



Save Lawson Grasslands – EPBC Public Comment Guide

August 2022

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Why should I write a public comment?

If we have learnt anything from the recently released State of Environment Report it's that the time to fight for nature has arrived and making a public comment against the proposed development at Lawson Grasslands is an excellent place to start.

Lawson Grasslands, in the North of Canberra, has extraordinary natural significance. It contains large areas of Natural Temperate Grasslands and Box-Gum Woodlands; both nationally listed critically-endangered ecological communities. These habitats are home to many unique and significant animals, including, the Gang Gang Cockatoo, Superb Parrot, Golden Sun Moth, Striped Legless Lizard, Perunga Grasshopper, and Key's Matchstick Grasshopper.

Two years ago, over 100 experts signed a statement calling for the protection of Lawson Grasslands, from development by Defence Housing Australia (DHA). Since then, 627 people have written to DHA opposing the development, and over 40 have written to their local federal election candidates calling on them to stop the development.

In defiance of this strong community opposition, on Thursday the 25th of August, the referral to develop over Lawson Grasslands was released for public consultation. The community now has until **midnight on the 7th of September** (Threatened Species Day!) to write to the federal environment minister explaining why this proposed action is clearly unacceptable.

The proposed action would see 23.52ha of native vegetation cleared, including 15.8ha of critically endangered Natural Temperate Grassland and 1.31 ha of critically endangered Box Gum Woodland, of which 11.6 ha is habitat for the Vulnerable Golden Sun Moth. The proposal will also irrevocably fragment the grasslands, degrading the small patches that remain and making it impossible for species, such as the Vulnerable legless lizard to move across the landscape.

We have a critical opportunity to take action and Save Lawson Grasslands.

Between 25 August and 7 September 2022 the Federal Government is seeking public comment on the proposed development. If enough of us speak out against the development then the Federal Government will have to listen.

How to make a public comment on the referral?

You can comment until midnight on the **7th of September**.

To comment on the referral:

1. Find it in the [Have Your Say](#) page.
2. Select 'make a comment' on the referral listing.
3. Read the referral documents, which tell you about the proposed action.
4. Fill in and submit the online form.

Your comments will appear on the Have Your Say page under the 'Invitations to comment' tab.

Comments will only be accepted through the online form. They will not be accepted by email, phone, or letter.

Your comments will be provided to the Minister (or their delegate) to help them make a decision on whether the development at Lawson Grasslands is clearly unacceptable, or a controlled action.

The Minister (or their delegate) will then make a decision, and it will be published within 20 business days of comments closing, along with the preferred method of assessment (if relevant).

What to include in your public comment?

You can comment on:

- how the referral affects 'protected matters'¹
- whether the action is a 'controlled action'
- whether the referral information is correct

The Minister can only consider comments relating to specific protected matters. To make your comment as helpful as possible, you should state:

- whether you believe the action is clearly unacceptable, or a controlled action
- why you believe it is or isn't
- whether the proposed action has an impact on protected matters
- how the proposed action will have that impact
- which parts of the proposed project will have an impact on a particular protected matter.

If possible, you should make reference to the [Significant Impact Guidelines](#). If you think that the referral information is misleading or incorrect you should also include that information.

Also provide:

- the source of key information to support your comments, if possible
- your contact details.

¹ There are currently nine matters of national environmental significance listed under the EPBC Act. They are: 1. World Heritage sites 2. National Heritage places 3. Nationally protected wetlands (Ramsar wetlands) **4. Nationally listed threatened species and ecological communities** 5. Listed migratory species 6. Nuclear actions (including uranium mines) 7. Commonwealth marine areas 8. The Great Barrier Reef Marine Park 9. Coal seam gas or large coal mining developments likely to have a significant impact on a water resource

Five key issues to raise in your public comment

The Environment Minister should decide that the proposal in its present form is ‘clearly unacceptable’. If that isn’t accepted by the Minister, then the proposal should be found to be a controlled action and assessed using an Environmental Impact Statement or Public Inquiry.

1) The Proposed Development has unacceptable impacts on Natural Temperate Grasslands (NTG), a critically endangered ecological community.

The proposed action would see 23.52 ha of native vegetation cleared, including 15.8ha of listed NTG and 1.31 ha of Box Gum Woodland.² Both of these ecological communities are considered critically endangered under the EPBC Act and thus are matters of national environmental significance.

Clearing 15.8ha of listed NTG is clearly unacceptable considering the state of the ecological community and the state of our environment more generally. It has been estimated that there is less than 0.2% of the pre-settlement range of NTG now formerly protected.

If it is not determined to be unacceptable, then the impacts should be deemed significant as there is a real chance or possibility that the proposal will fragment the community, reduce the extent of the community, and adversely affect habitat critical to the survival of the community.³

2) At 47.16 ha, the referral area is more than double what the National Capital Authority deemed to be appropriate for the site.

