Earth Resources Regulation

Quarterly Performance Report

2022-23 Quarter 1

1 July to 30 September 2022

# Summary

This report provides a summary of Earth Resources Regulation’s operating performance for quarter one of financial year 2022-23 (1 July to 30 September 2022).

## Performance highlights

* 1. **KPI 1** - 100% of extractive work plan stages were assessed within the statutory time frames (page 5).
     1. - 89% of mineral work plan stages were assessed within the statutory time frames (page 7).

1. **KPI 2** - 101 operational compliance activities were undertaken (page 15).
2. **KPI 3** - 100% of reportable incidents were responded to during this quarter (page 20).
3. **KPI 5** - The time to respond to complaints took on average three business days (page 24).

## Administrative updates by notification

1. Three extractive industry administrative changes (notifications) were acknowledged (page 14).

## Key Performance Indicator reporting

Earth Resources Regulation is Victoria’s earth resources regulator. Our role includes granting rights to access resources, assessing works and setting controls for the extraction of resources, conducting compliance operations to ensure that authority holders fulfil their regulatory obligations, engaging with communities and stakeholders on regulatory matters, and ensuring that authority holders rehabilitate their sites. We are committed to being an effective regulator.

Earth Resources Regulation is a unit of the Department of Jobs, Precincts and Regions (DJPR). The unit is guided by the department’s compliance framework and policy. This whole-of-department policy requires regular performance measuring and reporting to demonstrate the effectiveness of Earth Resources Regulation’s compliance activities. Earth Resources Regulation uses a range of indicators to monitor its activities and performance and publishes key performance indicators on its website on a quarterly basis. Public reporting of the data allows stakeholders to continue to monitor Earth Resources Regulation’s performance.

# ****Key Performance Indicators 2022-23 Quarter 1****

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| KPI | High Level Indicators | Target | Target Period | Current Quarter | Previous Quarter | DJPR’s Compliance Policy Framework |
| KPI 1: Efficient Approvals Process | Percentage of extractive industries work plan stages assessed within statutory time frames. | 95% | Quarterly | 100% | 89% | Outputs/activities |
| KPI 1: Efficient Approvals Process | Percentage of mineral licence applications and mineral work plan stages assessed within statutory time frames. | 95% | Quarterly | 57% | 86% | Outputs/activities |
| KPI 1: Efficient Approvals Process | Percentage of tenement variations assessed within Client Service Standard time frames where a statutory time frame does not exist. | 95% | Quarterly | 65% | 57% | Outputs/activities |
| KPI 2: Ensuring Compliance | Number of operational compliance activities undertaken per quarter. | 75 activities | Quarterly | 101 | 128 | Inputs |
| KPI 3: Effective Incident Management | Percentage of reportable events responded to per quarter. | 100% | Quarterly | 100% | 100% | Short-term and  long-term outcomes |
| KPI 4: Facilitation of Stakeholder Engagement | Earth Resources Regulation attendance at Environmental Review Committee meetings. | 100% | Quarterly | 100% | 100% | Outputs/activities |
| KPI 4: Facilitation of Stakeholder Engagement | Number of Industry Reference Group meetings. | 4 meetings | Annual | 0 | 4 | Outputs/activities |
| KPI 4: Facilitation of Stakeholder Engagement | Number of Earth Resources Regulators Forum meetings. | 3 meetings | Annual | 1 | 3 | Outputs/activities |
| KPI 5: Complaint Management | Average number of days to respond to complaints made by community against tenements. | 3 business days | Quarterly | 3 | 2 | Outputs/activities |

## KPI 1: Efficient Approvals Process – Extractive Industries Work Plans

### Extractive industries work plan stages assessed within statutory time frame (STF)

A work plan stage represents a statutory decision point.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Quarter | Work Plan Type | Unique WP  Under Assessment | Stage STF (Target Days) | Stages Over STF | Stages Within STF | Total Stages | % (Within STF/Total) |
| FY 2022-23 Q1 | Work Plan (WA) | 20 | 28 | 0 | 28 | 28 | 100% |
| FY 2021-22 Q4 | Work Plan (WA) | 18 | 28 | 3 | 24 | 27 | 89% |

