



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

REPORT

Quarterly reporting Q3 2013–14

Approvals summary



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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 (DER) and the Department of Parks and Wildlife (DPaW). 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

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.

During the January to March 2014 quarter, DER received a total of 36 new works approval and one new licence applications for major resource projects. This is the second highest number of major resource new works approval applications since the fourth quarter 2012–13, with the number of licence applications received significantly lower than for the previous three quarters.

Thirty works approvals for major resource projects were decided, which is 50 per cent greater the number decided in the previous quarter.

Ninety per cent of new works approval applications for major resource projects were decided within the target time frame. This is a decrease in percentage from the last quarter (95 per cent) and is the lowest percentage since the fourth quarter of 2012–13.

Four major resource projects licence applications were decided, which is slightly lower than the number decided in the previous quarter.

DER met its target and decided 100 per cent of new licence applications for major resource projects within the target time frame this quarter; this is an increase in percentage from the previous quarter.

The average processing time for major resource project works approvals and licences during the second quarter 2013–14 remained relatively steady at 53 and 43 days respectively.

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

Twenty other project works approvals were decided by DER in the third quarter of 2013–14. DER decided 90 per cent of these new works approvals for other projects within the target time frame. This is steady with the rate of 91 per cent in the previous quarter.

Eight other project licences were decided by DER in the third quarter of 2013–14, and 88 per cent of other project licence applications were decided within the target time frame. This is an increase from the 64 per cent decided in the previous quarter.

The average processing time for other project works approval applications increased this quarter to 47 days, compared to 37 days in the previous quarter. The average time of 42 days to process a licence application was less than the 56 days for the previous quarter.

DER is well advanced in introducing further industry licensing reforms that should result in a more streamlined and timely approvals process, and certainty of outcome. Reform initiatives include the Re-Engineering for Industry Regulation and Environment (REFIRE) program and improvements to application processes.

Approvals summary

Works approvals and licences

| Department of Environment Regulation | Apr–June 2013 | July–Sept 2013 | Oct–Dec 2013 | Jan–Mar 2014 |
|---|------------------|-------------------|-----------------|-----------------|
| Works approvals (major resource projects only) | | | | |
| No. of applications carried over from previous periods | 36 | 44 | 23 | 35 |
| No. of applications received | 40 | 19 | 32 | 36 |
| No. of applications granted/refused | 29 | 40 | 20 | 30 |
| No. of decisions that were subject to 'stop the clock' | 23 | 21 | 14 | 6 |
| No. of applications withdrawn | 3 | 0 | 0 | 2 |
| Average time for decision (business days) | 42 | 48 | 49 | 53 |
| Percentage of applications that were finalised within benchmark timeframe of 60 business days | 100 | 92 | 95 | 90 |
| No. of open applications as of end of quarter | 44 | 23 | 35 | 39 |
| Licences (major resource projects only) | | | | |
| No. of applications carried over from previous periods | 19 | 27 | 22 | 20 |
| No. of applications received | 13 | 7 | 5 | 1 |
| No. of decisions that were subject to 'stop the clock' | 7 | 12 | 8 | 2 |
| No. of applications granted/refused | 3 | 11 | 6 | 4 |
| No. of applications withdrawn | 2 | 1 | 1 | 0 |
| Average time for decision (business days) | 48 | 50 | 45 | 43 |
| Percentage of applications that were finalised within benchmark timeframe of 60 business days | 100 | 100 | 83 | 100 |
| No. of open applications as of end of quarter | 27 | 22 | 20 | 17 |
| Works approvals (other projects) | | | | |
| No. of applications carried over from previous periods | 32 | 27 | 29 | 35 |
| No. of applications received | 24 | 21 | 28 | 31 |
| No. of applications granted/refused | 28 | 19 | 22 | 20 |
| No. of applications withdrawn | 1 | 0 | 0 | 3 |
| Average time for decision (business days) | 53 | 49 | 37 | 47 |
| Percentage of applications that were finalised within benchmark timeframe of 60 business days (target is 80%) | 68 | 74 | 91 | 90 |
| No. of open applications as of end of quarter | 27 | 29 | 35 | 43 |
| Licences (other projects) | | | | |
| No. of applications carried over from previous periods | 21 | 19 | 17 | 16 |
| No. of applications received | 11 | 16 | 12 | 7 |
| No. of applications granted/refused | 11 | 17 | 11 | 8 |
| No. of applications withdrawn | 2 | 1 | 1 | 0 |
| Average time for decision (business days) | 56 | 39 | 56 | 42 |
| Percentage of applications that were finalised within benchmark timeframe of 60 business days (target is 80%) | 64 | 88 | 64 | 88 |
| No. of open applications as of end of quarter | 19 | 17 | 17 | 15 |

