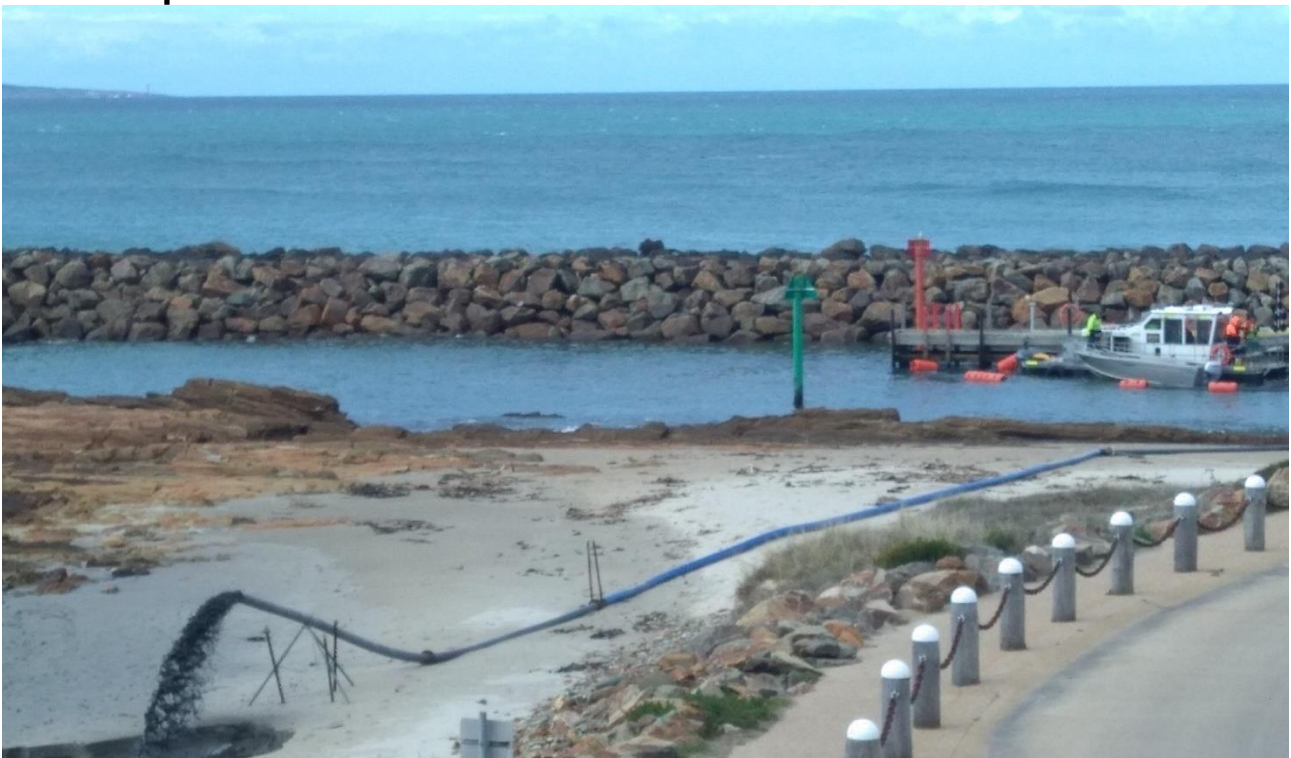


MALLACOOTA OCEAN ACCESS BOAT RAMP AT BASTION POINT

Independent Compliance Audit of the Environmental Management Plan: 2021 Operation and Maintenance

Final Report



Prepared for:
East Gippsland Shire Council

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ABBREVIATIONS

CHMP	Cultural Heritage Management Plan
CMA	Coastal Management Act
DELWP	Department of Environment Land Water and Planning (Victoria, 2015 -)
DEPI	Department of Primary Industries (Victoria, 2013 – 2015)
EES	Environmental Effects Statement
EGSC	East Gippsland Shire Council
EMP	Environmental Management Plan
EPA	Environment Protection Authority
GP	Gippsland Ports
MOABR	Mallacoota Ocean Access Boat Ramp
MSOM	Maritime Safety Operations Manual
O&M EMP	Operations and Maintenance Environmental Management Plan
OHS	Occupational Health & Safety
PDS	Project Delivery Standards (also referred to as Audit Criteria)
SWMS	Safe Work Method Statement
TSV	Transport Safety Victoria

EXECUTIVE SUMMARY

Mallacoota Ocean Access Boat Ramp (MOABR) 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 the MOABR is subject to a variety of statutory approvals and conditions, which are reflected in the approved Operation and Maintenance Environmental Management Plan (O&M EMP).

This Independent Audit seeks to establish the extent to which operation and maintenance activities undertaken by East Gippsland Shire at MOABR during the 2021 calendar year comply with the requirements of the O&M EMP. This 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. Similar audits were undertaken for the 2015, 2016, 2017, 2018, 2019 and 2020 operation and maintenance activities (Ethos NRM, 2017a & 2017b, 2018, 2019, 2020, 2021).

All Audit Criteria (or PDS) within the O&M EMPs have been assessed by the Auditor against agreed Compliance Rankings (**Table 2**). A summary of the Audit Findings is presented in **Table 3** and below. **Appendix 1** provides a more detailed description of Audit Findings.

In summary:

Audit Findings	O&M EMP v3	O&M EMP v4
Fully Compliant	19 out of 25, 76%	21 out of 25, 84%
Compliant but Improvements Required	4 out of 25, 16%	3 out of 25, 12%
Minor Non-Compliance	1 out of 25, 4%	1 out of 25, 4%
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	1 out of 25, 4%	0 out of 25, 0%
Not Applicable	10 Audit Criteria	8 Audit Criteria

There were ten Audit Criteria in O&M EMP v3 and eight Audit Criteria in O&M EMP v4 that were assessed as *Not Applicable* to the 2021 MOABR O&M EMP Audit.

These results represent a continual trend of improvement by the staff from East Gippsland Shire responsible for the operations and maintenance of MOABR and the revision of the O&M EMP, including the clarification of audit criterion which led to an increase in the compliant results and a decrease in non-compliant, undetermined and not applicable compliance rankings.

1 INTRODUCTION

Ocean access for vessels at Mallacoota was enhanced in 2014 through construction of a new boat ramp facility at Bastion Point. As 'owner and operator' of the Mallacoota Ocean Access Boat Ramp (MOABR), East Gippsland Shire is responsible for ensuring that operational and maintenance activities comply with the statutory approvals and conditions reflected in the approved Operation and Maintenance Environmental Management Plan (O&M EMP).

Ethos NRM Pty Ltd have been engaged by the 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 2021 calendar year period. Previous similar audits have been undertaken by Ethos NRM for the 2015, 2016, 2017, 2018, 2019 and 2020 audit periods (Ethos NRM, 2017a; Ethos NRM, 2017b; Ethos NRM, 2018; Ethos NRM, 2019; Ethos NRM, 2020; Ethos NRM, 2021). 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, completed in December 2014, was constructed by GPM Constructions on behalf of 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.

The original 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. Peak usage periods occurred during summer and Easter holiday periods, resulting in car and boat trailer parking often reaching or exceeding capacity.

