VICTORIAN NATIONAL PARKS ASSOCIATION
Be part of nature

Grassy Plains Network

Grassy Plains Network submission regarding

Point Cook Industrial and Commercial subdivision, EPBC 2025/10184



10 November 2026

Contact:
Adrian Marshall
Facilitator, Grassy Plains Network
Victorian National Parks Association
adrian@vnpa.org.au
0413 757 173

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 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. Background

Natural Temperate Grassland of the Victorian Volcanic Plain is Critically Endangered under the EPBC Act. ARI data shows only 0.58% remaining, with Themeda-rich grassland only 0.13% of the original extent. Given the near-extinction of this community, the need to avoid further loss is paramount.

In addition, the extent of NTGVVP is continuing to decline. There is no evidence of any reversal of this community's trajectory towards extinction.

With the possible exception of the well-funded and intensely managed Western Grassland Reserve, every Victorian state-managed grassland is in decline, variously due to lack of funding, neglect and mismanagement. Victoria cannot be relied on stop this decline.

Even the success of the Melbourne Strategic Assessment, with its strong funding base, is dubious. It is an offset program supposed to protect 10,000ha of NTGVVP to offset the loss of 5000 ha from the expansion of Melbourne's urban growth boundary. 2:1 is a poor offsetting ratio to begin with, but it is generally agreed that the 10,000 ha target will never be met, with estimates ranging from 4000-7000 ha. Much of the land being acquired is so overrun with weeds it may never be considered NTGVVP, as Figure 1 shows.

Business as usual is failing.

It falls to NEPA to mandate actions that will save this community. Developers have no inherent right to develop their land. The protection of native vegetation through the proper application of the EPBC Act takes precedence.

The fact is the developer has been letting the grassland decline through lack of management, quite possibly hoping it will decline to the extent it will not meet the thresholds for NTGVVP. This is a typical strategy employed by unscrupulous landholders seeking to develop property.

The emphasis must be on recovery and restoration, not offsetting.

The grassland on site is an excellent candidate for restoration. It has its Themeda intact, its structure intact, the site has never been ploughed and is unlikely to have been subject to fertiliser application. The weeds can be brought under control.

Size does not matter here. Many of our best grasslands are less than 5 ha in size. The best grassland in Melbourne is Evans Street Grassland, which is under 3 ha. The roadsides in the west of Victoria, which arguably include the finest examples of NTGVVP, are invariably less than 5ha in size. Even in the Western Grassland reserve, herb-rich areas are often found in patches less than a hectare in size. Every fragment is critical. In many cases, small reserves are easier to manage than larger ones, and the manager can have the fine-grained understanding of the site necessary to really do a good job of restoration.

1.3. Key messages

1.3.1. This should be a controlled action

- The proposal poses unacceptable impacts to Matters of National Environmental Significance, including destruction of NTGVVP, with likely impacts to Growling Grass Frog habitat and Spiny Rice Flower conservation.

1.3.2. Complete disregard for avoidance of EPBC critically endangered native vegetation removal

- The proposed development covers 11.4 hectares of the 27.109 hectare property, and deems it ‘inevitable’ to destroy 1.1795 hectares of Natural Temperate Grassland of the Victorian Volcanic Plain, which is virtually all of the grassland present on the site and which is under an Environmental Significant Overlay.

- The plans falsely describe a significant avoidance of native vegetation removal. The proposal is developing the entire unencumbered area available. The area of native vegetation surrounding the creek described as “avoided” cannot is any case be developed because it is part of the 17 hectares of the site encumbered by being within the 1% flooding overlay. The proposal is only retaining the Tall Marsh and Brackish Wetland habitat present because of the sheer inability to build upon these EVCs. At the same time, it is proposing clearing all the native vegetation on the unencumbered land, with no avoidance. The proposal’s “avoidance” is nothing of the sort, since it has no choice but to avoid.

