

## REGULATORY PERFORMANCE REPORT – QUARTER 4 2018-19

### REGULATORY SERVICES – WATER

#### Water Licensing

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

Q4 2018-19	# By Instrument Type					Total
	SWL	Permit	GWL	CAW	AGR	
Low	913	357	4489	705	29	6493
Medium	151	6	2602	44	5	2808
High	284	68	3818	52	39	4261
Total	1348	431	10909	801	73	13562

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			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications received	470	627	282	507	519	672
No. of applications processed	674	728	486	585	600	751
Percentage of applications processed within 65 working days (target = 80% of applications processed within 65 working days)	70%	81%	77%	78%	75%	69%

Water Licence and Permit Applications – Medium Risk	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications received	18	16	19	17	17	25
No. of applications processed	41	29	24	37	23	55
Percentage of applications processed within 75 working days (target = 80% of applications processed within 75 working days)	46%	41%	29%	46%	57%	41%

Water Licence and Permit Applications – High Risk	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications received	38	19	33	23	19	30
No. of applications processed	48	71	39	59	50	54
Percentage of applications processed within 95 working days (target = 80% of applications processed within 95 working days)	35%	28%	31%	36%	16%	25%
Applications awaiting assignment of risk level at close of quarter	271	285	255	241	345	159

### 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								
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
Q3	17	78	269	139	41	26	19	589
Q4	20	64	221	100	29	23	20	447

Excludes applications awaiting further information from applicant or external agency.

Department 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						
Q4	17	107	87	69	50	330
2018-19						
Q1	6	127	122	65	50	370
Q2	16	132	93	41	36	318
Q3	13	159	112	58	46	388
Q4	13	141	89	53	53	349

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

Advice Request Type	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of statutory referrals	250	262	304	289	342	280
No. of non-statutory referrals	76	68	66	29	46	69
Total no. of referrals	326	330	370	318	388	349
Percentage of statutory responses finalised within 35 working days (target = 95% of statutory responses finalised within 35 working days statutory timeframe)	92%	93%	96%	95%	92%	92%

## REGULATORY SERVICES – ENVIRONMENT

### State-wide summary of in force (active) instruments

# By Instrument Type			
Quarter	Licence	Works Approval	Clearing Permits
2017-18			
Q4	1011	364	1024
2018-19			
Q1	1015	340	1036
Q2	1033	319	1041
Q3	1042	297	1053
Q4	1046	323	1035

## Licence and Works Approvals

### Major resource projects – applications

Works Approvals Applications	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	1	0	3	5	6	1
No. of applications decided	2	3	4	2	4	3
No. of applications withdrawn/declined	0	0	0	1	1	1
No. of open applications as of end of quarter	4	1	4	9	6	3
Average time for decision (working days)	87	72	93	73	72	64
Percentage of applications that were decided within 60 working days (target = 100% of applications decided)	0%	0%	50%	50%	50%	67%

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

## Other projects applications

Works Approvals Applications	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	28	17	23	43	23	22
No. of applications decided	15	19	8	17	19	19
No. of applications withdrawn/declined	4	5	11	7	4	7
No. of open applications as of end of quarter	62	54	57	73	79	75
Average time for decision (working days)	134	67	84	104	93.2	101
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	20%	47%	25%	29%	53%	26%

Licence Applications	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	20	15	25	16	15	12
No. of applications decided	9	16	17	23	20	11
No. of applications withdrawn/declined	5	6	3	4	6	6
No. of open applications as of end of quarter	96	87	95	84	66	62
Average time for decision (working days)	39	62	52	100	92.9	90
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	100%	69%	59%	61%	35%	36%

## Amendment applications

Works Approvals Amendment Applications	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	13	10	13	15	13	10
No. of applications decided	14	2	9	11	11	9
No. of applications withdrawn/declined	0	2	1	1	0	0
No. of open applications as of end of quarter	11	15	13	14	12	13
Average time for decision (working days)	30	39	27	26	19	92
Percentage of applications that were finalised within 60 working days (target = 80% of applications finalised)	86%	50%	100%	91%	100%	67%

