

REGULATORY PERFORMANCE REPORT – QUARTER 2 2018-19

REGULATORY SERVICES – WATER

Water Licensing

State-wide summary of in force (active) instruments, by risk category

Q2 2018-19	# By Instrument Type					Total
	SWL	Permit	GWL	CAW	AGR	
Low	860	329	4060	608	28	5885
Medium	167	8	2688	37	5	2905
High	315	101	4074	98	42	4630
Total	1342	438	10822	743	75	13420

SWL = surface water licence

Permit = permit to interfere with beds and banks of a watercourse

GWL = groundwater licence

CAW = licence to construct and alter a well

AGR = agreement to take water

Water licence and permit applications by risk category – Target 80% of applications processed within KPI timeframe

Water Licence and Permit Applications – Low Risk	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications received	425	518	470	627	282	507
No. of applications processed	458	636	674	728	486	585
Percentage of applications processed within 65 working days (target = 80% of applications processed within 65 working days)	79%	57%	70%	81%	77%	78%

Water Licence and Permit Applications – Medium Risk	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications received	22	37	18	16	19	17
No. of applications processed	33	57	41	29	24	37
Percentage of applications processed within 75 working days (target = 80% of applications processed within 75 working days)	61%	44%	46%	41%	29%	46%

Water Licence and Permit Applications – High Risk	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications received	34	46	38	19	33	23
No. of applications processed	58	81	48	71	39	59
Percentage of applications processed within 95 working days (target = 80% of applications processed within 95 working days)	60%	36%	35%	28%	31%	36%
Applications awaiting assignment of risk level at close of quarter	254	248	271	285	255	241

Water licence and permit applications currently under assessment for greater than 65 working days – Target ≤350 applications

Instrument Application Type								
Quarter	Agreement	Amend	New	Renewal	Trade	Transfer	Dept Amend	Total
2017-18								
Q3	19	62	234	53	32	25	102	527
Q4	18	54	235	67	38	23	30	465
2018-19								
Q1	21	62	251	142	50	24	27	577
Q2	12	74	266	140	48	24	14	578

Excludes applications awaiting further information from applicant or external agency.

Dept Amend = Amendments initiated by the Department of Water and Environmental Regulation.

Land Use Planning

Land use planning advice requests, by category

Advice request category						
Quarter	Environmental Protection Assessment	Land Use Activity	Land Use Change	Mining and Petroleum	Reports and Policies	Total
2017-18						
Q3	10	125	85	45	61	326
Q4	17	107	87	69	50	330
2018-19						
Q1	6	127	122	65	50	370
Q2	16	132	93	41	36	318

Land use planning advice requests, by type – Target 95% statutory responses finalised within 35 working days

Advice Request Type	2017-18			2018-19	
	Q2	Q3	Q4	Q1	Q2
No. of statutory referrals	242	250	262	304	289
No. of non-statutory referrals	60	76	68	66	29
Total no. of referrals	302	326	330	370	318
Percentage of statutory responses finalised within 35 working days (target = 95% of statutory responses finalised within 35 working days statutory timeframe)	98%	92%	93%	96%	95%

REGULATORY SERVICES – ENVIRONMENT

State-wide summary of in force (active) instruments

# By Instrument Type			
Quarter	Licence	Works Approval	Clearing Permits
2017-18			
Q3	1018	368	1055
Q4	1011	364	1024
2018-19			
Q1	1015	340	1036
Q2	1033	319	1041

Licence and Works Approvals

Major resource projects – applications

Works Approvals Applications	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications accepted	3	2	1	0	3	5
No. of applications decided	1	1	2	3	4	2
No. of applications withdrawn/declined	0	0	0	0	0	1
No. of open applications as of end of quarter	3	4	4	1	4	9
Average time for decision (working days)	60	49	87	72	93	73
Percentage of applications that were decided within 60 working days (target = 100% of applications decided)	100%	100%	0%	0%	50%	50%

Licence Applications	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications accepted	2	1	0	0	1	0
No. of applications decided	0	0	1	0	2	2
No. of applications withdrawn/declined	0	0	0	0	0	0
No. of open applications as of end of quarter	4	5	3	3	5	2
Average time for decision (working days)	N/A	N/A	55	N/A	103	52
Percentage of applications that were decided within 60 working days (target = 100% of applications decided)	N/A	N/A	100%	N/A	50%	100%

Other projects applications

Works Approvals Applications	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications accepted	26	17	28	17	23	43
No. of applications decided	20	18	15	19	8	17
No. of applications withdrawn/declined	2	6	4	5	11	7
No. of open applications as of end of quarter	55	48	62	54	57	73
Average time for decision (working days)	83	65	134	67	84	104
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	45%	56%	20%	47%	25%	29%

Licence Applications	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications accepted	21	20	20	15	25	16
No. of applications decided	9	22	9	16	17	23
No. of applications withdrawn/declined	9	9	5	6	3	4
No. of open applications as of end of quarter	98	87	96	87	95	84
Average time for decision (working days)	46	63	39	62	52	100
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	78%	59%	100%	69%	59%	61%

