



TECHNICAL COMMITTEE MEETING

(VIA TEAMS)

MINUTES

24 APRIL 2026 at 10:00 am

WSFN Office – 37/5 Keane Street MIDLAND 6056



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TECHNICAL COMMITTEE MEETING

FRIDAY 24 APRIL 2026

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1.0 OPENING – RECORD OF ATTENDANCE

Attendees:

WSFN John Nuttall – Program Director (**Chairperson**)
Peter Hall – Program Manager
Racelis Rose – Executive Officer

Delegate	SRRG	Proxy
VACANT	Avon	Nicholas King (Shire of Northam)
Mike Hudson (Shire of Pingelly)	Hotham Dale	Karl Mickle (Shire of Wandering)
Stuart Hobley (Shire of Cunderdin)	Kellerberrin	Raymond Griffiths (Shire of Kellerberrin)
Judd Hobson (Shire of Kulin)	Lakes	Craig Elefsen (Shire of Lake Grace)
Allister Butcher (Rural Infrastructure Services)	Moora	Stephen Casey (Shire of Wongan-Ballidu)
Gary Rasmussen (Shire of West Arthur)	Narrogin	Cassandra Squires (Shire of West Arthur)
Glen Brigg (Shire of Yilgarn)	North-East	Rod Munns (R Munns Engineering Services)
Ken Markham (Shire of Narembeen)	Roe	Sarah Caporn (Shire of Quairading)
Jacqui Early	MRWA	

The Chairperson of the Technical Committee opened the TEAMS meeting at 10:03 am, welcomed the attendees and announced the apologies:

1.1 Present:

Judd Hobson	Sarah Caporn	Cassandra Squires
Nicholas King	Rod Munns	Stuart Hobley
Allister Butcher	Jacqui Early	

1.2 Apologies

Gary Rasmussen	Karl Mickle	Ken Markham	Craig Elefsen
Stephen Casey	Glen Brigg	Mike Hudson	

1.3 Observers / Visitors / Presenters

Nil

2.0 DECLARATIONS OF INTERESTS (FINANCIAL / IMPARTIALITY / PROXIMITY)

No Declarations of Interest submitted.

3.0 CONFIRMATION OF PREVIOUS MINUTES – 28 NOVEMBER 2025

RESOLUTION **TC2026 / 04-126**

That the Minutes of the Technical Committee meeting held on 28 November 2025 be confirmed as a true and accurate record of the meeting.

MOVED: **NICHOLAS KING**
SECONDED: **SARAH CAPORN**
CARRIED: **7/0**

4.0 ITEMS FOR DISCUSSION

Funding Application

Government chose not to fund WSFN for 26/27. Indication provided that the Minister will look at funding us for 27/28.

Need to provide business case. Much time was spent on this last time around so there are only some changes to reflect the 3 years rather than 4 years request. It is an opportunity to spend time on it and make it an even stronger submission, however.

Reminder the PMT & SC positioned themselves so the program could continue even if no funding received until 27/28. Around \$10 million of construction funding already awarded for the 26/27 financial year.

The PMT have started looking and working around development projects that can be done within 12 months and so that we can catch up with some of the deferred development works

Edge Widening (MRWA Program and Safe Roads)

- Overall trying to achieve 8m seal with edge lines of 500m on each side which does not require full construction. Edge widening is a good, cheap, cost-effective way of achieving an 8m seal / edge / lines without having to do any reconstructions works
- For technical purposes, do some shoulder tests along the edges, the pavement should be fine and compaction test should be done.
- Like what the MRWA is currently doing with their winding program by Suvrat Patel who is currently working with WSFN to avoid overlapping of the program. MRWA is doing a bit of boxing out on the side and then they do the widening, this is done through the Shire
- There is a lot of gaps in the process and some of them were due to the early policy of WSFN which is the only roads which is supposed to have edge widening are those with under 7m – and eventually in around 3years, the roads were widened to 8m. When the review was done, it left a lot of gaps in the methodology.

- Good TSD data is available to create a set of criteria to be used as standard for the construction along with visual assessment particularly during the development stage of the project to ensure safety.
- Review the Basis of Design to include a trigger when assessing the project, the use of flow chart should be considered to comply with the criteria recommended.
- The Regional Road Safety Program is 100% MRWA funded, unfortunately even though they were provided with WSFN map, the WSFN roads were not included in this program. It was suggested that WSFN apply to MRWA to fund the edge widening of WSFN roads.

