

La Trobe University EPBC approval (2018/8343)

Annual Compliance Report: Year 4 (November 2024 to November 2025)

Final Report

Prepared for La Trobe University

11 February 2026

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Biosis staff involved in this project were:

- Sarah Hilliar, Tom Hewitt and Siobhan Heenan (ecology)
- Sally Mitchell (mapping)
- Clare Emery (quality assurance)

Biosis acknowledges the Aboriginal and Torres Strait Islander peoples as Traditional Custodians of the land on which we live and work.

We pay our respects to the Traditional Custodians and Elders past and present and honour their connection to Country and ongoing contribution to society.

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Declaration of Accuracy

Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed _____

Full Name _____

Position _____

Organisation (inc. ABN) _____

Date _ / _ / _

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1 Introduction

1.1 Background

Biosis Pty Ltd (Biosis) was engaged by La Trobe University to undertake annual compliance monitoring in accordance with their approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (EPBC approval 2018/8343). The requirement for the annual compliance report is prescribed under Condition 13 of the approval EPBC 2018/8343 for La Trobe University.

The approval conditions were varied by the Department of Climate Change, Energy, the Environment and Water (the Department) and finalised 15 November 2024. This report addresses each varied approval condition and documents compliance or otherwise for Year 4 (15 November 2024 to 14 November 2025), including implementation of the following documents:

- La Trobe University Sports Precinct Stage 3: EPBC Act Matted Flax-lily Salvage and Translocation Plan (MFLSTP) (Biosis 2020a) as specified in Condition 4c of the approval.
- La Trobe University Sports Park Precinct Stage 3 Conservation Management Plan (CMP) (Biosis 2020b) as specified in Condition 6 of the approval.
- La Trobe University Sports Precinct Stage 3: EPBC Act Offset Management Plan (OMP) (Biosis 2020c) as specified in Condition 2A of the approval.
 - Compliance with this document is further addressed in the La Trobe University offset monitoring reporting for 2021 (Biosis 2022), 2022 (Biosis 2023a), 2023 (Biosis 2023b), 2024 (Biosis 2025a) and 2025 (currently in preparation).
- La Trobe University Sports Precinct Stage 3: EPBC Act OMP (EPBC 2018/8343) V2 (Draft report) (Biosis 2025b) as specified in Condition 2B and 2C of the varied conditions of approval.
 - Compliance with this document will be further addressed in the La Trobe University monitoring report for 2025 (currently in preparation).
 - The revised version 2 of the OMP was prepared and submitted to the department for approval 3 February 2025. This revised edition is currently under review. Monitoring of the offset site for this reporting period has considered the requirements and targets of both prepared OMPs.

This report is to be published on the La Trobe University website within 60 business days of November 14, 2025. With the submission of this report, La Trobe University will be compliant with Condition 13 of the EPBC approval (2018/8343). This report has been prepared in accordance with the *Annual Compliance Report Guidelines: Reporting under the Environment Protection and Biodiversity Conservation Act 1999* (DCCEEW 2023).

1.2 Description of Activity

The approved action involves the development of the Stage 3 Sporting Precinct at the La Trobe University, Bundoora campus (study area) on a portion of land otherwise known as 906 Plenty Road, Bundoora (Figure 1).

Biosis conducted the initial flora and fauna assessment for the La Trobe University Sports Precinct in 2018 and identified 23 Matted Flax-lily (MFL) *Dianella amoena* individuals (Biosis 2019). MFL is a matter of national environmental significance (MNES) and is listed as endangered under the EPBC Act.

The proposed works were referred to the Australian Government Minister for the Environment on 20 December 2018 (Referral 2018/8343), and approved subject to conditions on 25 February 2021 (Figure 2). The approval and associated conditions are in effect until April 2035.

A first party offset area was established by La Trobe University to meet the quantity and quality requirements for an offset of MFL habitat in association with the approval conditions for referral EPBC 2018/8343 (Figure 3). The offset site is managed for the protection of native vegetation and MFL habitat in accordance with the approved CMP and MFLSTP.

1.3 Previous non-compliance

There have been historic instances of non-compliance with the Conditions of EPBC 2018/8343, these breaches have been resolved and are documented here to provide context for this compliance report.

1.3.1 Years 1 and 2 compliance reporting period (Nov'21-Nov'23)

- The department, during correspondence to La Trobe University dated 7 April 2022, considered the University to have contravened Condition 8 of the approval, and issued a warning notice.
 - Concerns were also raised regarding Conditions 2 and 3.
 - La Trobe University was made aware of the compliance reporting requirements of Condition 13 of the approval.
- During an internal audit by Symal Pty Ltd it was discovered that vegetation had been cleared from outside the approved works area / action area for the La Trobe University Stage 3 Sports Precinct. The incident occurred on 20 September 2022 as part of works to build an outfall drain into Darebin Creek. The Department were notified on 21 September 2022 of the incident, in accordance with Condition 14.
 - Biosis undertook a site assessment on 26 September 2022 to determine whether suitable habitat for MFL was cleared. A letter was prepared by Biosis on 16 October 2022 to satisfy Condition 15 of the EPBC Act approval.
 - La Trobe University was consequently considered non-compliant with Condition 1b of the EPBC Act approval. Appropriate offsets were identified in the letter to compensate for the clearing of vegetation outside the approved works area. No infringement was issued.

1.3.2 Year 3 compliance reporting period (Nov'23-Nov'24).

- Condition 13 requires that the approval holder must prepare an annual compliance report for each 12-month period following the date of commencement of the action. Since commencement of the action, no compliance reports had been prepared or published. An infringement notice was presented to La Trobe University on 28 August 2024 for contravening Condition 13 of the approval.
 - A compliance report for years 1 and 2 was prepared 25 June 2024 and was submitted to the Department to satisfy Condition 13 (Biosis 2024).
- Condition 1a of the original conditions of approval dictated that the approval holder must not clear more than 23 Matted Flax-lily plants within the action area. Email correspondence to EPBC monitoring on 31 May 2024 indicated that approximately 50 MFL plants had been salvaged. Plants were salvaged in 2021, however the Department were made aware of this activity in 2024.

- This activity had the potential to be in breach of Condition 1a, however the approval holder contested that they were not in breach of Condition 1 as they were adhering to Condition 4 (the undertaking of a pre-clearance survey to determine number and location of MFL within the action area). The additional plants were identified during the specified pre-clearance survey in accordance with Condition 4a), and the plants were salvaged and translocated in accordance with Condition 4b).
- La Trobe University prepared a letter on 31 July 2024 to support the claim that they were adhering to Condition 4. No infringement for Condition 1a was administered. The approved conditions 1a, 4 and 5 have been amended to reflect the increased number of MFL salvaged.
- Condition 6 dictates that the approval holder must implement the Conservation management plan. There were concerns that Condition 6 had been breached as the salvage of 50 MFL plants was not in line with the document *La Trobe University Sports Precinct Stage 3: Conservation Management Plan*.
 - La Trobe University was compliant with assisting the Department with their enquiries into this matter. It was also demonstrated that La Trobe University were compliant with the MFLSTP, and other requirements of the CMP. It was concluded that the approval holder was compliant with Condition 6.
- Condition 14 relates to the requirement to notify the Department of any incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. As it was considered that Conditions 1 (exceedance of limits for clearing MFL plants) and 13 (publication and notification of compliance reports) were likely breached, it was considered that Condition 14 was also breached as this non-compliance was not reported to the Department.
 - No infringement notice for Condition 14 was administered. The cover letter pertaining to the breach of Condition 13 dated 28 August 2024 served as a warning notice for, and finalised the compliance matters relating to, Condition 14.

