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Engaging for Reform
Community Alliance South Australia

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Minister for Climate, Environment and Water
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Dear Minister

RE: Biodiversity Act for South Australia – Submission

Thank you for the opportunity to submit our feedback to the Discussion Paper for a new Biodiversity Act for South Australia. The Community Alliance SA (CASA) held a workshop to seek members' views about the proposed Act. The draft submission was shared with all member groups and further feedback added as a result of our consultation.

Overall the Discussion Paper presents a positive and proactive approach to developing a new Biodiversity Act for this State. We commend the Minister for taking this initiative, noting that it is long overdue. The Discussion Paper presents important ideas, but the devil will be in the detail of the implementation. It is no good having all of these aspirations if they cannot be implemented. However, we do understand and appreciate the benefits of this new Act.

Possible challenges to a successful implementation are developers objecting to this, insufficient resources – both human and financial, other legislation clashes, and other legislation, especially the Planning Development and Infrastructure Act being given priority over the Biodiversity Act. For this Act to have any 'teeth', and protect and grow our biodiversity, these challenges will need to be dealt with immediately during this process.

Our biodiversity is at significant risk, and we are losing too much with the ongoing population growth (led by the Federal Government) and housing development across the State. Our members have a mixed view as to the root cause of our issues and which is the bigger threat - the actions of the 1.7 million South Australians who (along with their ancestors since 1836) have cleared a significant amount of land in South Australia and/or the ongoing growth in our human population who will continue to clear land to build houses, roads, tourists holidays accommodation, schools, hospitals etc. to accommodate more people in our State. One threat is a result of past actions, and one threat is in the future if we continue current trends.

We are concerned about population growth and the projected need for another 300,000 dwellings to be built over the next 30 years, which creates a great threat to our biodiversity created by the past removal of trees and vegetation i.e. the extent of cleared land and the need to support extensive revegetation programs to reduce or stop the ongoing loss of many native species.

There are many examples where the legislation managed by the Department of Climate, Environment and Water was not able to be successfully implemented due to a savage reduction in services. Subsequently, developments such as the OTR Racetrack at Tailem Bend were able to proceed with no regard for the mallee woodland scrub in that precinct. There is sufficient evidence that the economic value of any major built development over-rules any existing environmental protection legislation. How and will this be changed to ensure the environment is not short-changed?

Key Issues
There are many issues which cause us to be concerned about this Act. They are as follows:

- How can this legislation have any impact and power if the Planning Development and Infrastructure (PDI) Act and the Planning and Design Code or the Native Vegetation Act take precedence? We have major concerns about these two Acts which do not protect biodiversity and seem to take precedence . Regulations introduced under this new Act need to be more effective than Regulations for tree protection under the PDI Act.
- With infill development there is a massive removal of trees and shrubs with total clearance of all blocks prior to new buildings being customary practice. There is little replacement of this vegetation or older gardens. When the food sources are destroyed where do the native animals go for food, eg possums? They are starting to eat rose bushes and other garden plants which they did not eat before. Councils cannot afford to take developers to Court and the fines for deviating are not strong enough to force developers to properly implement their approvals. We want more accountability and larger disincentives and fines for any disregard of the vegetation – native or otherwise and the canopy and open space targets to be set correctly.
- We also believe that councils have set their canopy and open space targets far below urban planning recommendations. This has allowed developers to clear blocks whilst still acting within the law. See Inadequate Urban Canopy Cover www.sellickswoodlands.au
- There needs to be more ability for Councils and the Department of Environment to enforce the provisions of the Act (if they will be responsible for administering this new Act). They need resources to be able to have officers out checking compliance and enforcing larger fines to address misconduct and desecration. Who holds the developers accountable? Councils need the power to enforce penalties and fines and we agree with the amounts noted in the paper being similar to NSW and Qld.
- You must ensure bodies such as the Conservation Council are resourced appropriately, so they are better able to support and monitor these goals.
- There are many native species but there is no discussion of managing the human population. This species (humans) needs to work with nature, and we need an integrated system where we live in harmony with our native species. This is true sustainable development.
- Biodiversity/native vegetation protection and restoration is not compatible with rapid population growth and unfettered housing development. The impact on environment and potential biodiversity loss needs to be part of the accounting prior to consideration of development approval. At the present time the State Planning Code fails to achieve environment/biodiversity protection and restoration goals so any new Biodiversity Protection Act will need to be integrated into all State planning policy and take precedence over the current Planning Code. If this does not occur this Act will be ineffective.
- South Australia has the dubious distinction of being a world leader in biodiversity loss and extinction of other species. This was predicted in 1980 by Ford and Howe, https://birdssa.asn.au/images/saopdfs/Volume28/1980V28P085.pdf. This is not an international reputation to be proud of. Subsequent studies as recently as 2021continually confirm the accuracy of the projections based on the amount of habitat left. This is what David Paton's work is based on. Everything is just extra downward pressure on species survival.
- Successive State of Environment Reports show that biodiversity and habitat lost are closely linked and in rapid decline in South Australia. Species loss is measurable, and the issues are well known. David Paton's research on this is clear. What is lacking is a Biodiversity Protection Act with the powers to halt and reverse further loss of our flora and fauna and to set targets for rebuilding what has been lost. Former