## Extractive industries work plans endorsed or approved in the quarter

|  |  |  |  |
| --- | --- | --- | --- |
| Quarter | Work Plan Type | Endorsed | Approved |
| FY 2022-23 Q1 | Work Plan (WA) | 4 | 4 |
| FY 2021-22 Q4 | Work Plan (WA) | 2 | 1 |

### Work authorities granted in the quarter

|  |  |  |
| --- | --- | --- |
| Quarter | Licence Type | Granted |
| FY 2022-23 Q1 | Work Authority | 4 |
| FY 2021-22 Q4 | Work Authority | 1 |

### Explanation for the result

This performance indicator for extractive industries measures whether the work plans stages were assessed within the statutory time frames.

In Q1, 28 extractive work plan stages were assessed from 20 unique work plans of which 100% were within the statutory time frame.

Four work plans were approved in the quarter. Four work plans were statutorily endorsed and returned to the applicants to proceed with planning approval.

Four work authorities were granted in the quarter.

### Why are these measures important?

Earth Resources Regulation strives for a consistent and transparent approvals process, balancing efficiency but maintaining the rigour required for comprehensive assessment, consistent with the legislation.

## KPI 1: Efficient Approvals Process – Mineral Licences and Work Plans

### Table 1. Mineral licences and work plan stages assessed within statutory time frame (STF)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Quarter | Licence and Work Plan Stages | Over  STF | Within  STF | Total  (Over + Within STF) | % Within  STF/Total |
| FY 2022-23 Q1 | Mineral Licence Applications – (A) | 14 | 13 | 27 | 48% |
| FY 2022-23 Q1 | Mineral Work Plan Stages – (B) | 1 | 8 | 9 | 89% |
|  | Total | 16 | 21 | 37 | 57% |
| FY 2021-22 Q4 | Mineral Licence Applications – (A) | 3 | 13 | 16 | 81% |
| FY 2021-22 Q4 | Mineral Work Plan Stages – (B) | 1 | 11 | 12 | 92% |
|  | Total | 4 | 24 | 28 | 86% |

#### Explanation for the result

This performance indicator combines mining licence applications, exploration licence applications and mineral industry work plan stages, and measures whether these were assessed within the statutory time frames.

In Q1, there were 36 (nine mineral work plan stages assessed and 27 mineral licence applications granted) of which 58% were assessed within the statutory time frames.

### Table A. Mineral licence applications assessed within statutory time frame (STF)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Quarter | Licence Type | STF  (Target Days) | Over  STF | Within  STF | Total  (Over + Within STF) | % Within STF/Total |
| FY 2022-23 Q1 | Exploration Licence | 90 | 13 | 9 | 22 | 41% |
| FY 2022-23 Q1 | Prospecting Licence | 90 | 0 | 4 | 4 | 100% |
| FY 2022-23 Q1 | Mining Licence | 120 | 1 | 0 | 1 | 0% |
| FY 2022-23 Q1 | Retention Licence | 120 | 0 | 0 | 0 | N/A |
|  | Total | n/a | 14 | 13 | 27 | 48% |
| FY 2021-22 Q4 | Exploration Licence | 90 | 3 | 13 | 16 | 81% |
| FY 2021-22 Q4 | Prospecting Licence | 90 | 0 | 0 | 0 | N/A |
| FY 2021-22 Q4 | Mining Licence | 120 | 0 | 0 | 0 | N/A |
| FY 2021-22 Q4 | Retention Licence | 120 | 0 | 0 | 0 | N/A |
|  | Total | n/a | 3 | 13 | 16 | 81% |

#### Explanation for the result

This table is an expanded subset of Table 1 above. It details the regulator’s performance in assessing mineral licence applications.

In Q1, 48% (13 out of 27) applications were granted within the statutory time frames. Some licences granted over the statutory time frames were due to legacy caseload (submitted prior to 1 July 2019), competing applications and delays in recruitment in a highly competitive market. In late August ERR received additional funding to increase capacity to process the escalating number of applications being received and to reduce the backlog.

