



Quarterly reporting

Approvals summary—Quarter 2 2014–15

Produced and published by

Department of Environment Regulation
168 St Georges Terrace, Perth, Western
Australia

March 2015

As part of the changes to machinery of government the Department of Environment and Conservation (DEC) was separated on 1 July 2013 into two agencies: the Department of Environment Regulation (DER) and the Department of Parks and Wildlife. Any information in this report for the period up to 30 June 2013 relates to activities under the former DEC.

**Copyright © State of Western Australia
2015**

There is no objection to this publication being copied in whole or part, provided there is due acknowledgment of any material quoted or reproduced from the publication.

This report and a summary of approvals report are available on the Department of Environment Regulation website at www.der.wa.gov.au/performance.

Disclaimer

The information contained in this document is provided by the Department of Environment Regulation in good faith. However, there is no guarantee of the accuracy of the information contained in this document and it is the responsibility of users to make their own enquiries as to its accuracy, currency, relevance and correctness.

The State of Western Australia and the Department of Environment Regulation and their servants and agents expressly disclaim liability, in negligence or otherwise, for any act or omission occurring in reliance on the information contained in this document, or for any incident or consequential loss or damage of such act or omission.

The State of Western Australia is committed to providing quality information and has made

every attempt to ensure the accuracy, currency, reliability and correctness of the information contained in this document. However, changes in circumstances and legislation after the time of publication may impact on the correctness or quality of this information.

In addition the accuracy, currency, reliability and correctness of links or references to information sources referred to or provided by third parties is outside the control of State of Western Australia and it is therefore the responsibility of the user to make their own decisions on information found on those external sites. Confirmation of any of the information provided in this document may be sought from the relevant originating bodies or the department providing the information; however, users of this material should verify all relevant representations, statements and information with their own professional advisers.

The State of Western Australia and the Department of Environment Regulation reserve the right to amend the content of this document at any time without notice.

The information contained in this document is general. It does not constitute, and should be not relied on as legal advice. The State of Western Australia recommends seeking advice from a qualified lawyer on the legal issues affecting you before relying on this information or acting on any legal matter.

Questions regarding this report should be directed to:

Department of Environment Regulation
Locked Bag 33 Cloisters Square
PERTH WA 6850
Phone: +61 8 6467 5000
Fax: +61 8 6467 5562
Email: info@der.wa.gov.au
Web: www.der.wa.gov.au

Accessibility

This document is available in alternative formats and languages on request

Approvals summary

Works approvals and licences

Major resource projects

For major resource project approvals, the Department of Environment Regulation (DER) has set a target to decide (grant or refuse) 100 per cent of works approval and licence applications within 60 working days.

Delivery status

Three new major resource project licence applications were received in the second quarter of 2014–15; fewer than each of the preceding two quarters (8 and 7 respectively).

The percentage of new major resource licence applications decided within the target time frame remains at 100 per cent.

Five licence applications for major resource projects were decided, (the same as the number decided in the fourth quarter of 2013–14 and five fewer than the number decided in the first quarter of 2014–15). The average processing time was 43 days, compared to 48 days for the preceding quarter.

In the second quarter of 2014–15, DER received a total of 23 new works approval applications for major resource projects, —one more than in the previous quarter and nine fewer than in the same quarter last year 2013–14.

Eighteen works approvals for major resource projects were decided, fewer than in each of the previous four quarters, (29, 33, 30 and 20 respectively).

The average processing time for major resource projects works approvals during this quarter was 57 days

This quarter DER decided 61 per cent of new works approval applications within the target time frame. This is a decrease from 86 per cent in the first quarter 2014–15.

Overall there has been a reduction in percentage of new works approvals being decided within the target time frame, and an increase in average processing time for works approval applications during this quarter.

DER's industry regulation reform program has been refocused to provide a broader strategic direction to the overall delivery of the business, and will improve DER's regulatory performance. The reforms streamline the processes for regulation of emissions and discharges, and clearing of native vegetation.

It is anticipated that performance will improve progressively with the ongoing implementation of the reform program, and benefits will be evident from the fourth quarter of 2014–15.