Premier Mike Rann in his term set up a 'No Species Loss' strategy, which has failed due to lack of legislation with the teeth to override existing other 'economic' priorities such as built development, mining or tourism (for example).

- The Federal Government's Environment Protection and Biodiversity Conservation (EPBC) Act 1999 was touted as our 'strongest environmental Act' yet has failed to stop on-going encroachment into ancient native forests in The Tarkine in Tasmania. Why is this? The Tarkine and other old and fragile eco-systems are now under threat due to lack of an integrated system and this needs to be addressed at both the State and Federal level.
- How can any future South Australian Biodiversity protection link with Federal acts such as the EPBC Act so that protection of environment and biodiversity is achieved in a fully integrated raft of legislation? If the Federal Government is about to revise/amend the national EPBC Act it would be far better for Australia, for all our native flora and fauna to have a solid and powerful national Act rather than half a dozen competing and non-aligned State Biodiversity Acts. How can you ensure alignment of these Acts so that we do not end up with the mess created by the State Government management of our rivers? Please do not replicate existing bad practices. It is worth noting the 38 Recommendations of the EPBD Act. The State government should be aware that we are looking at how our State plan will be integrated with an over-riding national plan and individual State Infrastructure and Planning Codes/Policies.

We will now address each of the Discussion Paper topics on the following pages.

Topic 1: Biodiversity and South Australia's First Nations people

We agree that greater attention to the knowledge and experience of First Nations peoples is important. We submit that the views of traditional owners should be carefully considered when any development on land is being proposed. The major difference which separates First Nations people worldwide is that countless generations have been raised to believe that they belong to the land/country and must care for it to ensure their own survival and the survival of all other species on which they depend. Historically, people of European ancestry have been raised in the belief that they have a right or duty to conquer the land, its natural resources and all other species for personal and collective benefit. In fact all other species are in decline or 'managed' for profit without regard for the future.

First Nations people in Australia are constantly in conflict with mining companies and other proponents over sites and particular places considered sacred or vital for cultural retention, yet too often the bulldozers move first, and the voices are heard last. As our wildlife (and indeed many traditional native foods) continue to diminish we must also consider the rights of First Nations peoples to have access to hunting endangered species on their traditional lands. By so rapidly depleting our natural resources in South Australia we are creating not only an extinction deficit but a very tight corner from which to navigate the State in the future.

Topic 2: Avoiding Impacts

We support the prioritisation of 'avoid' but believe there should be a larger goal first which is 'retain' as this should be the first objective. Then 'avoid' and 'minimise' with 'rehabilitate and restore' having a much greater level of preference and should be included at each level, not just at number 3. 'Offset' should be the very last resort and not the 'easy option' as now occurs, with all too often revegetation occurring far beyond the access of any biodiversity/wildlife displaced. Some of our members believe that as 90% of the habitat has already been cleared, we are past the avoid and minimise levels entirely. We must rehabilitate and restore, by restoring cleared land back to habitat on a large scale the most essential element if we are to reverse the ongoing declines of species and habitat. Protection of what is left is not enough anymore.