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

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 MOABR Environmental Effects Statement (EES) and subsequent Coastal Management Act (CMA) 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 MOABR and its related infrastructure at Bastion Point.

This Independent Compliance Audit is based upon the project delivery standards (PDS) outlined in Appendix 4 (Tables 4 – 9) of the O&M EMP and uses these as the audit criteria to be addressed. During the 2021 audit reporting period, a revision of the O&M EMP was approved by DELWP requiring this audit to assess compliance for the period 1st January to 29th April 2021 against the O&M EMP (v3) (Crossco, 2020) dated 17th November 2020, and to assess compliance for the period 30th April to 31st December 2021 against the O&M EMP (v4) (Crossco, 2021) dated April 30th 2021.

An earlier Plan (Version 5, dated 6th November 2014) addressed both the construction and operation & maintenance requirements, whereas the more recent versions address the operation & maintenance requirements only.

Table 1, taken directly from the O&M EMP, highlights the key environmental and statutory approvals addressed by the O&M EMP and identifies the associated PDS / Audit Criteria.

Table 1. Key Legislation and associated MOABR PDS / Audit Criteria

Legislation	PDS / Audit Criteria
Planning and Environment Act 1987 (Vic) Coastal Management Act 1995 (Vic) Environment Protection Act 1970 (Vic) Environment Protection and Biodiversity Conservation Act 1999 Marine Safety Act 2010 (Vic) Port Management Act 1995 (Vic) Pollution of Waters by Oil and Noxious Substances Act 1986 (Vic)	All PDS / Audit Criteria
Wildlife Act 1975 (Vic)	O&M EMP Table 5. Marine Based Works O&M EMP Table 6. Dredging / Excavation and Plume O&M EMP Table 8. Dredged / Excavated Material Management
Aboriginal Heritage Act 2006 (Vic)	O&M EMP Table 9. Land Based Works

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 (v4, 2021) 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 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 (v3 & v4).

The Objectives of the Independent Audit, as specified in the Project Brief for the Independent Compliance Audit of the Operations and Maintenance Environmental Management Plan (EGSC, 2021), are to:

1. Undertake an independent compliance audit of Councils Operation and Maintenance activities against approved v3 & v4 EMP's (Crossco, 2020; Crossco, 2021) for the respective periods noted in section 1.2 including:
 - a. independently assess implementation of the EMP; and
 - b. 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:
 - a. outlining the extent of compliance for the 2021 reporting period against all Environmental Controls specified in EMP; v3 & v4 against the respective dates.
 - b. including a clarification statement describing the reasons behind the need to audit against two separate EMP's.
 - c. including a summary statement of Council's current performance in comparison to the 2020 O&M EMP audit and
 - d. 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).

In the event of a non-conformance with EMP standards and/or an exceedance of limits specified in the Environmental Controls, the extent to which such a non-conformance impacts on environmental values will be determined in accordance with the environmental risk register included in Appendix 5 of the EMP and with the regulatory (legal) approvals governing that specific non-conformance.

2.2 Audit Period

This Audit Report covers operations and maintenance activities at the MOABR for the 2021 calendar year period.

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, 2019 and 2020 periods (Ethos NRM, 2017a, 2017b, 2018, 2019, 2020, 2021).

2.3 AUDITING AGAINST TWO SEPARATE EMP'S

Similar to the 2020 Compliance Audit of the O&M EMP for the MOABR, the 2021 Audit Period covers the unusual requirement of reporting against two separate versions of the O&M EMP. During the 2021 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 29th April 2021 against the O&M EMP (v3) dated 17th November 2020, and to assess compliance for the period 30th April to 31st December 2021 against the O&M EMP (v4) dated April 30th 2021.

Where Audit Criteria have been amended between the EMP versions, criteria have either been assessed separately or, where the amendments have sought to further clarify the intention of the criteria, have been assessed under the later version of the O&M EMP. Audit Criteria that have remained the same in both versions of the O&M EMP have been assessed concurrently. Any changes have been highlighted in **Appendix 1: Detailed Audit Findings**.

2.4 Audit Methodology and Standards

Requirements of AS/NZS ISO 19011:2014 Guidelines for Auditing Management Systems (superseding the standard AS/NZS ISO 19011:2003 Guidelines for Quality and/or Environmental Management Systems Auditing) 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 (v3 & v4) 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 9, Appendix 4), and, for criteria assessing the external notification and reporting requirements, in Table 3 of the O&M EMPs.

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

2.5 Audit Meetings, Audit Evidence and Site Inspections

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

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 MOABR compliance audits (2015, 2016, 2017, 2018, 2019 and 2020) for a range of improvements.

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

Assessment of Audit Evidence occurred during June to August 2022.

The Auditor also benefited from a site visit conducted on August 25th, 2022, 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 18th October 2022.

The Final Audit report, incorporating minor text edits, was issued to East Gippsland Shire on 28th October 2022 with the Audit Closure occurring on the same day.

2.6 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 (i.e. Minor, Major or Critical) is 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.

Following the change introduced during the 2020 audit, **Audit Criteria** that address an “event that did not occur and/or no actions were required to conform with the criteria” are assessed as “NOT APPLICABLE”. This may result in a difference in the comparability of audit compliance findings between earlier 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 2. 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 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.

2.7 Operations and Maintenance Activities

2.7.1 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

2.7.2 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.

3 DECLARED NON-CONFORMANCES

During the commencement and audit meetings, East Gippsland Shire staff indicated that there were no operational incidents during the 2021 audit reporting period that required a declaration of non-conformance.

4 AUDIT FINDINGS

4.1 Audit Criteria

The environmental requirements, standards and limits evaluated by this audit are listed as PDS and Environmental Controls in the MOABR O&M EMPs (v3 & v4) (Crossco, 2020; Crossco, 2021), 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 (v3 & v4). 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 for the 2021 audit reporting period is documented in **Appendix 1: Detailed Audit Findings**. Findings are listed only for the 2021 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, 2019 and 2020 have been reported on separately (Ethos NRM, 2017a; Ethos NRM, 2017b; Ethos NRM, 2018; Ethos NRM, 2019; Ethos NRM, 2020; Ethos NRM, 2021).

A summary of the compliance results from the audit of MOABR O&M EMP (v3 and v4) are presented concurrently in **Table 3** and separately in **Figures 2 and 3**. The compliance results are separated into more detail for O&M EMP (v3) (**Table 4**) and for O&M EMP (v4) (**Table 5**).

Excluding the *Not Applicable* results, a total of twenty-five (25) Audit Criteria were assessed under both v3 and v4 of the O&M EMP. The *Not Applicable* results are NOT included in **Figure 2** and **Figure 3**.

Table 3. Summary of 2021 compliance results from audit of MOABR O&M EMP (v3 and v4).