In 2013, the National Capital Authority (NCA) recognised the natural values at Lawson Grasslands by protecting them under a development control plan (DCP 12/09) that defined areas of the site considered suitable for development and those that should be retained for conservation.

The proposed development does not respect the confines of DCP12/09 and proposes to destroy large areas of critically endangered NTG by building over areas that were set aside for conservation and heritage purposes (precincts D and E). At 47.16 ha, the referral area is more than double what the NCA deemed to be appropriate for the site.

3) Not only does the proposal clear unacceptable amounts of critically endangered habitat, but it also fragments the landscape for threatened species.

² Supplementary report p32.

³ Significant Impact Guidelines 1.1 - Matters of National Environmental Significance.

Lawson Grasslands is a stronghold for threatened and rare grassland species such as the Golden Sun Moth, Striped Legless Lizard, Perunga Grasshopper, and Key's Matchstick Grasshopper. It also supports several bird species listed under the EPBC Act like the Gang Gang Cockatoo, Superb Parrot and Latham's Snipe.

The proposed action will destroy habitat for these species, pushing them closer to extinction. It will also divide the habitat in two, fragmenting already vulnerable populations.

4) The project's scope is not justifiable for its purpose.

Of the approximately 443 residences to be built, only 150 medium density dwellings will be retained by DHA for housing defence personnel, with the remaining residential dwellings on individual blocks to be sold to offset the cost of the Defence properties.

DHA appears to be following a developer model to meet their obligations to provide housing for Defence personnel, whereby they redirect profits from housing sales on the open market. Ironically, the areas that are being developed for the open market are the areas with the highest environmental values as the extended footprint takes the development into Natural Temperate Grasslands areas that should be protected under DCP12/09.

DHA is a developer in other parts of the ACT and Australia, using the same model. Their recent project at Coombs in the Molonglo Valley was for 83 architecturally designed townhouses. DHA retained around one quarter of these properties for their own personnel, selling the remainder on the open market. If DHA was actually short on housing for Defence personnel in the ACT, they should have retained more of these dwellings for their own purposes.

5) If the project is determined as a controlled action it must be assessed by Environmental Impact Statement or public inquiry.

If it is not accepted that the proposal is clearly unacceptable then it should be determined as a controlled action due to the significant impact on matters of national environmental significance as outlined in the referral and above. The proposal should then be assessed by Environmental Impact Statement or public inquiry owing to the highly contentious issues outlined above.

Enhance your Impact

Now that you've made your public comment, there are a number of ways you can amplify your voice and support the campaign to **Save Lawson Grasslands**:

- Tell a friend about the issue and help them write their own public comment.
 - Write a letter to your local member of Parliament.
 - *Senator Katy Gallagher: senator.katy.gallagher@aph.gov.au
 - Senator David Pocock: Senator.David.Pocock@aph.gov.au
 - Alicia Payne MP: alicia.payne.mp@aph.gov.au
 - Andrew Leigh MP: andrew.leigh.mp@aph.gov.au
 - David Smith MP: david.smith.mp@aph.gov.au
- *Senator Gallagher is also Minister for Finance and a shareholder of DHA.
- Submit a letter to your local newspaper.
 - Get social: publish the link to this public comment guide on your social media accounts.

Useful resources

- [Environmental Defenders Office, The EPBC Act, Referrals and Opportunities to Comment](#)
- [Conservation Council ACT Region, Friends of Grasslands, Ginninderra Catchment Group, Briefing Paper: Lawson Grasslands](#)
- [Significant Impact Guidelines 1,1 - Matters of National Environmental Significance](#)

Need more help?

If you have further queries about where to source information please reach out to peta.bulling@conservationcouncil.org.au .

To find out more: join us for a Zoom briefing at 5:00pm on Wednesday the 31st of August.

<https://us02web.zoom.us/j/86937563203?pwd=QWtYWEt0QUplLdWpiTS9rZWZsMFIHQ09#success>

About the Conservation Council ACT Region

The Conservation Council ACT Region is the peak non-government environment organisation for the Canberra region. Since 1981, we have spoken up for a healthy environment and a sustainable future for our region. We harness the collective energy, expertise and experience of our more than 40 member groups to promote sound policy and action on the environment. We campaign for a safe climate, to protect biodiversity in our urban and natural areas, to protect and enhance our waterways, reduce waste, and promote sustainable transport and planning for our city. Working in the ACT and region to influence governments and build widespread support within the community and business, we put forward evidence-based solutions and innovative ideas for how we can live sustainably. At a time when we need to reimagine a better future, we understand that the changes we need will only happen with the collective support of our community.