

## Related Links

- [State Law Publisher - Environmental Protection Act 1966](#)
- [State Law Publisher - Clearing of Native Vegetation Regulations 2004](#)
- [Native Vegetation Map Viewer \(DEC\)](#)
- [Native Vegetation Fact Sheets \(DEC\)](#)
- [ESA & Schedule 1 Data \(Geographic Data Atlas - DEC\)](#)

## Documents

- [Determining if a mining tenement is an Environmentally Sensitive Area \(ESA\) or Schedule One Area \(SOA\)\(PDF 374kb\)](#)
- [Amendments to the Environmental Protection \(Clearing of Native Vegetation\) Regulations 2004\(PDF 86kb\)](#)
- [Summary of Information to be submitted with your Clearing Permit Application\(PDF 74kb\)](#)
- [Types of Clearing Permits\(PDF 57kb\)](#)
- [Map of Environmentally Sensitive Areas and Schedule 1 Areas\(PDF 999kb\)](#)
- [Clearing Permit Process\(PDF 22kb\)](#)
- [A Guide to the Exemptions and Regulations for Clearing Native Vegetation Under the Environmental Protection Act 1986\(PDF 145kb\)](#)

## Contact Information

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# Native Vegetation Clearing Permit Applications

The Environmental Protection Act 1986 (WA), specifies that clearing of native vegetation in Western Australia requires a permit. The clearing provisions of this Act are described in the Environmental Protection Amendment Act 2003 (WA) and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (WA). Acts and Regulations can be downloaded from the State Law Publisher's website (see Related Links to the right).

As of 1 July 2005, the Department of Mines and Petroleum has accepted responsibility for the administration, assessment and approval of clearing permit applications relating to mineral and petroleum activities in Western Australia. You can find out more information about the delegation of powers here:

- [Delegation and Administration of Clearing Permit Applications for Mineral & Petroleum Activities.](#)

**The Department of Environment & Conservation has responsibility for clearing permits relating to all other activities, including agriculture.**

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## Types of Clearing Permits

There are two types of clearing permits which can be applied for. These are the **Area Permit**, and the **Purpose Permit**.

In general Area Permits authorise clearing of a particular area specified in the permit, while Purpose Permits authorise clearing of different areas within a larger specified area, from time to time for a purpose specified in the permit.

However, under s.51E of the Environmental Protection Act, 1986; an Area Permit can only be applied for by the owner of the land, and legally therefore, an Area Permit is only applicable to General Purpose Leases and Mining Leases. Hence, it is necessary to apply for a Purpose Permit for any other type of mineral or petroleum land tenure (see document link in the panel to the right of the page), as these tenures and titles do not confer ownership as defined under Section 51A.

The assessment process for Area Permits and Purpose Permits is the same, and a Purpose Permit application may be made for clearing a specific area.

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## Clearing Permits - Mineral and Petroleum Activities

### Do I need a clearing permit?

If native vegetation is to be cleared, in the majority of cases a permit will be required. However, there are circumstances in which a clearing permit is not required (i.e. exemptions). Exemptions include mineral and petroleum exploration activities, and mining activities designated as low impact in the regulations below. A clearing permit is required in all instances where the activity is to occur within an Environmentally Sensitive Area (ESA). Applicants should review their application in light of the exemptions outlined in the documents below, which can be downloaded from the State Law Publisher's website):

- Schedule 6 of the Environmental Protection Act 1986 (WA)
- Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (WA)

In order to assist in the preparation of an application, potential applicants are encouraged to contact the Native Vegetation Assessment Branch prior to submitting an application.

## Preparing an application

Please note the following points:

- Consult the guidance material that is included on this website (refer to the documents available for download in the right panel of this page)
- Contact the Native Vegetation Assessment Branch prior to submission of an application may streamline the assessment process
- Mining Environment Plans (NOIs) (see Guidelines and Environmental Notes) or Petroleum Environmental Plans are required to be submitted with the clearing permit application. In the case of state agreements, applicants may be required to submit information regarding environmental planning.

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## Information Needed to Assess Clearing Permit Applications

### Native Vegetation Forms

The following links are to forms provided on the Department of Environment and Conservation's website:

- [Application for a Clearing Permit \(Area Permit\): Form C1](#)
- [Application for a Clearing Permit \(Purpose Permit\): Form C2](#)
- [Credit Card Payment: Form C3](#)
- [Application for an amendment to a clearing permit: Form C4](#)
- [Notification of change of land ownership: Form C5](#)
- [Application to surrender a clearing permit: Form C6](#)

If you encounter problems downloading any of the documents, please contact us for a hard copy.

The Department of Environment and Conservation publish fact sheets which provide useful information in relation to clearing permits and relevant legislation. You can access the fact sheets and spatial data from the links in the right panel of this page.

The latest copy of the Environmental Protection (Clearing of Native Vegetation) Regulations can be accessed at the State Law Publisher's website (see Related Links to the right of this page).

## RECENT AMENDMENTS TO THE ENVIRONMENTAL PROTECTION (CLEARING OF NATIVE VEGETATION) REGULATIONS 2004

On the 30 March 2007 amendments to the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 were gazetted.

These amendments allow for the permanent exemption for mineral and petroleum exploration activities under the *Mining Act 1978*, the *Petroleum Act 1967*, the *Petroleum Pipelines Act 1969* and the *Petroleum (Submerged Lands) Act 1982* outside Environmentally Sensitive Areas as defined in Regulation 6 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. A copy of the amended regulations can be accessed from the Document Links to the right of this page.

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