Audit Findings	O&M EMP v3	O&M EMP v4
Fully Compliant	19	21
Compliant but Improvements Required	4	3
Minor Non-Compliance	1	1
Major Non-Compliance	0	0
Critical Non-Compliance	0	0
Undetermined due to lack of evidence	1	0
Not Applicable	10	8

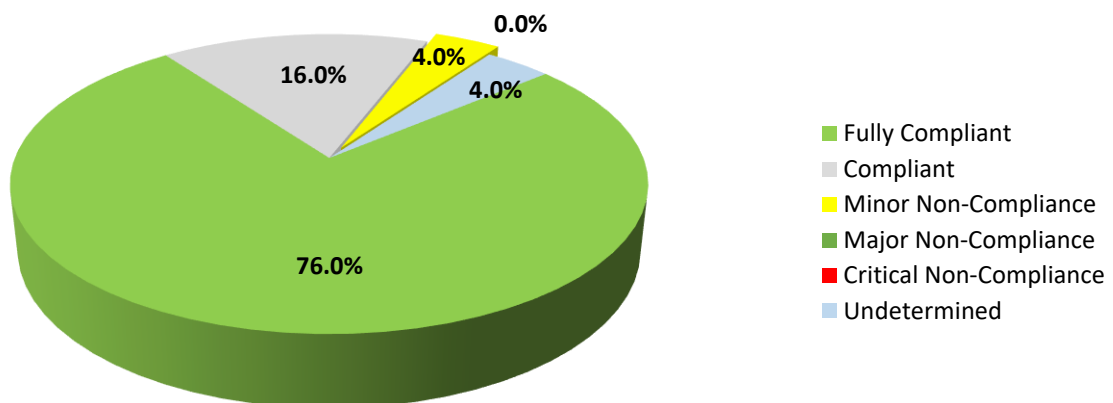


Figure 2. Compliance Results: 2021 MOABR O&M EMP (v3)

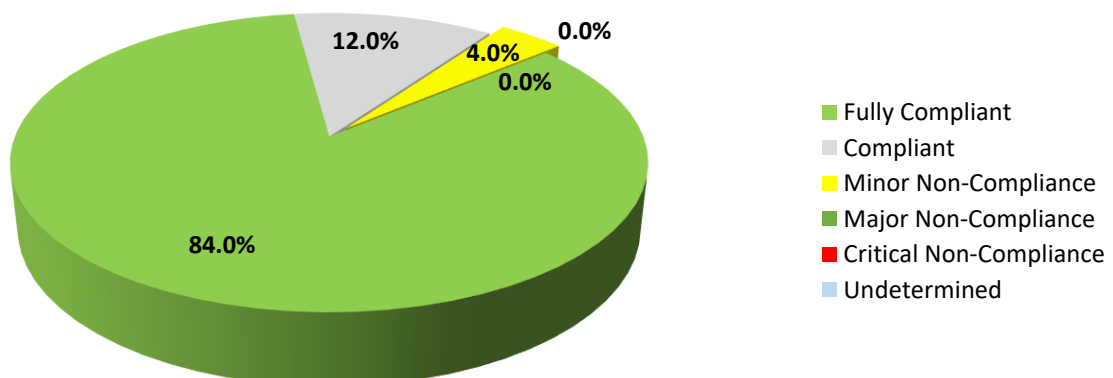


Figure 3. Compliance Results: 2021 MOABR O&M EMP (v4)

Table 4. Compliance Results: 2021 MOABR 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	1	1					
12. Dredging / excavator schedule	1						
13. Consideration of season sensitivities	1						
14. Dredged / excavated material disposal	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	19	4	1	0	0	1	10
% TOTALS (excl Not Applicable)	76.0%	16.0%	4.0%	0.0%	0.0%	4.0%	

Table 5. Compliance Results: 2021 MOABR O&M EMP (v4)

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						
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	2						
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 in O&M EMP (v3)						
19. Sediment transport control							1
20. External notification and reporting	1						2
TOTALS	21	3	1	0	0	0	8
% TOTALS (excl Not Applicable)	84.0%	12.0%	4.0%	0.0%	0.0%	0.0%	

4.3 Comparison with Previous Audit Findings

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

Assessment of the audit findings for the MOABR O&M EMP during the 2021 calendar year reveals a continual improvement from previous years (**Figure 4**). Over 90% of audit criteria were assessed as either *Fully Compliant* or *Compliant but Improvements Required*.

Updates to the O&M EMP over the last two years have removed or clarified PDS (i.e. Audit Criteria) to ensure that they are more relevant to operations and maintenance of the MOABR at Bastion Point, rather than the construction of the boat ramp. This is reflected in the significant improvement in compliance, and the need to assess the audit criteria from different versions of the EMP over this period.

Further areas for improvement are highlighted in **Section 4.6** below.

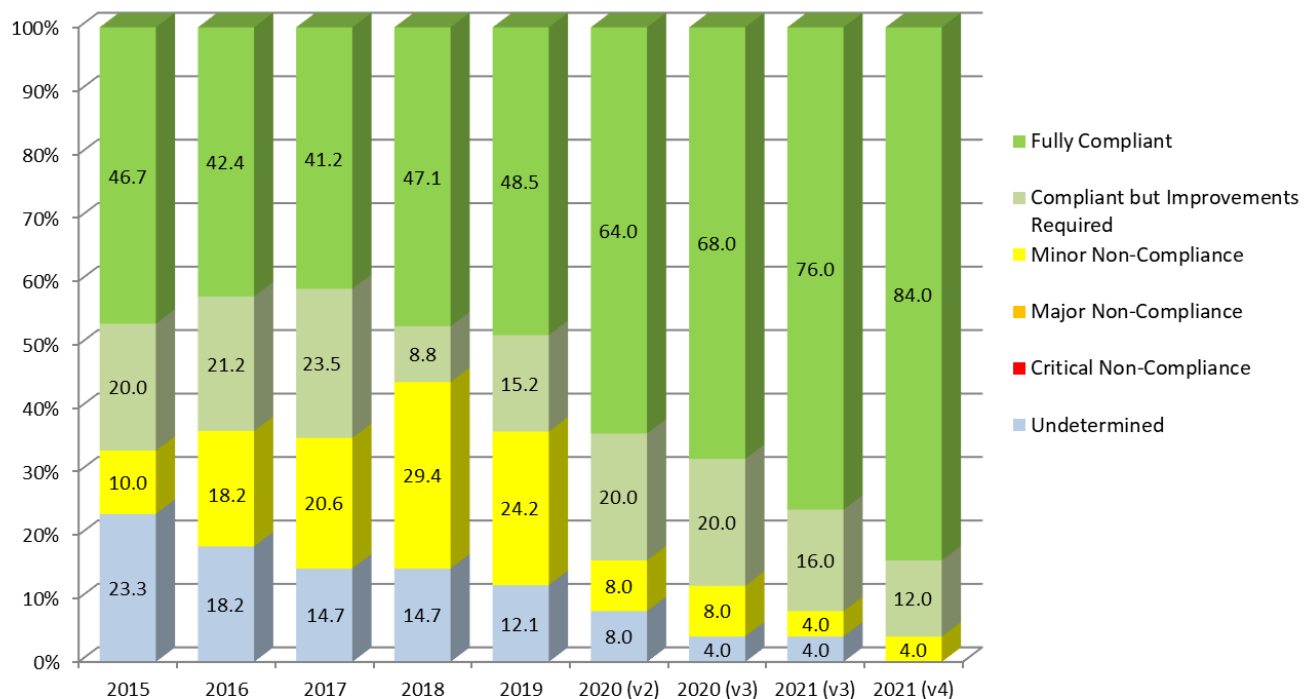


Figure 4. Comparison of Previous Audit Results

4.4 Positive Audit Outcomes

Positive outcomes from the 2021 calendar year independent compliance audit of the MOABR O&M EMP for operations and maintenance activities at Bastion Point include:

- Successful operation of EGSC Catfish dredge vessel throughout the year.
- Another 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.
- 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 either the removal or further clarification of **Audit Criteria** that were not relevant to Operations and Maintenance of the MOABR.
- 76.0% (v3) and 84.0% (v4) of assessed Audit Criteria are *Fully Compliant*.