ACTION ITEM – WSFN Program Director and WSFN Program Manager

On the next Technical Committee meeting scheduled for 10 July 2026, an item in two (2) separate parts to be presented:

- *List of all the gap projects from all the Shires and prioritise each project*
- *Provide a set of criteria and/or flow chart etc that can be presented and discussed, amend / modify*

This item will be presented to the Steering Committee for approval and once approved will be added to the Basis of Design.

DWER Clearing Act Changes

- Allister Butcher provided a summary of the changes to the DWER Clearing Act (attached) but basically, make sure that 1.5m from the fence line should be excluded from the calculation because it is an exemption and should not be included in the clearing.

Impacts of fuel cost and availability

- Depending on how long the fuel crisis will be, some Contractors / Shires may or may not increase the cost of their amenities e.g. waste collection when doing their budgets.
- Some Shires are paying costs upon presentation of receipts / invoices
- We can expect an increase in prices of quotes presented to the Shires by Contractors which can affect the cost of construction of projects in the coming year.

General Business

- The WSFN Program Manager reiterated that he is on three-month Carer's Leave and all inquiries or matters that need attending particularly Shire visits and technical questions to be directed firstly to the WSFN Program Director. If the matter is urgent and needs to be attended by the Program Manager, then it will be dealt with accordingly
- Jacqui Early from MRWA asked the members to submit their invoices for payment as soon as possible to close off the payments before 30 June 2026.

5.0 DATE OF NEXT MEETING

Below are the meeting dates for 2026 – Technical and Steering Committees approved by the Steering Committee at its meeting of 30 January 2026. Please note that adequate notice will be given if there are any changes to these dates.

Technical Committee	Steering Committee
<i>No Meeting in January</i>	30 January
24 April	08 May
10 July	24 July
11 September	25 September
06 November	20 November

6.0 CLOSURE

There being no further business to discuss the Chairperson closed the meeting at 11:01 am.

Review of changes to Western Australian and Commonwealth requirements for native vegetation clearing (last 5 years)

Scope: High level review of notable legislative, regulatory and key guidance changes relevant to native vegetation clearing in Western Australia and under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), focusing on threatened ecological communities (TECs) and the three WA threatened black cockatoos (Carnaby's, Baudin's, Forest red-tailed).

1. Western Australia (State) – native vegetation clearing

- **Core framework (unchanged):** Clearing is primarily regulated under Part V Division 2 of the *Environmental Protection Act 1986* (EP Act) and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations), administered largely by DWER (with separate arrangements for some mining/petroleum-related clearing).
- **Environmental Sensitive Areas (ESAs) (continuing emphasis):** Many Schedule 6 EP Act and Clearing Regulations exemptions do *not* apply in ESAs; proponents are expected to check ESA mapping/records early and document the outcome.
- **Threatened ecological communities are an explicit assessment consideration (continuing):** EP Act clearing principles (Schedule 5) include a principle that native vegetation should not be cleared if it comprises the whole/part of, or is necessary for maintenance of, a **threatened ecological community** (including Commonwealth-listed TECs).

1.1 Notable changes in the last five years (WA)

- **Greater reliance on formal procedures/guidance:** DWER has progressively consolidated and published a clearer hierarchy of regulatory guidance (policies, procedures, guidelines). Practically, this has increased expectations that applications align with the relevant DWER procedure(s) (e.g., information requirements, consultation steps, timeframes, and decision record content).
- **Policy on amendments to clearing permits (public consultation draft 2021; later published version):** DWER progressed guidance on when permit amendments are appropriate versus when a new permit is required, and what matters the CEO/delegate must consider when deciding amendment applications (e.g., whether the amendment changes the environmental impacts relative to the original decision basis).
- **Ongoing/increased digitisation (2023–2026):** DWER's 'Environment Online'/online services expansion has been framed around improving transparency and efficiency. In practice this has meant more standardised

submissions, greater metadata requirements (mapping/boundaries), and easier public visibility for certain decisions (which can increase scrutiny). However, in reality, it has meant that DWER has a greater reliance on the use of aerial imagery to assist in the assessment of clearing applications rather than undertaking site inspections. This means that it can be difficult to assess the under storey under the tree canopy and as such can lead to a perceived increased clearing footprint/area when in reality the clearing footprint is less than the aerial photo indicates.

