



# Private Property Rights & Resources Bulletin

## 4 March 2015

### **NATIVE VEGETATION CLEARING REGULATIONS**

The Government has released a draft document called “A guide to grazing, clearing and Native Vegetation”.

The purpose of the guide is to assist landowners to understand the requirements that relate to grazing that is deemed to be clearing under the Environmental Protection (EP) Act 1986.

Under section 51C of the EP Act, clearing native vegetation is an offence unless you have a clearing permit or an exemption applies.

Exemptions for low impact land management practices are listed in the Environmental Protection Regulations 2004.

There seems to be some confusion, both from within the Dept. of Environmental Regulation (DER) and the landowners on how the Department administers the EP Act, especially when relating to Environmental Sensitive Areas (ESA).

It is therefore necessary to determine when grazing causes substantial damage and is deemed to be clearing under the EP Act.

An exemption for clearing that is authorised under law and listed in Schedule 6 of the EP Act applies regardless of whether the area is within an ESA.

### **GRAZING AND “SUBSTANTIAL DAMAGE”**

In administering the act, DER will apply the following guidance in their determination; Grazing that involves the severing of stems or the taking of leaves or minor branches, but does not compromise the long-term health of the native vegetation is not considered clearing.

Sustainable grazing at levels that are consistent with existing, historic grazing practices that do not result in significant modification to the structure or composition of the native vegetation is not considered clearing.

Grazing that compromises the ability of native plants to recover and grow is considered to be clearing.

For additional information, contact Zak on 9192 6900 or e-mail [milanz@pgaofwa.org.au](mailto:milanz@pgaofwa.org.au)

### **UPCOMING MEETINGS**

Dept. of Minerals & Petroleum – Review of Environmental Regulation	13 <sup>th</sup> March
PGA Executive Committee	23 <sup>rd</sup> April