### Table B. Mineral work plan stages assessed within statutory time frame (STF)

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Quarter | Work Plan Type | WP  Approved | Unique WP  Under Assessment | Stage STF  (Target Days) | Stages Over  STF | Stages Within  STF | Total Stages | %  (Within STF/  Total) |
| FY 2022-23 Q1 | Work Plan (Exploration) | 0 | 4 | 28 | 0 | 4 | 4 | 100% |
| FY 2022-23 Q1 | Work Plan (Minerals) | 0 | 4 | 28 | 1 | 4 | 5 | 67% |
|  | Total | 0 | 8 | n/a | 1 | 8 | 9 | 89% |
| FY 2021-22 Q4 | Work Plan (Exploration) | 2 | 6 | 28 | 1 | 7 | 8 | 88% |
| FY 2021-22 Q4 | Work Plan (Minerals) | 0 | 3 | 28 | 0 | 4 | 4 | 100% |
|  | Total | 2 | 9 | n/a | 1 | 11 | 12 | 92% |

#### Explanation for the result

This table is an expanded subset of Table 1 above. It details the regulator’s performance in assessing mineral work plan application stages.

In Q1, nine exploration and mining work plan stages were assessed from seven unique work plans, of which 89% were assessed within the statutory time frames. One work plan stage was over statutory time frame due to the complexity of the work plan. No mineral work plans were approved in the quarter.

## KPI 1: Efficient Approvals Process – Tenement Variations

### Tenement variations approved within Client Service Standard (CSS)

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Quarter | Licence Type | CSS (Target Days) | Over CSS | Within CSS | Total (Over + Within CSS) | % Within CSS/Total |
| FY 2022-23 Q1 | Exploration Licence | 90 | 11 | 19 | 30 | 63% |
| FY 2022-23 Q1 | Mining Licence | 120 | 2 | 4 | 6 | 67% |
| FY 2022-23 Q1 | Prospecting Licence | 90 | 0 | 3 | 3 | 100% |
| FY 2022-23 Q1 | Retention Licence | 120 | 0 | 0 | 0 | N/A |
| FY 2022-23 Q1 | Work Authority | 30 | 6 | 10 | 16 | 63% |
|  | Total | n/a | 19 | 36 | 55 | 65% |
| FY 2021-22 Q4 | Exploration Licence | 90 | 2 | 4 | 6 | 67% |
| FY 2021-22 Q4 | Mining Licence | 120 | 0 | 0 | 0 | 0% |
| FY 2021-22 Q4 | Prospecting Licence | 90 | 0 | 3 | 3 | 100% |
| FY 2021-22 Q4 | Retention Licence | 120 | 0 | 0 | 0 | 0% |
| FY 2021-22 Q4 | Work Authority | 30 | 8 | 6 | 14 | 43% |
|  | Total | n/a | 10 | 13 | 23 | 57% |

#### Explanation for the result

The Client Service Standard (CSS) is the percentage of licence variations assessed within departmental agreed time frames where a statutory time frame does not exist.

In Q1, 65% (36 out of 55) of licence variations were completed within the CSS.  19 licence variations were over CSS due to the intricate nature of those licence variations where extra time was required to assess and process the licence variations. In late August ERR received additional funding to increase capacity to process the escalating number of applications being received and to reduce the backlog.

### Why are these measures important?

Earth Resources Regulation began reporting on the Client Service Standard in July 2017. This indicator measures how well the department meets the Client Service Standard when processing licence variation approvals.

## KPI: 1 Efficient Approvals Process – Petroleum Licence Variations

### Petroleum licences granted

|  |  |  |
| --- | --- | --- |
| Quarter | Licence | Granted |
| FY 2022-23 Q1 | Offshore Petroleum Production Licence | 0 |
| FY 2021-22 Q4 | Offshore Petroleum Production Licence | 1 |

#### Explanation for the result

In Q1, no petroleum licences were granted.