Native vegetation clearing permits

For native vegetation clearing permits, DER has set a target time frame of 80 per cent of applications decided¹ within 60 calendar days of receipt, and 100 per cent within 90 calendar days.

DER received 115 native vegetation clearing permit applications this quarter, slightly higher than the 104 received the previous quarter.

DER made 117 decisions on applications, which is lower than the previous quarter's figure of 140 decisions.

DER did not meet its target time frames this quarter, with 61 per cent of decisions made within 60 days (steady with the previous quarter), 33 per cent within 90 days, and six per cent taking longer than 90 days.

Of the six applications that did not meet the 90-day target time frame, two applications were finalised within 100 days, one within 115 days and three within 150 days. These applications required modifications and further information during the assessment process.

Of the 117 decisions made on applications, 84 clearing permit applications were granted within an average timeframe of 52 days.

Four applications for a clearing permit were refused. Of the remaining applications, 25 were withdrawn and four declined as the applications were not valid.

The number of open clearing permit applications at the end of this quarter decreased to 130, compared to 135 at the end of the previous quarter and 157 at the same time last year.

DER continues to work to improve its performance in deciding clearing permit applications.

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 provides information on DER only.

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 section 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.

Approvals summary

Clearing permits

| Department of Environment Regulation | Apr–Jun 2013 | Jul–Sept 2013 | Oct–Dec 2013 | Jan–Mar 2014 |
|--|--------------|---------------|--------------|--------------|
| No. of applications carried over from previous periods | 157 | 162 | 171 | 132* |
| No. of applications received | 135 | 146 | 104 | 115 |
| No. of decisions that were subject to 'stop the clock' | 62 | 64 | 61 | 73 |
| Average time in 'stop the clock' for decisions in days | 75 | 149 | 111 | 126 |
| Average time for decision in days (excluding time in 'stop the clock') | 49 | 53 | 54 | 52 |
| No. decisions on applications | 126 | 138 | 140 | 117 |
| No. of outstanding applications at end of quarter | 166 | 170 | 135 | 130 |
| Percentage of applications that were finalised within benchmark timeframe | | | | |
| 60 days (80% of applications finalised) | 60 | 53 | 60 | 61 |
| 90 days (remaining 20% of applications finalised) | 36 | 43 | 37 | 33 |
| >90 days | 4 | 4 | 3 | 6 |

| Department of Mines and Petroleum | Apr–Jun 2013 | Jul–Sept 2013 | Oct–Dec 2013 | Jan–Mar 2014 |
|--|--------------|---------------|--------------|--------------|
| No. of applications carried over from previous periods | 53 | 48 | 30 | 37* |
| No. of applications received | 51 | 48 | 44 | 47 |
| No. of decisions that were subject to 'stop the clock' | 6 | 33 | 26 | 25 |
| Average time in 'stop the clock' for decisions in days | 139 | 37 | 34 | 16 |
| Average time for decision in days (excluding time in 'stop the clock') | 68 | 57 | 48 | 39 |
| No. decisions on applications | 57 | 65 | 43 | 47 |
| No. of outstanding applications at end of quarter | 47 | 31 | 31 | 37 |
| Percentage of applications that were finalised within benchmark timeframe | | | | |
| 60 days (80% of applications finalised) | 49 | 75 | 86 | 79 |
| 90 days (remaining 20% of applications finalised) | 33 | 15 | 12 | 21 |
| >90 days | 18 | 10 | 2 | 0 |

Note * These figures are not the same as the previous reporting period due to data correction occurring for the October–December 2013 period.