Due to the incidents of non-compliance in the first year after development activities, the department recommended the conditions of approval be varied, by direction, in accordance with Section 143(1)(a) of the Act. The amended conditions of approval were finalised 15 November 2024.

1.4 Activities undertaken during reporting period

During the period of 15 November 2024 to 14 November 2025, the following activities have been undertaken:

- Construction activities relating to the Sports Park Precinct Stage 3 projects remain in progress.
- Translocated MFL georeferenced data was uploaded to the Victorian Biodiversity Atlas (VBA) in accordance with Condition 5 of the original approval conditions on 16 January 2025. This occurred within the specified timeframe of the condition. The data has since been reviewed and published by the VBA. The Atlas of Living Australia (ALA) incorporates data from the VBA every six months, the data will be published in their site as this occurs.
- Annual works plan prepared by La Trobe University and Wurundjeri Narrap Rangers and submitted to the department and Trust For Nature on 2 October 2025. This plan covers the works period from February 2025 to February 2026.
- Ongoing monitoring of translocated MFL condition within the offset area in accordance with the MFLSTP (Biosis 2020a).

- Carrying out of management actions relating to the implementation of the revised OMP, including:
 - Weed management and pest control.
 - Maintaining fences.
 - Ecological burning.
 - Revegetation.
 - Monitoring and reporting (ecological monitoring of the offset site has taken place, and the monitoring report is being prepared).

1.5 New environmental risk

It is understood that an area of the offset site was backburned which exposed building rubble debris on the surface of the soil. The area has been assessed and subsequently confirmed for asbestos contamination in the northern portion of the offset site (BB Risk Solutions 2025). This contamination is in the form of cement sheet debris.

No subsurface investigations were conducted during the assessment.

As asbestos has been identified on site, advice from the department has been sought on how to progress with offset site management. A risk analysis and report should be undertaken, and the relevant management plans reviewed (if required).

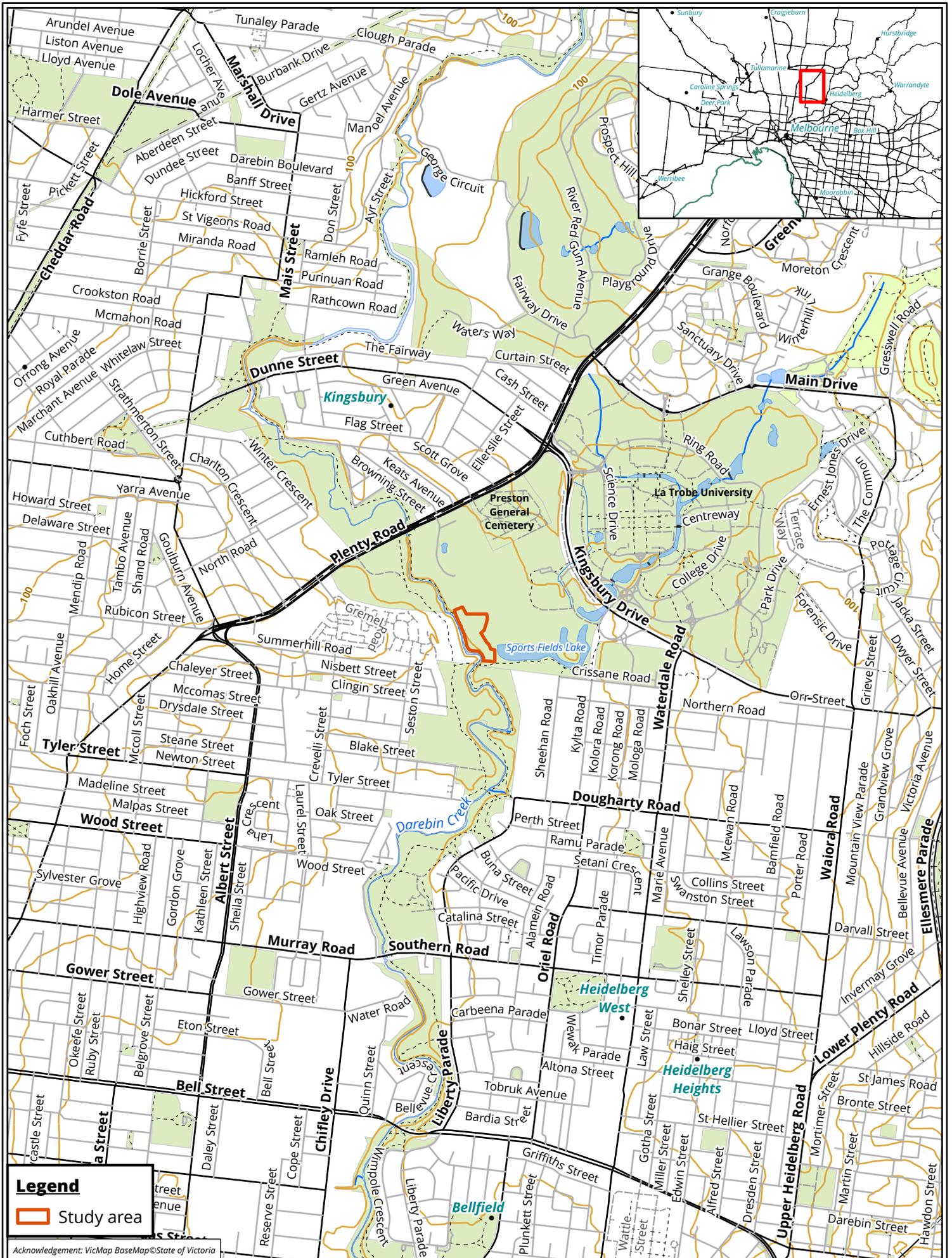
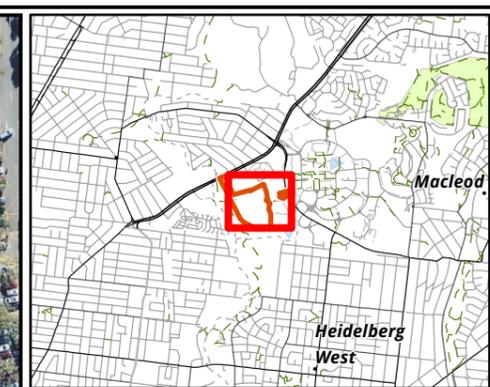
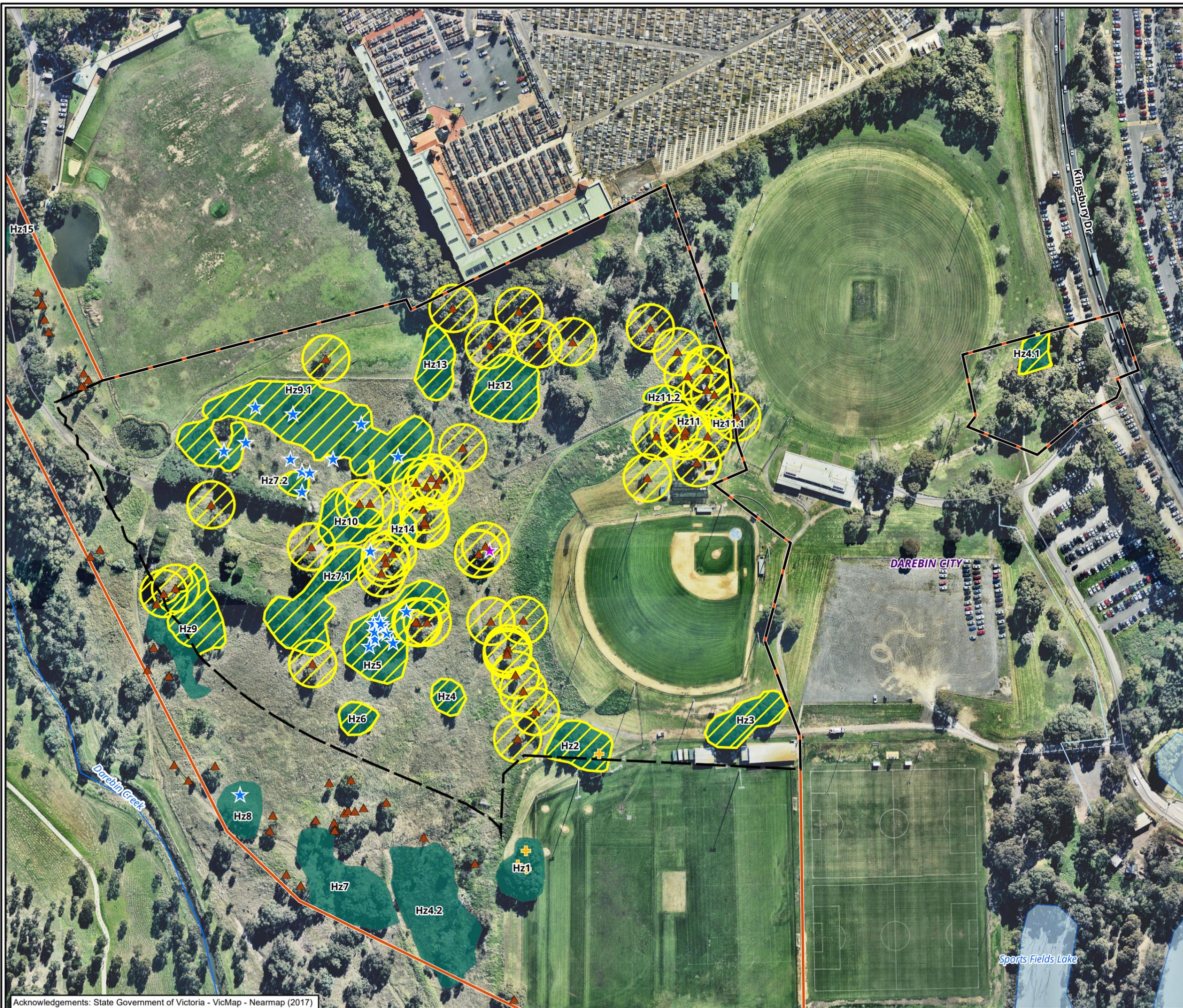


