



## Notification of approval decision

### Proposed residential subdivision and development of 62 Collins Road and 170 Boundary Road Dromana, Victoria (EPBC 2025/10100)

This decision is made under section 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Note that section 134(1A) of the EPBC Act also applies to this approval. That provision provides, in general terms, that if the approval holder authorises another person to undertake any part of the Action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such conditions.

#### Approved Action

<b>person to whom the approval is granted (approval holder)</b>	COLLINS ST PROPERTY PTY LTD ACN: 623 402 344
<b>Action</b>	To develop a residential subdivision and associated infrastructure at 62 Collins Road and 170 Boundary Road Dromana, Victoria. See EPBC Act referral 2025/10100.

#### Approval decision

<b>decision</b>	My decision on whether or not to approve the taking of the Action for the purposes of the controlling provision for the Action is as follows	
	<b>Controlling Provision</b>	<b>Decision</b>
	Listed threatened species and communities (section 18 and section 18A)	Approved
<b>period for which the approval has effect</b>	This approval has effect until 16 April 2045.	
<b>conditions of approval</b>	The approval is subject to conditions under the EPBC Act as set out in Annexure A.	

#### Person authorised to make decision

<b>name and position</b>	Brendan Linton-Smith Acting Branch Head Environment Assessments (Vic and Tas) and Post Approvals Branch Environment Regulation Division
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signature



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date of decision

15 April 2026

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## Annexure A

**Note:** Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them at **Part C – Definitions**.

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### Part A – Avoidance, mitigation, and compensation conditions

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#### CLEARING LIMITS

- 1) The approval holder must not:
  - a) **Clear** outside of the **Action area**.
  - b) **Construct** outside of the **Action area**.
  - c) **Clear** more than 17.09 ha of **Swamp Skink habitat** as part of this Action.
  - d) **Clear** or **construct** within the **conservation reserve**, except as permitted under the approved **Conservation Management Plan**.

#### CONSERVATION MANAGEMENT PLAN

- 2) To avoid and mitigate **harm** as a result of the Action on **protected matters**, the approval holder must:
  - a) commence implementing the **Conservation Management Plan (CMP)** no later than the **commencement of the Action**.
  - b) achieve all environmental outcomes specified in the **CMP** within the timeframes specified in the **CMP**.
  - c) continue to implement the **CMP** until relinquishment or transfer of ownership of the **conservation reserve**.
- 3) The approval holder must **secure** the **conservation reserve**, as specified in the **CMP**, before commencing **construction** within the **Action area**.
- 4) The approval holder must, within 5 **business days** of **securing** the **conservation reserve**, notify the **department** of the date on which the **conservation reserve** was **secured**.

- 5) The approval holder must not relinquish or transfer ownership of the **conservation reserve** unless the **Minister** has approved in writing the proposed relinquishment or transfer and the entity to assume responsibility for the **conservation reserve**. In seeking the **Minister's** approval of a proposed transfer, the approval holder must submit to the **department** evidence that:
  - a) the **conservation reserve** is **secured**, and
  - b) the entity to assume responsibility for the **conservation reserve** understands this commitment and will implement the **CMP** in perpetuity.

## OFFSETS

- 6) To compensate for the residual significant impacts of the Action on the **Swamp Skink**, the approval holder must commence implementation of the **Offset Management Plan (OMP)** no later than the **commencement of the Action** and continue to implement the **OMP** at least until the expiry date of this approval.
- 7) The approval holder must, within 5 **business days** of commencing implementation of the **OMP**, notify the **department** in writing of the date on which implementation of the **OMP** commenced.
- 8) The approval holder must not **commence the Action** unless the **offset site** has been **secured**.
- 9) The approval holder must, within 5 **business days** of **securing the offset site**, notify the **department** in writing of the date on which the **offset site** was **secured**.
- 10) The approval holder must achieve the **offset outcomes** at the **offset site** by **year 10**.
- 11) Once the **offset outcomes** have been achieved, the approval holder must maintain, or exceed, the **offset outcomes** at least until the expiry date of this approval.
- 12) The approval holder must have an **independent suitably qualified ecologist** assess the achievement of each **offset outcome** across the entire **offset site** within 2 months after **Year 10** and prepare a report within 4 months after **Year 10**, specifying whether each **offset outcome** has been achieved and specifying those parts of the **offset site** where any **offset outcome** has not been achieved.
- 13) Within 5 months of **Year 10**, the approval holder must publish the report of the **independent suitably qualified ecologist** on the **website**.
- 14) The approval holder must keep the report of the **independent suitably qualified ecologist** published on the **website** at least until the expiry date of this approval.
- 15) If the **independent suitably qualified ecologist** reports that any **offset outcome** has not been achieved, the approval holder must, within one month of receiving the report of the **independent suitably qualified ecologist**, notify the **department** in writing of any **offset outcome** that has not been achieved.