4.5 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.

There was only one criterion (**Audit Criterion 15**) assessed as *Minor Non-Compliance*, which was administration based rather than on-site operations and maintenance. Further details on this *Minor Non-Compliance* are included in **Section 4.6** and **Appendix 1: Detailed Audit Findings**.

4.6 Areas for Improvement

A substantial number of improvements have been recommended in previous audits of the MOABR O&M EMP, dating back to the first audit “post-construction” (i.e. 2015 calendar year). These were detailed specifically in the report for the 2020 calendar year audit.

Recent updates to the O&M EMP, during the 2020 and 2021 calendar years, have addressed many of the recommendations of previous audits which has led to an increase in the compliance of the audit criterion. However, there are still 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.

4.6.1 Minor Non-Compliance

PDS 15: Disposal site monitoring

Disposal site inspections, including photographs and the results of the inspections in appropriate performance reporting were not provided as audit evidence.

It was acknowledged during EGSC staff interviews that, due to the lack of staff available, inspections of the disposal site were not carried out for the entire 2021 calendar year. Furthermore, a requirement of this audit criterion is “the results of inspections will be included in performance reporting”. The Auditor is unaware of any EGSC performance reporting that contains this information and suggests that this either requires some attention or, if considered unnecessary by EGSC, an amendment to the audit criterion.

4.6.2 Compliant but Requires Improvement

PDS 2: Airborne Noise

“Requires improvement” relates to the lack of noise survey conducted during the 2021 audit period. However, as noise surveys were conducted during December 2020 (i.e. less than one month before the commencement of the 2021 audit period) and the auditor received acknowledgement from the EGSC Marine Operations Coordinator and EGSC Dredge Master that dredging activities and equipment have remained the same since this time, it has been assessed as *Compliant but Requires Improvement*.

Furthermore, the Register of Environmental Aspects (O&M EMP Appendix 2) lists public nuisance and wildlife disturbance as potential impacts of airborne noise and hours of operation and plant and equipment maintenance as treatment. These are addressed within other audit criteria and were assessed as *Fully Compliant* for the 2021 audit period.

PDS 3a: Waste Management

Although there is no indication that waste is being mismanaged, documentation for “independent waste management arrangements” for EGSC work crews is lacking. Interviews with staff indicate that the work crew remove all their own waste from the site and records within the Mini Cat Logbook identify that they also remove other litter from the site as it is encountered.

Documentation of waste management by McKinnon Earth Constructions is included in their Site Induction which was signed, dated and attached to their SWMS as audit evidence. If

EGSC work crews provided a similar document as audit evidence, this criterion would be assessed as *Fully Compliant*.

PDS 3e: Waste Management

Improvements to the documentation of waste management are required before the assessment of this audit criterion can be upgraded to *Fully Compliant*. However, staff interviews identified compliance with each of the “Risk Treatment (mitigation)” listed in the MOABR O&M EMP Environmental Risk Register which has led the Auditor to assess this criterion as *Compliant but Requires Improvement*.

Note: EPA Publication 480 as referenced within the MOABR O&M EMP Environmental Risk Register has been superseded by EPA Publication 1834.

PDS 11: Dredging / Excavation and plume

O&M EMP (v4) updated the audit criterion to remove mention of “recorded GPS data” as the limitations of the dredging equipment preclude the mini-cat dredge from working outside the channel zones. This resulted in the grading of *Compliant but Requires Improvement* when assessed against O&M EMP (v3) and *Fully Compliant* when assessed against O&M EMP (v4).

PDS 12a: Dredging / excavator schedule

Dredging / excavation to take place in accordance with construction plans showing channel location and depths. “

The wording of this audit criterion makes it difficult to assess as there are no “construction plans showing channel location and depth” provided as audit evidence.

However, the Auditor has interpreted this criterion using Crossco Drawing No. 1579/007-C which is included as an Appendix in the O&M EMP (v4). This criterion was assessed as *Fully Compliant* as monthly inspection forms were provided that include water depth measurements and delineate the extent of dredging and excavation within the channel on Crossco Drawing No. 1579/007-C.

PDS 14b: Dredged / excavated material placement

The update to the audit criterion to remove reference to EPA requirements regarding kelp (which do not exist), as recommended in previous audits, has resulted in the compliance

assessment changing from “Undetermined” when assessed against O&M EMP (v3) to *Fully Compliant* when assessed against O&M EMP.

5 CONCLUSION

The operation and maintenance of the MOABR at Bastion Point during 2021 was subject to a variety of ‘Environmental Controls’ specified in the MOABR O&M EMP (v3 and v4).

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

Operation and maintenance activities during 2021 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*. Only one (4%) audit criterion was assessed as *Minor Non-Compliance*. There were no Critical Non-Compliances nor Major Non-Compliance audit findings for 2021.

These results could be further improved by initiating a process of documenting specific events and information required by the audit criteria, most specifically waste management (see **Section 4.6**).

In summary:

Audit Findings	O&M EMP v3	O&M EMP v4
Fully Compliant	19 out of 25, 76%	21 out of 25, 84%
Compliant but Improvements Required	4 out of 25, 16%	3 out of 25, 12%
Minor Non-Compliance	1 out of 25, 4%	1 out of 25, 4%
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	1 out of 25, 4%	0 out of 25, 0%
Not Applicable	10 Audit Criteria	8 Audit Criteria

The cause of the *Minor Non-Compliance* related to:

- Insufficient evidence, including photographs, to demonstrate compliance with disposal site monitoring.
- Lack of performance reporting for disposal site monitoring.

The assessments of *Compliant but Requires Improvement* from the 2021 audit period generally focus on two specific areas:

1. Airborne Noise.
2. Waste Management

It is again 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 fully take into account the O&M EMP's specific requirements for record keeping and documentation.

The Auditor acknowledges that EGSC staff responsible for the operation and maintenance of the MOABR have made significant efforts during the 2021 Audit Period to implement improvements and continue to actively and diligently manage the site with the resources made available to them. Efforts throughout the 2020 and 2021 audit periods to amend the O&M EMP and, specifically, the PDS/audit criteria have improved the relevance of the document to better reflect current activities undertaken in the operation and maintenance (rather than construction) of the MOABR.

The Auditor also 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: 18/10/2022

ERIC SJERP
Principal Consultant / Managing Director

Date: 18/10/2022

6 REFERENCES

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Maintenance. Prepared for East Gippsland Shire Council: Ethos NRM Pty Ltd, Bairnsdale.

