
ENVIRONMENT

EV301

Environmental Protection Act 1986

Environmental Protection (Clearing of Native Vegetation) Amendment Regulations 2019

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Environmental Protection (Clearing of Native Vegetation) Amendment Regulations 2019*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2019.

3. Regulations amended

These regulations amend the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

4. Regulation 3 amended

In regulation 3 delete the definition of *intensive land-use zone* and insert:

intensive land-use zone means the intensive land-use zone as defined in Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. “Native Vegetation in Western Australia. Resource Management Technical Report 249” (2001) published by the Department of Agriculture, Perth;

5. Regulation 7 amended

(1) Delete regulation 7(1) and insert:

(1) In this regulation —

application area, in relation to an application for an area permit or a purpose permit, means the area that is proposed to be cleared in the application.

(1A) For the purposes of section 51E(1)(c) of the Act, the fee for an application for an area permit is determined as set out in the Table, with —

- (a) column A showing the fee for an application where any part of the application area falls within the intensive land-use zone; and
- (b) column B showing the fee for any other application.

Table

Item	Application area	Column A	Column B
		Fee	Fee
1.	Not more than 1 ha	\$400	\$400
2.	More than 1 ha but not more than 5 ha	\$600	\$600
3.	More than 5 ha but not more than 10 ha	\$1 500	\$750
4.	More than 10 ha but not more than 50 ha	\$2 000	\$1 000
5.	More than 50 ha but not more than 100 ha	\$3 000	\$1 500
6.	More than 100 ha but not more than 500 ha	\$4 000	\$2 000
7.	More than 500 ha but not more than 1000 ha	\$5 000	\$2 500
8.	More than 1000 ha	\$10 000	\$5 000

(1B) For the purposes of section 51E(1)(c) of the Act, the fee for an application for a purpose permit is the sum of —

- (a) \$2 000; and
- (b) the variable component, determined as set out in the Table, with —
 - (i) column A showing the variable component for an application where any part of the application area falls within the intensive land-use zone; and

- (ii) column B showing the variable component for any other application.

Table

Item	Application area	Column A Variable component	Column B Variable component
1.	Not more than 1 ha	\$400	\$400
2.	More than 1 ha but not more than 5 ha	\$600	\$600
3.	More than 5 ha but not more than 10 ha	\$1 500	\$750
4.	More than 10 ha but not more than 50 ha	\$2 000	\$1 000
5.	More than 50 ha but not more than 100 ha	\$3 000	\$1 500
6.	More than 100 ha but not more than 500 ha	\$4 000	\$2 000
7.	More than 500 ha but not more than 1000 ha	\$5 000	\$2 500
8.	More than 1000 ha	\$10 000	\$5 000

- (2) Delete regulation 7(4) and insert:

- (4) The CEO may reduce, waive or refund, in whole or part, a fee referred to in these regulations.

N. HAGLEY, Clerk of the Executive Council.