



Government of **Western Australia**  
Department of **Environment Regulation**

REPORT

# Regulatory performance report approvals summary

## Quarter 1 2015–16

*July 1 2015–September 30 2015*

**Version: Draft**

ISSN 2205-0604

DER2015/002515

**Produced and published by**

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

November 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 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.

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## Approvals summary

### Works approvals and licences

#### Major resources projects

For major resources projects 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

##### Licence applications

- Seven new licence applications were received in the first quarter of 2015–16; three more than the preceding quarter, but slightly fewer than in the first quarter 2014–15 (when eight were received).
- Five licence applications were decided, the same as in the previous quarter but half as many as the corresponding quarter in 2014–15. The average processing time for a decision was 44 days, which was a marked improvement on the previous quarter's average time of 58 days.
- The percentage of licence applications decided within the time frame of 60 working days increased from 40 per cent to 100 per cent.

##### Works approvals

- In the fourth quarter of 2014–15, the Department received a total of 19 new works approval applications, which is consistent with the totals in the previous four quarters (22, 26, 20 and 18).
- Twenty-one works approvals were decided, significantly more than the previous quarter, when 10 were decided.
- The average processing time decreased slightly from 53 days to 50 days, which is the same length of time as the corresponding quarter in 2014–15.
- DER decided 71 per cent of works approval applications within 60 working days, which is a nine per cent decrease compared to the previous quarter.

#### Summary

Overall, the fourth quarter of 2014–15 showed a significant improvement in the percentage of major resources projects licence applications decided within the time frame of 60 days, increasing from 40 per cent to 100 per cent. The average time for a decision decreased from 58 days in the fourth quarter 2014–15 to 44 days in the first quarter 2015–16.

DER's performance with respect to major resources projects works approval applications was similar to the previous quarter, with 71 per cent of applications decided within the 60-working day time frame (a decrease from 80 per cent in the previous quarter) and a three-day decrease in the average time for a decision (53 working days to 50 working days).

The Department has refocused its industry regulation reform program to deliver a range of significant reforms over the coming months which will ensure transparent and consistent decisions for works approvals and licences. This systematic and consultative approach to reform will provide a more streamlined and timely approvals process, which will provide greater clarity for industry and certainty of outcome.

## Non-major resources projects (other projects)

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

### Delivery status

#### Licence applications

- Seventeen new licence applications were received in the first quarter 2015–16, greater than the last two quarters of 2014–15 (nine and seven).
- Seven licences were decided by DER in this quarter, which is the same as the preceding quarter and more than the corresponding quarter in 2014–15 (three).

#### Works approvals

- DER decided 31 per cent of works approval applications within the 60-working day time frame, a significant decrease in percentage from the previous quarter (69 per cent) and short of the 80 per cent target.
- Nineteen works approval applications were decided by DER in the first quarter 2015–16, which is higher than any of the preceding three quarters (17, 18, and 13).

### Summary

The average time to process an other projects licence application was 41 working days, which was slightly higher than the previous quarter (37 working days). The percentage of other projects licence applications decided within the 60-working day time frame was 71 per cent, below the 80 per cent target.

The average processing time for other projects works approval applications increased during this quarter to 97 working days, the highest of the preceding three quarters (71, 48, and 64).

**Approvals summary data applications—Works approvals and licences**

Department of Environment Regulation	Q1 2014–15	Q2 2014–15	Q3 2014–15	Q4 2014–15	Q1 2015–16
<b>Works approvals (major resources projects only)</b>					
No. of applications carried over from previous quarter	35	27	36	24	42*
No. of new applications received	22	26	20	18	19
No. of applications granted/refused	29	17	30	10	21
No. of applications withdrawn	1	0	2	2	0
No. of applications declined	n/a	n/a	n/a	n/a	3
Average time for decision (working days)	50	57	49	53	50
Percentage of applications decided within target time frame of 60 working days (target is 100%)	86	59	80	80	71
No. of applications open as of end of quarter	27	36	24	30	37
<b>Licences (major resources projects only)</b>					
No. of applications carried over from previous quarter	17	14	10	11	14*
No. of new applications received	8	3	4	4	7
No. of applications granted/refused	10	5	2	5	5
No. of applications withdrawn	1	2	1	0	2
Average time for decision (working days)	48	43	43	58	44
Percentage of applications decided within target time frame of 60 working days (target is 100%)	100	100	100	40	100
No. of applications open as of end of quarter	14	10	11	10	14
<b>Works approvals (other projects)</b>					
No. of applications carried over from previous quarter	43	43	36	34	53*
No. of new applications received	24	14	18	16	35
No. of applications granted/refused	21	17	18	13	19
No. of applications withdrawn	3	4	2	2	7
Average time for decision (working days)	49	64	48	71	97
Percentage of applications decided within time frame of 60 working days (target is 80%)	76	59	72	69	31
No. of applications open as of end of quarter	43	36	34	35	54
<b>Licences (other projects)</b>					
No. of applications carried over from previous quarter	13	20	32	20	28*
No. of new applications received	10	22	9	7	17
No. of applications granted/refused	3	10	19	7	7
No. of applications withdrawn	0	0	2	1	3
Average time for decision (working days)	56	38	49	37	41
Percentage of applications decided within time frame of 60 working days (target is 80%)	67	90	84	71	71
No. of applications open as of end of quarter	13	20	32	20	19