7 APPENDICES

Appendix 1. Audit Criteria Table – detailed audit findings

During the 2021 Audit Period, a further revision of the O&M EMP was approved by DELWP requiring this audit to assess compliance for the period 1st January to 29th April 2021 against the O&M EMP (v3), and to assess compliance for the period 30th April to 31st December 2021 against the O&M EMP (v4). Where Audit Criterion have been amended between EMP versions, these have been assessed separately whereas Audit Criterion 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: <ul style="list-style-type: none"> To plan and implement maintenance aspects of MOA. To ensure materials are appropriately stored, handled and disposed of. Application: <ul style="list-style-type: none"> Throughout all MOA maintenance activities Target: <ul style="list-style-type: none"> Conformance with all environmental limits and controls Operations and Maintenance Risk Register. 			
1. Hours of Maintenance Activities	Evidence	Audit Findings and Comments	Compliance
a. Dredging operations are to occur between the allowable times as stated in EPA Publication 1411 (as stated below): <ul style="list-style-type: none"> Day 0700 – 1800 Mon-Fri & 0700 – 1300 Sat 0700 – 1800 Sun & public holidays 	EGSC Bastion Pt Mini Cat Logbook (dredging operations work diary)	Details of dredging start and finish times are recorded in the Mini Cat Logbook. There was no dredging that occurred on weekends during 2021 - electronic copies of EGSC Bastion Point Mini Cat Logbook provided to auditor. EGSC Mini Cat Logbook records that all dredging operations occurred within the prescribed hours set by EGSC and comply with EPA Publication 1411 – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.	FULLY COMPLIANT

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
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 are employed to work Monday to Friday for 7.5 hours per day with a lunch break of 0.5 hours. This is usually from 7.00am to 3.00pm or 7.20am to 3.30pm. - acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.	FULLY COMPLIANT
2. Airborne noise	Evidence	Audit Findings and Comments	Compliance
<p>a. All activities must be conducted in accordance with Noise from Industry in Rural Victoria (NIRV: EPA Publication 1411).</p> <p>O&M EMP (v4) AMENDMENT: Noise Receiver is determined to be Residential Housing located in General Residential Zone (GRZ) approximately 600m (direct line) from Dredge/Excavation operations.</p>	<p>Noise Survey Report, December 2020 (Premier Safety and Environmental Consultants).</p> <p>EGSC staff interview</p>	<p>Noise Survey Report (Dredging Operations, Mallacoota), December 2020 produced by Premier Safety and Environmental, Health and Safety Consultants – report provided as audit evidence.</p> <p>There has been no change to dredging operations (i.e. equipment, duration, location of dredge or disposal sites) since the noise survey was conducted and no complaints were received by EGSC from public or stakeholders regarding noise during the 2021 audit period – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.</p> <p>Although noise surveys were not conducted during the 2021 Audit Period, the Auditor considers that noise levels produced from dredging activities are unlikely to have increased from those recorded during surveys in December 2020. The Auditor considers this criterion “Compliant” as the Leq (average sound pressure level) recorded at distances closer than the designated “noise receiver” is below the maximum recommended (NIRV: EPA Publication 1411).</p> <p>The Auditor notes that this audit criterion was amended in O&M EMP v4 to clarify the “noise receiver” to more adequately address the noise levels recommended in the “Noise from Industry in Regional Victoria: recommended maximum noise levels from commerce, industry and trade premises in regional Victoria” guidelines. The Auditor does not consider it necessary to address the criterion separately for the 2021 Audit Period covered by the earlier O&M EMP v3 as the amendment in O&M EMP v4 serves to clarify the intention of the criterion as recommended in the 2020 audit (Ethos NRM, 2021).</p> <p>Recommendation:</p>	COMPLIANT BUT REQUIRES IMPROVEMENT

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
		Despite no noise testing being conducted, the Auditor has assessed this criterion as "Compliant" during the 2021 audit period due to acknowledgement that there has been no change to dredging activities since the previous noise testing was completed near the end of the previous audit period (December 2020) and that no complaints were received by EGSC or contractors regarding airborne noise from dredging activities. However, the Auditor suggests that the absence of noise testing for the 2022 audit period would most likely result in an assessment of "Minor Non-compliance".	
3. Waste management	Evidence	Audit Findings and Comments	Compliance
<p>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.</p> <p>a. All EGSC work crews and contractors engaged to have independent waste management arrangements to include waste minimization, containment, and disposal.</p> <p>Text "segregation, and appropriate reuse, recycling, treatment" removed from O&M EMP (v4).</p>	<p>McKinnon SWMS (including site induction)</p> <p>EGSC staff interview</p>	<p>Contractor McKinnon Earth Construction Pty Ltd SWMS, Site Induction, Point 8 Rubbish – To be placed in bins provided or taken with you – McKinnon SWMS including signed and dated site induction provided as audit evidence.</p> <p>EGSC (dredge crew) staff remove all rubbish from the Bastion Point site when they finish work – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.</p> <p>All waste is managed in accordance with the Environmental Protection Act 1970 (Vic) and Pollution of Waters by Oil and Noxious Substances Act 1986 (Vic) by EGSC work crews and contractors, and is minimised, contained, and removed from the site – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.</p> <p>Recommendation:</p> <p>McKinnon Earth Construction provide sufficient evidence of compliance with a signed and dated SWMS that includes a point regarding management of waste. EGSC need to develop similar documentation to record "independent waste management arrangements" to provide sufficient evidence to ensure "Full Compliance" with this criterion.</p> <p>For this reason, for both O&M EMP v3 and v4, the audit assessment is "Compliant but requires improvement".</p>	<p>O&M EMP v3</p> <p>COMPLIANT</p> <p>BUT REQUIRES IMPROVEMENT</p> <p>O&M EMP v4</p> <p>COMPLIANT</p> <p>BUT REQUIRES IMPROVEMENT</p>

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
b. All waste must be removed from the site.	EGSC staff interview EGSC Bastion Pt Mini Cat Logbook (dredging operations work diary) McKinnon SWMS (including site induction)	EGSC (dredge crew) staff remove all rubbish with them when they finish work – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master. Mini Cat Logbook notes staff picking up (and removing) rubbish from Bastion Point – logbook provided as audit evidence. Contractor McKinnon Earth Construction Pty Ltd SWMS, Site Induction, Point 8 Rubbish – To be placed in bins provided or taken with you – McKinnon SWMS including signed and dated site induction provided as audit evidence.	FULLY COMPLIANT
c. The handling and disposal of unexpected materials identified during dredging/ excavation/maintenance (e.g. inert debris such as concrete and timber) to be included in waste management arrangements.	EGSC Bastion Pt Mini Cat Logbook (dredging operations work diary) EGSC staff interview	There were no unexpected materials (i.e. wood or concrete) identified during dredging operations in the 2021 Audit Period – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master. 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 Marine Operations Coordinator and EGSC Dredge Master.	NOT APPLICABLE
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	EGSC Weekly and Monthly Inspection Logs provide opportunity to provide comment on “site cleanliness” and “other observations”. There were no reports of signs of wildlife access to waste bins recorded on EGSC Weekly inspection Logs – provided as audit evidence. Records of EGSC Dredge staff removing litter encountered from the site – EGSC Weekly Inspection Logs provided as audit evidence. All bins are fitted with appropriate lids and considered “wildlife proof” to eliminate litter, wildlife and vermin – Auditor’s photographic evidence and acknowledged by EGSC Marine Operations Coordinator.	FULLY COMPLIANT
e. All waste to be managed in accordance with: ➤ <i>Environment Protection Act 1970 (Vic)</i>	EGSC Bastion Pt Mini Cat Logbook (dredging operations work diary)	All waste is managed in accordance with the Environmental Protection Act 1970 (Vic) and Pollution of Waters by Oil and Noxious Substances Act 1986 (Vic) by EGSC work crews and contractors, and is minimised, contained and removed from the site – acknowledged by EGSC Marine Operations Coordinator.	COMPLIANT BUT REQUIRES IMPROVEMENT