### Petroleum licence variations approved

#### FY 2022-23 Q1

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Licence Type | Full Surrender | Licence Conditions Change | Registration of Dealing | Suspension and Extension | Transfer | Total |
| Onshore Petroleum Exploration Permit | 1 | 0 | 0 | 0 | 0 | 1 |
| Total | 1 | 0 | 0 | 0 | 0 | 1 |

#### FY 2021-22 Q4

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Licence Type | Full Surrender | Licence Conditions Change | Registration of Dealing | Suspension and Extension | Transfer | Total |
| Onshore Petroleum Exploration Permit | 0 | 9 | 3 | 7 | 1 | 20 |
| Onshore Petroleum Retention Lease | 0 | 1 | 0 | 1 | 0 | 2 |
| Total | 0 | 10 | 3 | 8 | 1 | 22 |

#### Explanation for the result

In Q1, there was one onshore petroleum licence variations approved.KPI 1: Efficient Approvals Process – Petroleum Operation Plans

### Petroleum – Operation Plans

#### FY 2022-23 Q1

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Licence Type | Plans  Accepted | Environment Plan | Field Development Plan | Operation Plan Stages | Storage Management Plan | Total Stages Assessed | Unique Plans Under Assessment |
| Offshore Pipeline Licence | 1 | 1 | 0 | 0 | 0 | 1 | 1 |
| Onshore Petroleum Production Licence | 2 | 0 | 0 | 0 | 4 | 4 | 3 |
| Onshore Petroleum Special Drilling Authorisation | 1 | 0 | 0 | 1 | 0 | 1 | 1 |
| Total | 4 | 1 | 0 | 1 | 4 | 6 | 5 |

#### FY 2021-22 Q4

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Licence Type | Plans  Accepted | Environment Plan | Field Development Plan | Operation Plan Stages | Storage Management Plan | Total Stages Assessed | Unique Plans Under Assessment |
| Offshore Petroleum Production Licence | 1 | 0 | 1 | 0 | 0 | 1 | 1 |
| Offshore Petroleum Retention Lease | 0 | 1 | 0 | 0 | 0 | 1 | 1 |
| Offshore Pipeline Licence | 0 | 1 | 0 | 0 | 0 | 1 | 1 |
| Onshore Petroleum Production Licence | 0 | 0 | 0 | 0 | 2 | 2 | 1 |
| Total | 1 | 2 | 1 | 0 | 2 | 5 | 4 |

### Explanation for the result

In Q1, one offshore environment plan stage and four onshore petroleum plan stages were assessed.

Three onshore storage development plans and one offshore environment plan were accepted. Long-term offshore activities must revise the relevant environment plan every five years. Pipeline licences operate for decades.

Note:

Hydraulic fracturing and coal seam gas exploration and extraction are banned in Victoria.

## KPI 1: Efficient Approval Process - Work Plan Administrative Updates by Notification

### Mining notifications

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Notifications | FY 2021-22 Q2 | FY 2021-22 Q3 | FY 2021-22 Q4 | FY 2022-23 Q1 | Total |
| Received | 1 | 2 | 5 | 0 | 8 |
| Acknowledged | 1 | 2 | 3 | 0 | 6 |
| Refused | 0 | 1 | 1 | 0 | 2 |

### Extractive industries notifications

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Notifications | FY 2021-22 Q2 | FY 2021-22 Q3 | FY 2021-22 Q4 | FY 2022-23 Q1 | Total |
| Received | 5 | 6 | 7 | 4 | 22 |
| Acknowledged | 4 | 3 | 2 | 3 | 12 |
| Refused | 0 | 2 | 2 | 1 | 5 |

### Explanation for the result

In Q1, four extractive industries submissions were reviewed, of which three administrative changes were acknowledged.

Three others either did not meet the criteria or provide the necessary information for an administrative update.

### Administrative updates by notification

New or changing work on existing work plans where it satisfies the following conditions:

There is no significant increase in risk arising from the new or changing work.

Council has been consulted and confirms in writing that the new or changing work does not require an amendment to the planning permit.

Relevant referral agencies have been consulted and confirmed that the new or changing work raises no concerns.

