

Media backgrounder

From the Office of the Environmental Monitor

Office of the Environmental Monitor Quarterly Review No 1. June 2008

Context:

The Office of the Environmental Monitor (the Office) is required to provide quarterly reports to the Minister for Environment and Climate Change.

This is the Office's first quarterly review in a series of 16 to be released over the next four years – until the end of 2011.

The Office's quarterly review provides an independent and transparent view of the environmental performance of the Channel Deepening Project (the Project) during its first quarter. It is a stocktake of the Office's activities, including its findings and identified opportunities for improvement for the period between the start of dredging on 8 February to 31 May 2008.

It also outlines the Office's progress against its three objectives, which are:

1. To be accessible to all stakeholders and the community;
2. To scrutinise, report and advise on the Project's environmental performance in an independent and transparent way; and
3. To communicate all available information on the Project's environmental performance in a meaningful and timely way to stakeholders and the community.

Information considered during the first quarter:

During the first quarter of the Project and while preparing the quarterly review, the Office assessed and considered a wide range of information on the Project from the Port of Melbourne Corporation (PoMC) and state government agencies to judge whether the Project had conformed to the Environmental Management Plan or rule book.

This included, but was not limited to, weekly turbidity monitoring results, environmental monitoring reports, several Baywide Monitoring Program progress reports, beach water quality monitoring data, PoMC internal audits and its first quarterly report.

The Office received PoMC's first quarter report on 5 June 2008. PoMC's quarterly report is for the period from 8 February 2008 to 30 April 2008.

Quarterly review findings:

1. The Office will continue to work with stakeholders and the community to seek and provide advice to help identify what an enduring legacy for Port Phillip Bay might involve.
2. Up to 30 April 2008, the volumes of material removed conformed to the limits set out in the EMP.
3. Up to 30 April 2008, the Office identified no non-conformances by the Project against the EMP's 58 Project Delivery Standards – rules about where, when and how the Project is delivered.
4. Up to 31 May 2008, turbidity monitoring results from 11 conformance turbidity monitoring meters located across the Bay were well below the limits set out in the EMP.

5. Up to 30 April 2008, results from noise compliance monitoring for both underwater and airborne noise identified no non-conformances with the EMP.
6. Up to 30 April 2008, results from the Baywide Monitoring Programs that monitor the Bay's health were within the range of variability that would be expected based on historical data. Although the Office is satisfied the results to date are within the range of expected variability, it is too early to make an assessment of the longer-term environmental performance of the Project.

Quarterly review opportunities of improvement:

The Office acknowledges that underpinning the EMP and PoMC's implementation of it is the concept of continuous improvement. Therefore, when the first quarter results were examined opportunities for improvement were identified. The Office considers this an important step in demonstrating the continued improvement approach and therefore has included in its quarterly report suggested opportunities for improvement that the Office will pursue, and for consideration by PoMC, the regulators or other Victorian Government agencies that manage the Bay environment.

The Office emphasises that in no instance do these opportunities affect the Office's conclusion that no non-conformances were identified in the first quarter of dredging operations nor do they imply any need to amend the regulatory standards set for this Project.

The Office's suggested opportunities for improvement are listed below.

Issue – Dredging schedule

Changes to the dredging schedule as a result of direction from the Federal Court and accelerated project delivery due to favourable weather and sea conditions may have implications for the conduct of some baywide programs and the assessment of their results.

Opportunity

1. That PoMC review the timing of baywide programs and associated reviews or audits when adjusting its dredging schedule to ensure it is well placed to draw the most timely conclusions from the Project's monitoring programs. Furthermore, it should consider providing these review results when forwarding future amendments of the dredging schedule to DSE and the Office.

Issues – Monitoring programs

The volume of data generated by the monitoring programs operating across the Bay is significant and will grow rapidly.

On occasions when data recovery gaps occurred, the Office found that the gaps did not affect PoMC's ability to manage the Project or the Office's ability to assess its environmental performance.

The Office commends the commitment of parties who have worked with the Office to identify ways to reduce the lag-time between sampling, time taken in the laboratory, analysis of the results and delivery of monitoring reports, while still maintaining the integrity of the reported information.

Opportunity

2. The Office considers that substantial information can be gained by the continued integrated consideration of the individual monitoring programs and that this includes the explicit consideration of external factors, such as the continued below average rainfall.

Issues – PoMC’s quarterly report

Quarterly reports are the principal means by which PoMC meets its regulatory obligation to provide a consolidated report on its implementation of the EMP.

The Office is satisfied that PoMC’s first report, when considered with other information, was adequate to make its judgement on conformance with the Project Delivery Standards.

Opportunity

3. That PoMC consider a reporting approach that deals explicitly with all four mechanisms by which the Project’s environmental performance is to be judged.

Issues – Independent audits

In accordance with the EMP, PoMC currently conducts internal audits on Project compliance. Compliance and performance against the EMP is also subject to independent audits that are to be conducted by PoMC and the Office.

Opportunities

4. To maximise the benefits of independent audits, the Office believes that they are best considered as a program of activities and that their timing should align with major milestones in Project implementation.

5. The Office will discuss the engagement of independent auditors and the timing of audits with the regulators and PoMC, with the aim of maximising transparency and effectiveness of the independent audit process and minimising the possibility of duplication.

Issue – Events in the Bay

Events which may be a result of seasonal biological Bay processes or weather conditions will continue to occur in the Bay and be of community interest. All events when reported warrant assessment as to whether or not they are natural occurring phenomena or related to dredging.

Opportunity

6. To assist the community, the Office will publish a history of seasonal biological events in the Bay on its web site and will also include a list of events that may occur in the future, such as the presence of krill or phosphorescent algae (*Noctiluca*).