Where is the State strategy to protect all riparian zones and link wildlife corridors (not merely shrinking roadside vegetation) so that viable breeding populations of all other species can co-exist with human development? So much of South Australia's flora and fauna is concentrated along the ridges and gulleys of the Mount Lofty Ranges which is now declared internationally as 'a hotspot for biodiversity loss' that it is long past time to consider not only halting species loss, but the protection of our fragile eco-systems already stressed due to human accelerated climate change and human population growth.

A big reason for ongoing loss is that all the good productive land was cleared and all we are left with is riparian zones and gullies. Grassy woodlands are below 3% when they would have been the dominant feature. The biggest losses are in species that used these woodlands and the vegetation associated. We are also losing the flora associated with these ecosystems. We need to restore farmland and replace this lost habitat.

The current planning regime under the PDI Act puts little value on native vegetation. It fails to work effectively when compensatory funds for vegetation removal are put into Government coffers, with the Government then able to allocate those funds to other areas not to the original area that has lost native vegetation. There needs to be a direct correlation between payment of any large offset to the area which requires rehabilitation. Whatever measures you take need to be stronger than the current approach.

We note also that the Biodiversity Council and other organisations and experts all state that offset schemes do not work. They set the wrong approach to saving vegetation. Developers have the attitude 'We will just pay into the fund' and destroy all of the vegetation for a clear

site because that will save us much more money than a small fine'. This attitude has to transformed into 'We want to save as much vegetation as possible and will adjust our plans to enable this'. We state again that population growth (see the Greater Adelaide Regional Plan – GARP), a projected extra 300,000 dwellings in the next 30 years, will put a great deal of native vegetation at risk. Most of this development is going on cleared land. The amount of vegetation that will be cleared is minimal in the overall scale of the declines. Saving the few remaining trees, although essential, will not restore biodiversity or reverse the declines. What will be required is to not build on this farmland and restore it for productive farming lands. The proximity to productive farmland will have great benefits in supporting ecosystem services agriculture relies on. The number of jobs will be equivalent and ongoing, unlike construction which only creates short term jobs.

Point number 2 is important. For example at the Bunning's development hearing at Mt Barker in 2023, the applicant's representative claimed that in relation to the issue of large-scale clearance of native vegetation 'we looked at several designs and several options'. However, the applicant was not obliged to provide evidence of these other variations allegedly having been considered which could have resulted in less native vegetation being destroyed. Therefore the Mt Barker District Council Assessment Panel (CAP) only had the applicant's word that the development application before the panel was the only viable Bunnings development for that site. This was wrong. The CAP should be provided with several options that show clearly the best use of the land and vegetation with a development that works with the existing habitat so as to preserve as much as that habitat as possible.

Point 4 does not indicate how it will be shown that biodiversity will be measurably better than before. How will this be measured? What are the Key Performance Indicators (KPIs) to increase biodiversity and species? We commend to you the Hillgrove Resources Master Plan for Callington and Kanmantoo to ensure the KPI with weightings show minimal impact on the environment, society, heritage and economy. This Master Plan was developed by the Kanmantoo, Callington Community Consultative Group (K4C) to help overcome, in the first instance issues of dust, noise and blasting caused by Hillgrove Resources, a copper mine impacting the townships of Kanmantoo and Callington in the Mount Barker District council area. The Master Plan has since assisted the townships by being applied to new industry entering the area, with a call for impacts to be identified and mitigated. The K4C Master Plan received the Premier's Excellence Award (Energy & Mining Category) for its success in working with local communities and Hillgrove Resources to achieve positive outcomes.

This section needs to apply to all other departments undertaking development and not allow for exemptions i.e. the Departments of Transport and Education are exempt from the Native Vegetation Act. This anomaly has been observed by those who travel Wellington Road between Mount Barker and Strathalbyn, Goolwa, Port Elliot or Victor Harbor. DIT has destroyed over 1,000 mature native trees in the name of 'Black Spot' funding and human safety – yet the majority of deaths on this road have been head-on collisions, with no tree involved. Why was it not mandatory for DIT to check out the police accident records before embarking on such massive destruction of what is essentially the only remaining habitat (roadside vegetation) in a primary production area?