\* These figures have been updated to include all received applications that have been carried over from the previous quarter. Previously this figure only included those applications accepted for assessment.

## Native vegetation clearing permits

For native vegetation clearing permits, targets are 80 per cent of applications to be decided<sup>1</sup> 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)<sup>2</sup>, 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 129 native vegetation clearing permit applications in the first quarter of 2015–16, which is among the highest of the previous four quarters (101, 98, 130 and 107).
- DER made 97 decisions on applications, which is more than the 85 decisions made in the previous quarter and the 85 decisions made in the corresponding quarter in 2014–15. The average time to make a decision was 58 days, comparable with the lengths of time in the previous four quarters (57, 54, 52 and 60 days).
- DER decided 57 per cent of applications within the 60-day time frame (target = 80 per cent). Eighty-six per cent of applications were decided within 90 days (target = 100 per cent) and 14 per cent of decisions took longer than 90 days.
- The number of outstanding clearing permit applications at the end of this quarter increased to 201, more than in the preceding four quarters (169, 153, 148 and 145).

### Summary

DER notes that there has been a growing number of applications carried over each quarter and its performance with clearing permit applications is generally declining. To address this, it is implementing a targeted program to address the increasing backlog of applications. DER must also maintain its risk-based approach to decision-making (having regard to the sensitivity of the environment, magnitude of impact/s and urgency of the clearing), ongoing monitoring of performance, and continual improvements to processes.

DER continues to review its processes to identify further opportunity for improvement, such as implementing a strategic purpose permit program suitable for those permit holders, such as local government authorities, who are likely to require (or have) multiple permits. This initiative will reduce the administrative burden, for both DER and the permit holder, associated with

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<sup>1</sup> 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.

<sup>2</sup> 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 vegetation that is in a degraded condition or of otherwise limited environmental value.

### Clearing permits—time frame data for DER applications/decisions

Department of Environment Regulation	Q1 2014–15	Q2 2014–15	Q3 2014–15	Q4 2014–15	Q1 2015–16
No. of applications carried over from previous periods	123	144	148	153	169
No. of applications received	107	130	98	101	129
No. of decisions that were subject to 'stop the clock'	53	62	38	32	60
Average time in 'stop the clock' for decisions in days	158	70	107	59	67
Average time for decisions in days (excluding time in 'stop the clock')	60	52	54	57	58
No. of decisions on applications	85	126	93	85	97
No. of outstanding applications at end of quarter	145	148	153	169	201
<b>Percentage of applications that were finalised within time frames</b>					
60 days (target = 80% of applications finalised)	64	62	59	53	57
90 days (target = 100% of all applications finalised)	93	96	86	85	86
More than 90 days	7	4	14	15	14

### Clearing permits—time frame data for DMP applications/decisions

Department of Mines and Petroleum	Q1 2014–15	Q2 2014–15	Q3 2014–15	Q4 2014–15	Q1 2015–16
No. of applications carried over from previous periods	49	50	42	51	41
No. of applications received	63	39	57	47	59
No. of decisions that were subject to 'stop the clock'	38	30	21	30	22
Average time in 'stop the clock' for decisions in days	24	44	67	14	8
Average time for decisions in days (excluding time in 'stop the clock')	47	69	22	50	48
No. of decisions on applications	63	47	48	57	53
No. of outstanding applications at end of quarter	49	42	51	41	47
<b>Percentage of applications that were finalised within time frames</b>					
60 days (target = 80% of applications finalised)	86	75	96	91	94
90 days (target = 100% of all applications finalised)	97	96	100	96	98
More than 90 days	3	4	0	4	2