More information is available at [extractive industry work plan guideline](https://earthresources.vic.gov.au/legislation-and-regulations/guidelines-and-codes-of-practice/extractive-industry-work-plan-guideline).

## KPI 2: Ensuring Compliance – Compliance Activities Undertaken

### Extractive industries licences

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Activity | July | Aug | Sep | Total |
| Inspection | 14 | 19 | 11 | 44 |
| Audit | 2 | 1 | 1 | 4 |
| Meeting | 4 | 3 | 4 | 11 |
| Site Closure | 2 | 0 | 1 | 3 |
| Total | 22 | 23 | 17 | 62 |

### Mining licences

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Activity | July | Aug | Sep | Total |
| Inspection | 6 | 8 | 14 | 28 |
| Audit | 0 | 0 | 1 | 1 |
| Meeting | 1 | 5 | 1 | 7 |
| Site Closure | 0 | 0 | 2 | 2 |
| Total | 10 | 13 | 18 | 35 |

### Petroleum licences

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Activity | July | Aug | Sep | Total |
| Inspection | 0 | 1 | 0 | 1 |
| Total | 0 | 1 | 0 | 1 |

### Total licence activities

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| All activities | July | Aug | Sep | Total |
| Total | 29 | 37 | 35 | 101 |

### Explanation for the result

In Q1, Earth Resources Regulation conducted 101 proactive compliance activities involving 85 authority holders.  The numbers are lower than previous due to a restructure of this area and delays in recruitment in a highly competitive market.

### Why are these measures important?

Earth Resources Regulation undertakes proactive compliance activities using a risk-based prioritisation approach. Activities include audits, inspections, meetings with duty holders and site closures after reviewing rehabilitation outcomes.

Earth Resources Regulation undertakes compliance actions under the *Mineral Resources (Sustainable Development) Act 1990*, *Petroleum Act 1998* and other legislation to identify and act on non-compliance by authority holders that has or is likely to result in a risk to public safety, the environment, land, property or infrastructure, or fails to comply with licence, work authority or approved work plan requirements.

## KPI 2: Ensuring Compliance – Compliance Audits

### Compliance audits

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Type of Audit | FY 2021-22 Q2 | FY 2021-22 Q3 | FY 2021-22 Q4 | FY 2022-23 Q1 | Total | % Total |
| Progressive Rehabilitation | 7 | 4 | 7 | 2 | 20 | 41% |
| Plan and Conditions | 2 | 3 | 0 | 1 | 10 | 20% |
| Water Management | 1 | 0 | 0 | 0 | 1 | 2% |
| Dust | 0 | 0 | 1 | 0 | 1 | 2% |
| Noise | 0 | 1 | 0 | 0 | 1 | 2% |
| Geo Technical | 0 | 2 | 0 | 0 | 2 | 4% |
| Fire and Emergency | 2 | 1 | 0 | 0 | 3 | 6% |
| Boundaries and Extraction Limits | 0 | 1 | 3 | 0 | 4 | 8% |
| Site Security and Buffer Zones | 0 | 0 | 0 | 1 | 1 | 2% |
| Impacts of Blasting | 2 | 0 | 0 | 0 | 2 | 4% |
| Exploration Drilling | 0 | 0 | 0 | 0 | 0 | 0% |
| Imported Materials | 0 | 0 | 0 | 0 | 0 | 0% |
| Plan and Conditions (High-Risk) | 1 | 1 | 4 | 0 | 2 | 4% |
| Pest, Plant and Animal | 0 | 0 | 1 | 0 | 1 | 2% |
| TSF Management | 0 | 0 | 1 | 1 | 2 | 2% |
| Total | 15 | 13 | 17 | 5 | 50 | 100% |

#### Explanation for the result

There were 5 audits conducted in Q1.  Audit numbers this quarter were lower than usual due to a restructure of this area and delays in recruitment in a highly competitive market. Numbers are expected to increase as vacancies are filled.

Earth Resources Regulation's compliance program aims to drive improved industry performance by focusing on the management of the following risks to the protection of public safety and the environment: rehabilitation, fire, dust, noise, stability, water and approval requirements.