The destruction of over a thousand mature trees for the provision of two passing lanes is hugely contrary to any State objectives of halting biodiversity loss. Already the traffic is moving faster because drivers can see further and without any roadside vegetation the local communities fear even more fatal accidents will occur in future. It is noteworthy that members of Conservation SA recorded the work in progress and the number of trees destroyed.

Topic 3 – Transparent Decision Making

These are all good points. There is currently poor transparency around management and

controls of Crown Lands and Open Range Lands. The timelines for the re leasing of these lands is too short so the people working the lands do not invest in the lands if they cannot hold onto them for longer. This leads to greater degradation of the lands.

Regarding the public register, this needs to show the decisions AND the rationale for the decisions. Individual decision-makers need to be held accountable for their decisions. This should be a 'name and shame' them register. It can also be a register with examples of good development. Good trees need to be always protected, but we know this reduces the yield on allotments so strength of will against the development industry will be needed to achieve the goals of this Act.

We need ecologically sustainable development (ESD), and these well-known principles are a good thing, except the Planning Act knocks this down in a heartbeat. The Significant Tree legislation is another Act that does not have sufficient transparent decision making. The Significant and Regulated Tree Act of 2011 was specifically designed so that no tree, significant or otherwise, could be retained if it stands in the path of building development. The Transport Act enables the trees to be cut down – see the example of Golden Grove a few years ago where over 100 mature eucalyptus trees were cut down by the Department of Transport for road widening purposes without any community consultation or environmental impact study. An integrated system is needed with full transparency across all government departments. Greater transparency is highly desirable and should be complemented with better public education and awareness of environmental issues, monitoring of goals with timelines and appropriate reporting of progress and information upgrades at regular intervals.

Topic 4 – Threats to Biodiversity

We agree with these two points, but the word 'could' should be replaced with 'should'. We need to understand and document the threats. A major relentless threat to biodiversity is population growth. An extra 25,000 people were added to SA in 2022 placing great pressure on our biodiversity. Yet the State Government's response has been to issue the GARP (Greater Adelaide Regional Plan) with the clear intention of adding up to another 400,000 people. How is this commensurate with slowing, let alone halting biodiversity loss?

We need more examples such as 'Frahn's Farm' at Monarto, where there is a great deal of replanting of native vegetation due to the concern and dedication of David Paton's passion for conservation and restoration. His work on the decline of all species in The Coorong triggered by the 'millennium' drought and monitoring of the decline of South Australia's woodland birds is well known and recognised internationally. In addition the Bio-R Rare Plant garden program on Kangaroo Island is designed to safeguard and showcase the rare species of plants and diversity of habitats Kangaroo Island has to offer and is another example of programs that must continue to be funded and supported.

Frahn's Farm is one small example of what needs to be done. The plan for BioR is scaling up to 1000ha a year and then doing it for one hundred years. Evidence suggests we need 150,000ha of cleared land restored. Altogether we average about 1000ha annually, and we have 30-50 years to achieve it. The government needs to consider David Paton's plan and include it in the State's Environmental mission.

Revegetation along creek lines (riparian zones) is important to protect our water ways, but these areas must connect with wildlife corridors at a landscape scale, rather than using small remnant patches, to avoid inbreeding and failure of unviable populations across species. See the examples of nature paths for wildlife across many major highways in the Netherlands. There are currently 17 of these massive nature overpasses in operation today.

It is hardly inspiring to read in Adelaide's leading newspaper **Ecologist fights to save 'living dead' of the Adelaide Hills.** A scientist and an army of volunteers are trying to replant a

staggering 150,000ha of the Mt Lofty ranges, to save its animals from “paying the extinction debt”. This is the Bio-R project of David Paton AM who with his team of dedicated professionals and volunteers is attempting the near impossible task of halting biodiversity loss by strategic plantings and revegetation across the Adelaide Hills. (bior.org.au/about-us/our-team/ ‘Reconstructing habitats for biodiversity.’ Where is the clear and visible support of government?

The Conservation Council (ConservationSA) is a “Force for Nature” which works with mostly volunteers across a raft of conservation and environmental issues in South Australia with little government funding support. As the peer body in South Australia for conservation this organisation is deserving of much greater government funding and assistance.

