



Clearing native vegetation - Part IV and Part V interactions

Regulation of native vegetation clearing in WA

The clearing of native vegetation in WA is principally regulated by the Department of Water and Environmental Regulation (DWER) under Part V Division 2 of the *Environmental Protection Act 1986* (EP Act). Clearing impacts are also considered when the Environmental Protection Authority (EPA) assesses significant proposals referred under Part IV of the EP Act (a Part IV assessment).

A [Part V permit](#) is required to clear native vegetation unless an [exemption](#) applies or DWER has determined that a permit is not required during a [clearing referral process](#).

Clearing exemptions related to Part IV approvals

Clearing done “in accordance with” a Part IV approval is considered exempt from needing a Part V permit (under Schedule 6 of the EP Act). However, the exemption only covers clearing:

- approved by the conditions on a Part IV approval, or
- to enable compliance with another condition.

This exemption does not apply if the EPA’s decision is to not assess a proposal (under s.38G). In these cases, the applicant will need a Part V permit.

If the clearing is exempt but the proposed clearing is within a proclaimed controlled catchment area, the applicant will still require a [clearing licence](#) from DWER under the *Country Areas Water Supply Act 1947*.

Improvements to the Part V assessment process

We are improving our processes for assessing Part V clearing permit applications to ensure consistent decision-making and reduced timeframes. This includes the following initiatives:

- The [clearing referral process](#) that allows prospective applicants to refer their proposed native vegetation clearing activities to the department to determine if a permit is required. This process is suitable when:
 - the clearing activities would have a very low environmental impact
 - prospective applicants are uncertain about whether their proposed clearing qualifies for an exemption.
- The Parallel decision-making process
<https://www.wa.gov.au/service/environment/environment-information-services/parallel-decision-making> allows certain Part V clearing permit applications to be assessed in parallel to the Part IV assessment. This process is suitable when the Part V clearing permit application relates to a Part IV referral, and the clearing:
 - is not in the area covered by the Part IV assessment,
 - will need to occur even if the Part IV proposal being assessed does not proceed,
 - will likely not need changes to be consistent with the related Part IV approval.