For further information on compliance priorities, see the Earth Resources Regulation Compliance Strategy on the website:

<https://earthresources.vic.gov.au/legislation-and-regulations/compliance-enforcement>

### Remedial action / No action after audits

|  |  |  |
| --- | --- | --- |
| Quarter | Remedial Action Required | No Action Required |
| FY 2021-22 Q2 | 11 | 4 |
| FY 2021-22 Q3 | 10 | 3 |
| FY 2021-22 Q4 | 10 | 7 |
| FY 2022-23 Q1 | 5 | 0 |

#### Explanation for the result

The audit program is risk-based with a focus on more significant sites. The number of actions required can be dependent on the type of audits completed and if the audits were ‘follow up’ audits from previously identified risks.

All 5 audits completed during the quarter require remedial actions.

#### Why are these measures important?

This indicator measures the number of current tenements that have had a compliance activity undertaken and shows how many authority holders are meeting requirements.

## KPI 2: Ensuring Compliance – Enforcement Activities

### General enforcement notices issued in the quarter

|  |  |  |  |
| --- | --- | --- | --- |
| Sector | Enforcement Action Type | Enforcement Code | No. of Notices |
| Extractives | s110 Notice | Authorised Activity Compliance | 1 |
| Extractives | s110 Notice | Dust Emissions | 1 |
| Extractives | s110 Notice | Waste and Redundant Plan | 1 |
| Extractives | s110 Notice | Rehabilitation of Site | 1 |
| Extractives | s110 Notice | Other | 2 |
| Extractives | s110 Notice (Stop Work) | Work Without Licence or Consents | 2 |
| Mining | s110 Notice | Tailings and Slime Management | 3 |
| Mining | s110 Notice | Other | 1 |
| Mining | s110 Notice | Slope Stability | 1 |
| Total |  |  | 13 |

### Infringements and official warnings issued

|  |  |
| --- | --- |
| Activities | Issued in the quarter |
| Written Instruction | 16 |
| Direction | 1 |
| Total | 17 |

#### Explanation for the result

In Q1, there were 30 enforcement actions issued, of which 13 were related to s110 notices and 17 were from written instructions and direction.

## KPI 3: Reportable Incidents

### Reportable incidents in the quarter

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Sector | Classification | Incident Type | Enforcement Code | Incident Responded To | Incident Status | Incident Count |
| Mining Licence | Minor | Public Safety | Fire Precautions & Risk Control | Yes | Resolved | 10 |
| Mining Licence | Minor | Infrastructure | Slope Stability | Yes | Resolved | 1 |
| Mining Licence | Minor | Infrastructure | Fire Precautions & Risk Control | Yes | Resolved | 1 |
| Mining Licence | Minor | Environmental | Environmental Incident Notification | Yes | Resolved | 1 |
| Mining Licence | Minor | Legislation Breach | Drilling Waste Management | Yes | Resolved | 1 |
| Work Authority | Major | Infrastructure | Slope Stability | Yes | Open | 1 |
| Work Authority | Minor | Environmental | Explosives Air & Ground Vibration | Yes | Open | 1 |
| Work Authority | Minor | Environmental | Environmental Incident Notification | Yes | Open | 1 |
| Work Authority | Minor | Legislation Breach | Slope Stability | Yes | Open | 1 |
| Total |  |  |  |  |  | 18 |

#### Explanation for the result

There were 18 reportable incidents in Q1 with a majority of these relating to small coal smoulders, slope stability and water discharge. 18 reportable incidents were responded to and four are still under investigation.

There were two non reportable incidents.

Earth Resources Regulation will continue to proactively undertake compliance activities, focusing on stability, public safety and environmental protection.

#### Why are these measures important?

This measure shows whether Earth Resources Regulation is responsive to Reportable (high-risk) incidents and the number of Non-Reportable (low-risk) incidents that occur at tenement sites. Depending on its complexity, an incident may be resolved in the current or subsequent quarters.