  

Licence Amendment Applications	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications accepted	82	67	57	74	59	58
No. of applications decided	63	59	54	55	62	56
No. of applications withdrawn/declined	5	10	15	5	4	14
No. of open applications as of end of quarter	174	164	126	136	112	100
Average time for decision (working days)	68	71	75	76	86	91
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	57%	59%	52%	40%	49%	54%

## Native vegetation clearing

### Native vegetation clearing permit applications

Applications	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications carried over from previous periods	192	206	198	207*	200	192
No. of applications received	104	83	83 <sup>1</sup>	95	103	162
No. of decisions on applications	91	86	74 <sup>2</sup>	102 <sup>**</sup>	111	104
No. of open applications as of end of quarter	205	198	207 <sup>3</sup>	200	192	250
Average time for decision (calendar days minus time in 'stop-the-clock')	73	78	80 <sup>4</sup>	81	81	75
No. of decisions that were subject to 'stop-the-clock'	41	53	44 <sup>5</sup>	53	75	70
Average time in 'stop-the-clock' for decisions in calendar days	62	61	45 <sup>6</sup>	55	106	98
Percentage of applications that were decided within 60 working days (target = 80% of applications decided)	42%	41%	45% <sup>7</sup>	39%	48%	63%

CPS data error rectified in Q2 resulted in the following changes to Q1: <sup>1</sup>81 to 83, <sup>2</sup>57 to 74, <sup>3</sup>222 to 207, <sup>4</sup>84 to 80, <sup>5</sup>33 to 44, <sup>6</sup>52 to 45, <sup>7</sup>40% to 45%. \* less 1 undertaking expired Q1 (208 to 207). \*\* add one withdrawn (101 to 102) resulted in no change to KPI percentage.

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

Purpose		2017-18				2018-19							
		Q3		Q4		Q1		Q2		Q3		Q4	
		G	R	G	R	G	R	G	R	G	R	G	R
Agriculture/horticulture/forestry	Hectares	368	59	786	0	1724	0	275	0	32	2	350	20
Infrastructure (includes local government and utilities)	Hectares	154	0	160	0	556	0	88	0	238	13	106	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	172	14	2981	10	132	10	256	0	137	13	443	10
Total Hectares		695	73	3927	10	2412	10	619	0	407	29	900	30

## 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 (%)	
		Q3	Q4	2017-18			Q1	Q2	Q3	Q4			2018-19
Waste Sector Program	Landfill Levy Compliance.	18 <sup>3</sup>	48	129	150	86%	40	73	59	37	209	100	209%
Controlled Waste Program	Controlled waste carriers, drivers, vehicles and tanks, and waste facilities.	6	2	36	N/A	N/A	0	0	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 <sup>4</sup>	2	9	N/A	N/A	1	2	1	0	4	N/A	N/A
Prescribed Premises Compliance Program (PPCP)	Assessing compliance with Licences and Registrations issued under Part V of the EP Act.	35 <sup>6</sup>	26	139	200	70%	0	33 <sup>^</sup>	46	61	140	140	100%
Percentage of potential environmental risks identified during compliance monitoring program that are rectified within two months	Number of non-compliances identified in quarter.	45 <sup>9</sup>	40	171	N/A	N/A	35	37	35		133	N/A	N/A
	Number of non-compliances identified closed in two calendar months.			77	80%	45%					46	80%	35%
Light Industry Program	Joint program with Local Governments targeting light industrial areas.	49	85	223	N/A	N/A	45	48	53	53	199	N/A	N/A
Environmental Response Program	Includes interagency inspections targeting hazardous materials storage.	1	3	10	N/A	N/A	0	0	0	0	0	N/A	N/A
Ministerial statements audited	Audits conducted on proposals identified through a risk- based framework.	14	17	60	60	100%	8	16 <sup>^^</sup>	10	24	60	60	100%
Ministerial statements compliance assessment reports	Compliance assessment reports received during the financial year will be reviewed.	32	98	212	N/A	N/A	38	53	72	92	255	N/A	N/A