Figure 1 Location of the offset area - La Trobe University Sports Precinct, Bundoora, Victoria

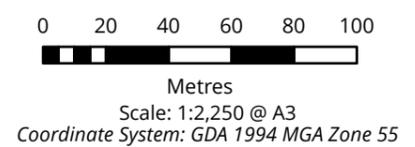
Legend
 Study area

Acknowledgement: VicMap BaseMap © State of Victoria

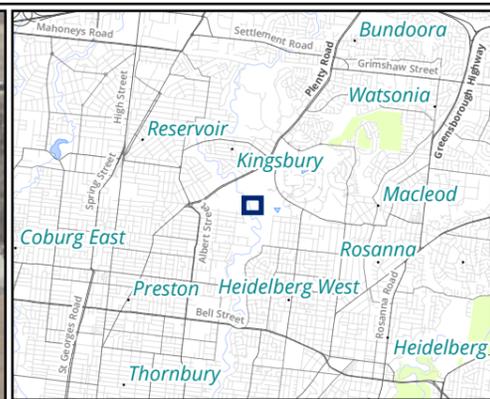


- Legend**
- Study area
 - Impact area
 - Proposed vegetation removal
- Vegetation**
- + Large tree within patch
 - ▲ Scattered tree
 - ★ Matted Flax-lily within survey area (Biosis 2018)
 - ★ Matted Flax-lily within survey area (Jacobs 2016)
- Ecological vegetation class**
- Plains Grassy Woodland (VVP_0055)

Figure 2: Impact area of the approved action



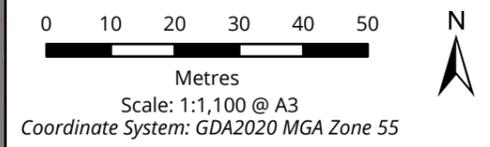
Matter: 27318,
 Date: 18 April 2019,
 Checked by: SH, Drawn by: LW, Last edited by: IWilson
 Location: P:\27300s\27318\Mapping\27318_F4_VegRemoval.mxd



