

REGULATORY PERFORMANCE REPORT – QUARTER 4 2017-18

REGULATORY SERVICES – WATER

Water Licensing

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

Q4 2017-18	# By Instrument Type					Total
	SWL	Permit	GWL	CAW	AGR	
Low	818	292	3642	545	16	5313
Medium	180	9	2781	32	7	3009
High	352	127	4398	182	47	5106
Unassigned	0	0	0	0	0	0*
Total	1350	428	10821	759	70	13428

* All active instruments now have a risk category

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			
	Q1	Q2	Q3	Q4
No. of applications received	425	518	470	627
No. of applications processed	458	636	674	728
Percentage of applications processed within 65 working days (target = 80% of applications processed within 65 working days)	79%	57%	70%	81%
Water Licence and Permit Applications – Medium Risk	2017-18			
	Q1	Q2	Q3	Q4
No. of applications received	22	37	18	16
No. of applications processed	33	57	41	29
Percentage of applications processed within 75 working days (target = 80% of applications processed within 75 working days)	61%	44%	46%	41%
Water Licence and Permit Applications – High Risk	2017-18			
	Q1	Q2	Q3	Q4
No. of applications received	34	46	38	19
No. of applications processed	58	81	48	71
Percentage of applications processed within 95 working days (target = 80% of applications processed within 95 working days)	60%	36%	35%	28%
Applications awaiting assignment of risk level at close of quarter	254	248	271	285

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

Under Assessment	Instrument Application Type							Total
	2017-18	Agreement	Amend	New	Renewal	Trade	Transfer	
Q1	24	54	238	53	24	17	165	575
Q2	16	58	207	49	29	36	95	490
Q3	19	62	234	53	32	25	102	527
Q4	18	54	235	67	38	23	30	465

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

2017-18	Advice request category					Total
	Environmental Protection Assessment	Land Use Activity	Land Use Change	Mining and Petroleum	Reports and Policies	
Q2	7	110	87	43	55	302
Q3	10	125	85	45	61	326
Q4	17	107	87	69	50	330

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

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

REGULATORY SERVICES – ENVIRONMENT

State-wide summary of in force (active) instruments

2017-18	# By Instrument Type		
	Licence	Works Approval	Clearing Permits
Q2	1017	378	1043
Q3	1018	368	1055
Q4	1011	364	1024

Licence and Works Approvals

Major resource projects – applications

Works Approvals Applications	2016-17				2017-18			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	3	1	0	0	3	2	1	0
No. of applications decided	2	1	3	0	1	1	2	3
No. of applications withdrawn/declined	0	0	2	0	0	0	0	0
No. of open applications as of end of quarter	3	3	1	0	3	4	4	1
Average time for decision (working days)	64	58	44	0	60	49	87	72
Percentage of applications that were decided within 60 working days (target = 100% of applications decided)	0%	100%	100%	N/A	100%	100%	0%	0%

Licence Applications	2016-17				2017-18			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	1	2	0	1	2	1	0	0
No. of applications decided	3	0	0	0	0	0	1	0
No. of applications withdrawn/declined	0	0	2	0	0	0	0	0
No. of open applications as of end of quarter	2	4	5	6	4	5	3	0
Average time for decision (working days)	58	N/A	N/A	N/A	N/A	N/A	55	N/A
Percentage of applications that were decided within 60 working days (target = 100% of applications decided)	67%	N/A	N/A	N/A	N/A	N/A	100%	N/A

Other projects applications

Works Approvals Applications	2016-17				2017-18			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	17	30	11	23	26	17	28	17
No. of applications decided	7	15	11	15	20	18	15	19
No. of applications withdrawn/declined	3	2	4	2	2	6	4	5
No. of open applications as of end of quarter	28	43	40	49	55	48	62	54
Average time for decision (working days)	50	79	64	64	83	65	134	67
Percentage of applications that were finalised within 60 working days (target = 80% of applications finalised)	86%	60%	30%	60%	45%	56%	20%	47%
Licence Applications	2016-17				2017-18			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	14	31	15	29	21	20	20	15
No. of applications decided	9	11	8	9	9	22	9	16
No. of applications withdrawn/declined	1	0	3	2	9	9	5	6
No. of open applications as of end of quarter	38	58	66	86	98	87	96	87
Average time for decision (working days)	48	74	113	36	46	63	39	62
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	78%	55%	25%	89%	78%	59%	100%	69%

Amendment applications

Works Approvals Amendment Applications	2016-17				2017-18			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	15	16	11	12	11	12	13	10
No. of applications decided	19	9	12	10	7	12	14	2
No. of applications withdrawn/declined	0	0	0	0	0	0	0	2
No. of open applications as of end of quarter	13	12	9	10	13	13	11	15
Average time for decision (working days)	37	26	35	27	43	24	30	39
Percentage of applications that were finalised within 60 working days (target = 80% of applications finalised)	84%	89%	75%	80%	71%	92%	86%	50%
Licence Amendment Applications	2016-17				2017-18			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	98	107	63	55	75	70	82	67
No. of applications decided	92	72	83	52	55	62	63	59
No. of applications withdrawn/declined	0	0	9	3	0	3	5	10
No. of open applications as of end of quarter	131	161	117	121	152	157	174	164
Average time for decision (working days)	71	107	55	56	54	73	68	71
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	45%	35%	63%	67%	71%	61%	57%	59%