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
- ^^ In quarter 2 this figure was reported as 24 which was the cumulative total for 1 July 18 to 31 Dec 18. The quarter 2 figure was 16
- ^ Q2 figure was previously reported as 19. This has been amended as an internal audit determined a further 14 inspections were undertaken in Q2 but incorrectly entered into the tracking database

## Enforcement activities – Environment

Enforcement Activities	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of matters received and finalised	641	1018	548	720	1034	710
No. of new matters recorded	1031	1250	758	900	709	462

Enforcement Actions	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of letters of warning issued	18	11	9	3	15	7
No. of infringements issued	0	30	14	15	24	27
No. of convictions recorded	4	3	8	4	3	7
No. of modified Penalties paid	0	0	1	0	3	0
No. of commenced prosecutions	3	7	6	0	5	12
No. of statutory notices*			0	6	1	4

\* 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	Q3	Q4
Total water licence compliance monitoring events conducted	221	897	1612	848*	996	911
Total investigations commenced	299	251	801	464*	515	352
Total investigations resolved	267	171	84	110*	53	533
Total education letter	16	7	50	78*	25	56
Total licence amendment	0	0	0	0	0	0
Total warning notice	18	12	15	24	18	12#
Total infringement notice	7	21	9	8	10	11
Total direction notice	2	5	10	0	0	3
Total prosecution	0	0	0	0	0	0

\* An internal audit of the Q2 data found some actions had been omitted from the report in error.

# Two warning notices challenged and upheld, removed from total number.

## Pollution response

Activity	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of incidents	94	140	84	99	82	142
No. of reports to Pollution Watch	977	1238	845	903	1088	721

## Controlled Waste licences – new applications received

Controlled Waste Applications	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of applications received	154	118	145	162	176	136
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 30 June 2019)

Classified Sites and Parcels	Sites	Parcels
Contaminated – remediation required	279	831
Contaminated – restricted use	138	367
Remediated for restricted use	679	4460
Possibly contaminated – investigation required	1521	3327
Decontaminated	575	8515
Not contaminated – unrestricted use	382	5833
Report not substantiated	427	1482
<b>Total</b>	<b>4001</b>	<b>24815</b>

### Known or suspected contaminated sites reported (Form 1s)

Form 1s	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of Form 1s carried over from previous quarter	18	15	9	21	21	5
No. of Form 1s received	58	31	31	45	87	57
No. of Form 1s processed within statutory 45 calendar days	58	35	19	45	94	54
No. of Form 1s open at end of quarter	15	9	21	21	5	8
No. of Form 1s exceeding statutory 45 calendar days	3	2	0	0	9	0
Percentage of Form 1s that were processed within 45 calendar days (target = 100% of Form 1s processed within statutory timeframe)	95%	95%	100%	100%	91%	100%

## Mandatory auditor's reports (MARs)

MARs	2017-18		2018-19			
	Q3	Q4	Q1	Q2	Q3	Q4
No. of MARs carried over from previous quarter	17	13	12	5	12	8
No. of MARs received in quarter	14	21	14	14	10	15
No. of MARs processed by DWER only* in quarter	12	10	9	5	9	6
Total No. of MARs processed in quarter	18	22	21	7	14	11
No. of MARs open at end of quarter	13	12	5	12	8	12
Average time for MARs processed by DWER only (days)	22.5	17.5	15	16.6	23.7	22.3
Percentage of MARs processed by DWER only within 21 calendar days (target = 80% MARs processed)	62%	90%	89%	100%	56%	33%

\* 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.