maintenance of MOABR at Bastion Point has been undertaken professionally and with the correct intent by EGSC staff. Although the percentage of Minor Non-Compliance findings have halved from last year's audit, there are still a number of adverse outcomes that require immediate attention:

- Improvement is required in relation to 20.0% of assessed Audit Criteria that are otherwise Compliant.

- Failure to capture and record all necessary information to demonstrate compliance.
- Incomplete records of contractor work practices.
- Lack of documented evidence relating to:
 - waste management arrangements,
- Lack of GPS evidence to demonstrate that all dredging and/or excavation activity remains within the identified channel zones.
- Audit Criteria that contain aspects that are not relevant to current work practices.

All Non-Compliances are documented in **Appendix 1: Detailed Audit Findings**.

4.5 Areas for Improvement (2015 – 2019)

A substantial number of improvements, summarised in **Table 5**, have been recommended throughout previous audits, dating back to the first audit “post-construction” (i.e. 2015 calendar year). During the 2020 Audit Period, a number of these recommendations were addressed.

These recommendations for improvement reflect the “Compliant but with Improvements Required”, “Minor Non-Compliance” “Undetermined” and “Not Applicable” compliance grading, and less critical improvements associated with outcomes that still have scope for improvement during the ongoing operational and maintenance phase of MOABR.

Table 5 covers both i) improvements required of EGSC, and ii) recommendations to further review and improve the MOABR O&M EMP for the previous five audit periods (i.e. 2015 – 2019), highlighting the recommendations addressed with the revision of the O&M EMP conducted in 2020. The years that each suggested improvement was listed in the audit report are noted in the table.

Table 5. Recommended Improvements (2015 - 2019)

Recommendations for Improvements
Improvements Required of EGSC • Amend Weekly/Monthly Inspection Logs to: ○ document actual maintenance activities and machinery operational hours (2015 - 2016). <i>Audit criteria split to differentiate between maintenance and operational activities in O&M EMP (v3).</i> ○ include inspection for all on-site hazardous materials, including confirmation that none are on-site (2015 - 2018). <i>Not addressed</i> ○ include checks for domestic animal restrictions (2015 - 2017). <i>Removed from Audit Criteria in O&M EMP (v3).</i> ○ Include checks for imported soil (2015 - 2017). <i>Removed from Audit Criteria in O&M EMP (v3).</i> ○ document (e.g. check boxes) all routine maintenance activities (e.g. toilet cleaning, signage checks, navigation checks, etc) (2017). <i>Not addressed</i> • Require all sub-contractors to: ○ record machinery hours and EGSC to retain copies of contractor's records (2015 - 2016). <i>Not addressed</i> ○ document waste management arrangements (2015 - 2018). <i>Not addressed</i> ○ document response arrangements for oil spills and noxious substance discharge (2015 - 2016). <i>Not addressed</i> • Create Hazardous Substances Register and establish system for documenting and retaining records of all hazardous materials used by sub-contractors (2015 - 2018). <i>Not addressed</i> • Create Daily Inspection Log for use during onsite use of any mechanical equipment requiring refuelling (2015 - 2017). <i>Not addressed</i> • Document existence of contractor's oil spill response kits (2015 - 2018). <i>Not addressed</i> • Develop and test emergency response procedure (including for all contractors) and retain records in accordance with App 8 & 10 of O&M EMP (2015 - 2018). <i>Addressed by conducting emergency response drills for fuel/oil spills, person overboard, medical emergency, fire onboard and collision.</i> • Document staff and contractor's oil spill response training (2015 - 2018). <i>Not addressed</i> • Investigate options for improved dredge / excavated material disposal site to prevent 'circular flow' resulting in deposited material being washed southwards onto boat ramp apron and back into launching channel (2016 - 2018). <i>Not addressed</i>

Recommendations for Improvements

- Develop data capture and record keeping protocol for each machinery use activity (e.g. dredging, excavation, ramp cleaning), including for all contractors (2017). *Not addressed*
- Develop data capture and record keeping protocol for each activity undertaken by a contractor (incl. toilet cleaning) (2017). *Not addressed*
- Develop comprehensive response procedures / arrangements / systems (i.e. SOP's SWMS etc), in co-operation with all staff and contractors, to ensure sufficient systems were in place to mitigate threat of an oil spill or noxious substance discharge during operation of any machinery near or over water (e.g. dredge, excavators, front end loaders) (2017 - 2018). *Not addressed*
- Develop data capture and record keeping protocol for all machinery use and equipment maintenance, including daily pre-start checks and tool-box inspections for dredging, excavation, ramp cleaning etc, including for all contractors (2017 - 2018). *Not addressed*
- Develop data capture and record keeping protocol for threat of marine pests from dredge, support vessel(s) and/or marine equipment, including a register of all necessary decontamination certification (2017 - 2018). *Not addressed*
- Develop data capture and record keeping protocol for Cetacean sightings, and response by operational staff/contractors (2017 - 2018). *Not addressed*
- Develop data capture and record keeping protocol for dredge and excavated material and disposal (2017). *Not addressed*
- Prepare a Performance Report to DELWP on management of disposal site, including options for prevention of 'circular sand flow' and deposition of rocks resulting excavation of shallow areas inaccessible by dredge (2017 - 2018). *Not addressed*
- Implement training to enable staff to identify and report potential marine pests, particularly when Catfish Dredge is used in waters beyond Mallacoota (2018). *Staff training conducted in 2020.*
- Develop and implement improved method for recording that all dredging and/or excavation activity remains within the identified channel zones. *Not addressed*

Review and Improve MOABR O&M EMP

- Better distinguish allowable work hours for machinery use (e.g. dredging) verses routine maintenance (e.g. toilet cleaning) (2015 - 2018). *Addressed in revised O&M EMP (v3)*
- Better reflect when operational and maintenance activities are most suitable to occur (e.g. influence of tides etc) (2015 - 2016). *Not addressed*

Recommendations for Improvements

- Reflect most current version of EPA Publication 949.3 (2015 - 2018). *Not addressed*
- Reflect most current version of Australian Ballast Water Management Requirements (2015 - 2018). *Not addressed*
- Consider applicability of Airborne Noise Standard (2017 - 2018). *Noise surveys conducted during 2020*
- Repword O&M EMP Audit Standard / Criteria 7a to better reflect dredge and support vessels being used at MOABR (2018). *Not addressed*
- Review O&M EMP Audit Standard / Criteria 7B to determine if applicable (2017 - 2018). *Not addressed*
- Review O&M EMP Audit Standard / Criteria 7C to determine if applicable (2017 - 2018). *Not addressed*
- Review O&M EMP Audit Standard / Criteria 7D to determine the true threat of marine pests from equipment used in MOABR operations and maintenance activities (2017). *Staff training conducted in 2020.*
- Review O&M EMP Audit Standard / Criteria 11B to better reflect equipment being used at MOABR (2016 - 2018). *Addressed in 2020*
- Review O&M EMP to consider appropriateness of Criteria 18a within O&M EMP rather than managed thorough corresponding By-Laws (2017 - 2018). Alternatively, amend Weekly Inspection Logs to include checks for domestic animal restrictions (2015 - 2018). *Removed from Audit Criteria in O&M EMP (v3)*
- Review O&M EMP to consider appropriateness of "Imported Soil" Criteria within O&M EMP (2017 - 2018). Alternatively, amend Weekly Inspection Logs to include checks for imported soil (2015 - 2018). *Removed from Audit Criteria in O&M EMP (v3)*
- Amend O&M EMP to clarify intent of DELWP 'Notification' Audit Criteria (2015 - 2018). *Not addressed*
- Correctly identify that Crossco Drawing No. 1579/007-B has been updated to 1579/007-C (2017 - 2018). *Not addressed*
- Include additional Channel Maintenance criteria, such as:
 - Kelp removal (2015 - 2016) *Not addressed*
 - Ramp cleaning (2015 - 2016) *Not addressed*
 - Breakwater stability (2015 - 2016) *Not addressed*
 - Navigation hazards (2015 - 2016) *Not addressed*
 - Issuing of Notice to Mariners (2015 - 2016) *Not addressed*
 - Traffic Management (2016) *Not addressed*

4.6 Areas for Improvement (2020)

Recommendations for review and improvements to the MOABR O&M EMP focus on ensuring the EMP and Audit Criteria are relevant to the actual works being undertaken by EGSC at MOABR, and that it is 'value adding' to the overall efficiency of operations and maintenance activities, whilst at all time preventing adverse environmental impacts.

During the 2020 Audit Period, significant improvements were made toward compliance of the O&M EMP (v2 and v3). However, there are a number of improvements required of EGSC to focus on ensuring that existing work practices – which are often adequate in their own right – are documented adequately to reflect specific requirements stated the MOABR O&M EMP, and to ensure all the necessary information is captured and recorded so that compliance with the Audit Criteria can be easily demonstrated. This may include further edits to Audit Criteria to better reflect current operational and maintenance activities.

