

Grassy Plains Network submission regarding  
Craigieburn Industrial Development, EPBC 2021/9093



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# 1. Executive summary

## 1.1. Who we are

The Grassy Plains Network 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 Victorian National Parks Association (VNPA).

The 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.

## 2. Key messages

### 2.1. Building on a floodplain

- Proposal to build on a floodplain is fundamentally flawed, In this case, native vegetation is being completely cleared because ground levels have to be built up to meet Melbourne water standards.

### 2.2. Lack of avoidance:

- It is inappropriate to suggest that avoidance is impossible. Clearly, less coverage – even no coverage – of the site is possible.
- No evidence is put forward to support the lack of avoidance apart from the repeated restating that “avoidance is not possible”.
- This disregard for the assessment process undermines the credibility of the documentation provided by the ecological consultant.
- Lazy or overly profit-greedy design should not be rewarded.
- Claims that the project is mitigating “as much as practically feasible” should be viewed in an equally critical light.

### 2.3. Unprofessional language and disregard for genuine environmental conservation goals

- **Example 1:** The consultants claim that “the NTGVVP within the impact area does not represent a high-quality example of this listed community” and this is used to justify its removal. This is disgraceful.
  - The threshold for Natural Temperate Grassland of the Victorian Volcanic Plain is high. Any grasslands that meet this threshold are automatically considered so good as to be protected by the EPBC Act.
  - To argue that the less diverse or more weedy examples of Natural Temperate Grassland of the Victorian Volcanic Plain are able to be cleared undermines the very fundamentals provisions of the EPBC Act.
  - If we were to accept the argument that only “high-quality” patches of Natural Temperate Grassland of the Victorian Volcanic Plain are to be avoided, we might

as well clear almost the entire 0.58% that remains of this most critically endangered of Australia's ecosystems.

- The argument also undermines the urgent need for greater efforts to restore Natural Temperate Grassland of the Victorian Volcanic Plain. Protection is in itself not enough because we have an ecosystem on the point of extinction. Restoration, not clearance, is the only path to reversing the decline of this ecosystem.
- **Example 2:** "Given the patchy nature of the community within the study area, it is likely that, in the absence of conservation management, the NTGVVP remnants will continue to degrade due to ongoing weed invasion and agricultural land uses".
  - This is essentially a blackmail argument. That is, the grassland will decline anyway if we fail to look after it, therefore you should let us clear it.
  - The consultants should be ashamed to be promulgating such lines of argument.
- Surprisingly, the consultants go on to undermine the arguments implicit in both these examples by stating:
  - "Distribution throughout Melbourne and Victoria is highly fragmented and discrete, and few large, high-quality remnants are known to occur to Ecology and Heritage Partners, and the loss of any remnants of the community are likely to be considered significant at the local, regional and national scale."
  - "One of the main drivers of the reduction in extent to the ecological community in recent years around Melbourne has been residential, industrial and commercial development."

#### 2.4. Misleading emphasis on significance of "State significant industrial land"

- Most of Melbourne's north and west is classified as "State significant industrial land" as put forward in The Melbourne Industrial and Commercial Land Use Plan (2020).
- This classification of land as industrially significant or otherwise has no bearing on environmental law and should be disregarded.
- To accept that such land is to be given lesser environmental protection undermines the EPBC Act and would in effect allow the development of all of Melbourne's industrial-zoned land.

#### 2.5. Unacceptable impacts to Natural Temperate Grassland of the Victorian Volcanic Plain

- The Natural Temperate Grassland of the Victorian Volcanic Plain is listed as Critically Endangered under the EPBC Act and are on the brink of extinction.
- Latest data from Arthur Rylah Institute suggests only 0.58% of the extent of the Victorian Volcanic Plain's grasslands remain, with only 0.13% Themeda grassland remaining (See Farmilo, B., Batpurev, K., Sinclair, S., White, M. and Griffioen, P. (2021) Spatial model for native grasslands of the Victorian Volcanic Plains. Unpublished Client Report. Department of Environment, Land, Water and Planning, Heidelberg, Victoria.) We must stop erasing grassland.
- The Victorian government's most recent State of the Environment Report states that most of Victoria's ecosystems are stable, with two exceptions – grasslands and wetlands – which continue to decline. According to DEECA's time series data on land-cover, grassland decline has been ongoing since at least the 1980s.