- **Clearing Regulations compilation updated (latest consolidation noted 2023):** The Clearing Regulations remain the key source for prescribed clearing (including low impact activities and infrastructure maintenance) and associated conditions/limitations; consolidated versions incorporate amendments up to late 2023. The Regulations provide details on how to undertake the clearing and where it can be undertaken (essentially clearing is allowable so long as it meets the exemptions).
- **Flow-on implications from broader WA heritage reforms (2023 onward):** While not “clearing law” per se, changes to Aboriginal cultural heritage legislation/regulations can affect project design and scheduling and therefore clearing programs and conditions (e.g., sequencing of approvals, survey requirements and avoidance measures).

1.2 Clearing Exemptions (State) EP Act

- The clearing Exemptions as per the EP Act Schedule 5 remain unchanged

1.3 Threatened ecological communities (WA clearing decisions)

- **Continuing statutory hook:** The EP Act clearing principles expressly include TECs (including Commonwealth-listed TECs) as a reason why clearing “should not” occur, driving avoidance/minimisation or stronger conditions where impacts cannot be avoided.
- **Practical change over time:** The last five years have seen increased expectation (in decision records and appeal material) that proponents demonstrate **robust TEC due diligence** (desktop checks + field verification where warranted), including clear justification where TEC presence/extent is uncertain.
- **Offsets/rehabilitation focus where TECs may be impacted:** Where clearing affects a TEC (or vegetation necessary for its maintenance), decision-makers and appellants have increasingly focussed on whether offsets are correctly calculated and whether rehabilitation/revegetation commitments have sufficiently long monitoring timeframes and appropriate provenance controls.
- **Appeal/precedent signals:** Published WA appeal material for clearing permits has highlighted the scrutiny applied to clearing proposals intersecting TECs (e.g., matters raised included offset adequacy for the *Eucalypt Woodlands of the WA Wheatbelt* TEC and survey timing/adequacy).

1.4 Black cockatoos (WA clearing permit context)

- **State assessment driver (continuing):** Under the EP Act clearing principles, decision-makers consider whether vegetation is necessary for maintenance of significant fauna habitat; for SWWA and Wheatbelt projects this commonly includes habitat for the three threatened black cockatoos.
- **Increased standardisation of habitat assessment (2020–2024):** WA EPA technical guidance (used widely in state assessments) and industry practice has increasingly converged on clear categorisation/mapping of **breeding (nest tree/hollow-bearing), foraging and roosting** habitat.
- **Key change in expectations due to Commonwealth guidance (2022):** Although a Commonwealth document, the **2022 black cockatoo referral guideline** has effectively reset baseline expectations for survey method, habitat quality scoring, and documentation—often being adopted by consultants and requested by regulators for state-supported clearing proposals too (see Section 2.3).
- **Practical “assessment requirements” shift:** Over the last five years, proponents are more commonly expected to provide: (i) mapped habitat polygons; (ii) quantified impacts (ha of each habitat type, number of habitat trees); (iii) evidence-based habitat quality scoring; and (iv) explicit avoidance/minimisation and mitigation commitments (e.g., exclusion zones around nest trees, staged clearing, pre-clearance checks).

2. Commonwealth (Federal) – EPBC Act and related guidance relevant to clearing

- **Core framework (unchanged):** Native vegetation clearing can be a ‘controlled action’ under the EPBC Act if it is likely to have a significant impact on a matter of national environmental significance (MNES), including **listed threatened species** and **listed threatened ecological communities**.
- **Assessment trigger is impact-based:** The EPBC Act does not regulate “clearing” per se; it regulates actions with likely significant impacts to MNES. The main practical question remains: **is referral required?**

2.1 Notable changes in the last five years (Commonwealth)

- **Black cockatoo referral guideline updated (2022):** The Commonwealth published a **revised referral guideline** for Carnaby’s, Baudin’s and Forest red-tailed black cockatoos (replacing the earlier 2012 guideline). This is the most material “assessment expectation” change for SWWA clearing projects in the last five years (see Section 2.3).
- **Ongoing updates to listings instruments (2019–2026):** Listings of threatened species and threatened ecological communities (and their conservation advice)

are regularly updated via legislative instruments. For clearing proponents, this affects the Protected Matters Search Tool (PMST) outputs, referral risk screening and survey targeting.

- **Process modernisation (2021 onward):** Guidance and tooling has increasingly shifted to online portals (business/public portals) and updated mapping/boundary submission expectations (e.g., stronger emphasis on spatial data quality and reproducibility).
- **Major reform program progressing (announced 2022; legislation progressed 2025–2026):** Commonwealth ‘nature positive’ reforms have been advanced, including proposals for a national EPA/agency-style regulator and national environmental standards. *Status note:* as at 2025–2026, elements have been introduced/progressed through reform legislation; proponents should confirm commencement dates and transitional arrangements for any project close to lodgement.