Areas for improvement are further documented in the sections immediately below and in the **Detailed Audit Findings (Appendix 1)**.

4.6.1 Amend Weekly/Monthly Inspection Forms

The Weekly and Monthly Inspection Forms are located as part of Appendix 12 in the MOABR O&M EMP (v2). Basic amendments to the Weekly and Monthly Inspection Forms are required to ensure documentation of checks and activities that would immediately result in an improved audit rating.

These amendments could include documenting actual maintenance activities (i.e. toilet cleaning, rubbish removal, kelp removal, etc) from the previous week and inspection for on-site hazardous materials (including confirmation that none are on-site).

4.6.2 Record Keeping (including contractors)

In order to achieve compliance with the O&M EMP audit criteria, it is essential for EGSC to improve its protocols for data capture and record keeping with regard to:

- Which contractors are used during each Audit Period? Documentation of the activities of the contractors is minimal and, in some cases missing entirely. The preparation of documents or forms is required for contractors to acknowledge or confirm EGSC requirements under the O&M EMP (v3), including waste management arrangements, plant and equipment maintenance, presence of oil spill kits and staff training, etc.
- Waste Management Arrangements (**PDS 3**) – retain records of EGSC work crews and contractor's waste management arrangements including waste minimisation, containment, segregation and appropriate reuse, recycling, treatment, and disposal. If the records of waste management arrangements do NOT include reference to waste minimisation, containment, segregation and appropriate reuse, recycling, treatment, and disposal then remove reference to these from the **Audit Criteria**. Otherwise, this cannot be assessed as **Fully Compliant**.
- Machinery use and equipment maintenance (**PDS4**) - develop data capture and record keeping protocol including daily pre-start checks, tool-box inspections and maintenance records for dredging, excavation, ramp cleaning, etc. Ensure that this

includes documentation from contractors that they adhere to a maintenance program suitable to EGSC procedures.

- Hazardous goods (**PDS 5**) – establish a system for documenting and retaining records of all fuels, oils and hazardous goods stored and handled by EGSC at Bastion Point Boat Ramp and the EGSC Mallacoota Works Depot.
- Daily Inspection Log for use onsite during use of any mechanical equipment – document existence of hazardous materials (**PDS 5a**), oil spill response kits (**PDS 6b**), etc.
- Response to oil spill or noxious substance discharge (**PDS 6a**) – develop and test comprehensive emergency response protocols for EGSC and contractors to ensure sufficient systems are in place to mitigate threat of an oil spill or noxious substance discharge during operation of any machinery near or over water (e.g. dredge, excavators, front end loaders, etc). Retain records of staff and contractor training and acknowledgement of protocols.
- Marine Pests (**PDS 7a**) - develop data capture and record keeping protocol for threat of marine pests from dredge, support vessel(s) and/or marine equipment, including a register of all necessary decontamination certification. If it is considered excessive or irrelevant to current work activities, delete or amend the **Audit Criterion**.
- Ballast requirements (**PDS 7b & 7c**) – develop data capture and record keeping protocol for use of vessels that require ballast. If it is considered excessive or irrelevant to current work activities, delete or amend the **Audit Criterion**.
- Cetacean sightings (**PDS 9a**) - develop data capture and record keeping protocol for Cetacean sightings, and response by operational staff and contractors.
- Location of dredging and/or excavation (**PDS 11a**) – develop and implement an improved method for recording that all dredging and/or excavation activity remains within the identified channel zones. If confirmation by GPS data is considered excessive or irrelevant to current work activities, delete or amend the **Audit Criterion**.
- Recording of equipment activity – develop data capture and record keeping protocol for equipment activity. Delete reference to “Management of sand from ...” as minimum information required.
- Performance Report (**PDS 15a**) – prepare report to DELWP on management of disposal site.

4.6.3 Review and amend O&M EMP (v3)

Even though the O&M EMP was updated during the 2020 Audit Period, there are further amendments required to improve the relevance and/or update sections to better reflect the operational and maintenance activities conducted at Bastion Point Boat Ramp. These include (but are not limited to):

- Update the abbreviations list: add or delete abbreviations from the list as appropriate. For example, SEWPAC have not existed for over eight (8) years and there is no other reference to them in the EMP other than the abbreviation list.
- Page 13 – amend the correction to the position title.

- Attach the new documents to Appendices 7 – 11 that have superseded the previous Appendices.
- Amend reference to Appendices that have been superseded.
- All references to Crossco Drawing No. 1579/007-B should be amended to Crossco Drawing No. 1579/007-C.

4.7 Requirements for EGSC to satisfy Audit Criteria

Even though the O&M EMP was updated during the 2020 Audit Period, there are further amendments required to improve the relevance (or clarity) of Audit Criteria to current operational and maintenance activities. Even though amendments are not required to each PDS/Audit Criterion, the minimum requirements for each PDS/Audit Criterion (following the 2020 Audit Period) has been considered below to provide direction/clarification for future audits.

- **PDS 1a** – Following amendments in O&M EMP (v3), this audit criterion has been split into two (i.e. 1a & 1b) to better reflect the difference between dredging operations and other routine maintenance activities. Although the hours of operation for dredging activities are recorded in the EGSC Mini Cat Logbook / Work Diary, hours for routine maintenance are not similarly recorded. Instead, the Auditor relies upon acknowledgement from an appropriate EGSC staff member to assess this part of the criterion.
- **PDS 2a** – Clarify categories relevant to the Noise from Industry in Rural Victoria (NIRV: EPA Publication 1411).
 - The “noise generator” (i.e. dredge/excavation activities) is located in a Public, Conservation, Resource Zone (PCRZ).
 - The “noise receiver” can be determined as either:
 - Public users of the PCRZ (including car park, beach, and beach access ramp) potentially located within 100m of dredge/excavation activities. This would place recorded noise levels above the noise tolerance level stipulated in the *NIRV*. However, the location should be considered a “background-relevant area” where background levels are naturally elevated by surf. This would likely ensure that recorded noise levels were below the threshold.
 - Residential housing located in General Residential Zone (GRZ) approximately 600m (direct line) from dredge/excavation activities. At this distance from the noise generator (and in a different zone), the recorded noise level is within the noise tolerance limit stipulated by the *NIRV*.
 - *EGSC is required to clarify what the “noise receiver” is and ensure that future noise surveys incorporate recording of background noise levels. This will ensure full compliance with the **Audit Criterion** under either circumstance.*
- **PDS 3a** – Clarification and/or documentation is required to identify the “independent waste management arrangements” that are in place for EGSC work crews and contractors and to ensure that they include “waste minimisation, containment, segregation and appropriate reuse, recycling, treatment and disposal”. If the records

of Waste Management Arrangements do NOT include reference to waste minimisation, containment, segregation and appropriate reuse, recycling, treatment, and disposal then remove reference to these from the **Audit Criteria**. Otherwise, they cannot be assessed as **Fully Compliant**. *If EGSC considers this excessive or irrelevant to current work activities, amend this **Audit Criterion**.*

- **PDS 3b** – Addressing this criterion would be improved by documenting waste removal from site in daily logbooks and/or weekly inspections noting whether bins had been emptied in the previous week. Otherwise, the Auditor relies upon acknowledgement from an appropriate EGSC staff member to assess this part of the criterion.
- **PDS 3c** – Clarification and/or documentation of waste management arrangements are required to ensure that the handling and disposal of unexpected materials are included. *Until evidence is provided to show that the disposal of these materials is included in waste management arrangements, this criterion cannot be assessed as **Fully Compliant**. If EGSC considers this excessive or irrelevant to current work activities, amend this **Audit Criterion**.*
- **PDS 3d** – Annual photos (or site inspection) of waste bins are required to document that they eliminate litter and access by wildlife and/or encourage vermin.
- **PDS 3e** – There is no suggestion that waste is not managed appropriately, however *greater documentation of waste management is required to ensure Full Compliance*. Documenting waste management arrangements (see PDS 3a and 3c) and addressing these is required. *If EGSC considers this excessive or irrelevant to current work activities, amend this **Audit Criterion**.*
- **PDS 4a** – *Documenting maintenance programs for ALL plant and equipment (including contractors) is required to ensure **Full Compliance***. For contractors, this may be satisfied by an acknowledgement from them that all plant and equipment used is/has been maintained appropriately as defined in EGSC procedures and the *Occupational Health and Safety Regulations 2007 (Vic)*.
- **PDS 5a** - Annual photos (or site inspection) of the storage of fuel, oil, chemical and hazardous goods is required AND acknowledgement from an appropriate EGSC staff member that storage and handling is conducted in accordance with noted regulations.
- **PDS 6a** – To satisfy this criterion, the development and annual testing of emergency response procedures INCLUDING provision for fuel, oil and chemical spills *must be undertaken and documented*. The O&M EMP (v3) cites that “Training will include formal courses, staff meetings, tool box talks, and on-going awareness mentoring in the field. Records of training and inductions will be maintained.”
- **PDS 6b** – To satisfy this criterion, annual photos of the dredging/excavation operations that include vision of oil spill response kits onsite should be provided. Otherwise, the Auditor relies upon acknowledgement from an appropriate EGSC staff member to assess this part of the criterion. *Documentation that all relevant personnel onsite are trained in the use of the oil spill response kits must also be provided to ensure **Full Compliance*** with this criterion.
- **PDS 6c** – This criterion falls under the “new” addition to the definition of NOT APPLICABLE as it required no action during the 2020 audit period. The Gippsland