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
➤ <i>Pollution of Waters by Oil and Noxious Substances Act 1986 (Vic)</i>	EGSC staff interview Photographic evidence Email Evidence	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 Marine Operations Coordinator and EGSC Dredge Master. 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 Mini Cat Pre Starts and Toolbox Meetings EGSC Bastion Pt Mini Cat Logbook (dredging operations work diary) Dredge Maintenance – Service History EGSC staff interview	EGSC Mini Cat Pre-start and Toolbox Meetings contain checklists including inspection of equipment (including safety equipment), documentation and operation manual – records provided as audit evidence Mini Cat Maintenance Program involves major maintenance being carried out by EGSC Mechanic, Brendan Gell at Bruce Road Depot and minor maintenance being carried out by Dennis Brownlie at Mallacoota Works Depot. During 2021 Brendan organised and/or carried out the following maintenance: <ul style="list-style-type: none"> • New Ladder fabrication- contractor EGM • New Pump fitted • New hydraulic hoses fitted throughout vessel • New Stainless charge and piping made for engine • Hydraulic cooler moved to Air to fluid unit mounted to cooling pack • Hydraulic filter bypassed as it was redundant • Cabin painted by Newdeck • Chassis weld in Amerlock • Hydraulic oil changed • Replaced the seat in Cabin During 2021 Dennis organised and carried out the following maintenance: <ul style="list-style-type: none"> • Serviced 4 Life Jackets and attached Life Jacket lights. • Topping up oil in Mini Cat • Charging Batteries 	FULLY COMPLIANT

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
		<ul style="list-style-type: none"> Cleaning Filters Washing Vessels (after each dredging operations) Checking all Safety Gear <p>Dredge Maintenance Service History and Life Jacket self-inspection form provided as audit evidence.</p> <p>McKinnon Earth Construction Pty Ltd provided evidence of daily plant and equipment inspections whilst working onsite – Project Management Plan sighted by Auditor.</p>	
5. Fuels, oils, chemicals and hazardous goods	Evidence	Audit Findings and Comments	Compliance
<p>a. Storage and handling of chemicals in accordance with:</p> <ul style="list-style-type: none"> <i>Dangerous Goods Act 1985 (Vic)</i> <i>Pollution of Waters by Oil and Noxious Substances Act 1986 (Vic)</i> 	<p>EGSC staff interview</p> <p>Photographic records</p>	<p>No fuels, oils, chemicals or hazardous goods are stored onsite at Bastion Point Boat Ramp – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.</p> <p>No “spare” fuels or oils are ever taken to Bastion Point. Mini Cat Dredge and Dory Tender are fuelled at the Mallacoota Service Station – acknowledged by EGSC Marine Operations Coordinator and fuel card transactions from Mallacoota Service Station provided as audit evidence.</p> <p>All fuels, oils, chemicals and hazardous goods are stored at Mallacoota Works Depot along with the SDS folder – Auditors photographic evidence and acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.</p> <p>Fuel stored at the Works Depot is for gardening equipment not Dredging Operations – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.</p> <p>Contractors do not use hazardous materials onsite – acknowledged by EGSC Dredge Master.</p>	FULLY COMPLIANT
6. Emergency response preparedness	Evidence	Audit Findings and Comments	Compliance

Project Delivery Standard / Audit Criteria	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.	Mini Cat Drills 2021 EGSC Staff Interview	Operational Emergency Response drills, including Person Overboard Procedure and Rescue, Medical Emergency, Fire Onboard and Collision, were conducted on 30 th August and 6 th December 2021 – Mini Cat drills (2021) and attendance records provided as audit evidence. Oil spill response training has been conducted – acknowledged by EGSC Marine Operations Coordinator. Oil spill response kits checked – acknowledged by EGSC Dredge Master.	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	Oil spill kits are located onboard the dredge and support vehicle stationed onsite for all operational works activities – acknowledged by EGSC Dredge Master. Oil spill response training has been conducted as discussion only – acknowledged by EGSC Marine Operations Coordinator. Contractors, McKinnon Earth, who remove sand and kelp from the Boat Ramps have spill kits on their machines and they have conducted training with their operators in the past – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.	FULLY COMPLIANT
c. Gippsland Region Marine Pollution Contingency Plan is amended to reflect projected increased activity following construction.	This Audit Criteria has been removed from O&M EMP v4 and assessed as “Not Applicable” for the Audit Period covered by O&M EMP v3.		NOT APPLICABLE

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.

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
Target: <ul style="list-style-type: none"> 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	The Mini Cat Dredge is the sole dredge to work at Bastion Point, Mallacoota, and has not worked at any other site during the 2021 Audit Period. No other support vessels sourced from outside Mallacoota have been used for dredging operations – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.	NOT APPLICABLE
b. All vessels to comply with <i>Protocol for Environmental Management – Domestic Ballast Water Management in Victorian State Waters</i> , EPA Publication 949.2 (April 2008)	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 2021 Audit Period. – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.	NOT APPLICABLE
c. All vessels to comply with <i>Australian Ballast Water Management Requirements</i> , AQIS (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 2021 Audit Period. – acknowledged by acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.	NOT APPLICABLE
d. Train staff undertaking maintenance and operational activities in identification of marine pests, and reporting procedure	EGSC staff interview 2020 Aquatic Invasive Species Training attendance form	All dredge staff completed Aquatic Invasive Species training, conducted by Fishcare Victoria, in December 2020 (attendance form sighted during 2020 audit) and are aware of reporting procedures – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master. There were no invasive species sighted during the 2021 Audit Period – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.	FULLY COMPLIANT

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
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.	Spreadsheet of refuelling records EGSC staff interview	There was no refuelling of vessels, plant and/or equipment undertaken at the Bastion Point Boat Ramp during the 2021 Audit Period – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master. All refuelling of the Mini Cat Dredge and Dory Tender takes place at the Mallacoota Service Station – Spreadsheet of fuel card transactions provided to Auditor.	FULLY COMPLIANT
9. Cetaceans – vessel manoeuvring	Evidence	Audit Findings and Comments	Compliance
a. If within 300m of a dolphin or whale the vessel must not: <ul style="list-style-type: none"> • 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. Within 300m of a whale or dolphin, the vessel must: <ul style="list-style-type: none"> • 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 	EGSC Bastion Pt Dredging Operations Work Diary / Mini Cat Logbook EGSC staff interview	Cetaceans sighted during operational and maintenance activities during the 2021 Audit Period are recorded in the Mini Cat Logbook (marked with an asterix). Records include time of sighting, approximate distance from operations and, if necessary, actions taken (i.e. "Stopped for a pod of dolphins to pass the point – 1 st September 2021) – Mini Cat Logbook provided as audit evidence. All cetacean sightings were recorded in the Mini Cat Logbook – acknowledged by EGSC Marine Operations Coordinator.	FULLY COMPLIANT