Non-major resource projects (other projects)

For non-major resource project (other project) approvals, DER has a target to decide 80 per cent of works approval and licence applications within 60 working days.

Delivery status

During the second quarter of 2014–15 DER decided 59 per cent of other works approval applications within the target time frame, a decrease from the previous four quarters, (76 per cent in the first quarter of 2014–15 and 70 per cent, 90 per cent and 91 per cent respectively in the preceding three quarters in 2013–14).

Twenty two other project new licence applications were received this quarter. This is more than double the number received in the first quarter of 2014–15.

Ten other projects licences were decided by DER in this quarter, compared with three in the preceding quarter. The average time to process a licence

application reduced to 38 days, from 56 days and 74 days respectively in the preceding two quarters.

DER decided 90 per cent of other project licences within 60 days, more than meeting the target time frame. This is an increase from the preceding four quarters, (67 per cent, 57 per cent, 88 per cent and 64 per cent respectively).

Seventeen other project works approval applications were decided by DER this quarter, fewer than in each of the preceding quarters, (21, 23, 20 and 22 respectively).

The average processing time for other works approval applications increased during this quarter to 64 days, compared to 49 days, 53 days, 47 days and 37 days respectively in each of the preceding four quarters.

DER is progressively implementing a significant reform program to streamline the decision-making process in order to achieve the target time frames. The benefits of the program are expected to be evident from the fourth quarter of 2014–15.

Approvals summary data—Works approvals and licences

Department of Environment Regulation	Q2 2013–14	Q3 2013–14	Q4 2013–14	Q1 2014–15	Q2 2014–15
Works approvals (major resource projects only)					
No. of applications carried over from previous periods	23	35	39	35	27
No. of applications received	32	36	29	22	23
No. of applications granted/refused	20	30	33	29	18
No. of decisions that were subject to 'stop the clock'	14	6	21	19	9
No. of applications withdrawn	0	2	0	1	0
Average time for decision (business days)	49	53	50	50	57
Percentage of applications that were finalised within benchmark time frame of 60 business days	95	90	94	86	61*
No. of open applications as of end of quarter	35	39	35	27	32
Licences (major resource projects only)					
No. of applications carried over from previous periods	22	20	17	17	14
No. of applications received	5	1	7	8	3
No. of decisions that were subject to 'stop the clock'	8	2	3	3	3
No. of applications granted/refused	6	4	5	10	5
No. of applications withdrawn	1	0	2	1	2
Average time for decision (business days)	45	43	35	48	43
Percentage of applications that were finalised within benchmark timeframe of 60 business days	83	100	100	100	100
No. of open applications as of end of quarter	20	17	17	14	10
Works approvals (other projects)					
No. of applications carried over from previous	29	35	43	43	43

Department of Environment Regulation	Q2 2013–14	Q3 2013–14	Q4 2013–14	Q1 2014–15	Q2 2014–15
periods					
No. of applications received	28	31	24	24	14
No. of applications granted/refused	22	20	23	21	17
No. of applications withdrawn	0	3	1	3	4
Average time for decision (business days)	37	47	53	49	64
Percentage of applications that were finalised within benchmark time frame of 60 business days (target is 80%)	91	90	70	76	59*
No. of open applications as of end of quarter	35	43	43	43	36
Licences (other projects)					
No. of applications carried over from previous periods	17	16	15	13	20
No. of applications received	12	7	6	10	22
No. of applications granted/refused	11	8	7	3	10
No. of applications withdrawn	1	0	1	0	0
Average time for decision (business days)	56	42	74	56	38
Percentage of applications that were finalised within benchmark time frame of 60 business days (target is 80%)	64	88	57	67	90
No. of open applications as of end of quarter	17	15	13	20	32

* The factors affecting time frames for deciding both major and other project works approval applications are outlined on page 1.

Native vegetation clearing permits

For native vegetation clearing permits, target time frames are 80 per cent of applications decided¹ within 60 calendar days of receipt, and 100 per cent of applications to be decided within 90 calendar days.