1.3.3. Incorrect description of EPBC listed critically endangered grassland quality and value

- The value of these grasslands is diminished throughout the application as unlikely to be important for recovery of the community, yet they support areas of “dense kangaroo grass” and embedded rock, indicating a lack of historic mechanical disturbance and potential for high-quality grassland.

- Reports attached for submission differ in their description of the grasslands, with the VCAT findings undermining the site as "poor condition" grassland, yet the accredited Biodiversity Report prepared refers to it as "moderate quality NTGWP".
- The bar for being considered NTGVVP is high. Any NTGVVP is by definition good quality grassland.
- With less than 1% remaining of this critically endangered community, even low to moderate quality NTGVVP is of utmost worth investing in and actively managing for restoration.

1.3.4. Incorrect description of EPBC listed grassland connectivity with other nearby sites

- The report describes the location as surrounded by "intense development" and uses this as a justification for the removal of all critically endangered vegetation. However, the location contains a relatively intact creek corridor (on the property) that extends to Ramsar wetlands (less than 5km away), is adjacent to residential areas (less than 50m), and is opposite the three Williams Landing Conservation Reserves (approximately 500m away) that are reserved in perpetuity for provide habitat for EPBC listed species and communities including NTGVVP.
- The site provides some of the last open space in the area. Being supposedly surrounded by "intense development" is no justification for its development. If anything, this should secure its future as a vital remaining habitat and open space. Grasslands are already incredibly fragmented ecosystems, and small parcels like this one are essential to conservation efforts.
- The value of this remaining area, and the impact the development could have on this connectivity, is severely underplayed, and not recognised in the report.

1.3.5. EPBC species poorly accounted for in impact

- While there was thorough surveying for several EPBC listed species, the following species were not considered sufficiently:
- *Litoria raniformis* Growling Grass Frog
    - Skeleton Creek supports Growling Grass Frog, with recent records in the creek adjacent to the development site, as well as just south of the creek opposite the proposed site. It is well known that Growling Grass Frogs exist as metapopulations, with nearby records indicative that the site is used if not for breeding then for foraging and overwintering.
    - The report inadequately describes the development as irrelevant to this species as it avoids the flooded areas. However as the design of the discharge into the creek is yet to be determined, there remains a threat to the habitat for the Growling Grass Frog. The frogs are also particularly sensitive to changes in water quality, and both the construction of the development and future industrial use must be acknowledged in its impact and mitigated appropriately.

- The plans also have insufficient buffers from the creek to ensure habitat retention for the species. Research shows that Growling Grass Frogs are at a higher risk of extinction with habitat corridors less than 200m. The development encroaches well into this zone with a 50m buffer, especially at the eastern edge of the site with indirect impacts of this access road likely to further impact the habitat value.

- *Pimelea spinescens* Spiny rice flower

  - There was only one survey performed for the Spiny Rice Flower on 4 July 2024 during the appropriate survey period.

  - However, there is existing potential habitat and nearby local records, with over 10 records in the neighbouring reserves that are located less than 2km away at Williams Landing Conservation Reserves and South-western Rail Reserve Grasslands.

  - Therefore the site is underplayed in its significance for this critically endangered species.

  - The National Recovery Plan for the Spiny Rice Flower states that it can be difficult to find when it is not in flower and is easily overlooked in general vegetation surveys. Multiple surveys may be required in areas to ensure adequate survey effort, due to the low detectability of the subspecies. Failure to detect the spiny rice-flower should not be considered indicative of its absence.

1.3.6. Valuable connectivity to waterway undermined

- Wyndham's planning scheme identifies a waterway corridor as including "native grasslands adjoining the riparian corridor". With Skeleton Creek identified as a major ecosystem within Wyndham, these grasslands provide one of the only remaining locations in the area where native grassland adjoins wetland ecosystems.

- The report indicates "the study area does not drain directly into the Ramsar site and the development is not likely to result in a significant impact on this MNES." "Directly" is deliberate underplaying of the site's importance. The site contains the creek that drains into the RAMSAR wetlands less than 5km away, and the report identifies the Brackish Wetland onsite as habitat for threatened birds recorded in the area "including Eastern Great Egret *Ardea alba modesta*, Plumed Egret *Ardea intermedia plumifera*, Little Egret *Egretta garzetta* and Lewin's Rail *Lewinia pectoralis*".