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
disturbance, when safe to do so.			
10. Heritage (marine based) – identification of potential relics	Evidence	Audit Findings and Comments	Compliance
<p>a. If potential relics are identified during construction or maintenance activities, the process described in Appendix 11 Response Processes will be followed.</p> <p>a. If potential relics are identified during maintenance activities, the process described in MSOM will be followed.</p>	<p>EGSC Staff Interview</p> <p>EGSC Maritime Safety Operational Manual</p>	<p>If no potential relics were identified during the Audit Period, the criterion is assessed as “Not Applicable”.</p> <p>If relics were identified and the appropriate procedure followed, the criterion is to be assessed as “Fully Compliant”.</p> <p>If potential relics were identified and the appropriate procedure was not followed, the criterion would be assessed as “Non-Compliant”</p> <p>There were no potential heritage relics identified during operational and maintenance activities at the Bastion Point Boat Ramp during the 2021 Audit Period – acknowledged by EGSC Marine Operations Coordinator.</p> <p>This Audit Criterion was amended in O&M EMP (v4) to reflect the update of response processes, now described in the EGSC Maritime Safety Operational Manual (MSOM) – sighted by Auditor.</p> <p>This Audit Criterion was also amended in O&M EMP v4 to remove reference to the construction phase which was completed in 2014. The Auditor does not consider it necessary to address the criterion separately for the 2021 Audit Period covered by the O&M EMP v3 as the amendment serves only to further clarify the intention of the criterion. In any case, the compliance result is the same.</p>	NOT APPLICABLE
<p>Table 6: DREDGING / EXCAVATION and PLUME</p> <p>Objective:</p> <ul style="list-style-type: none"> 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. <p>Application:</p> <ul style="list-style-type: none"> All relating to maintenance of navigation depth activities. 			

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
<ul style="list-style-type: none"> The disposal of dredged / excavated material. Use of dredges / excavators and associated equipment. <p>Target:</p> <ul style="list-style-type: none"> Conformance with all environmental limits and controls. 			
11. Dredging / Excavation and plume	Evidence	Audit Findings and Comments	Compliance
<p>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</p> <p>a. Dredging and/or excavators must remain within the identified channel zones, in accordance with EGSC procedure.</p> <p>"Channel zones" are shown on Crossco Drawing No. 1579/007-C included in Appendix 12.</p>	<p>EGSC staff interviews</p> <p>Crossco Drawing No. 1579/007-C</p> <p>Emails containing results from regular depth checks at Bastion Point</p> <p>Photographic evidence</p>	<p>As with previous audits, the auditor has been advised that currents and the length of the dredge pipe prohibit the EGSC Catfish Dredge from venturing past the limits of the rock wall. This precludes dredging operations from working outside the identified channel zones delineated on Crossco Drawing No 1579/007-C acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.</p> <p>Excavation activity is confined to land due to equipment restrictions and is contained within the channel zones delineated on Crossco Drawing No 1579/007-C. Sand and kelp is deposited to the appropriate disposal point – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.</p> <p>Depth checks are conducted regularly and recorded on Crossco Drawing 1579/007-C – email evidence provided as audit evidence.</p> <p>The amendment to this criterion in O&M EMP V4 (i.e. removal of the requirement for GPS data to confirm dredging and excavation within the identified channel zone) has resulted in an improvement in the compliance result to "Fully Compliant".</p>	<p>O&M EMP V3</p> <p>COMPLIANT BUT REQUIRES IMPROVEMENT</p>
<p>a. Recording of equipment activity on log sheets will include the following information as a minimum:</p>	<p>EGSC Bastion Pt Mini Cat Logbook (dredging operations work diary)</p>	<p>The Mini Cat Logbook satisfactorily records the dates, time of dredging commencement, time of dredging completion and/or time crew left site, weather conditions, sea level and swell conditions – provided as audit evidence.</p>	<p>FULLY COMPLIANT</p>

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
Dredge/Excavator: <ul style="list-style-type: none"> Time/Date/Weather Location: Management of sand from Status: Reason for equipment selection Other Equipment <ul style="list-style-type: none"> Time/Date/Weather Location: Management of sand from Status: Reason for equipment selection 	McKinnon Earth Construction Project Management Plan, SWMS and Daily Site Safety Plan/Toolbox Meeting/Log/Diary	McKinnon Earth Construction's Project Management Plan and their Daily Site Safety Plan, provided with their Safe Work Method Statement (SWMS), records the time, date, equipment and job description (e.g. "Dig sand from boatramp with exc – rover sand with loader and dump down beach, 2/12/2021") – McKinnon's Project Management Plans, SWMS and Daily Site Safety Plan/Toolbox Meeting/Log/Diary provided as audit evidence.	
Table 7: CHANNEL MAINTENANCE SCHEDULE Objective: <ul style="list-style-type: none"> To develop an appropriate maintenance schedule, taking into account the seasonal sensitivities of the Mollacoota Inlet assets, beneficial uses and values. Application: <ul style="list-style-type: none"> All channel Maintenance activities. Target: <ul style="list-style-type: none"> 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	Crossco Drawing No. 1579/007-C Monthly inspection forms EGSC staff interview	Monthly inspection forms include water depth measurements and delineate the extent of dredging and excavation within the channel on Crossco Drawing No. 1579/007-C – provided as audit evidence. Excavation and removal of sand from the boat ramp aprons was required whenever shallow water depths prevented access by the Catfish dredge vessel.	FULLY COMPLIANT

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
		The ramp is delineated in Crossco Drawing No. 1579/007C – acknowledged by Master (Mini Cat Dredge) and EGSC Marine Operations Coordinator.	
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 use periods (Easter, Summer holidays, long weekends)	EGSC staff interview	<p>Efforts are made to ensure the boat ramps are clean and accessible particularly prior to school holidays, public holidays, Easter and Christmas breaks. However, the maintenance schedule is such that the dredging and excavation activities are carried out when required to remove sand that is blocking access to the boat ramp – acknowledged by EGSC Maritime Operations Coordinator and EGSC Dredge Master.</p> <p>No dredging occurred on weekends during the 2021 audit reporting period - acknowledged by EGSC Maritime Operations Coordinator and EGSC Dredge Master.</p> <p>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 EGSC Maritime Operations Coordinator and EGSC Dredge Master.</p>	FULLY COMPLIANT
<p>Table 8: DREDGED / EXCAVATED MATERIAL MANAGEMENT</p> <p>Objective:</p> <ul style="list-style-type: none"> To manage and track the placement of removed material. To relocate removed material and manage appropriately within approved near-shore locations. <p>Application:</p> <ul style="list-style-type: none"> All dredged / excavated and removed material placement. <p>Target:</p> <ul style="list-style-type: none"> Conformance with all environmental limits and controls. 			
14. Dredged / excavated material placement	Evidence	Audit Findings and Comments	Compliance