2.2 Threatened ecological communities (EPBC Act)

- **TEC = MNES (continuing):** A **listed threatened ecological community** is an MNES; actions likely to have a significant impact generally require referral and (if controlled) approval conditions/offsets.
- **Practical change over time:** The ongoing addition/reclassification of TEC listings (via instruments) has increased the need for proponents to re-check listings close to submission and to explicitly address **community definition, condition thresholds and key diagnostics** described in conservation advice.
- **Greater emphasis on “avoidance first”:** Commonwealth assessment practice continues to prioritise avoidance and minimisation for TECs, with offsets generally treated as residual-impact measures rather than a substitute for avoidance.
- **State–Commonwealth interaction:** WA clearing decisions increasingly reference Commonwealth TECs because WA’s clearing principles explicitly capture Commonwealth-listed TECs, meaning Commonwealth TEC status can materially affect both state and federal pathways.

2.3 Black cockatoos – changes to assessment/referral expectations (last five years)

- **2022 revised referral guideline (major change):** The Commonwealth guideline updated expectations around:
 - **Habitat definition and mapping** (separating breeding, foraging and roosting habitat; clearer criteria for what constitutes suitable/known nesting trees and habitat).
 - **Habitat quality scoring** for foraging habitat and use of that score in determining likely significance. Requirement to now physically assess each potential habitat hollow and whether it is inhabited or not.

- **Survey expectations** (desktop + field methods, evidence standards, and documenting uncertainty).
- **Significant impact thresholds / referral cues** (clearer guidance on when loss of habitat is more likely to be significant, and when referral is recommended even if direct birds/nests are not observed).
- **Regional context** by dividing each species' range into regions to help interpret local habitat scarcity/threat context.
- **Practical outcome for clearing projects (2022 onward):** Many proponents now treat the guideline as the minimum standard for black cockatoo components of ecological reports supporting clearing approvals (state and/or EPBC), including explicit reporting of: number of potential/suitable/known nesting trees; diameter-at-breast-height screening for nesting tree potential; roost evidence; and quantified habitat loss by habitat quality class.
- **Implications for mitigation/offset design:** The guideline strengthens the expectation that mitigation measures are tailored to the habitat type impacted (e.g., nest tree retention buffers and timing controls for breeding habitat; avoidance of key foraging areas; roost protection), and that residual impacts are transparently quantified before offsets are proposed.

3. Practical implications / what to update in clearing documentation

- **Version control:** Record the exact versions/dates of (i) WA clearing legislation compilations relied on (EP Act / Clearing Regulations), (ii) DWER procedures/policies applied, and (iii) Commonwealth referral guidelines used (notably the 2022 black cockatoo guideline).
- **TECs:** Demonstrate TEC due diligence (desktop mapping + targeted field verification where warranted), and explicitly assess impacts against the relevant TEC conservation advice (diagnostics, condition thresholds, minimum patch sizes where relevant).
- **Black cockatoos:** Align survey design and reporting with the 2022 Commonwealth guideline (habitat mapping, quality scoring, nesting tree criteria/DBH screening, quantified habitat impacts, and mitigation commitments).
- **Avoid–minimise–mitigate–offset narrative:** Ensure applications clearly show how clearing has been avoided/minimised before offsets are proposed, particularly where TECs or black cockatoo breeding habitat may be impacted.
- **Public scrutiny readiness:** Assume submissions/decision records may be publicly accessible; ensure figures, spatial outputs and assumptions are internally consistent and reproducible.
- **Shapefile/ Clearing Area:** Ensure that if applicable the shape file excludes the exempt 1.5m from fence lines (if clearing is required in that area). Flora survey to note this in the report.

4. Key sources

- Western Australia: *Environmental Protection Act 1986* (Part V Division 2; Schedule 5 clearing principles; Schedule 6 exemptions); *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (consolidations current to late 2023); WA Government/DWER clearing permits and regulatory guidance pages (including published policies/procedures).
- Commonwealth: *Environment Protection and Biodiversity Conservation Act 1999*; DCCEEW 'Referral guideline for 3 WA threatened black cockatoo species' (updated 2022); EPBC Act publications/resources and listings instruments for threatened species and threatened ecological communities.