1.3.7. Insufficient description of management of water discharge from site

- The Stormwater Management Plan states "given the nature of this development and the current phase of the planning process it is too early to provide detailed locations for these systems. The final location and typical detail of the systems will be resolved as part of detailed design. It should

be noted that the ultimate outfall for the site will be into the Skeleton Creek reserve in two locations. This will require new legal points of discharge to be established"

- Discharging into Skeleton Creek without a detailed plan yet expecting approval is insufficient to ensure health of these ecosystems, both on-site and downstream.

1.3.8. No guarantee for protection of remaining areas or habitat for threatened species

- There is a presumption that the flood overlay area not being developed will retain its habitat value. The proponent suggests "management should be improved by conditions on the planning permit." How this vague suggestion of improved management will take place is unclear. The Victorian permit requires the developer to prepare a Weed and Revegetation Management Plan and an amended landscape plan, both to be endorsed by DEECA but yet to be prepared.

- NEPA should include their own strong permit conditions regarding the management of the native vegetation on site.

- There are misleading statements in the report, that "the proposed development footprint does avoid terrestrial habitat which also represents potential habitat for these threatened species including SLL [Striped Legless Lizard] and GSM [Golden Sun Moth]". The plan fails to outline how habitat could be retained given the near total removal of the remaining critically endangered grasslands, and development on almost the entirety of the site that isn't part of the flood inundation.

1.3.9. VCAT hearing shouldn't determine ecological significance

- The VCAT hearing is an inappropriate context to consider ecosystems of national significance. It is worth noting that the case incorrectly attributed "minimisation of native vegetation removal" to the developers, when in fact the plan involves removal of all native vegetation within the developable unencumbered land beyond the flood zone.

- It is also worth noting that before certification is issued the developer must provide detailed landscape plans to be approved by Melbourne Water, as well as a weed and revegetation management plan. These are yet to be completed and decisions should be held off until NEPA are satisfied of their quality.

1.3.10. Flora Fauna Guarantee Act species disregarded

- The report diminishes the existence of and potential habitat for Flora and Fauna Guarantee Act species.

- This includes *Cullen tenax* Emu Foot found within 500m from the site, and again further downstream as well within 1km. These records are not included in the report, with outdated database records described.

- It also includes *Rhagodia paraolica* Fragrant saltbush as recorded onsite, the presence of which is downplayed as a "likely bird dispersed from local plantings". This shows restoration potential for the site as allowing species recovery from nearby planting and restoration efforts, and it is unclear why the presence of this vulnerable species through a natural dispersal of birds is undermined.
- Shorebirds including the White-bellied Sea Eagle, Little Eagle and Lewin's Rail all had suitable habitat present and recent local records, and development of the site is not sufficiently considered in its impact to these species.

1.3.11. Community protest

- With over 100 residents objecting to the proposal in the VCAT case it is clear the proposal is inappropriate for the creekside residential location. There is also noteworthy strong community engagement with the EPBC-listed community, with nearby Emu-foot grasslands being an excellently-managed grassland maintained by Friends of Skeleton Creek.
- With over 80% of native vegetation not retained in the development, many residents have taken up issue with the development, alongside other concerns for wellbeing such as noise, air pollution and traffic issues.
- There is very little open space remaining in the area, and the proposal leaves no open space set aside within the developable area outside the UFZ. The area is in a zone highly impacted by urban heat issues from impervious surfaces, and leaving the open space could provide a valuable mitigation to this.

1.4. This submission calls for:

- The action being considered a controlled action.
- Revision of impact assessment of works on Growling Grass Frog Habitat, and proper surveying for the species use of the wetlands and Skeleton creek on the property.
- Repeated surveying for EPBC listed Spiny Rice Flower following appropriate survey methods.
- Reassessment of the quality of the EPBC listed grassland on-site, and a revision of the plans to avoid destruction of the NTGVVP present.
- A restoration plan for the NTGVVP present.