‘Trees for Life’ was founded by Burwell Dodd (at the time a member of Men of The Trees) in 1981 with his wife Lolo Hobein (author of “One Magic Square” a home vegetable garden manual to encourage community food self-sufficiency). Trees for Life has grown to be a vibrant community organisation of 7,000 active supporters active in conservation, revegetation, community engagement and training programs and services. Where is the visible on-going funding support for all of these massive volunteer-run initiatives which indeed appear to be far eclipsing any visible government program or initiative? What did become of Premier Mike Rann’s “No Species Loss” initiative? What policies were put in place and what monitoring occurred? Monitoring and transparent reporting is vital.

However, if we are to restore the environment to the scale required, we cannot continue to rely on volunteers and the Government must invest massively in the Department of Environment. There is a huge job creation opportunity here with the initial expense being exponentially offset by the future gains. These include continued food production, which is very important for our state and future generations.

Topic 5 – Assessing the Risk of Extinction

There is a great deal to consider in this topic. We agree with all the points. Assessing the risk of extinction for individual species is a time consuming and difficult task and it may be of better value to evaluate whole eco-systems, since the loss of a single species will impact multiple other species and their food sources. ‘Stocking rates’ of many other species are frequently discussed and reported by land managers, but no consideration has ever been given to human ‘stocking rates’ or what might be a sustainable human population if we are to halt the increasing rapid decline of all other native Australian species.

However, the Government already knows the state of the environment. This excerpt from the Executive Summary of the 1027 SA Enquiry into Biodiversity. “The Committee found that in spite of the efforts of the State and Federal governments, industry and private landholders in South Australia, the condition of biodiversity in the State continues to decline. Species extinctions have occurred in the past and a further “extinction debt” still exists. There is no reason to believe that this trend will improve without a change to the way we approach biodiversity conservation.” South Australian Parliament - Environment, Resources and Development Committee, 2017. Biodiversity, Adelaide: South Australian Parliament. https://www.parliament.sa.gov.au/en/Committees/Committees-Detail (Report 78).

A good example of trophic cascade in recent times was the removal of grey wolves from Yellowstone National Park in North America. Removing the top predator (which preyed mainly on elk) caused the elk population to explode which, having no major predator, changed feeding habits and spent more time grazing along rivers and watercourses. This decimated young aspen and willow trees and resulted in rapid decline of the beaver population, faster flowing spring melt and increased erosion in river valleys. The re-introduction of the grey wolf after a hiatus of 70 years caused a new trophic cascade. The coyotes were displaced as top predators, elk numbers came back into balance with the environment, aspen and willow are returning and beaver numbers on the increase. A more

natural order and yet wildness now exists in Yellowstone Park with the natural balance of species restored.
Ref. In the 1920s, government policy allowed the extermination of Yellowstone's gray wolf—the apex predator—triggering an ecosystem collapse known as trophic cascade. In 1995—through use of the Endangered Species Act—the conservation community reintroduced the gray wolf to restore balance. The impact is dramatic.
(https://earthjustice.org>feature>infographic-wolves-keep-Yellowstone-in-the-balance)

We urge prompt and appropriate action and urge caution about spending time and money on too much analysis. With the status of so much South Australian fauna and flora already well known, it is urgent and meaningful action that is needed. Please dedicate the necessary resources to manage the Biodiversity Act and its required actions. Make sure you look at the system at the landscape scale, and not merely individual species in fragmented sectors. The Murray Darling Basin is a prime example of what happens when living river systems are broken up into fragmented sections and 'managed' by State self-interested parties rather than at a landscape scale. The failure of this methodology is self-evident!

Regarding the committee, who would be the members? Will they be independent members of respected organisations? People and knowledgeable researchers working in the field with experienced volunteers in an integrated strategy which values knowledge sharing and regular reporting to the public. Education programs and knowledge sharing by Landcare and other conservation groups should be part of connecting and communicating progress. It is vital you get community input into the nomination process.