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## Part B – Administrative conditions

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### SUBMISSION AND PUBLICATION OF PLANS

- 16) Wherever these conditions require the approval holder to submit any **plan** to the **department**, all such **plans** must be submitted to the **department** electronically.
- 17) Unless otherwise agreed to in writing by the **Minister**, the approval holder must publish each **plan** on the **website** within 15 **business days** of the date:
  - a) of this approval, if the version of the **plan** to be implemented is specified in these conditions,
  - b) the **plan** is approved by the **Minister** in writing, if the **plan** requires the approval of the **Minister**,
  - c) the **plan** is submitted to the **department** in accordance with a requirement of these conditions, if the **plan** does not require the approval of the **Minister**.
- 18) The approval holder must keep all **plans** published on the **website**, in a format that is easily accessible and downloadable, from the first date which that **plan** must be published and until the expiry date of this approval. This requirement applies to all current and superseded versions of **plans**.
- 19) The approval holder must exclude or redact **sensitive biodiversity data** from any version of a **plan** before that **plan** is published on the **website** or otherwise provided to a member of the public.
- 20) If **sensitive biodiversity data** is excluded or redacted from a **plan**, the approval holder must notify the **department** in writing, before that **plan** is published on the **website** or otherwise provided to a member of the public, what exclusions and redactions have been made in the public version.

### COMMENCEMENT OF THE ACTION

- 21) The approval holder must notify the **department** electronically of the date of **commencement of the Action**, within 5 **business days** following **commencement of the Action**.
- 22) The approval holder must not **commence the Action** later than 5 years after the date of this approval decision.

### COMPLIANCE RECORDS

- 23) The approval holder must maintain accurate and complete **compliance records** and document the procedure for recording and storing **compliance records**.
- 24) 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 by an **independent auditor** in accordance with section 458 of the **EPBC Act**, or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the **department's** website or through the general media.
- 25) The approval holder must ensure that any **monitoring data**, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guidelines for biological survey and mapped data*, Commonwealth of Australia 2018, or as otherwise specified by the **Minister** in writing.
- 26) The approval holder must ensure that any **monitoring data**, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects*, Commonwealth of Australia 2021, or as otherwise specified by the **Minister** in writing.
- 27) The approval holder must submit all **monitoring data**, surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the **department** within 20 **business days** of the next anniversary of the date of this approval decision except where otherwise specified in a **plan**.

## ANNUAL COMPLIANCE REPORTING

- 28) The approval holder must prepare a **compliance report** for each **Annual Compliance Report period (ACR period)**.
- 29) The approval holder must ensure each **compliance report** includes:
- a) accurate and complete details of compliance and any non-compliance with:
    - i) each condition attached to this approval decision, and
    - ii) all commitments made in each **plan**,
  - b) a schedule of all **plans** in effect in relation to these conditions during the **ACR period**,
  - c) accurate and complete details of how each **plan** was implemented during the **ACR period**, and
  - d) if any **incident** occurred, accurate and complete details of each **incident**.
- 30) The approval holder must ensure each **compliance report** is completed to the satisfaction of the **Minister** and is consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2023.
- 31) The approval holder must, within 20 **business days** following the end of each **ACR period**, in a format that is easily accessible and downloadable, publish on the **website**:

- a) each **compliance report**, and
  - b) a **shapefile** showing all **clearing of protected matters**, and their habitat, undertaken within the **ACR period**.
- 32) The approval holder must:
- a) Exclude or redact **sensitive biodiversity data** from each **compliance report** and **shapefile** published on the **website** or otherwise provided to a member of the public.
  - b) If **sensitive biodiversity data** is excluded or redacted from a version of a **compliance report** published or otherwise provided to a member of the public, submit the full **compliance report** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.
  - c) If **sensitive biodiversity data** is excluded or redacted from a version of a **shapefile** published or otherwise provided to a member of the public, submit the full **shapefile** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.
- 33) The approval holder must notify the **department** electronically, within 5 **business days** of each date of publication that the **compliance report** has been published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **compliance report** and related **shapefile** are published on the **website**.
- 34) The approval holder must keep each **compliance report** and related **shapefile** published on the **website** from the first date which that **compliance report** must be published and until the expiry date of this approval.

