



Environmental Protection Act 1986 – Clearing Permits

There are two types of clearing permits which can be applied for conducting native vegetation clearing under the *Environmental Protection Act 1986*. These are the **Area Permit** and the **Purpose Permit**.

Area Permit

Under section 51E of the *Environmental Protection Act 1986*, an Area Permit can only be applied for by an applicant who is the owner of the land, likely to become the owner of the land or where an applicant is undertaking clearing on behalf of the owner of the land and has written authority to do so. An Area Permit provides for clearing of defined areas specified in the permit. Area Permits are generally approved for a default period of two years.

A land owner can include person(s) who hold a certificate of title; are a public authority that is responsible for the care of the land; or who is the lessee of crown land.

In terms of mineral and petroleum activities, an Area Permit is only applicable to native

vegetation clearing conducted on General Purpose Leases and Mining Leases and Crown Leases which are deemed under section 51A of the *Environmental Protection Act 1986* to confer rights of land ownership. For native vegetation clearing on other mineral and petroleum tenure, a Purpose Permit will be required. Table 1 refers.

Purpose Permit

Under section 51E of the *Environmental Protection Act 1986*, a Purpose Permit can be applied for by an applicant who is not the owner of the land which will be cleared but has authority under a written law or permission to access the land to conduct the clearing. Purpose Permits are for clearing of different areas from time to time for a purpose specified in the permit. Purpose Permits are generally approved for a default period of five years.

The clearing assessment process conducted for both Area Permits and Purpose Permits is the same.

Table 1: Types of clearing permits applicable to tenures under the WA Mining Act 1978 and various WA Petroleum Acts

Mineral tenure	Area permit	Purpose Permit
General purpose lease	Applicable	Applicable
Mining lease	Applicable	Applicable
Prospecting licence	Not available	Applicable
Miscellaneous licence	Not available	Applicable
Exploration licence	Not available	Applicable
Retention licence	Not available	Applicable
Petroleum tenure	Area permit	Purpose Permit
Access authority	Not available	Applicable
Drilling reservation	Not available	Applicable
Exploration permit	Not available	Applicable
Pipeline licence	Not available	Applicable
Production licence	Not available	Applicable
Retention lease	Not available	Applicable
Special prospecting authority	Not available	Applicable