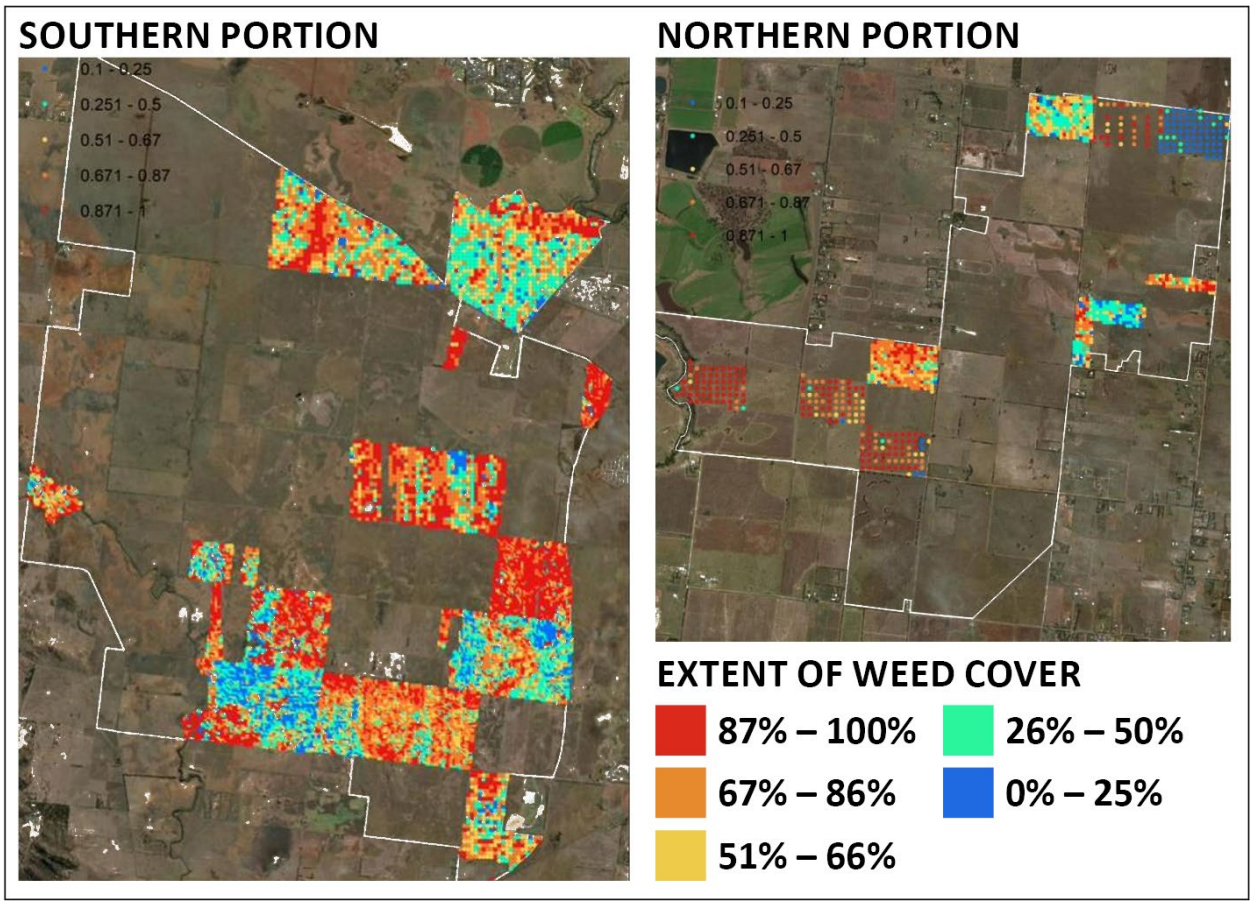


Figure 1: Extent of weeds in the surveyed portions of the Western Grassland Reserve, 2021. Data from ARI.