



Mining and petroleum activities

Environmental Protection Act 1986

Purpose

This fact sheet provides information on clearing permit applications under the *Environmental Protection Act 1986* (EP Act) for mining and petroleum activities.

Introduction

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

Delegation

DMP has delegated authority to administer the native vegetation clearing provisions for mining and petroleum activities regulated under the:

- *Mining Act 1978*;
- *Petroleum and Geothermal Energy Resources Act 1967*;
- *Petroleum Pipelines Act 1969*;
- *Petroleum (Submerged Lands) Act 1982*;
or
- activities under state agreements administered by DMP.

Hampton locations

The delegation does not include clearing for mining activities on Hampton locations as

these locations are not subject to the *Mining Act 1978*. Applications for a clearing permit on Hampton locations need to be made to the Department of Environment Regulation (DER).

Exemptions for mining and petroleum activities

Some mining and petroleum activities are exempt from requiring a clearing permit. These activities involve clearing for 'exploration' or 'low impact or other mineral or petroleum activities'. Examples of low impact activities include temporary tracks, groundwater drilling, clearing less than two hectares for camp sites, anchoring vessels and removing marine growth from certain structures. See Schedule 1 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* to determine if the exemptions apply to your activity.

There is also an exemption that allows clearing of up to 10 hectares per financial year per authority area for clearing regulated under the *Mining Act 1978* and the various Petroleum Acts in an authority area.

An 'authority area' includes:

- a mining tenement as defined in the *Mining Act 1978*;
- a permit, drilling reservation, lease, licence, special prospecting authority or access authority, as defined in the *Petroleum Act 1967*;
- a licence as defined in the *Petroleum Pipelines Act 1969*; and
- a permit, lease, licence, pipeline licence, special prospecting licence or access

authority, as defined in the *Petroleum (Submerged Lands) Act 1982*, or a consent of the Minister under section 60 of that Act.

The exemptions described in this fact sheet are restricted to certain geographical locations of the State and do not apply to Hampton locations. Exemptions for 'exploration' do not apply in environmentally sensitive areas. Exemptions for 'low impact or other mineral or petroleum related activities' and 'authority areas' do not apply in non-permitted areas.

Environmentally sensitive areas and non-permitted areas can be viewed at [DER's website](#).

Exemptions are discussed in detail in [Guide 1 – A guide to the exemptions and regulations for clearing native vegetation](#).

More information

For advice on native vegetation clearing, or related matters, please contact DER on +61 8 6467 5000 or 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.