Legend

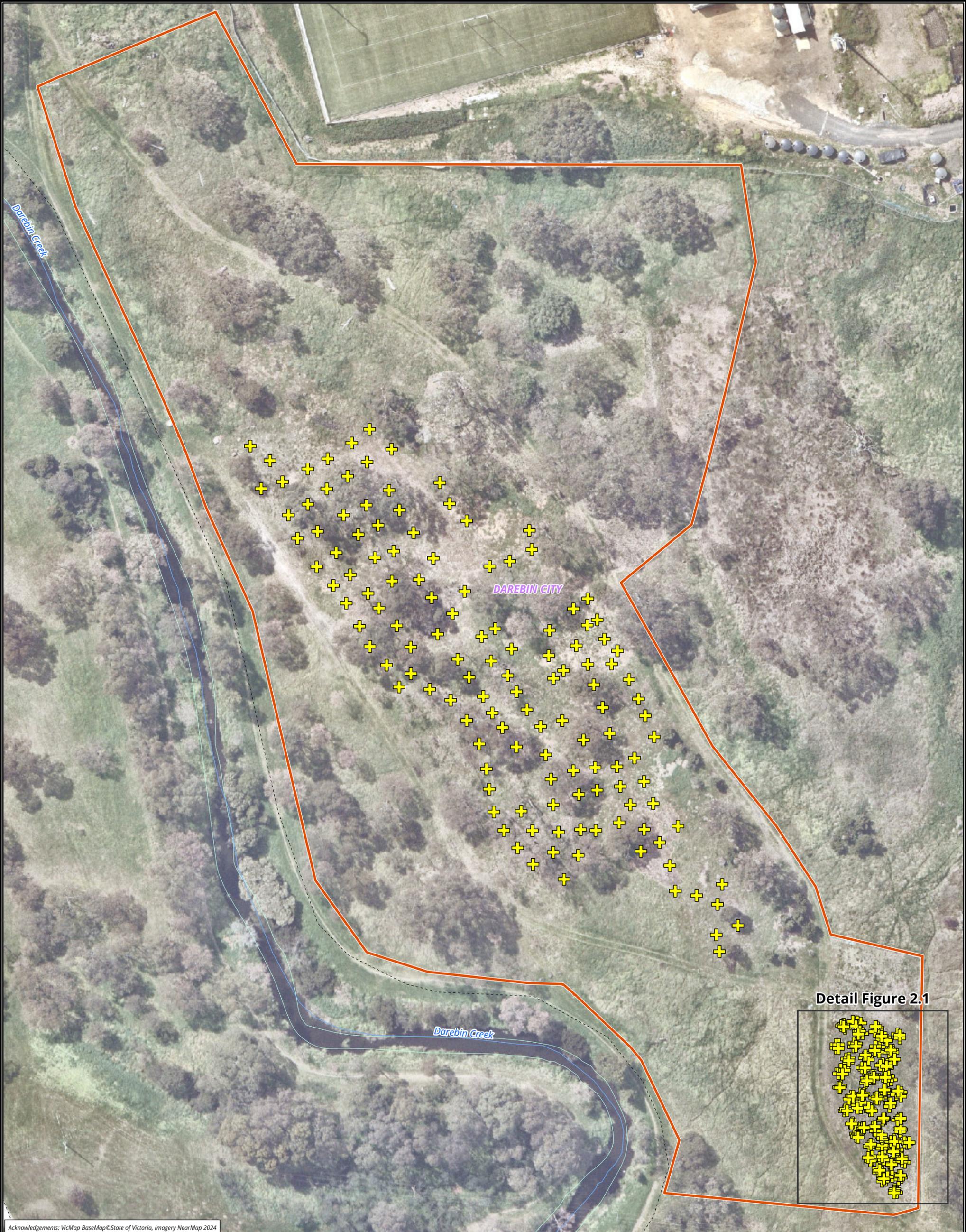
- Study area
- Quadrat
- Transect

Figure 3 First Party offset site



Matter: 43002,
 Date: 12 December 2025,
 Prepared for: TH, Prepared by: SP, Last edited by: spanter
 Layout: 43002_F3_Quadrats_transects
 Project: P:\43000s\43002\Mapping\43002_LTU_EPBC_Compliance_mgmt_SportsPrecinct.aprx

Acknowledgements: VicMap BaseMap © State of Victoria



Acknowledgements: VicMap BaseMap©State of Victoria, Imagery NearMap 2024

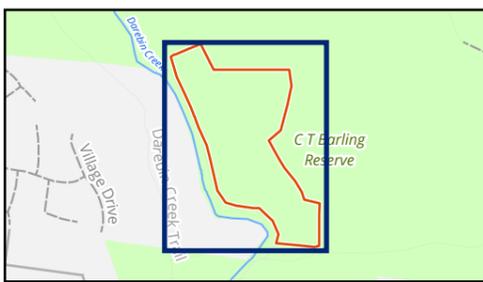


Figure 4 Location of translocated Matted Flax-lilies: overview

- Legend**
- Study area
 - + Matted Flax-lily (translocated)
 - Current parcel boundary



Metres
Scale 1:800 @ A3
Coordinate System: GDA2020 MGA Zone 55



Matter: 40954,
Date: 14 January 2025,
Prepared for: SAH, Prepared by: SP, Last edited by: spanter
Layout: 40954_F2_MFL_translocated
Project: P:40954_40954(Mapping)
40954_LTU_MFL_offset_monitoring.aprx





Acknowledgements: VicMap BaseMap©State of Victoria, Imagery NearMap 2024

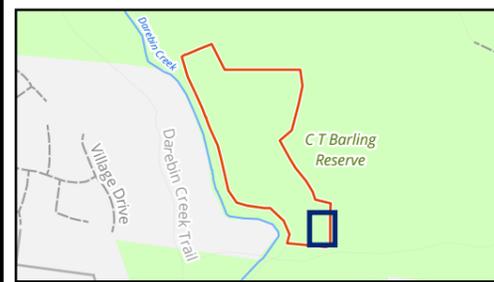


Figure 4.1 Location of translocated Matted Flax-lilies: detail (south-east)

- Legend**
- Study area
 - + Matted Flax-lily (translocated)
 - Current parcel boundary

0 2 4 6 8
Metres
Scale 1:125 @ A3
Coordinate System: GDA2020 MGA Zone 55



biosis
APEM Group

Matter: 40954,
Date: 14 January 2025,
Prepared for: SAH, Prepared by: SP, Last edited by: spanter
Layout: 40954_F2_MFL_translocated
Project: P:40954\40954\Mapping\
40954_LTU_MFL_offset_monitoring.aprx



2 Compliance with EPBC approval conditions

The conditions under EPBC 2018/8343 approval were varied in accordance with Section 143(1)(a) of the Act and finalised 15 November 2024. This chapter of the report addresses compliance with the EPBC varied conditions (section 2.1, Table 1).

2.1 Compliance with current EPBC approval conditions

This section addresses the requirement in the *Annual Compliance Report Guidelines: Reporting under the Environment Protection and Biodiversity Conservation Act 1999* (DCCEE 2023) for a compliance table. Table 1 includes the full wording of all conditions under EPBC 2018/8343 approval, the condition reference number, a designation regarding compliance (highlighted green), non-applicability (highlighted green) or non-compliance (highlighted red), a summary of evidence and comments, and references to other parts of this compliance report which relate to the approval condition. It should be noted that some conditions are ongoing (highlighted orange) and relevant until completion of the action.

All conditions of the EPBC referral have been considered and addressed.

