



LAND CLEARING REGULATIONS FOR LANDHOLDERS

What if I Clear Without a Permit?

If you clear vegetation without obtaining a permit and the clearing is not for an exempt purpose, you may be penalised.

The maximum penalty for clearing without authorisation is \$250,000 for individuals and \$500,000 for a body corporate.

In addition, the Department of Environment can require an offender to restore the unlawfully cleared vegetation at their own expense.

Clearing is exempt in environmentally sensitive areas (see Section 51b of Epa 1986).

For More Information

Contact

The Department of Environment
Email: info@environment.wa.gov.au
Web: www.environment.wa.gov.au

http://portal.environment.wa.gov.au/portal/page?_pageid=53,34373&_dad=portal&_schema=PORTAL

Native Vegetation Protection Section
Tel: 1800 061 025 or 9278 0300

Land Clearing Regulations

Is Land Clearing a Problem?

There is a growing concern in the community about the level of land degradation and the rate and extent of biodiversity loss and ecosystem decline in Western Australia.

Habitat modification, and in particular, land clearing is the largest threat to Australia's biodiversity and there is no longer any debate in Western Australia that land degradation is one of the State's most serious environmental problems. Similarly, it is widely accepted that agricultural areas have been over cleared.

Over 300,000 hectares of native vegetation are cleared on Australian agricultural properties each year.

Regulations

Amendments to the *Environmental Protection Act 1986* require that clearing of native vegetation is done under the authority of a permit, unless the clearing is for an exempt purpose.

The Environmental Protection (Clearing of Native Vegetation) Regulations 2004 set out exemptions for day-to-day activities that have low environmental impact.

The new native vegetation

clearing provisions will replace the 'Notice of Intent to Clear' process administered under the *Soil and Land Conservation Act 1945*.

Valid Notices of Intent to Clear that were given a 'No Objection' under the *Soil and Land Conservation Act 1945* will continue to be valid for two years after the commencement of the new legislation.

These laws apply to all private and public land throughout Western Australia.

Exemptions

Are clearing activities that can be carried out without applying for a permit.

Some of these are part of a one hectare per year clearing limit, while others are separate to these restrictions.

Exemptions do not apply in Environmentally Sensitive Areas.

Applications

Will be assessed for the impact on biodiversity, water and soil resources, salinity and other environmental issues.

One-Hectare per year Exemptions

Landholders will be able to

clear one hectare of land a year for various kinds of general property maintenance.

This applies irrespective of the size in which the property is located.

The types of clearing referred to below, together with other limited clearing allowed under regulations, may not exceed one hectare in a financial year.

If more than one hectare needs to be cleared, a permit must be obtained.

1. Clearing to construct a building or structure.
2. New fence lines, vehicles and walking tracks.
3. Firewood, timber for woodwork and timber for on-farm and domestic use.

Other Exemptions

Day-to-day clearing activities that are separate to the one hectare per year restrictions include:

1. Maintenance of existing cleared areas around infrastructure.
2. Clearing to maintain existing cleared areas for pasture, cultivation or forestry.
3. Firebreaks and fire control.
4. Crown land.
5. Emergency clearing.

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