## KPI 4: Facilitation of Stakeholder Engagement

### Environmental review committee attendance

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Meetings | 2021-22 Q2 | 2021-22 Q3 | 2021-22 Q4 | 2022-23 Q1 |
| Planned | 20 | 23 | 11 | 13 |
| Attended | 20 | 23 | 11 | 13 |
| % Attendance | 100% | 100% | 100% | 100% |
| Target | 100% | 100% | 100% | 100% |

#### Explanation for the result

Earth Resources Regulation attended 100% of the scheduled Environmental Review Committee (ERC) meetings in Q1. A number of ERCs are now reverting to in-person meetings rather than online.

#### Why are these measures important?

The stakeholder engagement indicator covers the interaction between the regulator, authority holders, co-regulators and the community by reporting active participation by Earth Resources Regulation (ERR) at Environmental Review Committee (ERC) meetings. ERC meetings do not occur for all sites and ERR typically only attends meetings for priority sites or where significant community interest is present. ERR has made a commitment in the Compliance Strategy to report on ERC attendance quarterly.

### Industry Reference Group

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 2022-23 Q1 | 2022-23 Q2 | 2022-23 Q3 | 2022-23 Q4 | Annual Total | FY Target |
| 1 |  |  |  | 1 | 4 |

#### Explanation for the result

The target is an annual figure based on Industry Reference Group (IRG) meetings being scheduled every three months.

There was no IRG meeting conducted in Q1 due to multiple leadership changes within ERR at that time. ERR will prioritise meeting with the IRG through 2023.

#### Why are these measures important?

The Industry Reference Group provides a forum for engagement and consultation with stakeholder representatives from industry associations and government agencies regarding statutory, regulatory and stakeholder relations issues and activities in the context of the current policy and regulatory framework.

### Earth Resources Regulators Forum

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 2022-23 Q1 | 2022-23 Q2 | 2022-23 Q3 | 2022-23 Q4 | Annual Total | FY Target |
| 1 | 0 | 0 | 0 | 1 | 3 |

#### Explanation for the result

The target is an annual figure based on three Earth Resources Regulator Forum meetings being scheduled each financial year.

There was one meeting held in Q1.

#### Why are these measures important?

The Earth Resources Regulators Forum drives a coordinated, strategic approach to regulation in the earth resources sector. Through the forum and its independent chair, Earth Resources Regulation coordinates its activities with other regulators to improve timeliness, reduce compliance and administrative costs to industry, and identify and resolve any regulatory gaps or overlaps. This includes a focus on more real-time communication, strategic sequencing, common risk assessment and partnerships with local government authorities.

## KPI 5: Complaints Management

### Response times to complaints in the quarter

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Sector | Enforcement Codes | Number of Complaints | Ave Days to Respond | \*Median Days to Respond |
| Extractives | Work without License or Consents | 4 | 6 | 6 |
| Extractives | Explosives Air and Ground Vibration | 3 | 2 | 2 |
| Extractives | Other (Not Specified Above) | 2 | 3 | 3 |
| Extractives | Dust Emissions | 2 | 3 | 3 |
| Extractives | Rehabilitation of Site | 1 | 3 | 3 |
| Extractives | Working Hours | 1 | 1 | 1 |
| Extractives | Drainage, Erosion and Discharge | 1 | 2 | 2 |
| Extractives | Native Vegetation and Fauna | 1 | 1 | 1 |
| Mining | Work without License or Consents | 2 | 1 | 1 |
| Mining | Authorized Activity Compliance | 1 | 1 | 1 |
| Mining | Noise Emissions | 1 | 1 | 1 |
| Total |  | 19 | 3 | 2 |

\*Median Days: Arranging the days to respond in order and then selecting the middle value. Median is used to minimise the impact of outliers.

#### Explanation for the result

There were 19 complaints in Q1. Six were resolved and 13 are under investigation. The average number of days to respond to a complaint was three days and the median to respond was two days.

#### Why are these measures important?

The complaints handling process is an important aspect of effective stakeholder management and building confidence in Earth Resources Regulation as an effective regulator.

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