Table 1 Assessment of compliance with EPBC varied approval conditions 15 November 2024 – 14 November 2025 (Year 4)

Number	Condition of approval	Compliance Year 4	Evidence / Comments
Part A Conditions specific to the action			
1.	The approval holder must not clear:		
	a. more than 70 Matted Flax-lily plants within the action area	Compliant	In the period Nov 24- Nov 25, no MFL individuals were cleared from within the action area.
	b. Matted Flax-lily habitat outside the action area.	Non-compliant	Two environmental incidents occurred associated with the construction of the Rugby Victoria Facility, within the La Trobe University Sports Precinct area at the Bundoora Campus, that have implications for Condition 1b). Notably, between 7 and 11 August 2025 an external contractor working on La Trobe University land removed a fence using machinery in wet conditions, impacting areas of vegetation and creating a 'new track'. The fence removal resulted in accidental removal of 0.02 hectares of potential MFL habitat outside of the approved action area. Refer to section 2.1.1 for further discussion.
2.	The approval holder must secure the offset area and commence implementing the Offset management plan for the offset area prior to undertaking any clearing.	Compliant	The offset area is secured in-perpetuity via a covenant in accordance with Section 3A <i>Victorian Conservation Trust Act 1972</i> . A Covenant with Trust for Nature has been secured and registered and was finalised on 10 May 2023. The varied conditions for the approval included a requirement for a revised OMP. See 2 B)-F) below.
A)	The approval holder must implement the Offset management plan at least until the expiry of this approval.	Compliant	Implementation of the Offset Management Plan is monitored through the OMP monitoring reports. The OMP monitoring report for 2024 was uploaded to the La Trobe University website and submitted to the Department and Trust for Nature (TFN) on 6 June 2025. It was resubmitted to the Department and TFN on 1 July 2025 with a signed declaration and the completed TFN annual report form. The OMP monitoring report for 2025 is currently in preparation. Refer to section 2.1.2 for further discussion.
B)	By 1 February 2025, the approval holder must submit a revised version of the Offset management plan to the department for the Minister's approval.	Ongoing	The revised draft OMP was provided to the department on 3 rd February 2025 (by agreement as deadline fell on a weekend day). Biosis emailed the department on 6 January 2026 to follow up on the progress of the revised OMP review, which is currently under consideration.
C)	A revised Offset management plan submitted for the Minister's approval must:		
	a. be prepared by a suitably qualified ecologist;	Compliant	The OMP was prepared by a suitably qualified ecologist.
	b. be consistent with the previous version of Offset management plan, unless otherwise necessary to ensure compliance with the conditions of this approval;	Compliant	This OMP is consistent with the previous version but has been updated to ensure compliance with the amended approved conditions, to provide realistic management targets, and to acknowledge the partnership arrangements La Trobe University has with the Narrap Unit of the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation (Wurundjeri Narrap Rangers) and the Darebin Creek Management Committee (DCMC) in assisting with management of the land.
	c. define self-sustaining as relevant to the salvaged Matted Flax-lily plants in the offset area, and detail criteria for determining if a Matted Flax-lily plant is self-sustaining;	Compliant	As per the MFL translocation plan, a single clone is considered established if still alive after five years. The OMP reflects these self-sustaining timelines as outlined in the translocation plan.
	d. detail measurable completion criteria to be achieved and maintained for the duration of this approval, that: <ul style="list-style-type: none"> i. are specific to the offset area and derived from improving habitat quality for Matted Flax-lily at the offset area; and ii. will be achieved by 25 February 2031, and subsequently maintained or improved at least until the expiry of this approval; 	Compliant	The OMP has been updated to reflect measurable and achievable completion criteria to be achieved by 25 February 2031.

Number	Condition of approval	Compliance Year 4	Evidence / Comments
	e. measurable interim performance targets, derived from the completion criteria, that will be achieved to demonstrate the likely achievement of the completion criteria;	Compliant	Measurable completion criteria have been included within the revised OMP with specific interim targets.
	f. detail the management measures, including the timeframes and circumstances for implementing those measures, that will be implemented to: <ul style="list-style-type: none"> i. achieve and maintain the interim performance targets and completion criteria; and ii. maintain at least 189 Matted Flax-lily plants within the offset area; 	Compliant	Management actions and land use commitments are detailed within the revised OMP. La Trobe University has a large insurance population of MFLs, that will be monitored as per the MFLSTP. This insurance population will be used to replace plants that do not survive in order to achieve the target number of MFL in the offset area.
	g. detail monitoring measures, including the timeframes and circumstances for implementing those measures, that will: <ul style="list-style-type: none"> i. detect changes in habitat quality from the baseline assessment; ii. demonstrate progress against achieving the interim performance targets and completion criteria; iii. demonstrate compliance with condition 5A of this approval at regular intervals until the expiry of this approval; and iv. demonstrate the maintenance of the completion criteria, once achieved, at least until the expiry of this approval; 	Compliant	Monitoring measures are detailed within the revised OMP with the following timeframes and circumstances: <ul style="list-style-type: none"> i. Changes in habitat quality is assessed as part of annual vegetation monitoring and reporting. ii. Progress against achieving the interim performance targets and completion criteria is assessed as part of annual vegetation monitoring and reporting. iii. The number of MFL plants maintained in the offset area, which are self-sustaining as defined in the OMP, will be documented annually to demonstrate compliance. iv. Maintenance of the completion criteria will be assessed as part of annual vegetation monitoring and reporting.
	h. detail corrective measures, including timeframes for the implementation of those measures, that will be implemented in the event interim performance targets are not achieved, to ensure the subsequent interim performance target or completion criterion will be achieved;	Compliant	In the event the interim performance target has not been met within the relevant timeframes, La Trobe University will consult with the department to determine any requirements for adaptive management or further updates to the OMP. This consultation will be completed within 6 months of the target date. This commitment is reliant on approval on the revised OMP. This progress is tracked through the offset monitoring report.
	i. include a risk management strategy that includes: <ul style="list-style-type: none"> i. an assessment of the events or circumstances (risk event(s)) that may prejudice the successful implementation of the Offset Management Plan and achievement of the completion criteria; ii. a risk rating for each identified risk event based on the likelihood and consequence of occurrence; iii. measures that will mitigate identified risk events (mitigation measures) by reducing the likelihood and/or lessening the consequence of occurrence for each risk event; iv. details including the timeframes and circumstances for the implementation of mitigation measures; and v. a rating of the residual risk for each risk event, based on the likelihood and consequence of occurrence with mitigation measures in place; and 	Compliant	The risk management strategy did not require an update from the original OMP.
	j. include a table comprised of the time-bound management measures, monitoring activities and corrective measures specified in the Offset management plan and a reference to where those actions and activities are detailed in the Offset management plan.	Compliant	Included in the original OMP and did not require an update.
D)	Following submission of a revised Offset management plan, if the Minister makes a written request to the approval holder to make specified revisions to the Offset management plan to address the requirements of condition 2C, the approval holder must revise the Offset management plan and re-submit the revised Offset management plan to the department in accordance with any such request.	Not applicable	No written requests from the Minister have been received to make revisions to the submitted OMP.

