

Grassy Plains Network submission regarding
Preliminary documentation for Derrimut Logistics Hub Industrial
Development EPBC 2024-09809



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1. Executive summary

1.1. Who we are

The Victorian National Parks Association (VNPA) is one of Victoria's leading nature conservation organisations. It is an independent, non-profit, membership-based group, which for 70 years has existed to protect Victoria's unique natural environment and biodiversity through the establishment and effective management of national parks, conservation reserves and other measures.

The Grassy Plains Network is an represents land management professionals, academics, ecologists and community members concerned about the ongoing decline of grassy ecosystems across Victoria. We advocate for improved grassland protection and management. We are part of the VNPA.

1.2. Key messages

- The project is a controlled action.
- Disappointingly, the proponents have undertaken no further survey work, despite previous flora surveys occurring only months after slashing.
- Disappointingly, the proponents still intend to fully clear the site, undertaking no avoidance.
- The proposal is not necessary. It is not vital infrastructure. It is not site specific. It can be easily located elsewhere. Development of the site can easily be avoided.
- This is a clear example of a grassland that should not be cleared. It is high-quality, well-connected, immediately adjacent to other high-quality grassland, contains critically Endangered Natural Temperate Grassland of the Victorian Volcanic Plain, Striped Legless Lizard and Spiny Rice-flower, has not be ploughed or derocked, and is on a waterway along which other significant grasslands are located.
- If clearing is allowed on this site, it raises the very serious question of what won't DEECCW allow? The proposal is the antithesis of Ecologically Sustainable Development.
- Development proposals such as this waste DCCEEW's, local council's, and other stakeholders' resources and should be firmly discouraged.
- The cumulative impacts of this project to Critically Endangered Natural Temperate Grassland of the Victorian Volcanic Plain are unacceptable. Latest data from CSIRO's Arthur Rylah Institute show that only 0.58% of Natural Temperate Grassland of the Victorian Volcanic Plain remains. Only 0.13% of Themeda-dominated grassland such as we have in this instance survives (and the researchers say that is likely an overestimate). The vast majority of the remaining grassland across the Victorian Volcanic Plain is in much poorer condition than this grassland.
- Clearing this grassland will have immediate impacts on adjacent high-value grassland and Small Golden Moths Orchid.
- The proposal fails to avoid impacts to Matters of National Environmental Significance.
- The mitigation approaches are insufficient.

- No approvals should be given until appropriate surveys are undertaken.
- Alternatives to the development of the site should be considered:
 - The landholders should improve the condition of the grassland and make the site available on the offsets register. They would still make a tidy profit.
 - The Melbourne Strategic Assessment could purchase the site to partially fulfill its obligations for acquisition of Spiny Rice-flower habitat, an additional 394 hectares of which must be purchased for the MSA to meet its target. The Commonwealth should facilitate the investigation of this option.
 - At the very least, the proposed development needs to be restricted to one of the two options shown in Figures 1 (retain areas of low Striped Legless Lizard habitat) and 2 (capture and connect largest patches best grassland). Both these options would retain connectivity, the surveyed population of Spiny Rice-flower, the main areas of Natural Temperate Grassland of the Victorian Volcanic Plain, and habitat for Striped Legless Lizard.



Figure 1: Map of Striped Legless Lizard habitat. The areas in light and dark purple on the eastern side of the site are potentially appropriate for development. Entry to the developable area would be via the north-east corner.



Figure 2: Areas to be retained (green dashed line and areas potentially appropriate for development (black diagonal stripe). Note that better surveying may reveal changes to conservation values that will affect what areas should be protected.

- Pollution event: A major incident occurred on July 10, 2024, at a chemical blending facility (ACB Group) on Swann Drive, involving explosions and a large fire with volatile substances like kerosene and ethanol, leading to toxic smoke warnings, road closures, and environmental concerns. Toxic materials thrown from explosions covered the site.
 - Has any subsequent contamination assessment has been made?

1.3. Shameful arguments and poor behaviour

The consultant's report makes some absurd claims. For instance:

"The value in retaining the small, degraded remnant NTGVVP and small areas of SRF habitat at the site is low compared to retaining and enhancing larger areas such as the Gilbertson's Reserve that was strategically set aside for management for conservation purposes when the industrial area was created." P.21, Preliminary Documentation.

The error here is that this site is directly connected to Gilbertsons Grassland and enhancing this site would be in effect be enhancing and expanding Gilbertson's Grassland. It is a gross mischaracterisation to label the site as small and degraded when it contains 2.5 ha of Natural Temperate Grassland of the Victorian Volcanic Plain as well as 18 ha of Striped Legless Lizard habitat.

This sort of deliberately misleading language from a consultant suggests we must far more closely scrutinise the consultant's claims in future.

The consultant goes on to say:

“The development currently proposes to remove all NTGVVP and SRF habitat within the impact area. Were this not to occur and some NTGVVP be retained, it is likely the retained areas would be invaded by high threat weeds such as Chilean Needle-grass and Serrated Tussock that already dominate most of the impact area.” P.21, Preliminary Documentation.

What is being implied is that if the site isn’t cleared it will lose its environmental values due to lack of weed invasion from lack of management. This is the sort of blackmail argument that the worst of developers put forward. “Let us clear it or we’ll destroy it anyway.” It is a disgusting argument, and the consultants should be ashamed for promulgating it.

It is also clearly wrong. The site has survived with good conservation values intact for decades. The site can be restored. The proponents could show themselves to be good corporate citizens and actually care for the irreplaceable natural assets they have on their land.

It is also of course likely that poor slashing hygiene by the proponents is what has brought in the Chilean needle Grass and Serrated Tussock in the first place. An action which may well impact adjacent Gilbertsons Grassland.

