



Guideline

Title:	Clearing permit application fee refunds, waivers and reductions
Published:	March 2022

1. Purpose

This guideline outlines the Department of Water and Environmental Regulation's approach when we consider an applicant's request for a refund, waiver or reduction of a clearing permit application fee.

2. Context

You need a clearing permit to clear native vegetation in Western Australia, unless:

- an exemption applies (see [A guide to the exemptions and regulations for clearing native vegetation](#)), or
- you referred your proposed clearing activity for a decision on whether you needed a clearing permit, and we notified you that a permit was not required (see [Guideline: Native vegetation clearing referrals](#)).

We charge a fee as part of the application process for a clearing permit.

Find out about the steps involved in a clearing permit application in the [Procedure: Native vegetation clearing permits](#).

3. Legislation

The clearing of native vegetation in Western Australia is regulated under the *Environmental Protection Act 1986* (the EP Act) and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (Clearing Regulations). We assess native vegetation clearing permit applications under Part V of the EP Act.

Regulation 7 of the Clearing Regulations prescribes application fees for new clearing permits, amendments and surrenders.

Under r.7(4) of the Clearing Regulations, the CEO of the department (or their delegate) may reduce, waive or refund part or all of any fee relating to clearing permit applications.

The Department of Mines, Industry Regulation and Safety (DMIRS) also has delegated statutory authority under s.20 of the EP Act to receive, assess and determine clearing referrals and permit applications for mineral and petroleum activities regulated under:



- the *Mining Act 1978 (WA)*
- the *Petroleum and Geothermal Energy Resources Act 1967 (WA)*
- the *Petroleum Pipelines Act 1969 (WA)*
- the *Petroleum (Submerged Lands) Act 1982 (WA)*
- any [State Agreements](#) administered by the Department of Jobs, Tourism, Science and Innovation.

Go to the [Western Australian Legislation website](#) for copies of the relevant legislation.

4. Fee refunds

You may withdraw your clearing permit application and request an application fee refund at any time during the validation or assessment stages. You must make this request in writing.

We will consider your refund request and make a determination (including the amount to be refunded, if applicable) on a case-by-case basis.

5. Fee reductions or waivers

We will consider fee reductions and waivers in some circumstances.

Examples of when we may waive or reduce a fee include:

- where you demonstrate you are experiencing extreme financial hardship (for example, you have insufficient income to support payment of the clearing permit application)
- where clearing native vegetation is included in an application for a works approval or licence under Part V Division 3 of the EP Act and we decide to assess that clearing as a standalone clearing permit application (for example, we may waive the clearing permit fee if you have already paid for a works approval or licence application).

When we reduce or waive an application fee, this does not mean you are granted an exemption from the other requirements of a clearing permit.



Document implementation

This guideline comes into effect on the day it is published.

You must request your fee refund, waiver or reduction in writing and specify the details and justification for the request.

Please email your request to the appropriate department:

- Department of Water and Environmental Regulation: info@dwer.wa.gov.au
- Department of Mines, Industry Regulation and Safety: nvab@dmirs.wa.gov.au

Related documents

Legislation
<i>Environmental Protection Act 1986</i>
<i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>
Department documents
Guidelines
<i><u>A guide to the exemptions and regulations for clearing native vegetation</u></i>
<i><u>Guideline: Native vegetation clearing referrals</u></i>
Procedures
<i><u>Procedure: Native vegetation clearing permits</u></i>

Custodian and review

The currency of this document will be evaluated and reviewed no later than three years from the date of issue or sooner as required.

Document details	
Lead group (custodian)	Native Vegetation Protection, Regulatory Services
Current version	v1.0 FINAL, March 2022
Previous versions	-
Corporate file number	DWERVT7671



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