Native vegetation clearing Native vegetation clearing permit applications

Applications	2016-17				2017-18			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications carried over from previous periods	122	130	138	161*	181**	190	192	206
No. of applications received	137	109	99	116	103	120	105	81
No. of decisions on applications	129	101	72	90	94	118	91	86
No. of open applications as of end of quarter	130	138	163	187	190	192	206	201
Average time for decision (calendar days minus time in 'stop-the-clock')	46	53	48	63	74	74	73	78
No. of decisions that were subject to 'stop-the-clock'	42	35	25	33	50	48	41	53
Average time in 'stop-the-clock' for decisions in calendar days	31	26	18	59	72	100	62	61
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	76%	74%	74%	57%	47%	44%	42%	41%

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

Purpose		2016-17								2017-18							
		Q1		Q2		Q3		Q4		Q1		Q2		Q3		Q4	
		G	R	G	R	G	R	G	R	G	R	G	R	G	R	G	R
Agriculture/horticulture/forestry	Hectares	49	40	515	2762	11	0	291	75	1630	9	1473	140	368	59	786	0
	Applications	6	1	11	8	3	0	15	2	13	1	17	2	9	3	17	0
Infrastructure (includes local government and utilities)	Hectares	575	0	219	0	25	0	477	0	286	0	552	0	154	0	160	0
	Applications	44	0	32	0	26	0	36	0	38	0	50	0	32	0	20	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	296	29	326	9	55	1	135	0	626	0	580	350	172	14	2981	10
	Applications	41	4	26	4	19	1	20	0	27	0	21	4	23	2	35	1
Total Hectares		920	69	1060	2771	91	1	903	75	2542	9	2605	490	694	73	3927	10
Total Applications		91	5	69	12	48	1	71	2	78	1	88	6	64	5	72	1

COMPLIANCE AND ENFORCEMENT

Compliance program activities – Environment

Inspection program	Program description	2017-18						
		Q1 Inspections (Actual)	Q2 Inspections (Actual)	Q3 Inspections (Actual)	Q4 Inspections (Actual)	2017-18 Inspections (Actual)	Inspections (Target)	Percentage of annual target achieved (%)
Waste Sector Program	Landfill Levy Compliance.	31 ¹	32 ²	18 ³	48	129	150	86%
Controlled Waste Program	Controlled waste carriers, drivers, vehicles and tanks, and waste facilities.	13	15	6	2	36	NA	NA
Clearing Regulation Permits	Assessing compliance with clearing permits issued under Part V of the EP Act and the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> .	1	5	1 ⁴	2	9	NA	NA
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%
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	NA	NA
	Number of non-compliances identified closed in two calendar months.					77	80%	45%
Light Industry Program	Joint program with Local Governments targeting light industrial areas.	14	75	49	85	223	N/A	N/A
Environmental Response Program	Includes interagency inspections targeting hazardous materials storage.	1	5	1	3	10	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
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

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			
	Q1	Q2	Q3	Q4
No. of matters received and finalised	583	615	641	1018
No. of new matters recorded	731	819	1031	1250
No. of investigations closed within 60 working days	622	577	788	922
Total investigations closed	1050	724	947	1106
Percentage of investigations closed within 60 working days (target = 80% of investigations finalised within 60 working days)	59%	80%	83%	83%

Enforcement Actions	2017-18		
	Q2	Q3	Q4
No. of letters of warning issued	9	18	11
No. of infringements issued	16	0	30
No. of convictions recorded	4	4	3
No. of modified Penalties paid	1	0	0
No. of commenced prosecutions	2	3	7

Compliance and Enforcement – Water

Activity	2017-18	
	Q3	Q4
Total water licence compliance monitoring events conducted	221	897
Total investigations commenced	299	251
Total investigations resolved	267	171
Total education letter	16	7
Total licence amendment	0	0
Total warning notice	18*	12
Total infringement notice	7	21
Total direction notice	2	5
Total prosecution	0	0

* one additional letter of warning was successfully challenged and rescinded

Pollution response

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

Controlled Waste licences – new applications received

Controlled Waste Applications	2017-18			
	Q1	Q2	Q3	Q4
No. of applications received	106	215	154	118
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%

SCIENCE AND PLANNING – ENVIRONMENT
Contaminated Sites
Classified sites and parcels (at 30 June 2018)

Classified Sites and Parcels	Sites	Parcels
Contaminated – remediation required	288	847
Contaminated – restricted use	138	369
Remediated for restricted use	608	4269
Possibly contaminated – investigation required	1446	3231
Decontaminated	546	8290
Not contaminated – unrestricted use	369	5801
Report not substantiated	389	1426
Total	3784	24233

Known or suspected contaminated sites reported (Form 1s)

Form 1s	2016–17		2017-18			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of Form 1s carried over from previous quarter	31	6	88	10	18	15
No. of Form 1s received	58	207	49	50	58	31
No. of Form 1s processed within statutory 45 calendar days	83	125	127	42	58	35
No. of Form 1s open at end of quarter	6	88	10	18	15	9
No. of Form 1s exceeding statutory 45 calendar days	0	0	0	0	3	2
Percentage of Form 1s that were processed within 45 calendar days (target = 100% of Form 1s processed within statutory timeframe)	100%	100%	100%	100%	95%	95%

Mandatory auditor’s reports (MARs)

MARs	2016–17		2017-18			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of MARs carried over from previous quarter	7	4**	8**	6	17	13
No. of MARs received in quarter	9	17	24	23	14	21
No. of MARs processed by DWER only* in quarter	3	11	20	7	12	10
Total No. of MARs processed in quarter	9	12	26	12	18	22
No. of MARs open at end of quarter	7	9	6	17	13	12
Average time for MARs processed by DWER only (days)	23	14.9	19.6	18	22.5	17.5
Percentage of MARs processed by DWER only within 21 calendar days (target = 80% MARs processed)	33%	91%	75%	86%	62%	90%

* 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.