Region Marine Pollution Contingency Plan was amended following construction of the Bastion Point Boat Ramp. This criterion has been addressed previously and is no longer relevant to the O&M EMP. *This **Audit Criterion** is not relevant to current works activities should be deleted and/or always assessed as Not Applicable for the annual O&M EMP independent audit.*

- **PDS 7a** – This criterion is to be assessed as
 - NOT APPLICABLE – if the dredge and/or any support vessel has not been used outside Mallacoota waters.
 - COMPLIANT – if the dredge and/or any support vessel has been used outside Mallacoota waters and certification has been received before mobilisation.
 - NON-COMPLIANT – if the dredge and/or any support vessel has been used outside Mallacoota waters and certification has NOT been received before mobilisation.
 - Remove “contract” from **Audit Criterion**.
- **PDS 7b** - This criterion is to be assessed as:
 - NOT APPLICABLE – if all vessels have not required use of ballast.
 - COMPLIANT – if any vessel has required ballast and complied with the protocol.
 - NON-COMPLIANT – if any vessel has required ballast and NOT complied with the protocol.
- **PDS 7c** - This criterion is to be assessed as:
 - NOT APPLICABLE – if all vessels have not required use of ballast.
 - COMPLIANT – if any vessel has required ballast and complied with the protocol.
 - NON-COMPLIANT – if any vessel has required ballast and NOT complied with the protocol.
- **PDS 7d** – Documentation is required to show that all staff undertaking maintenance activities have been provided with training in the identification of marine pests and reporting procedures. *Amend **Audit Criterion** to remove mention of “construction”.*
- **PDS 8a** – Acknowledgment from an appropriate EGSC staff that there was no refuelling of vessels, plant or equipment undertaken at the Bastion Point Boat Ramp during the audit period is required. Provision of fuelling receipts would be useful.
- **PDS 9a & 9b** – This criterion is to be assessed as:
 - NOT APPLICABLE – if there have been no cetaceans sighted during operational and maintenance activities.
 - COMPLIANT – if cetaceans have been sighted and records identify an appropriate response by the vessel and/or operational activities.
 - NON-COMPLIANT – if cetaceans have been sighted and records DO NOT identify an appropriate response by the vessel and/or operational activities.
- **PDS 10a** – *Amend **Audit Criterion** to remove “during construction activities”.* The Auditor now interprets this to refer to operational and maintenance activities. This criterion is to be assessed as:
 - NOT APPLICABLE – if there have been no potential relics identified.

- COMPLIANT – if potential relics have been identified and the relevant process has been followed.
- NON-COMPLIANT – if potential relics have been identified and the relevant process has NOT been followed.
- **PDS 11a** – *Reference to Crossco Drawing No. 1579/007-B should be updated to Crossco Drawing No. 1579/007-C. If confirmation by GPS data is considered excessive or irrelevant to current work activities, delete or amend this from the **Audit Criterion**.* This criterion requires the following evidence to attain **Full Compliance**:
 - Monthly inspections recording water depth.
 - Acknowledgement from an appropriate EGSC staff that dredging and/or excavation remained within the channel zones depicted on Crossco Drawing No. 1579/007-C.
 - Confirmation with recorded GPS data that dredging and/or excavation remained within the channel zones depicted on Crossco Drawing No. 1579/007-C.
- **PDS 11b** – Although this criterion was amended for O&M EMP (v3), further amendments are required. *The minimum information required is not relevant (i.e. management of sand from ____)* as all sand is removed from the approved channel zones depicted on Crossco Drawing No. 1579/007-C – this should be deleted from the **Audit Criterion**. Although necessary information has been recorded, the audit criterion requests specific information as a minimum and this information is not currently recorded.
- **PDS 12a** – This criterion requires:
 - Monthly inspections recording water depth.
 - Acknowledgement from an appropriate EGSC staff that dredging and/or excavation takes place in accordance with Crossco Drawing No. 1579/007-C.
- **PDS 13a** – Acknowledgment from an appropriate EGSC staff is required to show that operational activities have been planned with particular awareness of high recreational use periods and that impact of operations is minimised by allowing launch and retrieval of vessels under controlled conditions.
- **PDS 14a** – Reference to Crossco Drawing No. 1579/007-B should be updated to Crossco Drawing No. 1579/007-C. Acknowledgment from an appropriate EGSC staff is required to note that all dredged/excavated sand is placed in the appropriate location.
- **PDS 14b** – *Until this audit criterion is reworded or deleted, it can only be assessed as **Undetermined Due to Uncertain Requirements**.* As there are no EPA requirements for the disposal of kelp, this could be amended to “EGSC procedures”.
- **PDS 15a** – To be assessed as Fully Compliant, this criterion requires photographic evidence along with the Monthly Inspection Forms and evidence that the results of the site inspection included in performance reporting. *If including these results in performance reporting is considered excessive or irrelevant to current work activities, delete or amend this from the **Audit Criterion**.*

- **PDS 16a** – This criterion was more appropriate to the construction phase. Acknowledgment from an appropriate EGSC staff that all operational and maintenance works are completed in accordance with (a) the approved Cultural Heritage Plan, (b) construction drawings and specifications, is required.
- **PDS 17a** – This criterion was more appropriate to the construction phase. Without details of what areas are defined and approved by EGSC for site facilities and vehicle movement, the Auditor requires acknowledgement from an appropriate EGSC staff that all operations and maintenance activities were undertaken by staff and contractors as instructed by the EGSC Works Supervisor (or appropriate EGSC staff).
- **PDS 17b** – To be assessed as Fully Compliant, this audit criteria requires acknowledgement from an appropriate EGSC staff that operations and maintenance has been completed in accordance with the Coastal Management Act, Crown Lease conditions and DEPI (DELWP) Native Vegetation removal approval).
- **PDS 18** – All PDS 18 criteria “Weeds and Pest Animals” have been deleted from the risk register in O&M EMP (v3).
- **PDS 19a** – This criterion was more appropriate to the construction phase. *If it is considered excessive or irrelevant to current work activities, delete or amend this **audit criterion**.*
- **PDS 19b** – This criterion was more appropriate to the construction phase. Acknowledgement by the EGSC Manager Works, Works Unit, that vegetation cover was deemed adequate to protect soil during 2020 (following bushfires in January 2020) suggests that this **audit criterion** is irrelevant to current operations and maintenance activities at Bastion Point Boat Ramp.
- **PDS 20a** - This criterion is to be assessed as:
 - NOT APPLICABLE – if there has been no pollution event or imminent environmental hazard.
 - COMPLIANT – if there has been a pollution event or imminent environmental hazard and the relevant notification and reporting protocols have been followed.
 - NON-COMPLIANT – if there has been a pollution event or imminent environmental hazard and the relevant notification and reporting protocols have not been followed.
- **PDS 20b** - This criterion is to be assessed as:
 - NOT APPLICABLE – if there has been no non-conformance with PDS that required immediate DELWP notification.
 - COMPLIANT – if there has been a non-conformance with PDS that required immediate DELWP notification and relevant procedures were followed.
 - NON-COMPLIANT – if there has been a non-conformance with PDS that required immediate DELWP notification and relevant procedures were not followed.
- **PDS 20b** - This criterion is to be assessed as:
 - NOT APPLICABLE – if there has been no dredging conducted at Bastion Point Boat Ramp.

- COMPLIANT – if dredging has been conducted at Bastion Point Boat Ramp and relevant notification has been conducted.
- NON-COMPLIANT – if dredging has been conducted at Bastion Point Boat Ramp and relevant notification has been conducted.

4.8 Previous Audit Findings

Audit findings from previous years of operational and maintenance activities at the MOABR have been documented in five separate reports similar to this audit report and issued to Council at the conclusion of each audit.

Figure 4 highlights that the improvement in the 2020 Audit Findings from the results determined for years 2015 – 2019. For the 2020 Audit, at least 80% of the audit criteria were assessed as *Fully Compliant* or *Compliant but Improvements Required*.