- The cumulative impacts of projects such as the proposed industrial development fuel this grassland decline. Many such projects claim to protect grassland while in fact reducing its extent. It is well-known that offsets do not produce net gain.
- This is not an isolated fragment of grassland. The proposed development site is in close proximity to numerous other high-quality grasslands.
- Offsets should always be a last resort. Native grassland should be retained in situ unless there is no reasonable alternative.

## 2.6. Unacceptable impacts to Growling Grass Frog

- Records show the presence of Growling Grass Frog south and north of the site.
- Growling Grass Frog are known to exist in metapopulations.
- The nearby MSA Conservation Area 34 is reserved specifically for the protection of Growling Grass Frog.
- Good habitat for Growling Grass Frog exists within the site, despite the consultants claims to the contrary.
- Further good habitat could be provided within the site if the proponent cared to provide it.
- The site should include a 100m buffer from the centreline of Malcolm Creek for Growling Grass Frog, with appropriate actions to improve habitat quality. The proposed 40m buffer is inadequate. Growling Grass Frog are known to forage and otherwise utilise habitat up to 200m from creeklines.
- A Growling Grass Frog Conservation Management Plan should be provided.
- In addition, the site should adopt the MSA guidelines regarding Growling Grass Frog, namely the Growling Grass Frog Habitat Design Standards March 2017.

## 2.7. Unacceptable impacts to Golden Sun Moth

- Clearing known Growling Grass Frog habitat on the site should not be allowed.
- The consultants claim that a ‘moderate’ number of Golden Sun Moth were observed. This appears to be an understatement and detracts from the fact that the number and density of records provided by the consultants shows the site to be one of the most prolific sites for this species in northern Melbourne.
- The consultants claim that “Golden Sun Moth has a limited dispersal ability” and thus any population fragments can be cleared. This is another version of the blackmail argument elucidated in example 2 above. A better approach would rather be to restore the areas between fragments to improve connectivity and reduce fragmentation.
- The consultants claim that: “there is not considered to be any indirect loss or impact to Golden Sun Moth habitat.” This is incorrect, because Golden Sun Moth are known to require a variety of conditions for dispersal to accommodate changing annual conditions such as rainfall, aspect and grass coverage. The proposed clearing diminishes this variability and removes the capacity to flourish enjoyed by the larger population.
- Restoration notwithstanding, the consultants provide no evidence of what distances and conditions might limit Golden Sun Moth dispersal.

## 2.8. Inadequate survey

- The 2021 Flora and Fauna Assessment states that a full vascular flora list was compiled. This consisted of 9 indigenous and 14 non-indigenous species. The suspiciously short species list is highly suggestive of inadequate survey.
- That suspicion is strengthened when we note that the Report also states that:
  - The site was grazed prior to the assessment being undertaken. This will severely limit the likelihood of discovering the extent and diversity of the species present.
  - “A comprehensive list of all terrestrial flora and fauna present within the study area was not undertaken as this was not the objective of the assessment. Rather a list of commonly observed species was recorded to inform the habitat hectare assessment and assist in determining the broader biodiversity values present within the study area.”
  - We note too here that “commonly observed” species are not the important species here. The EPBC Act is concerned about rare and threatened species.

## 2.9. Flawed habitat hectare assessment

- In order to undertake a Habitat Hectare assessment, all indigenous species need to be noted in order to determine species diversity for understorey Site Condition component. The above discussion should make it clear that no thorough survey sufficient for a legitimate habitat hectare assessment has been undertaken.
- Other people and organisations have documented serious flaws in the consultant’s Habitat Hectare calculations. We are grateful for their detailed analysis.

## 2.10. Goals for Ecologically Sustainable Development have not been met

- Given the disregard for any avoidance, the lack of appropriate survey, the creating of a choke point to limit Growling Grass Frog metapopulation dynamics, and the clearing of a Golden Sun Moth hotspot, any claims that the proposal meets the precautionary principle are false.
- Inter-generational equity is not being met. The biodiversity that is the next generation’s birthright is being indiscriminately cleared. Offsetting of Natural Temperate Grassland of the Victorian Volcanic Plain has significant impacts on the entirety of the ecosystem. There will also be biodiversity impacts to Malcolm Creek and associated waterways both upstream and downstream with impacts not only to Growling Grass Frog but to other species and communities dependent on creeks and the landscape-scale connectivity they provide.
- The conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making. Instead, we have arguments put forward to advance industrial development at the cost of our nation’s irreplaceable environment.