**Note:** **Compliance reports** may be published on the **department's** website.

## REPORTING NON-COMPLIANCE

- 35) The approval holder must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident**. The approval holder must specify in each notification:
- a) any condition or commitment made in a **plan** which has not been, or may have not been, complied with,
  - b) a short description of the **incident**, and
  - c) the location (if applicable, including co-ordinates), date and time of the **incident**.
- 36) The approval holder must provide to the **department** in writing, within 12 **business days** of becoming aware of an **incident**, the details of that **incident**. The approval holder must specify:
- a) all corrective measures and investigations which the approval holder has already taken in respect of the **incident**,

- b) the potential impacts of the **incident**,
- c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the **incident**, and
- d) any variation of these conditions or revision of a **plan** that will be required to prevent recurrence of the **incident** or to address its consequences.

## INDEPENDENT AUDIT

- 37) The approval holder must ensure that an **independent audit** of compliance with the conditions is conducted for every **audit period**.
- 38) The approval holder must submit details of the proposed **independent auditor** and their qualifications to the **department** no more than 10 **business days** following the end of each **audit period**.
- 39) The approval holder must ensure the scope of each **independent audit** is sufficient to determine the compliance status for each condition of approval, and each commitment made in each **plan**.
- 40) The approval holder must ensure the criteria for each **independent audit** and the undertaking of each **independent audit** are consistent with the **Independent Audit and Audit Report Guidelines**.
- 41) The approval holder must submit an **audit report** to the **department** for written agreement from the **department** within 3 months following the end of each **audit period**, or as otherwise directed by the **Minister** in writing.
- 42) The approval holder must ensure each **audit report** is completed to the satisfaction of the **Minister** and is consistent with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.
- 43) 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 the **department** agrees to that **audit report** in writing.
- 44) 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**.
- 45) 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.

## COMPLETION OF THE ACTION

- 46) Within 20 **business days** after the **completion of the Action**, and, in any event, at least 20 **business days** prior to the expiry date of this approval, the approval holder must notify the **department** electronically of the date of **completion of the Action** and provide **completion**

**data.** The approval holder must submit any spatial data that comprises **completion data** as a **shapefile**.

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## Part C – Definitions

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Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them in the list below:

**Action area** means the location of the Action represented in Attachment A by the zone enclosed by the orange line designated ‘Project area’.

**Annual Compliance Report period** or **ACR period** means each subsequent 12-month period following the date of this approval decision until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.

**Audit period** means each subsequent five -year period following the **commencement of the Action** until the expiry date of this approval unless otherwise specified in writing by the **Minister**.

**Audit report** means a written report of an **independent audit**.

**Biodiversity data** means ‘biodiversity data’ as described in the *Policy on Accessing and Sharing Biodiversity Data*, Commonwealth of Australia 2024.

**Business day** means a day that is not a Saturday, a Sunday, or a public holiday in Victoria.

**Clear** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation.

**Commence the Action** means the first instance of any on-site **clearing, construction** or other physical activity associated with the Action, but does not include minor physical disturbance necessary to:

- Undertake pre-clearance surveys or monitoring programs.
- Install signage or temporary fencing to prevent unapproved use of the **Action area**, so long as the signage or temporary fencing is located where it does not **harm** any **protected matter**.
- Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks.
- Install temporary site facilities for persons undertaking pre-commencement activities so long as these facilities are located where they do not **harm** any **protected matter**.

**Commencement of the Action** means the date on which the approval holder **commences the Action**.

**Completion data** means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.

**Completion of the Action** means the date on which all activities associated with the approved Action, other than those which provide compensation for the impacts of the Action, have permanently ceased or been completed.

**Compliance records** means all documentation or other material in whatever form required to demonstrate compliance with these conditions of approval (including compliance with commitments made in **plans**) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.

**Compliance report** means a written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in **plans**).

**Conservation Management Plan** or **CMP** means the document 170 *Boundary Road & 62 Collins Road, Dromana: Conservation Management Plan Final report, Version 2, Biosis, 18 December 2025*, or the latest subsequent version revised in accordance with these conditions.

**Conservation reserve** means the 6.99 hectares of land within the **Action area** represented in Attachment A by the zone hatched with horizontal black lines designated 'Avoidance area'.