Number	Condition of approval	Compliance Year 4	Evidence / Comments
E)	Prior to expiry of the approval, the approval holder must ensure the version of the Offset management plan that is attached to the securing mechanism for the offset area, is the most recent version approved by the Minister.	Not applicable	To be addressed prior to the expiry of the approval.
F)	The approval holder must ensure the completion criteria detailed on the Offset management plan are achieved by 25 February 2031.	Ongoing	The approval holder will work to ensure the OMP completion criteria is completed in this timeframe.
3.	Within 10 business days of the offset area being secured, the approval holder must provide the department with:		
	a. written evidence demonstrating that the offset area has been secured; and	Compliant	An email was sent to PostApproval@environment.gov.au on 7 March 2022 from Antony Inglis at La Trobe University, which notified the Department that the offset area had been physically secured. The process to have the offset site secured via a covenant begun on 5 January 2022 and was finalised on 10 May 2023.
	b. shapefiles and the offset attributes of the offset area.	Compliant	Shapefiles and the offset attributes were provided in Year 1.
4.	To compensate for the removal of Matted Flax-lily plants within the action area:		
	a. Prior to any clearance, the approval holder must undertake a pre-clearance survey to determine the number and locations of Matted Flax-lily plants within the action area.	Compliant	The pre-clearance survey was undertaken in Year 1 prior to the clearance works. The letter produced on 10 October 2021 stated that one MFL individual appeared to have been salvaged prior to the survey, but that the other 22 expected MFL plants remained. The survey also identified an additional 26 MFL plants in the action area.
	b. The approval holder must salvage and translocate all Matted Flax-lily plants identified by the pre-clearance survey.	Compliant	Identified MFL have been translocated, and monitoring of their condition is ongoing. As per email correspondence on 7 March 2022 from Antony Inglis at La Trobe University to the Department, the salvaged plants were being held and propagated at their nursery. All salvaged plants had survived the translocation. Email correspondence from Antony Inglis on 31 May 2024 to the Department indicated that the salvaged MFL plants had been propagated into approximately 2,000 individuals. The plants were translocated to the offset site on 16 June and 4 September 2024.
	c. The approval holder must commence implementing the Salvage and translocation plan prior to undertaking any clearing.	Compliant	The MFLSTP (Biosis 2020a) has been implemented. The MFL in the action area were salvaged in 2021 and propagated at La Trobe University's nursery before they were translocated into the offset area on 16 June and 4 September 2024. Ongoing monitoring is being undertaken in accordance with the MFLSTP.
5.	The approval holder must ensure that by 1 April 2025, the offset area contains a minimum of 189 salvaged Matted Flax-lily plants.	Compliant	Translocation of MFL individuals has taken place and monitoring is ongoing. The MFL monitoring report for Year 1 (Biosis 2025c) reported that an initial 200 clones were planted on 16 June 2024 and a further 134 were planted on 4 September 2024. A total of 267 MFL plants were contained in the offset area prior to 1 April 2025.
A)	The approval holder must ensure that following 1 April 2025 and at least for the duration of this approval, at least 189 salvaged Matted Flax-lily plants are maintained in the offset area and are self-sustaining as defined in the Offset management plan.	Compliant	Management and monitoring measures are set out in the revised OMP to ensure that salvaged Matted Flax-lily plants are maintained in the offset area and can establish as a self-sustaining population after five years. Detailed monitoring of MFL undertaken in November 2025 confirmed that the number of alive individuals remains above 189. This information will be available in the Year 2 monitoring report currently under preparation.
B)	The approval holder must ensure that the location of each translocated Matted Flax-lily plant is recorded in the Atlas of Living Australia and the Victorian Biodiversity Atlas within 6 months of being translocated.	Compliant	All translocated MFLs have been georeferenced using a DGPS and is indicated in Figure 4. Georeferenced data was uploaded to the Victorian Biodiversity Atlas (VBA) 16 January 2025 and has now been reviewed and approved. The Atlas of Living Australia (ALA) upload data every six months from the VBA.
6.	The approval holder must implement the Conservation management plan.	Compliant	The Conservation Management Plan (CMP) has been implemented, and construction is ongoing for the proposed action.
Part B Standard administrative conditions			
7.	Notification of date of commencement of action The approval holder must notify the department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	Non-compliant (historic)	The commencement of the action occurred on 15 November 2021. La Trobe University notified the department on 7 March 2022 and was made aware that that this notification was outside of the 10 business days following the commencement of action. The department provided a letter to La Trobe University on 7 April 2022 to confirm that the contravention of condition 7 has been substantiated. There have been no further developments on this condition since Year 1.
8.	Notification of date of commencement of action	Compliant	La Trobe University informed the department on following 16 June and 4 September translocation dates, that the translocations of MFL had occurred.

Number	Condition of approval	Compliance Year 4	Evidence / Comments
	The approval holder must notify the department in writing of the date the last Matted-Flax Lily plant is translocated to the offset area within 10 business days after the date the last Matted-Flax Lily plant is translocated to the offset area.		
9.	Compliance records The approval holder must maintain accurate and complete compliance records.	Compliant	The approval holder continues to maintain compliance records.
10.	Compliance records If the department makes a request in writing, the approval holder must provide electronic copies of compliance records to the department within the timeframe specified in the request. Note: Compliance records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the department's website or through the general media.	Compliant	No requests in writing have been made by the Minister for this reporting period.
11.	Submission and publication of plans The approval holder must:		
	a. submit plans electronically to the department;	Compliant	All plans have been electronically submitted to the department.
	b. unless otherwise agreed to in writing by the minister, publish each plan on the website within 20 business days of the date: <ul style="list-style-type: none"> i. of this approval, if the version of the plan to be implemented is specified in these conditions; or ii. the plan is approved by the minister in writing, if the plan requires the approval of the minister; 	Compliant	All plans have been published on the website within 20 days of the approval date (see https://www.latrobe.edu.au/future-city/about/nangak-tamboree and https://www.latrobe.edu.au/sustainability/protecting-biodiversity).
	c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and	Compliant	All sensitive ecological data has been redacted from the plans.
	d. keep plans published on the website until the end date of this approval.	Compliant	Plans remain on the website (see https://www.latrobe.edu.au/future-city/about/nangak-tamboree and https://www.latrobe.edu.au/sustainability/protecting-biodiversity).
12.	Submission and publication of plans The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan, is prepared in accordance with the department's <i>Guidelines for biological survey and mapped data</i> (2018) and submitted electronically to the department in accordance with the requirements of the plans.	Compliant	All spatial data has been prepared in accordance with the department's <i>Guidelines for biological survey and mapped data</i> (2018) and submitted with the requirements of the plans.
13.	Annual compliance reporting The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the minister. The approval holder must:		
	a. publish each compliance report on the website within 60 business days following the relevant 12 month period;	Compliant	This compliance report addresses this condition and covers the period from 15 November 2024 to 14 November 2025. It will be published on the La Trobe University Website within 60 business days of 14 November. The compliance reports for Year 1 and 2, and Year 3 (Nov 23- Nov 24) are published on the La Trobe University (see https://www.latrobe.edu.au/sustainability/protecting-biodiversity). The Year 3 Compliance report was published on the La Trobe University website 20 February 2025, and the department was notified of the upload.
	b. notify the department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication;	Ongoing	The department will be notified within 5 days of this compliance report being uploaded. The department was notified that the previous compliance report was published on the website, and the weblink provided.
	c. keep all compliance reports publicly available on the website until this approval expires;	Ongoing	Compliance reports are available on the La Trobe University website (see https://www.latrobe.edu.au/sustainability/protecting-biodiversity) and will remain on the website until the approval expires.