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
a. All dredged / excavated sand placement to be placed: <ul style="list-style-type: none"> • within 300m of the “channel zone” shown on Crossco Drawing No. 1579/007-B (C) (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 Photographic evidence EGSC Staff Interview	Dredged sand being discharged via pipeline, or relocated by excavator, was placed within the designated site (i.e. 300m from channel zone) – acknowledged by EGSC Maritime Operations Coordinator. Photograph of dredged material placement – Auditors photographic evidence and provided by EGSC as audit evidence. Auditor acknowledges update in O&M EMP V4 referring to Crossco Drawing No. 1579/007 C however this does not affect the compliance result.	FULLY COMPLIANT
b. Kelp removed from the ramp and/or channel will be disposed of in accordance with EGSC procedures.	EGSC Weekly Inspection Forms EGSC Staff Interview	Kelp build-up within channel, ramp and adjacent beach is recorded on Weekly Inspection Forms – provided as audit evidence. EGSC procedures are to deposit kelp removed from boat ramp to a site further up the beach (as with excavated sand). These procedures were complied with during the 2021 audit period - acknowledged by EGSC Maritime Operations Coordinator and EGSC Dredge Master. Auditor notes amendment to the audit criterion in O&M EMP V4 to remove reference to EPA requirements regarding kelp (which do not exist) as recommended in previous audits. This amendment changes the compliance result from “Undetermined” to “Fully Compliant”.	O&M EMP v3 UNDETERMINED (due to uncertain requirements) O&M EMP v4 FULLY COMPLIANT
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 Photographic evidence provided by EGSC	The disposal site is monitored weekly and monthly however due to lack of staff these inspections were not carried out for some months – acknowledged by EGSC Marine Operations Coordinator. EGSC photographic monitoring was not provided with Monthly Inspection Forms – audit evidence provided The results from these inspections are not included in performance reporting.	MINOR NON-COMPLIANCE

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
Table 9: LAND BASED Objective: <ul style="list-style-type: none"> To manage operations and maintenance activities. Application: <ul style="list-style-type: none"> All land based works. Target: <ul style="list-style-type: none"> 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
a. All Maintenance works to be completed in accordance with the approved: <ul style="list-style-type: none"> 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	Excavation, dredging, sand disposal and stockpiling of materials did not interfere or disturb any known sites of Cultural Heritage during dredging operation and maintenance of Bastion Point during the 2021 audit period – acknowledged by EGSC Maritime Operations Coordinator and EGSC Dredge Master. The nearby heritage site is fenced off and MOABR operations and maintenance activities do not interfere – acknowledged by EGSC Dredge Master. 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. <i>The Auditor has chosen to interpret this criterion to refer to Crossco Drawing No 1579/007-C which is included in the O&M EMP rather than construction drawings and specifications that were not provided as audit evidence and likely more relevant to the construction phase rather than operations and maintenance.</i>	FULLY COMPLIANT
17. Removal and management of native vegetation	Evidence	Audit Findings and Comments	Compliance
a. All temporary site facilities and vehicle management to	EGSC Staff Interview	This Audit Criterion is more appropriate to the construction phase.	FULLY COMPLIANT

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
be within defined areas approved by EGSC	Photographic evidence	There were no temporary site facilities constructed onsite during the 2021 Audit Period – acknowledged by EGSC Maritime Operations Coordinator and EGSC Dredge Master. The defined area for vehicle management and equipment (i.e. dredge pipe) storage was not exceeded during the 2021 Audit reporting period – acknowledged by EGSC Marine Operations Coordinator and EGSC Dredge Master.	
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, and the Coastal Management Act Consent – acknowledged by EGSC Maritime Operations Coordinator. No native vegetation was removed or disturbed at Bastion Point during dredging operation and maintenance during the 2021 Audit Period – acknowledged by EGSC Maritime Operations Coordinator. Auditor's onsite observations and photographs provided further evidence that adequately demonstrates Full Compliance with the Audit Criteria.	FULLY COMPLIANT
18. Weeds and pest animals	Evidence	Audit Findings and Comments	Compliance
ALL AUDIT CRITERIA RELEVANT TO THIS SECTION WAS DELETED FROM THE RISK REGISTER IN EMP v3 (17 Nov 2020).			
19. Sediment transport control	Evidence	Audit Findings and Comments	Compliance
a. No contaminated stormwater to leave the construction site. This audit criterion was removed from O&M EMP v4 as it is not relevant to operations and maintenance.	EGSC Staff Interview	No operations and maintenance activities undertaken in 2021 had potential to contaminate stormwater (oil and fuel spills are addressed in Criteria 5 and 8 above) - acknowledged by EGSC Maritime Operations Coordinator. There were no incidents to report that could have contaminated stormwater at the site during the 2021 audit period – EGSC Maritime Operations Coordinator. Auditor notes that this audit criterion was removed from O&M EMP V4 and is assessed as "Not Applicable" for O&M EMP V3.	O&M EMP v3 NOT APPLICABLE

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
b. Where vegetation cover is inadequate to protect soil, silt traps must be constructed and maintained and form part of regular inspections	EGSC Staff Interview Photographic evidence	No silt traps were installed at Bastion Point during 2021 as vegetation was deemed adequate to protect soil – acknowledged by EGSC Marine Operations Coordinator As no actions were undertaken to achieve compliance with this criterion, the Auditor has assessed it as Not Applicable.	NOT APPLICABLE
Table 3: EXTERNAL NOTIFICATION and REPORTING REQUIREMENTS – OPERATIONS and MAINTENANCE PHASE Objective: <ul style="list-style-type: none"> To report performance against EMP to Government agencies and stakeholder groups Application: <ul style="list-style-type: none"> None listed Target: <ul style="list-style-type: none"> 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, DELWP, GP, TSV <ul style="list-style-type: none"> Notification within 4 hours. Incident report required. Notification to GP as soon as practicable. 	EGSC staff interviews	During the 2021 Audit Period, no pollution events or imminent environmental hazards occurred at or in the area surrounding the Bastion Point Boat Ramp – acknowledged by ____	NOT APPLICABLE
Project Delivery Standard	Evidence	Audit Findings and Comments	Compliance

Project Delivery Standard / Audit Criteria	Evidence	Audit Findings and Comments	Compliance
DELWP <ul style="list-style-type: none"> Notification within one business day of verifying non-conformance with a PDS. 	Audit evidence EGSC staff Interviews	<p>The Auditor concludes that there was no non-conformance with PDS that required immediate DEPI (DELWP) notification.</p> <p>The Minor Non-Conformance noted in this audit referred to monitoring and administration requirements. Hence, the Auditor concludes that this criterion is Not Applicable</p>	NOT APPLICABLE
Operational and Maintenance Activities	Evidence	Audit Findings and Comments	Compliance
DELWP <ul style="list-style-type: none"> Notification within 14 days of commencement of dredging of intended commencement and completion dates / duration. 	EGSC staff Interviews	<p>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 _____</p>	FULLY COMPLIANT