**Construction** means:

- the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site,
- the alteration, maintenance, repair or demolition of any building or structure,
- any work which involves breaking of the ground (including drilling or pile driving) or earthworks,
- the laying of pipes and other prefabricated materials in the ground, and
- any associated excavation work.

**Construction** does not include the installation of temporary fences or signage.

**Department** means the Australian Government agency responsible for administering the **EPBC Act**.

**EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

**Habitat quality** means a measure of the overall viability of a site and its capacity to support **protected matters**, with respect to site condition, site context and species stocking rate or composition.

**Harm** means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.

**Incident** means any:

- event which has the potential to, or does, **harm any protected matter**,
- potential non-compliance with these conditions, including the administrative requirements,
- actual non-compliance with these conditions, including the administrative requirements,
- potential non-compliance with one or more commitment made in a **plan**, or
- actual non-compliance with one or more commitment made in a **plan**.

**Independent** means a person, or firm, who does not have any individual, financial\*, employment\* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons.

**Independent audit** means an audit, conducted by an **independent auditor**, of compliance with and fulfilment of these conditions and the commitments made in **plans**, objectively evaluated against the audit criteria developed by the **independent auditor**, in accordance with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.

**Independent Audit and Audit Report Guidelines** means the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

**Independent auditor** means a person, or firm, who:

- does not have any individual, financial\*, employment\* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons,
- has demonstrated experience in undertaking government-regulated environmental compliance audits, and
- holds relevant professional qualifications and accreditations.

\*Other than for the purpose of undertaking the role for which the person, or firm, is required.

**Minister** means the Australian Government Minister administering the **EPBC Act**, including any delegate thereof.

**New or increased impact** means any direct or indirect increase in the impacts of an Action, an increase to the likelihood of an impact occurring, a reduction to the monitoring or mitigation measures for a **protected matter**, or a change to the nature or management of an environmental offset as outlined in the *Guidance on 'new or increased impact' relating to changes to approved management plans under EPBC Act environmental approvals*, Commonwealth of Australia 2017.

**Offset Management Plan** or **OMP** means the document titled *Swamp Skink Offset Management Plan – Loch Sport, Gippsland FINAL REPORT, Final Version 05, Biosos, 9 April 2026* or the latest subsequent version approved in writing by the **Minister**.

**Offset outcomes** means the offset outcomes specified in Section 2.2 *Proposed offset site details and suitability – Loch Sport, Gippsland* and Table 6 *Proposed offset site – Swamp Skink habitat quality calculation inputs* and Section 3 Part B: *Offset Implementation* of the **Offset Management Plan**.

**Offset site** means the 28.6 ha area of Swamp Skink habitat at Beach Road, Loch Sport, Gippsland, Victoria, represented in Attachment B by the zone enclosed by the bright green line designated 'Proposed Swamp Skink offset'.

**Plan** means any action management plan or strategy that the approval holder is required by these conditions to implement.

**Protected matter** means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

**Secure** means to provide enduring conservation protection in perpetuity on the title of land under mechanisms such as a deed of covenant under the *Victorian Conservation Trust Act 1972 (Vic)*, a Section 173 agreement under the *Planning and Environment Act 1987 (Vic)*, or a Section 69 agreement under the *Conservation Forests and Lands Act 1987 (Vic)*, or another enduring protection mechanism agreed to in writing by the **department**, to provide protection for the site against development incompatible with conservation.

**Sensitive biodiversity data** means **biodiversity data** which, if released, published or otherwise exposed, may result in **harm** to the relevant **protected matter** as a result of the intentional or unintentional misuse of that **biodiversity data**.

**Shapefile** means location and attribute information about the Action provided in an Esri shapefile format containing:

- '.shp', '.shx', '.dbf' files,
- a '.prj' file which specifies the projection or geographic coordinate system used, and
- an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

**Suitably qualified ecologist** means a person who has relevant professional qualifications and at least 3 years of work experience designing and implementing surveys for Swamp Skink and can give an authoritative assessment and advice on the presence and habitat requirements of Swamp Skink using relevant protocols, standards, methods and literature.

**Swamp Skink** means the **EPBC Act** listed threatened species *Lissolepis coventryi*.

**Swamp Skink habitat** means any habitat suitable for use or used by the **Swamp Skink**.

**Website** means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

**Year 10** means the tenth anniversary of the date of this approval decision.

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**Attachments**

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A: Location of the Proposed Action

B: Offset Location and Features

Attachment A: Location of the Proposed Action