There was also an increase in the number of criteria that were assessed as *Not Applicable* which is likely to have been a result of an addition to the definition of this compliance rating and an assessment that the audit criterion is not relevant to current operation and maintenance activities at MOABR.

The 2020 audit findings represent the success of the formal process by EGSC to address previous audit findings.

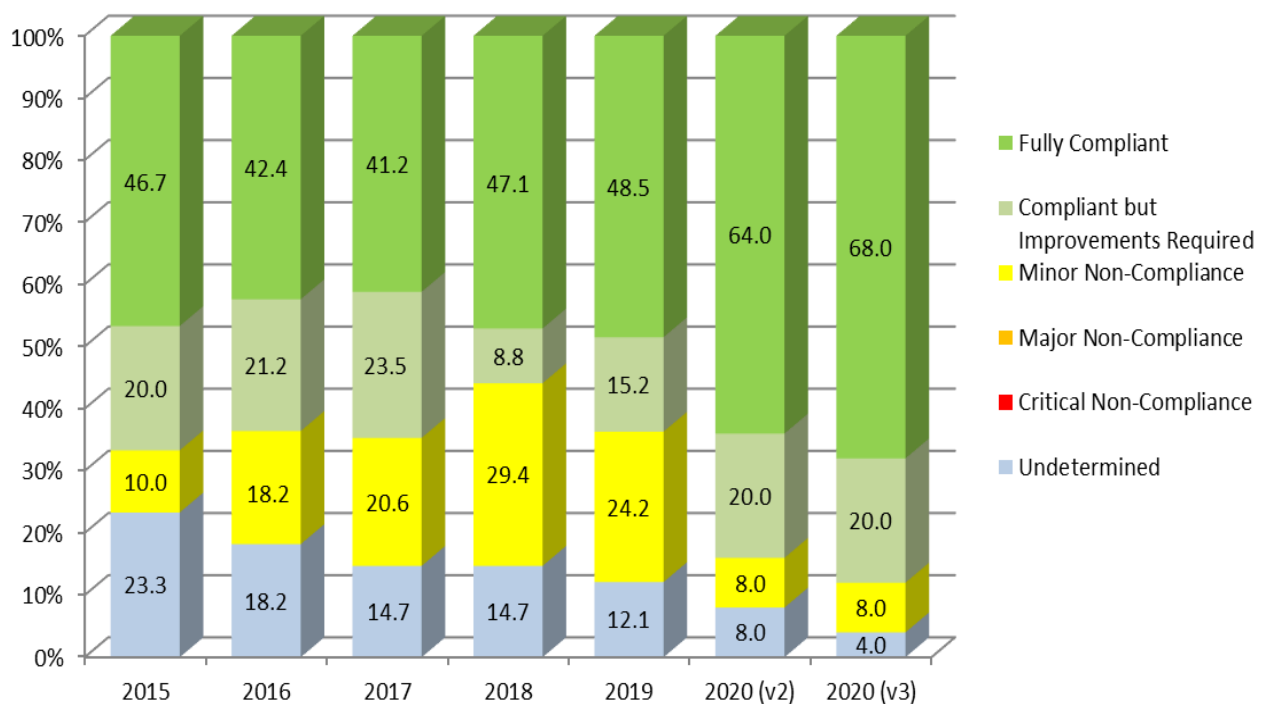


Figure 4. Comparison of Previous Audit Results

5 CONCLUSION

Operation and maintenance of the Mallacoota Ocean Access Boat Ramp at Bastion Point during 2020 was subject to a variety of 'Environmental Controls' specified in the Mallacoota Ocean Access Boat Ramp Operations and Maintenance Environmental Management Plan (MOABR O&M EMP (v2 and v3)).

This Independent Audit has assessed twenty-five (x25) individual Audit Criteria (i.e. Project Delivery Standards) to determine compliance of operations and maintenance activities with the requirements of the O&M EMP.

Operation and maintenance activities during 2020 involved dredging, excavation, sand management, ramp cleaning, signage, traffic management, responding to operational incidents, and preparedness to respond to emergency situations.

Based on the evidence made available by East Gippsland Shire, the Auditor found a marked improvement in criteria assessed to be *Fully Compliant*, and a further improvement in the criteria assessed as *Compliant but Improvements Required*. The percentage of audit criteria assessed as *Minor Non-Compliance* was reduced by two-thirds from last year's audit and there were no Critical Non-Compliances nor Major Non-Compliance audit findings for 2020.

These results could be further improved by initiating a process of documenting specific events and information required by the audit criteria (see **Section 4.7**) and although the O&M EMP was revised during the 2020 audit period, further amendments (especially to audit criteria) are required to accurately reflect the current activities necessary for the operations and maintenance of the MOABR.

In summary:

Audit Findings	O&M EMP v2	O&M EMP v3
Fully Compliant	16 out of 25, 64.0%	17 out of 25, 68.0%
Compliant but Improvements Required	5 out of 25, 20.0%	5 out of 25, 20.0%
Minor Non-Compliance	3 out of 25, 8.0%	3 out of 25, 8.0%
Major Non-Compliance	0 out of 25, 0%	0 out of 25, 0%
Critical Non-Compliance	0 out of 25, 0%	0 out of 25, 0%
Undetermined due to lack of evidence	2 out of 25, 8.0%	1 out of 25, 4%
Not Applicable	12 Audit Criteria	10 Audit Criteria

The causes of *Non-Compliance* include:

- Failure to capture and record all necessary information to demonstrate compliance.
- Lack of documented evidence, including from Contractors, relating to waste management arrangements, and
- Lack of performance reporting for disposal site monitoring.

Recommendations for review and improvements focus on ensuring that existing works are enhanced to better reflect specific requirements from the MOABR O&M EMP, and to ensure

that all the necessary information is captured and recorded so that compliance with the Audit Criteria can be easily demonstrated. Improvements generally focus on three specific areas:

1. Amendments to the Weekly/Monthly Inspection Forms to ensure information relevant to the O&M EMP compliance audit is captured.
2. Record keeping improvements.
3. Review and amendments to the MOABR O&M EMP (including Project Delivery Standards / Audit Criteria) to better reflect the activities currently undertaken.

It is most important to note, the non-compliances and need for improvements identified in this audit report were NOT caused by any wilful act to purposefully avoid compliance with the MOABR O&M EMP. Rather they result from work practices – which are often adequate in their own right – but fail to take into account the O&M EMP's specific requirements for record keeping and documentation.

It is also important that EGSC's staff responsible for operation and maintenance of the MOABR at Bastion Point are made aware of the *Non-Compliant* and *Compliant but improvements required* audit criteria and are provided the resources and support to make the required modifications to protocols and work practices. The Auditor acknowledges that they have made significant efforts during the 2020 Audit Period to implement improvements and continue to actively and diligently manage the site with the resources made available to them.

The Auditor recommends that EGSC continue to liaise with DELWP (as regulator of the Coastal Management Consent for MOABR) and gain their support to transform the O&M EMP and related Audit Criteria into a document that truly reflects the current activities undertaken in the operations and maintenance of the MOABR.

The Auditor acknowledges and appreciates the efforts of EGSC staff and the manner in which information and evidence was made readily and freely available during the course of this Audit.



DR. CAMERON TILLER
Senior Environmental Consultant

Date: 19th April 2021



ERIC SJERP
Principal Consultant / Managing Director

Date: 19th April 2021

6 REFERENCES

- Crossco, 2013. Mallacoota Ocean Access Boat Ramp Environmental Management Plan. Prepared for East Gippsland Shire Council.
- Crossco, 2014. Operations and Maintenance Environmental Management Plan: Bastion Point, Mallacoota (Final V2, December 2014). Prepared for East Gippsland Shire Council.
- Crossco, 2020. Operations and Maintenance Environmental Management Plan: Bastion Point, Mallacoota (Final V3, 17th November 2020). Prepared for East Gippsland Shire Council.
- DELWP, 2013. Coastal Management Act approval, Department of Environment Land Water and Planning, January 2013.
- East Gippsland Shire, 2019. Audit Brief (email), February 2019.
- Ethos NRM, 2015. Mallacoota Ocean Access Boat Ramp at Bastion Point: Independent Compliance Audit of (Construction) Environmental Management Plan. Prepared for East Gippsland Shire Council.
- Ethos NRM, 2017a. Mallacoota Ocean Access Boat Ramp at Bastion Point: Independent Compliance Audit of Environmental Management Plan. 2015 Operation and Maintenance. Prepared for East Gippsland Shire Council.
- Ethos NRM, 2017b. Mallacoota Ocean Access Boat Ramp at Bastion Point: Independent Compliance Audit of Environmental Management Plan. 2016 Operation and Maintenance. Prepared for East Gippsland Shire Council.
- Ethos NRM, 2018. Mallacoota Ocean Access Boat Ramp at Bastion Point: Independent Compliance Audit of Environmental Management Plan. 2017 Operation and Maintenance. Prepared for East Gippsland Shire Council.
- Ethos NRM, 2019. Mallacoota Ocean Access Boat Ramp at Bastion Point: Independent Compliance Audit of Environmental Management Plan. 2018 Operation and Maintenance. Prepared for East Gippsland Shire Council.
- Ethos NRM, 2020. Mallacoota Ocean Access Boat Ramp at Bastion Point: Independent Compliance Audit of Environmental Management Plan. 2019 Operation and Maintenance. Prepared for East Gippsland Shire Council.

