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REPORT

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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

- Four new licence applications were received in the fourth quarter of 2014–15; the same as the preceding quarter, but fewer than in the fourth quarter 2013–14 (when seven were received).
- Five licence applications were decided, three more than in the previous quarter and the same as the corresponding quarter in 2013–14. The average processing time for a decision was 58 days, an increase of 15 days compared to the preceding two quarters.
- The percentage of licence applications decided within the time frame of 60 working days dropped to 40 per cent, down from 100 per cent in the previous four quarters. This was due to the fact that three of the five decisions took 65, 79 and 90 days to be reached.

Works approvals

- In the fourth quarter of 2014–15, the Department received a total of 18 new works approval applications—fewer than in the preceding four quarters (29, 22, 26 and 20).
- Ten works approvals were decided, fewer than the previous four quarters (33, 29, 17, 30).
- The average processing time increased slightly to 53 days, a length of time that was four days longer than the previous quarter (49 days) but four days shorter than the second quarter 2014–15 (57 days).
- DER decided 80 per cent of works approval applications within 60 working days, which was the same as the previous quarter's percentage, but a decrease compared to the corresponding quarter in 2013–14 (94 per cent within 60-working day time frame).

Summary

Overall, the fourth quarter of 2014–15 showed a significant drop in the percentage of major resources projects licence applications decided within the time frame of 60 days, falling from 100 per cent to 40 per cent. The average time for a decision increased from 43 days in the third quarter 2014–15 to 58 days in the fourth quarter 2014–15.

DER's performance with respect to major resources projects works approval applications was consistent with the previous quarter, with 80 per cent of applications decided within the 60-working day time frame (the same as the third quarter 2014–15) and a four day increase in the average time for a decision (49 working days to 53 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.

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

- Seven new licence applications were received, fewer than in the first, second and third quarters of 2014–15 (10, 22 and 9).
- Seven licences were decided by DER in this quarter, fewer than in the two preceding quarters (19 and 10), but greater than the first quarter of 2014–15 (three).

Works approvals

- DER decided 69 per cent of works approval applications within the 60-working day time frame, a decrease in percentage from the previous quarter (72 per cent) and short of the 80 per cent target.
- Thirteen works approval applications were decided by DER in the fourth quarter 2014–15, the lowest number of any of the four quarters throughout the year.

Summary

The average time to process an other projects licence application was 37 working days, the shortest period for any of the four quarters in 2014–15. 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 71 working days, compared to the three preceding quarters (48, 64 and 49).

Approvals summary data applications—Works approvals and licences

Department of Environment Regulation	Q4 2013–14	Q1 2014–15	Q2 2014–15	Q3 2014–15	Q4 2014–15
Works approvals (major resources projects only)					
No. of applications carried over from previous quarter	39	35	27	36	24
No. of new applications received	29	22	26^	20	18
No. of applications granted/refused	33	29	17^	30	10
No. of applications withdrawn	0	1	0	2	2
Average time for decision (working days)	50	50	57	49	53
Percentage of applications decided within target time frame of 60 working days (target is 100%)	94	86	59*	80	80
No. of applications open as of end of quarter	35	27	36^	24	30
Licences (major resources projects only)					
No. of applications carried over from previous quarter	17	17	14	10	11
No. of new applications received	7	8	3	4	4
No. of applications granted/refused	5	10	5	2	5
No. of applications withdrawn	2	1	2	1	0
Average time for decision (working days)	35	48	43	43	58
Percentage of applications decided within target time frame of 60 working days (target is 100%)	100	100	100	100	40
No. of applications open as of end of quarter	17	14	10	11	10
Works approvals (other projects)					
No. of applications carried over from previous quarter	43	43	43	36	34
No. of new applications received	24	24	14	18	16
No. of applications granted/refused	23	21	17	18	13
No. of applications withdrawn	1	3	4	2	2
Average time for decision (working days)	53	49	64	48	71
Percentage of applications decided within time frame of 60 working days (target is 80%)	70	76	59	72	69
No. of applications open as of end of quarter	43	43	36	34	35
Licences (other projects)					
No. of applications carried over from previous quarter	15	13	20	32	20
No. of new applications received	6	10	22	9	7
No. of applications granted/refused	7	3	10	19	7
No. of applications withdrawn	1	0	0	2	1
Average time for decision (working days)	74	56	38	49	37
Percentage of applications decided within time frame of 60 working days (target is 80%)	57	67	90	84	71
No. of applications open as of end of quarter	13	20	32	20	19

^Three works approval applications were omitted from Q2 2014–15 reporting. These works approvals have been included in this report. Q2 2014–15 data have been adjusted accordingly.

Native vegetation clearing permits

For native vegetation clearing permits, targets are 80 per cent of applications to be 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 101 native vegetation clearing permit applications in the fourth quarter of 2014–15, slightly higher than the previous quarter but fewer than the three quarters before that (98, 130, 107 and 103 respectively).
- DER made 85 decisions on applications, which is fewer than the 93 decisions made in the previous quarter and 107 decisions at the same time last year, but equal to the 85 decisions made in the first quarter 2014–15. The average time to make a decision was 57 days, more than the 54 and 52 in the preceding two quarters, but fewer than the 60 days in the first quarter 2014–15.
- DER decided 53 per cent of applications within the 60-day time frame (target = 80 per cent). Eighty-five per cent of applications were decided within 90 days (target = 100 per cent) and 15 per cent of decisions took longer than 90 days.
- The number of outstanding clearing permit applications at the end of this quarter increased to 169, more than in the preceding four quarters (153, 148, 145 and 124).

Summary

DER acknowledges this decrease in performance, and that 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 must be maintained and improved.

In addition to its targeted risk-based approach, which is under review to identify further opportunity for improvement, DER is developing 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

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.

the permit holder, associated with 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	Q4 2013–14	Q1 2014–15	Q2 2014–15	Q3 2014–15	Q4 2014–15
No. of applications carried over from previous periods	128	123	144	148	153
No. of applications received	103	107	130	98	101
No. of decisions that were subject to 'stop the clock'	53	53	62	38	32
Average time in 'stop the clock' for decisions in days	131	158	70	107	59
Average time for decisions in days (excluding time in 'stop the clock')	38	60	52	54	57
No. of decisions on applications	107	85	126	93	85
No. of outstanding applications at end of quarter	124	145	148	153	169
Percentage of applications that were finalised within time frames					
60 days (target = 80% of applications finalised)	63	64	62	59	53
90 days (target = 100% of all applications finalised)	94	93	96	86	85
More than 90 days	6	7	4	14	15

Clearing permits—time frame data for DMP applications/decisions

Department of Mines and Petroleum	Q4 2013–14	Q1 2014–15	Q2 2014–15	Q3 2014–15	Q4 2014–15
No. of applications carried over from previous periods	37	49	50	42	51
No. of applications received	67	63	39	57	47
No. of decisions that were subject to 'stop the clock'	41	38	30	21	30
Average time in 'stop the clock' for decisions in days	32	24	44	67	14
Average time for decisions in days (excluding time in 'stop the clock')	54	47	69	22	50
No. of decisions on applications	55	63	47	48	57
No. of outstanding applications at end of quarter	49	49	42	51	41
Percentage of applications that were finalised within time frames					
60 days (target = 80% of applications finalised)	87	86	75	96	91
90 days (target = 100% of all applications finalised)	100	97	96	100	96
More than 90 days	0	3	4	0	4