We should note too that the proponents have done nothing to control these weeds of national significance, in contravention of the Catchment and Land protection Act.

The grassland on site was likely to be in much better condition than it is today. Decline is likely to be the product of poor management, slashing with heavy machinery, and insufficiently frequent biomass management. Disappointingly, this behaviour is entirely legal. If development proceeds, the granting of a permit will incidentally reward the developer for their grassland destruction by stealth; and the reduced cost of offsets will also be a financial reward for their poor conservation behaviour.

1.4. Permit conditions

The following permit conditions should be required for any development of the site:

- Development only in areas of low Striped Legless Lizard habitat, as shown in Figure 1 above.
- Requirement to manage the remainder of the site in a responsible manner that actually protects and improves its biodiversity values. This would include a funding commitment and a conservation plan to be approved by the relevant authority.
- Restrictions on adjacent land use to minimise impacts to conservation values, including setbacks to prevent shading, impacts to hydrology for instance from runoff from hardstands, the mitigation of impacts from excessive light noise, vibration and pollutants, spread of non-native species, minimising potential fauna-vehicle interactions, use of indigenous planting palettes, provision of habitat elements such as coarse woody debris, and appropriate fencing.
- Salvage and translocation of any impacted Striped Legless Lizard and Tussock Skink.
- Seed harvest from any impacted Spiny Rice-flower and then salvage and translocation.

- Seed harvest from any impacted herbaceous plants for the purposes of retaining genetic diversity.
- All required offsets should be within 30km radius of development site.
- Any development should require offsets for the potential presence of, and impacts to, Small Golden Moths Orchid.

2. Appendix 1: Kayes Drain eco-corridor

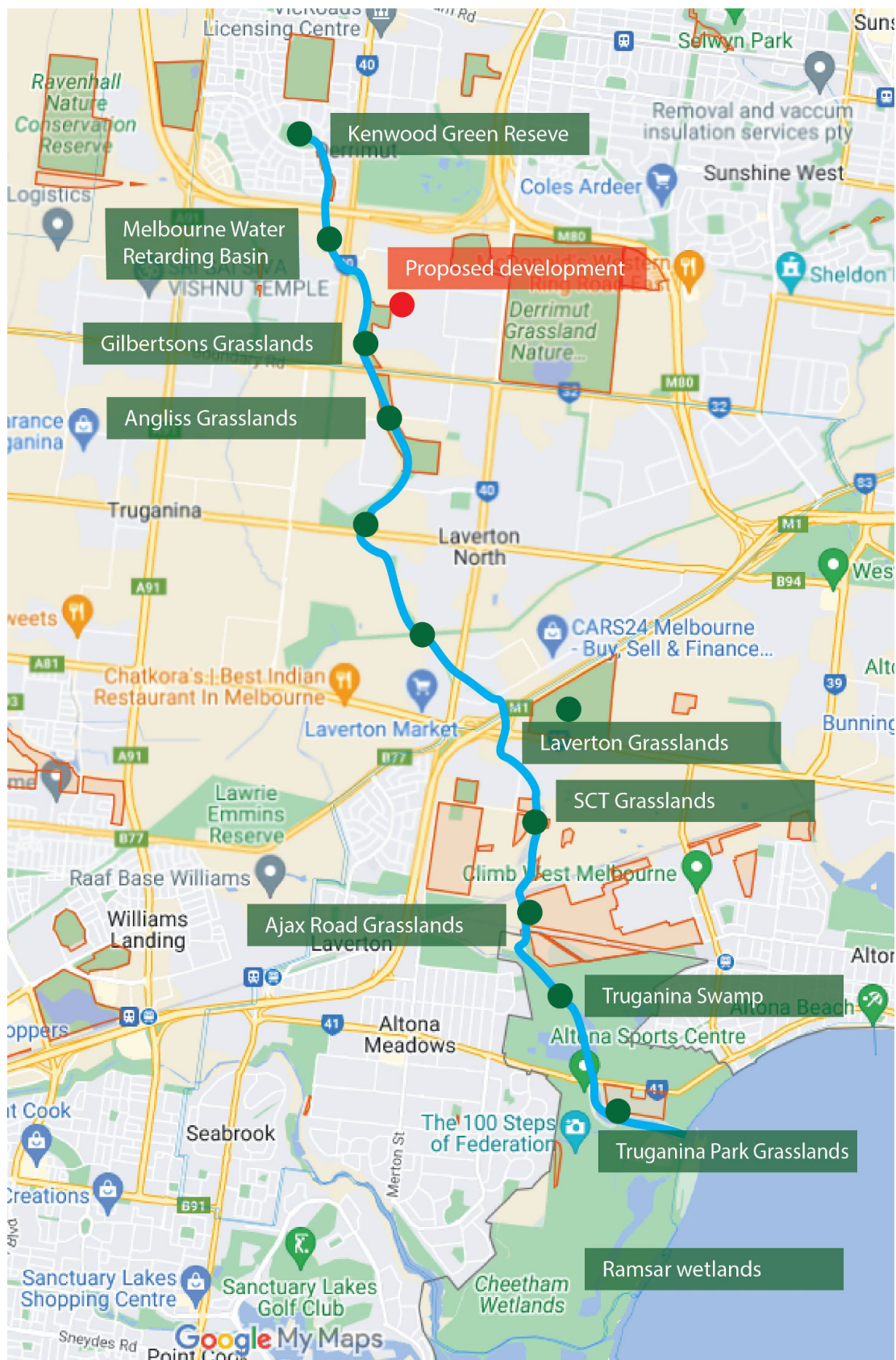


Figure 2: The poorly named Kayes Drain connects many of the important grasslands in Melbourne's West. Grasslands outlined in orange. Source <https://grassyplains.net.au/grasslands-map/>