APPENDIX 1: DETAILED AUDIT FINDINGS

During the 2020 Audit Period, a revision of the O&M EMP was approved by DELWP requiring this audit to assess compliance for the period 1st January to 16th November 2020 against the O&M EMP V2, and to assess compliance for the period 17th November to 31st December 2020 against the O&M EMP V3. Where Audit Criteria have been altered between EMP versions, criteria assessed separately whereas Audit Criteria that have remained the same in both versions of the O&M EMP have been assessed concurrently.

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
Table 4: GENERAL MANAGEMENT OF MAINTENANCE ACTIVITIES Objective: - To plan and implement maintenance aspects of MOA. - To ensure materials are appropriately stored, handled and disposed of. Application: - Throughout all MOA maintenance activities Target: - Conformance with all environmental limits and controls Operations and Maintenance Risk Register.			
1. Hours of operation	Evidence	Audit Findings and Comments	Compliance
a. All activities must be conducted in accordance with EPA guidelines, except where explicitly restricted within this EMP, or by legislation.	EGSC Weekly Inspection Logs EGSC Bastion Pt Dredging Operations Work Diary / Mini Cat Logbook	Electronic copies of the EGSC OABR & Carpark, Bastion Point, Weekly and Monthly Inspection Form provided to auditor. Electronic copies of EGSC Bastion Point Dredging Operations Work Diary / Mini Cat Logbook provided to auditor. EGSC Mini Cat Logbook suggests all dredging operations and maintenance activities occurred during allowable daytime hours (i.e. Mon-Fri, 7am – 6pm & Sat, 7am – 1pm). EGSC employees commence work at 7am and finish at 4pm – acknowledged by EGSC OHS Inspector. General maintenance of facilities at Bastion Point are conducted during these hours.	Fully Compliant
a. Dredging operations are to occur between the allowable times as stated in EPA	EGSC Weekly Inspection Logs	Electronic copies of the EGSC OABR & Carpark, Bastion Point, Weekly and Monthly Inspection Form provided to auditor.	Fully Compliant

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
Publication 1411 (as stated below): - Day 0700 – 1800 Mon-Fri & 0700 – 1300 Sat 0700 – 1800 Sun & public holidays	EGSC Bastion Pt Dredging Operations Work Diary / Mini Cat Logbook	Electronic copies of EGSC Bastion Point Dredging Operations Work Diary / Mini Cat Logbook provided to auditor. EGSC Mini Cat Logbook suggests all dredging operations and maintenance activities occurred during allowable daytime hours (i.e. Mon-Fri, 7am – 6pm & Sat, 7am – 1pm).	(O&M EMP v3)
b. All other routine maintenance works at the facility to occur between 0700hrs and 1700hrs – Monday to Friday including public holidays.	EGSC Staff interviews	EGSC employees commence work at 7am and finish at 4pm – acknowledged by EGSC OHS Inspector. General maintenance of facilities at Bastion Point are conducted during these hours.	Fully Compliant (O&M EMP v3)
2. Airborne noise	Evidence	Audit Findings and Comments	Compliance
a. All activities must be conducted in accordance with Noise from Industry in Rural Victoria (NIRV: EPA Publication 1411).	Noise Survey Report (Premier Safety and Environmental Consultants).	Noise Survey Report (Dredging Operations, Mallacoota) produced by Premier Safety and Environmental, Health and Safety Consultants – report provided to auditor. EGSC consider “noise receiver” to be residential housing in General Residential Zone (GRZ) approximately 610m (direct line) to the “noise generator” (i.e. dredging operations) which is located in Public Conservation and Resource Zone (PCRZ). This would place the recorded noise level below the tolerance level required. Alternatively, the “noise receiver” could be considered the public users of the PCRZ. On first glance, this would place the recorded noise level above the required tolerance level. However, the location should be considered a “background-relevant area” where background levels are naturally elevated by surf. Under these conditions, it is most likely that the recorded noise level would actually be below the noise tolerance level. The Auditor considers that the recorded noise levels are likely to be below the tolerance level threshold under either of the methods listed above. However, this requires testing in future noise surveys at the site. For the 2020 audit, the Auditor has assessed this criterion as Compliant but requires improvement . Recommendation:	Compliant but Requires Improvement

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
		EGSC to clarify what the “noise receiver” is and ensure that future noise surveys incorporate recording of background noise levels.	
3. Waste management	Evidence	Audit Findings and Comments	Compliance
a. All EGSC work crews and contractors engaged to have independent waste management arrangements to include waste minimization, containment, segregation and appropriate reuse, recycling, treatment and disposal.	EGSC Weekly Inspection Logs EGSC staff interview	EGSC Weekly Inspection Logs record only condition and cleanliness relating to waste, bins and toilets (i.e. no records of maintenance activities). No evidence to demonstrate that “<i>contractors engaged ... have independent waste management arrangements</i>”. File “Contractor Excavator McKinnon Earth Construction 6th Mar 2020” does not contain Form 14 – Waste Minimisation Plan – SCIMS”. The EGSC works crew and contractors do have separate waste management arrangements – acknowledged by EGSC OHS Inspector. The EGSC works crew do not generate any waste. Anything taken to Bastion Point Boat Ramp is returned to the depot – acknowledged by EGSC OHS Inspector. No evidence to suggest that waste is not being managed appropriately but also no evidence that EGSC work crews and contractors have independent waste management arrangements in place that include minimization, containment, segregation and appropriate reuse, recycling, treatment and disposal. Previous audits have highlighted the need for contractors to develop and submit “<i>waste management arrangements to include waste minimization, containment, segregation and appropriate reuse, recycling, treatment and disposal</i>”. This has not been addressed. Auditor concludes that this Audit Criteria be assessed as “Minor non-compliance”. Although available evidence suggests waste is being managed appropriately and there has been no impact to environmental values, there are no documented waste management arrangements as has been suggested as an improvement in past audits. Improvement: EGSC need to provide documentation that waste management arrangements exist and include waste minimization, containment, segregation and appropriate	Minor Non-Compliance

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
		reuse, recycling, treatment and disposal. <i>If EGSC considers this excessive or irrelevant to current work activities, amend this Audit Criterion.</i>	
b. All waste must be removed from the site.	EGSC Weekly Inspection Logs EGSC staff interview	EGSC Weekly Inspection Logs record brief statement of "Site Cleanliness" and "Condition of Public Amenities". Although most comments refer to the fire affected site and amenities, the Auditor could find no suggestion that on-site waste was mentioned as an issue. All waste is removed from site – acknowledged by EGSC OHS Inspector	Fully Compliant
c. The handling and disposal of unexpected materials identified during dredging/ excavation/maintenance (eg. inert debris such as concrete and timber) to be included in waste management arrangements.	EGSC Weekly Inspection Logs EGSC Bastion Pt Dredging Operations Work Diary / Mini Cat Logbook EGSC staff interview	Auditor could find no record of unexpected material identified in Weekly Inspection Logs or Work Diary / Logbook. There were no unexpected materials (i.e. wood or concrete) identified during dredging operations – acknowledged by EGSC OHS Inspector. Although there are no documented waste management arrangements, EGSC works crew are aware of the procedure for handling and disposal of such materials – acknowledged by EGSC OHS Inspector. Recommendation: Include the handling and disposal of unexpected materials identified during dredging in the documented waste management arrangements (see Audit Criteria 3a). <i>If EGSC considers this excessive or irrelevant to current work activities, amend this Audit Criterion.</i>	Compliant but Requires Improvement
d. All waste bins must be wildlife proof so as to eliminate litter and access by wildlife and/or encourage vermin.	EGSC Weekly Inspection Logs Photographic evidence EGSC staff interview	There were no reports of wind-blown litter nor signs of wildlife access to waste bins. All bins are fitted with appropriate lids. The Auditor concludes there is sufficient evidence to demonstrate Full Compliance with the Audit Criterion.	Fully Compliant
e. All waste to be managed in accordance with: ➤ <i>Environment Protection Act 1970 (Vic)</i> ➤ <i>Pollution of Waters by Oil and Noxious Substances Act 1986 (Vic)</i>	EGSC Weekly Inspection Logs EGSC Bastion Pt Dredging Operations Work Diary / Mini Cat Logbook	EGSC Weekly & Monthly Inspection Logs record only condition and cleanliness relating to waste, bins and toilets (i.e. no records of maintenance activities). EGSC works crew do not generate any waste. Anything taken to Bastion Point Boat Ramp is returned to the EGSC Mallacoota Depot including toilet bin waste – acknowledged by EGSC OHS Inspector.	Compliant but Requires Improvement