DER's clearing permit system database records details of clearing permit applications and decisions made for both DER and the Department of Mines and Petroleum (DMP)², and forms the basis of the published records available on DER's website.

The quantitative information presented in the tables in this report is provided for both DER and DMP. The qualitative information in the text relates to DER only.

Delivery status

DER received 130 native vegetation clearing permit applications in the second quarter of 2014–15, more than in the preceding four quarters, (107, 103, 115 and 104 respectively).

DER made 126 decisions on applications, which is more than the 85 decisions made in the previous quarter, but fewer than the 140 decisions at the same time last year. The average time to make a

decision was 52 days, which is less than 60 for the preceding quarter.

DER decided 62 per cent of applications within the target time frame of 60 days (compared with 64 per cent in the preceding quarter) and 96 per cent within 90 days, (compared with 93 per cent in the preceding quarter). Four per cent of decisions took longer than 90 days, compared with seven per cent in the preceding quarter.

The five applications that did not meet the 90-day target frame required modifications and further information during assessment. Of these applications, three were finalised within 100 days and two within 110 days.

Of the 126 decisions made on applications, 107 clearing permits were granted within an average timeframe of 54 days. Three applications for a clearing permit were refused. Of the remaining applications, two were declined because the applications were not valid and 14 were withdrawn.

The number of open clearing permit applications at the end of this quarter increased to 148, compared to 145 at the end of the previous quarter and was greater than the figure of 135 open applications at the same time last year.

DER is working to improve its performance in deciding clearing permit applications.

¹ A 'clearing permit decision made' means an application to clear has been granted, given an undertaking to grant, refused, declined, withdrawn, amended, revoked or suspended.

² Under s 20 of the Environmental Protection Act 1986, the Chief Executive Officer (CEO) of DER has delegated decision-making on clearing applications to DMP for the following activities:

- An activity under an authority granted, or a requirement imposed, under the Mining Act 1978, the Petroleum and Geothermal Energy Resources Act 1967, the Petroleum Pipelines Act 1969 or the Petroleum (Submerged Lands) Act 1982.
- An activity under a government agreement administered by the Department of State Development.

Clearing permits—time frame data for DER applications/decisions

Department of Environment Regulation	Q2 2013–14	Q3 2013–14	Q4 2013–14	Q1 2014–15	Q2 2014–15
No. of applications carried over from previous periods	171	132	128	123	144*
No. of applications received	104	115	103	107	130
No. of decisions that were subject to 'stop the clock'	61	73	53	53	62
Average time in 'stop the clock' for decisions in days	111	126	131	158	70
Average time for decision in days (excluding time in 'stop the clock')	54	52	38	60	52
No. decisions on applications	140	117	107	85	126
No. of outstanding applications at end of quarter	135	130	124	145	148
Percentage of applications that were finalised within benchmark time frames					
60 days (80% of applications finalised)	60	61	63	64	62
90 days (100% of applications finalised)	97	94	94	93	96
>90 days	3	6	6	7	4

* This figure is not the same as the outstanding applications at the end of the previous quarter due to data correction for Q2, 2014-15.

Clearing permits—time frame data for DMP applications/decisions

Department of Mines and Petroleum	Q2 2013–14	Q3 2013–14	Q4 2013–14	Q1 2014–15	Q2 2014–15
No. of applications carried over from previous periods	30	37	37	49	50*
No. of applications received	44	47	67	63	39
No. of decisions that were subject to 'stop the clock'	26	25	41	38	30
Average time in 'stop the clock' for decisions in days	34	16	32	24	44
Average time for decision in days (excluding time in 'stop the clock')	48	39	54	47	69
No. decisions on applications	43	47	55	63	47
No. of outstanding applications at end of quarter	31	37	49	49	42
Percentage of applications that were finalised within benchmark time frame					
60 days (80% of applications finalised)	86	79	87	86	75
90 days (100% of applications finalised)	98	100	100	97	96
>90 days	2	0	0	3	4

* This figure is not the same as the outstanding applications at the end of the previous quarter due to data correction occurring for Q2, 2014-15.