Number	Condition of approval	Compliance Year 4	Evidence / Comments
	d. exclude or redact sensitive ecological data from compliance reports published on the website; and	Ongoing	All sensitive ecological data has been redacted from the reports.
	e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the department within 5 business days of publication. Note: Compliance reports may be published on the Department's website	Ongoing	Any redacted reports will be submitted directly to the department.
14.	Reporting non-compliance The approval holder must notify the department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:	Partially non-compliant	Two environmental incidents occurred associated with the construction of the Rugby Victoria Facility, within the La Trobe University Sports Precinct area at the Bundoora Campus. Biosis provided advice on potential for long term ecological damage to the area, given their location outside of the approved impact area for EPBC Approval 2018/8343 and in the proximity to the La Trobe University first party offset site for Matted Flax-lily <i>Dianella Amoena</i> for this approval. We understand that the water dumping incident was reported by La Trobe University to the department on 10th June 2025 at the time that they became aware of the breach by the external contractor. La Trobe University contacted Biosis regarding the fence removal incident on 21 August 2025 to request an assessment of the area by an ecologist and to seek advice on how to proceed. Mistakenly, this incident was not reported to the department by La Trobe University; however, remediation actions have been undertaken. Refer to section 2.1.3 for further discussion.
	a. any condition which is or may be in breach;	Partially non-compliant	This information was included within the notification regarding the water dumping incident. Fence removal incident was not reported.
	b. a short description of the incident and/or non-compliance; and	Partially non-compliant	This information was included within the notification regarding the water dumping incident. Fence removal incident was not reported.
	c. the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.	Partially non-compliant	This information was included within the notification regarding the water dumping incident. Fence removal incident was not reported.
15.	Reporting non-compliance The approval holder must provide to the department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:	Partially non-compliant	The incident regarding the water dumping incident was reported within 10 business days after La Trobe University was made aware of it. Fence removal incident was not reported.
	a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;	Partially non-compliant	Information regarding intended next steps was included within the notification regarding the water dumping incident. Fence removal incident was not reported. However, an investigation and remedial actions have been undertaken.
	b. the potential impacts of the incident or non-compliance; and	Partially non-compliant	This information was included within the notification regarding the water dumping incident. Fence removal incident was not reported. However, an investigation and remedial actions have been undertaken.
	c. the method and timing of any remedial action that will be undertaken by the approval holder.	Partially non-compliant	Information regarding intended next steps was included within the notification regarding the water dumping incident. Fence removal incident was not reported. However, an investigation and remedial actions have been undertaken.
16.	Independent audit The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every audit period.	Not applicable	The varied conditions of approval state that the audit period is each subsequent five-year period following the date of the approval. This date is varied to the date the Variation is signed; 14 November 2024. The first audit period is therefore 14 November 2024 -14 November 2029. This was confirmed with the Department via email on 8 January 2026.
17.	Independent audit The approval holder must submit details of the proposed independent auditor and their qualifications to the department within 10 business days following the end of each audit period.	Not applicable	To be addressed when the independent audit is required.
A)	The approval holder must ensure the scope of each independent audit is sufficient to determine the compliance status for:	Not applicable	To be addressed when the independent audit is required.
	a. each condition of approval, and		

Number	Condition of approval	Compliance Year 4	Evidence / Comments
	b. each commitment made in each plan.		
B)	The approval holder must ensure the criteria for each independent audit and the undertaking of each independent audit are consistent with the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> , Commonwealth of Australia 2019.	Not applicable	To be addressed when the independent audit is required.
C)	Within 3 months following approval of the independent auditor, or as otherwise directed by the Minister in writing, the approval holder must submit an audit report to the department for written agreement from the department.	Not applicable	To be addressed when the independent audit is required.
D)	The approval holder must ensure each audit report is completed to the satisfaction of the Minister and is consistent with the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> , Commonwealth of Australia 2019.	Not applicable	To be addressed when the independent audit is required.
18.	Independent audit The approval holder must publish each audit report on the website, in a format that is easily accessible and downloadable, within 10 business days of the date of the department agrees to the audit report in writing.	Not applicable	To be addressed when the independent audit is required.
A)	The approval holder must notify the department within 5 business days of the date the audit report is published on the website. In this notification, the approval holder must provide the department with the web address for where the audit report is published on the website.	Not applicable	To be addressed when the independent audit is required.
B)	The approval holder must keep each audit report published on the website from the first date which that audit report must be published and until the expiry date of this approval.	Not applicable	To be addressed when the independent audit is required.
14.	Completion of the action Within 20 business days after the completion of the action, the approval holder must notify the department in writing and provide completion data.	Not applicable	The department will be notified when the action is completed.

2.1.1 Condition 1b

The approval holder must not clear Matted Flax-lily habitat outside the action area.

Two environmental incidents occurred associated with the construction of the Rugby Victoria Facility, within the La Trobe University Sports Precinct area at the Bundoora Campus, that may have implications for Condition 1b.

Water dumping

On 16 May 2025 an external contractor working on La Trobe University land, in the area adjoining the Offset Site moved a water overflow pipe causing water to discharge into the Offset site and adjoining area, the water discharge covered areas that had been subject to ecological burns that were conducted the month prior.

- A total of 0.56 hectares of land was impacted (the disturbance area) by the dumping of water at the La Trobe University campus.
- This occurred outside of the action area, with a small area of impact within the offset area, however based on the site assessment it is deemed unlikely that this area provides habitat for MFL, as such it is not deemed non-compliant with Condition 1b or the OMP.

Fence removal

Between 7 and 11 August 2025 an external contractor working on La Trobe University land removed a fence using machinery in wet conditions, impacting areas of vegetation and creating a 'new track'.

- The fence removal incident occurred partially outside of the action area and resulted in accidental removal of 0.02 hectares of potential MFL habitat outside of the approved action area. As such it is considered that this would constitute a minor non-compliance with Condition 1b.
- La Trobe University has undertaken remedial actions to rectify the impacts of the incident (see section 2.1.3 for further discussion):
 - The Land Management Officer has conducted walkovers of the area once a fortnight since the incident. It has been assessed that the damage led to the removal of invasive biomass and has facilitated the germination of the native seedbank.
 - Physical weed management of high priority weeds is ongoing in this area.
 - Revegetation is planned for the 2026 planting season.
 - A suitably qualified ecologist will undertake a site inspection to assess the area in spring 2026 to confirm that no long term impacts have resulted from the incident.
- It should be noted that Condition 6 of the EPBC approval outlines that the approval holder must implement the La Trobe University Sports Precinct Stage 3: Conservation Management Plan (CMP). The approved construction area in this plan extends outside of the approved action area, so it is noted that although the fence removal was non-compliant with Condition 1b, the fence was installed at the location outlined within the approved CMP.
 - The CMP will be reviewed prior to future construction and amended (if required) to avoid future incidents.