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
	EGSC staff interview Email Evidence	Kina Diving acknowledge that it “does not produce any waste whilst engaged in vessel operations at Bastion Point. There is no indication or suggestion that waste is not being managed appropriately however improvements in the recording of waste management activities could be implemented. No oil, waste or otherwise is stored or disposed of at Bastion Point Boat Ramp. Minor maintenance (i.e. greasing) is conducted at the EGSC Mallacoota Depot and major maintenance at the Bruce Road, Kalimna, with waste disposed of appropriately – acknowledged by EGSC OHS Inspector. Auditor concludes the available evidence adequately demonstrates Compliance but suggests that recording of waste management should be improved as identified in previous audits.	
4. Equipment maintenance	Evidence	Audit Findings and Comments	Compliance
a. Maintenance programs will be implemented for all plant and equipment as defined in EGSC procedures and the <i>Occupational Health and Safety Regulations 2007 (Vic)</i> .	EGSC Bastion Pt Dredging Operations Work Diary / Mini Cat Logbook MEC Pty Ltd Project Management Plan Service Records – Mini Cat’s main engine, outboard and pump. Email evidence – EMS (29th March 2021) and Kina Diving (29th March 2021)	EGSC Mini Cat Logbook records occurrence of “Tool Box” meetings. McKinnon Earth Construction Pty Ltd provided evidence of daily plant and equipment inspections whilst working onsite – Project Management Plan sighted by Auditor. Service records for the Mini Cat’s main engine (8th April 2020) and the outboard and pump (21st Nov 2020) – sighted by Auditor. Environmental Marine Solutions provided email acknowledgement that their plant and equipment are maintained to the EGSC standards and all refuelling is done prior to entering the site. Kina Diving provided email acknowledgement that all their vessels are in current AMSA survey and are manned and operated as per the Kina Diving AMSA approved Safety Management System.	Fully Compliant
5. Fuels, oils, chemicals and hazardous goods	Evidence	Audit Findings and Comments	Compliance

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
a. Storage and handling of chemicals in accordance with: ➤ <i>Dangerous Goods Act 1985 (Vic)</i> ➤ <i>Pollution of Waters by Oil and Noxious Substances Act 1986 (Vic)</i>	EGSC staff interviews Photographic records	No fuels, oils, chemicals or hazardous goods are stored onsite at Bastion Point Boat Ramp. Further, no refuelling occurs onsite – acknowledged by EGSC OHS Inspector. Contractors do not use hazardous materials onsite – acknowledged by EGSC OHS Inspector and EMS email (29 th March 2021) Storage of any fuels, oils, chemicals and hazardous goods used for operations and maintenance of the Bastion Point Boat Ramp are stored appropriately at the EGSC Mallacoota Depot – acknowledged by EGSC OHS Inspector (photos provided to Auditor)	Fully Compliant
6. Emergency response preparedness	Evidence	Audit Findings and Comments	Compliance
a. Development and testing of emergency response procedures, integrated with the EMP, including provision for fuel, oil and chemical spills.	Records of Mini Cat Emergency Response Drills (30 th Nov 2020) EGSC Staff Interview	Emergency Response drills conducted for Person Overboard, Medical Emergency, Fire onboard the vessel and Collision (30 th Nov 2020) – records sighted by Auditor. Fuel, oil and chemical emergency response drills were conducted on 4 th Dec 2020 including check of spill response kits – EGSC OHS Inspector.	Fully Compliant
b. All dredging vessels / excavation to have oil spill response kits. Relevant personnel to be trained in its use.	EGSC Staff Interview Photographic evidence Email evidence	Oil spill kits are located onboard the dredge and were stationed onsite for all operational works activities – acknowledged by EGSC OHS Inspector and photos sighted by Auditor. Environmental Marine Solutions acknowledge that they have had no oil spills when cleaning Bastion Point Boat Ramp and they have an oil spill kit on site at all times. Kina Diving acknowledge that they have a spill kit on hand at all times whilst operating Kina Diving vessels at Bastion Point as per the vessel SMS and JSEA. Fuel, oil and chemical emergency response drills, for EGSC works crew, were conducted on 4 th Dec 2020 including check of spill response kits – EGSC OHS Inspector.	Fully Compliant
c. Gippsland Region Marine Pollution Contingency Plan is amended to reflect projected	Previous years' audit reports.	<i>This audit criteria has been assessed as "Fully Compliant" each year even though it is a one-off event that was completed for the 2015 audit period.</i>	Not Applicable

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
increased activity following construction		<i>For this and any future audits, it is recommended that this audit criteria be assessed as "Not Applicable" as, even though it has been completed in the past, it was not addressed during the currently assessed Audit Period.</i>	
Table 5: MARINE-BASED WORKS Objective: - To appropriately manage marine-based works. - To minimise disturbance to and appropriately manage non-Aboriginal heritage. - To minimise impacts on cetaceans. - To mitigate the impact of oil spills or other marine pollution events. Application: - All marine-based MOA activities. Target: - Conformance with all environmental limits and controls.			
7. Marine pests – If Dredging / Excavation equipment is mobilized	Evidence	Audit Findings and Comments	Compliance
a. Marine pest inspection and certification of contract dredge and support vessel is required before mobilization, where these are sourced from outside Mallacoota Inlet. Certification must be received from the final port of call, before mobilization.	EGSC staff interview	There were no dredge or support vessels sourced from outside Mallacoota waters for the operations and maintenance of the Bastion Point Boat Ramp during the 2020 Audit Period. – acknowledged by EGSC OHS Inspector.	Not Applicable
b. All vessels to comply with <i>Protocol for Environmental Management – Domestic Ballast Water Management in Victorian State Waters</i> ,	EGSC staff interview	There were no dredge or support vessels that required use of ballast water used for the operations and maintenance of the Bastion Point Boat Ramp during the 2020 Audit Period. – acknowledged by EGSC OHS Inspector. Recommendation: The Auditor considers this audit criteria irrelevant to the operational and maintenance activities conducted at the site. There is no reason that a vessel	Not Applicable

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
EPA Publication 949.2 (April 2008)		requiring use of ballast would be used in the confined are of the Bastion Point Boat Ramp.	
c. All vessels to comply with <i>Australian Ballast Water Management Requirements, AQIS</i> (June 2007).	EGSC staff interview	There were no dredge or support vessels that required use of ballast water used for the operations and maintenance of the Bastion Point Boat Ramp during the 2020 Audit Period. – acknowledged by EGSC OHS Inspector. Recommendation: The Auditor considers this audit criteria irrelevant to the operational and maintenance activities conducted at the site. There is no reason that a vessel requiring use of ballast would be used in the confined are of the Bastion Point Boat Ramp.	Not Applicable
d. Train staff undertaking construction and maintenance activities in identification of marine pests, and reporting procedure.	Marine Pests Training - attendance form	Marine Pests Training Course Attendance Form for EGSC staff offered by Fishcare Victoria – provided to auditor.	Fully Compliant
8. Vessel Refuelling	Evidence	Audit Findings and Comments	Compliance
a. All refuelling to take place in accordance with Marine Safety Victoria's guideline, Port Management Regulations, Gippsland Ports' Harbour Master directions.	EGSC staff interview Email evidence	There was no refuelling of vessels, plant and/or equipment undertaken at the Bastion Point Boat Ramp during the 2020 Audit Period. On each occasion, the EGSC's Mini Cat was refuelled at the service station in Mallacoota, and in accordance with the appropriate guidelines. Environmental Marine Solutions acknowledge that all refuelling is done prior to entering the proposed site. Kina Diving acknowledge that all their vessels that are used at Bastion Point are tailorable craft and have either in hull or portable grab tanks using ULP fuel only. These are re-fuelled each morning at the service station prior to arriving onsite (as per the Kina Diving SMS). The smaller support vessel (also used for weekly monitoring of water depth) is refuelled at the depot – acknowledged by EGSC OHS Inspector.	Fully Compliant