Amendment applications

Works Approvals Amendment Applications	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications accepted	11	12	13	10	13	15
No. of applications decided	7	12	14	2	9	11
No. of applications withdrawn/declined	0	0	0	2	1	1
No. of open applications as of end of quarter	13	13	11	15	13	14
Average time for decision (working days)	43	24	30	39	27	26
Percentage of applications that were finalised within 60 working days (target = 80% of applications finalised)	71%	92%	86%	50%	100%	91%
Licence Amendment Applications	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications accepted	75	70	82	67	57	74
No. of applications decided	55	62	63	59	54	55
No. of applications withdrawn/declined	0	3	5	10	15	5
No. of open applications as of end of quarter	152	157	174	164	126	136
Average time for decision (working days)	54	73	68	71	75	76
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	71%	61%	57%	59%	52%	40%

Native vegetation clearing Native vegetation clearing permit applications

Applications	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications carried over from previous periods	181	190	192	206	198	208
No. of applications received	103	120	104	83	86 ¹	95
No. of decisions on applications	94	118	91	86	76 ²	101
No. of open applications as of end of quarter	190	192	205	198	208 ³	202
Average time for decision (calendar days minus time in 'stop-the-clock')	74	74	73	78	77 ⁴	81
No. of decisions that were subject to 'stop-the-clock'	50	48	41	53	46 ⁵	52
Average time in 'stop-the-clock' for decisions in calendar days	72	100	62	61	44 ⁶	55
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	47%	44%	42%	41%	47% ⁷	39%

*CPS data error rectified in Q2 resulted in the following changes to Q1: ¹81 to 86, ²57 to 76, ³222 to 208, ⁴84 to 77, ⁵33 to 46, ⁶52 to 44, ⁷40% to 47%.

Number of hectares granted (G) or refused (R)

Purpose		2017-18								2018-19			
		Q1		Q2		Q3		Q4		Q1		Q2	
		G	R	G	R	G	R	G	R	G	R	G	R
Agriculture/horticulture/forestry	Hectares	1630	9	1473	140	368	59	786	0	1724	0	275	0
	Applications	13	1	17	2	9	3	17	0	9	0	13	2
Infrastructure (includes local government and utilities)	Hectares	286	0	552	0	154	0	160	0	556	0	88	0
	Applications	38	0	50	0	32	0	20	0	32	0	36	0
Other Development (includes mining not assessed under DMIRS delegation, basic raw materials, and all other purposes such as fire hazard reduction and fence line clearing)	Hectares	626	0	580	350	172	14	2981	10	132	10	256	0
	Applications	27	0	21	4	23	2	35	1	24	1	39	0
Total Hectares		2542	9	2604	490	695	73	3927	10	2412	10	619	0
Total Applications		78	1	88	6	64	5	72	1	65	1	88	2

COMPLIANCE AND ENFORCEMENT

Compliance program activities – Environment

Inspection program	Program description	2017-18							2018-19				
		Inspections (Actual)					Target	Percentage of annual target achieved (%)	Inspections (Actual)			Target	Percentage of annual target achieved (%)
		Q1	Q2	Q3	Q4	2017-18			Q1	Q2	2018-19		
Waste Sector Program	Landfill Levy Compliance.	31 ¹	32 ²	18 ³	48	129	150	86%	40	73	113	100	113%
Controlled Waste Program	Controlled waste carriers, drivers, vehicles and tanks, and waste facilities.	13	15	6	2	36	N/A	N/A	0	0	0	N/A	N/A
Clearing Regulation Permits	Assessing compliance with clearing permits issued under Part V of the EP Act and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.	1	5	1 ⁴	2	9	N/A	N/A	1	2	3	N/A	N/A
Prescribed Premises Compliance Program (PPCP)	Assessing compliance with Licences and Registrations issued under Part V of the EP Act.	17	61 ⁵	35 ⁶	26	139	200	70%	0	19	19	140	14%
Percentage of potential environmental risks identified during compliance monitoring program that are rectified within two months	Number of non-compliances identified in quarter.	29 ⁷	57 ⁸	45 ⁹	40	171	N/A	N/A	35	37	72	N/A	N/A
	Number of non-compliances identified closed in two calendar months.					77	80%	45%			22	80%	30%
Light Industry Program	Joint program with Local Governments targeting light industrial areas.	14	75	49	85	223	N/A	N/A	45	48	93	N/A	N/A
Environmental Response Program	Includes interagency inspections targeting hazardous materials storage.	1	5	1	3	10	N/A	N/A	0	0	0	N/A	N/A
Ministerial statements audited	Audits conducted on proposals identified through a risk- based framework.	15	14 ¹⁰	14	17	60	60	100%	8	24	32	60	53%
Ministerial statements compliance assessment reports	Compliance assessment reports received during the financial year will be reviewed.	42	40	32	98	212	N/A	N/A	38	53	91	N/A	N/A