It is concluded that there has been a case of minor non-compliance with Condition 1b.

2.1.2 Condition 2A

The approval holder must implement the Offset management plan at least until the expiry of this approval.

La Trobe University is responsible for the implementation of the OMP and the management of the offset site in perpetuity via a covenant. Management responsibilities are detailed in the OMP and include:

- Implementing the OMP.
- Ensuring all staff and contractors comply with all OMP requirements.
- Ensuring preparation of ongoing management audit/review.
- Ensuring preparation of annual management objectives for the next year including targets and standards.
- Appointing of consultant ecologist and specialist bushland management contractor to implement management of the site.
- Reporting to Trust for Nature (TfN) and DCCEEW as required.

As of the 2024 reporting year, particular attention was required to ensure that vegetation quality and weed control targets are met, as total weed cover was above the target cover levels, and biomass levels were below the target percentage.

During the 2025 reporting year, La Trobe University satisfactorily complied with 24 of the 31 OMP requirements and were partially compliant with four of the requirements (report currently under preparation). However, there are several requirements relating to the cover of perennial and woody weeds which must be actioned.

As per the recommendations of the Year 4 monitoring report (Biosis 2025a), an Annual Works Plan was prepared by La Trobe University and Wurundjeri Narrap Rangers and included planned works for the reduction of weeds (particularly woody weeds) and biomass, and revegetation works following these activities.

These actions demonstrate compliance with the OMP in terms of management; however particular attention still needs to be given to ensuring that vegetation quality and weed control targets are met. Management of declared noxious weeds should be a high priority in the next two to three years and biomass control using planned burns where possible should be utilised. Further information will be available as the year 5 report is finalised.

It is considered that La Trobe University is compliant with undertaking actions in line with the OMP, however intensive management will be required to meet the weed control and biomass targets set out in the revised OMP.

2.1.3 Condition 14 & 15

14. *The approval holder must notify the department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:*
- a. *any condition which is or may be in breach;*
 - b. *a short description of the incident and/or non-compliance; and*
 - c. *the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.*
15. *The approval holder must provide to the department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:*
- a. *any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;*
 - b. *the potential impacts of the incident or non-compliance; and*
 - c. *the method and timing of any remedial action that will be undertaken by the approval holder.*

The water dumping incident was reported by La Trobe University to the department on 10th June 2025 at the time that they became aware of the breach by the external contractor. For this incident, La Trobe University are compliant with Condition 14 and 15.

La Trobe University contacted Biosis regarding incidents on 21 August 2025 to request an assessment of the area by an ecologist and to seek advice on how to proceed. A site assessment was undertaken by Sarah Hilliar (Senior Botanist) on 27 August 2025 to assess the potential impacts to ecological values from the water dumping and removal of the construction exclusion fence. A letter of advice was prepared 11 September 2025 to address:

- Ecological implications on native vegetation in offset site areas.
- Legislative implications associated with the EPBC Approval (EPBC 2018/8343).
- Proposed remedial actions and next steps.

Proposed remedial actions with the letter of advice included:

- A monthly site walkover is recommended to determine which species are re-establishing within the disturbance area. These walk-overs should help to inform weed management at the site. Photos should be taken and notes recorded during each site walk-over.
- Physical weed management is recommended to occur monthly over spring and summer within the new track area.
- Revegetation is likely to be required through direct seeding or planting, La Trobe University should work with the Wurundjeri Narrap Rangers to determine the best revegetation pathway for the impacted area.
- All future works plans should address the disturbance areas specifically, given management needs here may be higher.
- During spring or summer 2026 a suitably qualified ecologist should review the photos and undertake a site inspection of the impacted area to determine if further mitigation measures are required.

The fence removal incident presents non-compliance with Condition 1b of the EPBC approval. La Trobe University intended to notify the department regarding the fence removal incident, but it was overlooked, as such this report serves as notification of the incident. Nevertheless, they have taken action to remediate the impacted area:

- The Land Management Officer has conducted walkovers of the area once a fortnight since the incident. It has been assessed that the damage led to the removal of invasive biomass and has facilitated the germination of the native seedbank, including Matted Flax-lily, *convolvulus spp.*, and *Tricoryne spp.*
- Physical weed management of high priority weeds is ongoing in this area.
- Revegetation is planned for the 2026 planting season due to the weather conditions this past spring and summer. Revegetation of the area will be included in the following Annual Works Plan, prepared in conjunction with the Wurundjeri Narrap Rangers.
- A suitably qualified ecologist will undertake a site inspection to assess the area in spring 2026 to confirm that no long term impacts have resulted from the incident.

It is concluded that La Trobe University are partially non-compliant with Condition 14 and 15 as the water dumping incident was reported correctly, but the fence incident was not. It should be noted that the impacted area is being monitored, has been repopulated with native species, and ongoing weed management is being undertaken to ensure there are no further consequences.

2.2 Assessment of Compliance

It has been assessed that during the operations of 15 November 2024 to 14 November 2025, there has been a minor breach of Condition 1b with the removal of 0.02 hectares of potential MFL habitat outside of the approved action area, and a partial breach of Condition 14 and 15 as the fence removal incident was not reported to the department.

The remaining operations during this period were compliant with the current varied EPBC conditions of approval, as supported by the evidence provided in Table 1.

2.3 Future planning and management

The EPBC approval and associated conditions are in effect until April 2035.

The following actions are required for the ongoing management of the La Trobe University offset site and to remain compliant with EPBC conditions and MFLTP, CMP and OMP actions related to threatened flora:

- Continue implementation of land management activities outlined in the MFLTP, CMP and revised OMP (once endorsed) which must be undertaken by experienced conservation land managers.
 - Particular attention should be paid to weed control, biomass targets and impacted areas of recent incidents.
- Monitor the condition of the translocated Matted Flax-lily plants salvaged from the action area as per the MFLTP.

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- Biosis 2020a. *La Trobe University Sports Precinct Stage 3: EPBC Act Matted Flax-Lily Salvage and Translocation Plan (EPBC 2018/8343)*, Report for La Trobe University. Author: Merlo, I. Biosis Pty Ltd, Melbourne. Project No. 30363.
- Biosis 2020b. *La Trobe University Sports Park Precinct Stage 3 Conservation Management Plan*, Report prepared for La Trobe University. Authors: Milne, L. & White, J. Biosis Pty Ltd, Melbourne, VIC. Project no. 30363.
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- Biosis 2025c. *La Trobe University Sports Precinct Stage 3: EPBC Act Offset Management Plan – Matted Flax-lily Translocation Monitoring Report. Baseline Annual Monitoring: EPBC 2018/8343*, Report prepared for La Trobe University, Orchard J, Biosis Pty Ltd, Melbourne. Project no. 40954.
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