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
9. Cetaceans – vessel manoeuvring	Evidence	Audit Findings and Comments	Compliance
a. If within 300m of a dolphin or whale the vessel must not: • Approach a whale or dolphin head on; or • Be in the path of a whale or dolphin; or • Separate any whale or dolphin from a group; or • Come between a mother and a calf; or • Drop or lower an anchor overboard from the vessel. • sign of disturbance, when safe to do so. Within 300m of a whale or dolphin, the vessel must: • Maintain a constant speed that does not exceed 5 knots; and • Avoid sudden changes in direction; and • Manoeuvre the vessel to a distance of at least 200m from the whale or dolphin if it shows any sign of disturbance, when safe to do so.	EGSC Bastion Pt Dredging Operations Work Diary / Mini Cat Logbook EGSC staff interview	There are no records of cetaceans sighted during operational and maintenance activities during the 2020 Audit Period. If a Cetacean is sighted an entry in the vessel log is required recording the time, it's position, species, and any other relevant information. The Dredge Diary does not record any Cetacean sightings as the crew claim they did not sight any during the 2020 Audit Period – acknowledged by EGSC OHS Inspector.	Not Applicable

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
10. Heritage (marine based) – identification of potential relics	Evidence	Audit Findings and Comments	Compliance
a. If potential relics are identified during construction activities, the process described in Annexure 11 Response Process will be followed.	EGSC Staff Interview	This audit criterion is outdated as construction activities at Bastion Point Boat Ramp ceased a number of years ago. This criterion is now interpreted to refer to operational and maintenance activities. If no potential relics were identified, the criterion is assessed as “Not Applicable”. If relics were identified and the appropriate procedure followed, the criterion is to be assessed as “Fully Compliant”. If potential relics were identified and the appropriate procedure was not followed, the criterion would be assessed as “Non-Compliant” There were no potential heritage relics identified during operational and maintenance activities at the Bastion Point Boat Ramp during the 2020 Audit Period. Improvement: If this audit criterion is relevant to operations and maintenance activities, remove reference to “during construction period”. If it is not relevant to operations and maintenance activities, delete the audit criteria.	Not Applicable

Table 6: DREDGING / EXCAVATION and PLUME

Objective:

- To appropriately manage dredging / excavation activities and sediments.
- To minimize the area of channel and seabed disturbed and appropriately manage the material removed.
- To protect assets, beneficial uses and values from long-term adverse effects to dredging-related water quality effects.

Application:

- All relating to maintenance of navigation depth activities.
- The disposal of dredged / excavated material.
- Use of dredges / excavators and associated equipment.

Target:

- Conformance with all environmental limits and controls.

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
11. Dredging / Excavation and plume	Evidence	Audit Findings and Comments	Compliance
a. Dredging and/or excavation must remain within the identified channel zones and will be confirmed by recorded GPS data in accordance with EGSC procedure. Channel zones" are shown on Crossco Drawing No. 1579/007-B included in Appendix 12	EGSC staff interviews Crossco Drawing No. 1579/007-C	The EGSC Works Supervisor (2019) and the EGSC OHS Inspector (2020) have advised that currents and the length of the dredge pipe prohibit the EGSC Catfish Dredge from venturing past the limits of the rock wall. Monthly inspections (annotated on Crossco Drawing No. 1579/007-C) delineate water depth as a guide for dredging and excavation operations – sighted by Auditor. Crossco Drawing No. 1579/007-C indicates that the "Channel Excavation Extent" that remains within the limits of the rock wall are approximately 100m x 25m. Although GPS data were not collected, the Auditor accepts the explanation that this is not necessary due to the small area of the channel zone and the inability of the EGSC Catfish Dredge to work outside this area. The Auditor is confident that the dredging and/or excavation is compliant by remaining within the identified channel zones as shown on Crossco Drawing No. 1579/007-C but requires the improvement listed below. Improvement to Audit Criteria: Remove reference to GPS coordinates from the Audit Criteria. GPS data is not required given that the dredging infrastructure (i.e. dredge and pipes) are unable to move beyond the "Channel Excavation Extent". However, as long as reference to "recorded GPS data" remains part of the criterion, this cannot be assessed as "Fully Compliant".	Compliant but Requires Improvement
b. Recording of equipment activity on log sheets will include the following information as a minimum: Dredge/Excavator: - Management of sand from, and Reason for equipment selection	EGSC Bastion Pt Dredging Operations Work Diary / Mini Cat Logbook	Dredge/Excavator can only remove sand from within the "Channel Excavation Extent" due to vessel and equipment restrictions (see Audit Criterion 11a). The dredged and excavated sand is deposited on the beach approximately 300m from the channel zone as required in Point 14, Table 8 (O&M EMP) – acknowledged by EGSC OHS Inspector. Equipment activity is recorded in the EGSC Mini Cat Logbook not log sheets – sighted by Auditor.	Compliant but Requires Improvement

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
← Sailing and placement of sand to Other Equipment • Management of sand from • Reason for use of equipment equipment selection.		The Auditor considers the “information as a minimum” aspect of this Audit Criteria irrelevant to current operational activities but cannot assess this as Fully Compliant until it is removed from the Audit Criteria. Improvement: Remove reference to the information to be included as a minimum. Management of sand only occurs from the approved channel zone (see Crossco Drawing No. 1579/007-C) due to the limitations of vessel and equipment and does not need to be recorded any more accurately. Log sheets could include other information such as operational time (hrs), estimated volume of sand relocated, etc.	
Table 7: CHANNEL MAINTENANCE SCHEDULE Objective: • To develop an appropriate maintenance schedule, taking into account the seasonal sensitivities of the Mallacoota Inlet assets, beneficial uses and values. Application: • All channel Maintenance activities. Target: • Conformance with all environmental limits and controls.			
12. Dredging / excavator schedule	Evidence	Audit Findings and Comments	Compliance
a. Dredging / excavation to take place in accordance with construction plans showing channel location and depths	Monthly inspection forms EGSC staff interview	Monthly inspection forms record shallow water depth and delineate the channel excavation extent on Crossco Drawing No. 1579/007-C – sighted by Auditor. Excavation and removal of sand from the boat ramp aprons was required whenever shallow water depths prevented access by the Catfish dredge vessel – acknowledged by Master (Mini Cat Dredge) and EGSC OHS Inspector.	Fully Compliant
13. Consideration of seasonal sensitivities	Evidence	Audit Findings and Comments	Compliance
a. Dredging /excavation activities planned with a particular awareness and regard for high recreational	EGSC staff interview	Where possible, dredging and excavation works were programmed to avoid peak tourist periods however if sand was blocking access, dredging/excavation would	Fully Compliant

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
use periods (Easter, Summer holidays, long weekends)		be required at any time regardless of high recreational use periods – acknowledged by Master (Mini Cat Dredge) and EGSC OHS Inspector. Impact to recreational users of the boat ramp was minimised by allowing the launch and retrieval of vessels under controlled/supervised conditions, during dredging activities – acknowledged by Master (Mini Cat Dredge) and EGSC OHS Inspector.	
Table 8: DREDGED / EXCAVATED MATERIAL MANAGEMENT Objective: - To manage and track the placement of removed material. - To relocate removed material and manage appropriately within approved near-shore locations. Application: - All dredged / excavated and removed material placement. Target: - Conformance with all environmental limits and controls.			
14. Dredged / excavated material placement	Evidence	Audit Findings and Comments	Compliance
a. All dredged / excavated sand placement to be placed: - within 300m of the “channel zone” shown on Crossco Drawing No. 1579/007-B (included in Appendix 12); and - to the west of the breakwater; and - above the low water mark in the intertidal zone.	Crossco Drawing No. 1579/007-C EGSC Staff Interview	No dredging records, machinery logs or GPS data exists to document where piped and excavated material was placed. Dredged sand being discharged via pipeline, or relocated by excavator, was placed within the designated site – acknowledged by EGSC OHS Inspector. Rocks and pebbles deposited within designated disposal site following excavation of shallow ramp aprons were removed by machinery to maintain beach for swimming purposes – acknowledged by EGSC OHS Inspector	Fully Compliant
b. Kelp removed from the ramp and/or channel will be	EGSC Weekly Inspection Forms	Kelp build-up within channel and on ramp is recorded on Weekly Inspection Forms.	Undetermined (due to

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
disposed of in accordance with EPA requirements.		Auditor sighted no records of Kelp being removed. EPA requirements for Kelp disposal do not exist. Improvement to Audit Criteria: Auditor concludes that this Criteria cannot be assessed due to the absence of EPA requirements regarding Kelp disposal. Until such time that this Audit Criteria has been amended to reflect this issue, it cannot be assessed. It is recommended to amend this from "EPA requirements" to "EGSC requirements"	uncertain requirements)
15. Disposal site monitoring	Evidence	Audit Findings and Comments	Compliance
a. Site inspections will be recorded, and photographs taken to provide evidence of appropriate management. The results of inspections will be included in performance reporting.	Monthly Inspection Forms EGSC Staff Interview	EGSC photographic monitoring provided with Monthly Inspection Forms - sighted by Auditor. The results from these inspections are not included in performance reporting. Recommendation: If all parties consider the results of these inspections are not required to be included in performance reporting, this should be removed from the Audit Criteria.	Minor Non-Compliance
Table 9: LAND BASED Objective: - To manage operations and maintenance activities. Application: - All land based works. Target: - Conformance with all environmental limits and controls. - Conformance with approved Cultural Heritage Management Plan (CHMP).			
16. Excavation, placement and stockpiling of material	Evidence	Audit Findings and Comments	Compliance