1. The Q1 report recorded 25 waste sector inspections for the quarter. Finalisation of the inspection data means this figure has been amended to 31
2. The Q2 report recorded 29 waste sector inspections for the quarter. Finalisation of the inspection data means this figure has been amended to 32
3. The Q3 report recorded 14 waste sector inspections for the quarter. Finalisation of the inspection data means this figure has been amended to 18
4. The Q3 report recorded 0 native vegetation clearing permit compliance inspections for the quarter. Finalisation of the inspection data means this figure has been amended to 1
5. The Q2 report recorded 60 prescribed premise inspections for the quarter. Finalisation of the inspection data means this figure has been amended to 61
6. The Q3 report recorded 32 prescribed premises inspections for the quarter. Finalisation of inspection data means this figure has been amended from 32 to 35
7. The Q1 report recorded 25 non compliances identified in the quarter. Finalisation of inspection data means this figure has been amended to 29
8. The Q2 report recorded 55 non compliances identified in the quarter. Finalisation of inspection data means this figure has been amended to 57
9. The Q3 report recorded 28 non compliances identified in the quarter. Finalisation of inspection data means this figure has been amended to 45
10. Ministerial statements audit program amended from 15 to 14 audits

Enforcement activities – Environment

Enforcement Activities	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of matters received and finalised	583	615	641	1018	548	720
No. of new matters recorded	731	819	1031	1250	758	900

Enforcement Actions	2017-18			2018-19	
	Q2	Q3	Q4	Q1	Q2
No. of letters of warning issued	9	18	11	9	3
No. of infringements issued	16	0	30	14	15
No. of convictions recorded	4	4	3	8	4
No. of modified Penalties paid	1	0	0	1	0
No. of commenced prosecutions	2	3	7	6	0
No. of statutory notices*				0	6

* Not previously reported - this includes environmental protection notices, vegetation conservation notices, prevention notices and closure notices.

Compliance and Enforcement – Water

Activity	2017-18		2018-19	
	Q3	Q4	Q1	Q2
Total water licence compliance monitoring events conducted	221	897	1612	849
Total investigations commenced	299	251	801	10
Total investigations resolved	267	171	84	109
Total education letter	16	7	50	77
Total licence amendment	0	0	0	0
Total warning notice	18*	12	15	24
Total infringement notice	7	21	9	8
Total direction notice	2	5	10	0
Total prosecution	0	0	0	0

* One additional letter of warning was successfully challenged and rescinded

Pollution response

Activity	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of incidents	114	96	94	140	84	99
No. of reports to Pollution Watch	545	750	977	1238	845	903

Controlled Waste licences – new applications received

Controlled Waste Applications	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of applications received	106	215	154	118	145	162
Percentage of applications assessed within 30 calendar day statutory timeframe (target = 100% of applications assessed within 30 calendar day statutory timeframe)	100%	100%	100%	100%	100%	100%

SCIENCE AND PLANNING – ENVIRONMENT

Contaminated Sites - Classified sites and parcels (at 31 December 2018)

Classified Sites and Parcels	Sites	Parcels
Contaminated – remediation required	280	834
Contaminated – restricted use	135	360
Remediated for restricted use	648	4398
Possibly contaminated – investigation required	1451	3255
Decontaminated	560	8321
Not contaminated – unrestricted use	375	5811
Report not substantiated	408	1461
Total	3857	24440

Known or suspected contaminated sites reported (Form 1s)

Form 1s	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of Form 1s carried over from previous quarter	88	10	18	15	9	21
No. of Form 1s received	49	50	58	31	31	45
No. of Form 1s processed within statutory 45 calendar days	127	42	58	35	19	45
No. of Form 1s open at end of quarter	10	18	15	9	21	21
No. of Form 1s exceeding statutory 45 calendar days	0	0	3	2	0	0
Percentage of Form 1s that were processed within 45 calendar days (target = 100% of Form 1s processed within statutory timeframe)	100%	100%	95%	95%	100%	100%

Mandatory auditor's reports (MARs)

MARs	2017-18				2018-19	
	Q1	Q2	Q3	Q4	Q1	Q2
No. of MARs carried over from previous quarter	8**	6	17	13	12	5
No. of MARs received in quarter	24	23	14	21	14	14
No. of MARs processed by DWER only* in quarter	20	7	12	10	9	5
Total No. of MARs processed in quarter	26	12	18	22	21	7
No. of MARs open at end of quarter	6	17	13	12	5	12
Average time for MARs processed by DWER only (days)	19.6	18	22.5	17.5	15	16.6
Percentage of MARs processed by DWER only within 21 calendar days (target = 80% MARs processed)	75%	86%	62%	90%	89%	100%

* Where MARs require specialist technical advice, such as in relation to asbestos, radiological contamination or quantitative human health risk assessment, these MARs are referred to other relevant agencies.

** Some values have been corrected following data cleansing.