



Clearing under State Agreements

Environmental Protection Act 1986

Purpose

This fact sheet provides information on clearing permit applications under the *Environmental Protection Act 1986* (EP Act) for native vegetation clearing required under a State Agreement.

Introduction

Under the EP Act native vegetation can only be cleared with a clearing permit unless exempt. Clearing permit applications for State Agreements are assessed by the Department of Mines and Petroleum (DMP). Information on clearing permit application requirements, contacts and application forms is available on [DMP's website](#) or by telephone +61 8 9222 3333.

How is clearing under State Agreements regulated?

Clearing under a State Agreement is subject to the requirements of the EP Act. However, there is a delegation of the majority of the powers to regulate clearing under the EP Act, to the Department of Mines and Petroleum for clearing done for activities under a State Agreement administered by that Department.

There are no express exemptions for clearing for mining and petroleum activities conducted under State Agreements. However, the exemptions in respect of exploration and prospecting and low impact mining and petroleum activities conducted under the *Mining Act 1978*, the *Petroleum Act 1967*, the *Petroleum Pipelines Act 1969*

or the *Petroleum (Submerged Lands) Act 1982* apply to those activities conducted under State Agreements where the activities are themselves regulated through one of those other Acts and fit within the scope of the relevant exemptions.

More information

For advice on native vegetation clearing, or related matters, please contact the Department of Environment Regulation (DER) on +61 8 6467 5000 and for State Agreements, mining or petroleum contact DMP on +61 8 9222 3333.

This document is available in alternative formats and other languages on request.

Related documents

More guidelines and fact sheets on native vegetation clearing processes are available from [DER's website](#).

Legislation

This document is provided for guidance only. It should not be relied upon to address every aspect of the relevant legislation. Please refer to the State Law Publisher (SLP) for copies of the relevant legislation, available electronically from the [SLP website](#).

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Legal advice

The information provided to you by DER in relation to this matter does not constitute legal advice. Due to the range of legal issues potentially involved in this matter, DER recommends that you obtain independent legal advice.