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
a. All Maintenance works to be completed in accordance with the approved: - Cultural Heritage Management Plan (CHMP) - Construction drawings and specifications.	Cultural Heritage Management Plan EGSC Weekly and Monthly Inspection Logs including annotated Crossco Drawing No. 1579/007-C	The Cultural Heritage Management Plan details requirements for avoidance and management of aboriginal cultural sites during construction period. Less emphasis is placed on operational and maintenance phase. Known sites of Cultural Significance were not disturbed during 2020 operations and maintenance activities – acknowledged by EGSC OHS Inspector.	Fully Compliant
17. Removal and management of native vegetation	Evidence	Audit Findings and Comments	Compliance
a. All temporary site facilities and vehicle management to be within defined areas approved by EGSC	EGSC Staff Interview Photographic evidence	This Audit Criterion is more appropriate to the construction phase. There were no temporary site facilities constructed onsite during the 2020 Audit Period – acknowledged by EGSC OHS Inspector. Removal and management of native vegetation was not required at Bastion Point during the 2020 Audit Period – acknowledged by EGSC OHS Inspector. The defined area for vehicle management and equipment (i.e. dredge pipe) storage was not exceeded during the 2020 Audit period. There were no other defined areas for vehicle management approved by EGSC – acknowledged by EGSC OHS Inspector.	Fully Compliant
b. All operations and maintenance to be completed in accordance with each as may be amended from time-to-time: Coastal Management Act consent dated 14/01/2013, Crown Lease conditions, and DEPI Native Vegetation removal approval dated 4 September 2011	EGSC Staff Interview Site Inspection Photographic evidence	All operations and maintenance activities were undertaken within the approved MOABR area as defined in the O&M EMP, the Coastal Management Act Consent, and resulted in no additional vegetation removal – acknowledged by EGSC OHS Inspector. Auditor's onsite observations and photographs provided further evidence that adequately demonstrates Full Compliance with the Audit Criteria.	Fully Compliant

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
18. Weeds and pest animals	Evidence	Audit Findings and Comments	Compliance
a. Domestic animals must be on a lead at all times in accordance with East Gippsland Shire local law requirements. THIS AUDIT CRITERION HAS BEEN DELETED FROM THE RISK REGISTER IN EMP v3 (17 Nov 2020).	EGSC Weekly and Monthly Inspection Logs EGSC Bastion Pt Dredging Operations Work Diary / Logbook EGSC staff interview	Mini Cat Work Diary / Logbook noted occasions where people walking dogs attempted to access site. No notes regarding “dogs on lead”. Weekly and Monthly Inspection Logs do not include checks for presence of domestic animals (dogs) on leads but allow for such comments under “Other Observations”. As noted previously, the Ranger is only council staff able to police domestic animals off-lead. Auditor considers ‘Dogs on Leads’ to be a By-Law issue rather than an operational issue for MOABR. Not sure how domestic animals off-lead can affect Environmental Management during O&M activities. Auditor concludes that this criterion is not relevant to operations and maintenance and is outside the ability of O&M staff to control. As such, it is assessed as Not Applicable. Auditor notes the improvement (as suggested in previous audits) that this criterion has been deleted from the Risk Register in O&M EMP V3 and is no longer to be assessed as Audit Criteria in future audits Improvement (from 2018 Audit): Review O&M EMP to consider appropriateness of Criteria 18a within O&M EMP rather than managed thorough corresponding By-Laws. Addressed in O&M EMP v3.	Not Applicable
b. No topsoil will be imported to the site THIS AUDIT CRITERION HAS BEEN DELETED FROM THE RISK REGISTER IN EMP v3 (17 Nov 2020).	EGSC Weekly and Monthly Inspection Logs	Weekly and Monthly Inspection Logs and the Dredging Operations Work Diary / Logbook do not include checks for importation of topsoil. No records sighted regarding topsoil importation during 2020 operations and maintenance activities. This criterion was likely to have been more appropriate during the construction phase of MOABR. As long as no topsoil was imported to the site during the audit period, this criterion will be assessed as “Not Applicable”. No topsoil was imported to the site during 2020 – acknowledged by EGSC OHS Inspector.	Not Applicable

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
c. All material imported to the site will be free of seed stock, unless specifically approved EGSC THIS AUDIT CRITERION HAS BEEN DELETED FROM THE RISK REGISTER IN EMP v3 (17 Nov 2020).	EGSC Staff Interview	All plant, equipment and material imported to the site for the purpose of operational and maintenance activities was free of seed stock – acknowledged by EGSC OHS Inspector. However, following the bushfires, the rebuilding of infrastructure including carpark/bollards, walkway and ramp to beach, toilet block, etc required material to be imported to the site that was not inspected by the staff responsible for general operational and maintenance activities. It is unknown whether this material imported to the site was free of seed stock and, hence, the Auditor has assessed this criterion as “Undetermined due to lack of evidence”.	Undetermined (due to lack of evidence)
19. Sediment transport control	Evidence	Audit Findings and Comments	Compliance
a. No contaminated stormwater to leave the construction site.	Weekly and monthly Inspection Logs	Weekly and Monthly Inspection Logs and Dredging Operations Work Diary / Logbook do not include checks for stormwater management. No operations and maintenance activities undertaken in 2020 had potential to contaminate stormwater other than oil or fuel spills from car park area or ramp apron. Oil and fuel spills are addressed in Criteria 5 and 8 above. There were no incidents to report that could have contaminated stormwater at the site – EGSC Works Supervisor (Mallacoota) and EGSC OHS Inspector. Auditor considers that this “contaminated stormwater from construction site” criterion within the O&M EMP may have been more appropriate during construction phase of MOABR. As no action was undertaken to achieve this outcome during the 2020 audit period, the criterion is assessed as Not Applicable.	Not Applicable
b. Where vegetation cover is inadequate to protect soil, silt traps must be constructed and maintained and form part of regular inspections		No silt traps were installed at Bastion Point during 2020 as vegetation was deemed adequate to protect soil – acknowledged by EGSC Manager Works, Works Unit EGSC. As no actions were undertaken to achieve compliance with this criterion, the Auditor has assessed it as Not Applicable. During a site visit midyear, the Auditor observed areas denuded of vegetation following the bushfires in January 2020. The Auditor considers that if silt traps	Not Applicable

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
		were not required during this period, this audit criterion is not relevant to operations and maintenance at Bastion Point and should be removed from future audits. Recommendation: Remove this audit criteria from future audits.	
Table 3: EXTERNAL NOTIFICATION and REPORTING REQUIREMENTS – OPERATIONS and MAINTENANCE PHASE Objective: - To report performance against EMP to Government agencies and stakeholder groups Application: - None listed Target: - None identified			
20. Reporting Requirement	Evidence	Audit Findings and Comments	Compliance
Pollution event or imminent environmental hazard (as defined in Environmental Auditor Guidelines for Conducting Environmental Audits, Publication 953.2, October 2007, EPA, Victoria)	Copy of relevant report		
EPA, DEPI, GP, TSV - Notification within 4 hours. - Incident report required. - Notification to GP as soon as practicable.	EGSC staff interviews	During the 2020 Audit Period, no pollution events or imminent environmental hazards occurred at or in the area surrounding area of the Bastion Point Boat Ramp – acknowledged by EGSC OHS Inspector.	Not Applicable
Project Delivery Standard	Evidence	Audit Findings and Comments	Compliance

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
DEPI Notification within one business day of verifying non-conformance with a PDS.		The Auditor concludes that there were no non-conformance with PDS that required immediate DEPI (DELWP) notification. The Minor Non-Conformance noted in this audit refer to ongoing criteria that can only be assessed over time and through the audit process. Hence, the Auditor concludes that this criterion is Not Applicable	Not Applicable
Operational and Maintenance Activities	Evidence	Audit Findings and Comments	Compliance
DEPI Notification within 14 days of commencement and completion.		DELWP are notified by email (within the required timeframe) on every occasion that dredging occurs at the Bastion Point Boat Ramp. Notification provided is that dredging will occur for a period of five (5) days, allowing for potential delays caused by unsuitable conditions – acknowledged by EGSC Manager Works, Improvement: Amend O&M EMP to clarify intent of DELWP 'Notification' Audit Criteria.	Fully Compliant