The State of the Environment report was due last year (previous recent SOE Reports 2008, 2013, 2018) but where is the action from this report and how does it link to this Act? We ask that you do not spend excessive time on compiling information as it has already been compiled. Increase the staffing, increase the rangers. You must make sure all processes are publicly accessible. We would argue against number 15 as you should aim to have no more new extinctions and making a study of why/how they were lost is not effective use of funding. Where is the list of extinction threats? This list of necessities must include existing legislation which permits vegetation/habitat loss without the requirement for any environmental impact assessment or need to address biodiversity loss.

Topic 6 – Biodiversity Planning and Reporting

The SOE due in 2023 is still awaited and needs to be used as a basis for making the public aware of the need to work together to halt extinction of species and biodiversity loss in South Australia. Everything is connected yet our various government Acts (PDI, Transport, Mining and so on) are not integrated in any way to work to protect our native wildlife and natural environment. There are loopholes at every turn to avoid having to protect the environment and our flora and fauna.

You must ensure there is cross referencing of the Acts so that actions taken under them work in unison to protect biodiversity. Annual planning and reporting are important but make sure there is a balance between this and action. When reporting about targets that have not been met, there needs to be clear reasons why this was the case and a high degree of accountability. The targets need to be accountable and measurable and visible to the public. Please ensure you do not make this too bureaucratic. While it is well known that SOE Reports are not a formal requirement, in the interests of transparency and public reporting this is the only Report which the public can easily access to learn how the environment is tracking in South Australia.

Far more attention needs to be paid to environmental protection and halting biodiversity loss and for this a specific Biodiversity Plan may be beneficial. David Paton has one as does one of our member groups - SWWAN's 'Rewild the Fleurieu' plan https://sellickswoodlands.au/advocacy-submissions/.

In future residential developments 'allotment yield' needs to take a back seat to reversing biodiversity loss and providing adequate habitat across all zones and with particular attention to where species have been identified as endangered or in decline. The Act must mandate a state-wide biodiversity plan or strategy where measurable targets, commensurate with the science, are set and regularly reported on.

Topic 7 - The Benefits of Information

All of these points make sense but again we say you need to be appropriately resourced. Make sure you include the community and add 'citizen science' here. The community has a lot of information and knowledge about local areas. Ensure you include them at every step of the process. It is important to know how to involve people to measure data. There are many examples to involve the community eg inviting new residents to landcare groups to help with their understanding of the biodiversity in their new community. Offer this opportunity through local councils and ensure this extends to new immigrants who will not value our flora and fauna if they are not educated as to its unique status. This needs to apply to all land, coastal and marine communities so that children and adults both are educated in the need to protect other species, rather than consider them merely as a resource to be 'managed'.

Topic 8 – Achieving 30 by 30

We agree with the principles of this topic although we could declare the top third of SA protected and tick this box. That is not good or the intent. What is needed is 30% habitat within every landscape, whether it is your backyard or the Mount Lofty ranges.
The plan should be to achieve 30% habitat coverage across our landscapes, and to protect this land permanently. Without this idea we will continue to see local and regional extinctions and declines in diversity.

We think of environment outside of cities only, but we need to think inner city and suburban as well. The Adelaide City Parklands is a marvelous corridor that should be retained and extended wherever possible, but it lacks understory vegetation, vital for biodiversity, in many places. Prof Chris Daniels has spoken on this subject at length. We need more street trees and more vegetation included in the infill developments. Consider the 'Network of Lands' for suburban areas eg Dr Kent's Paddock linked to Prince Alfred College in that region.

We must retain this vegetation at all costs. We must install wildlife corridors. Also consider the example set by South Korea where a 3.6-mile corridor was created in the centre of Seoul, removing built development to restore a major river; riparian vegetation and wildlife returned, and the people improved in health with cleaner air and much improved mental health and wellbeing.
"Landscape Performance Series
https://www.landscapeperformance.org › cheonggyecheon>stream>restoration>project.
This restoration project created both ecological and recreational opportunities along a 3.6-mile corridor in the center of Seoul, South Korea.

A key factor in why this has not been addressed is councils have used an incorrect formula to set targets setting them far too low as a result. This is how biodiversity of some kind can be restored to urban Adelaide and ensure our backyard gardens are pollinated. New dwellings should not be allowed to cover over 70% of a site with buildings and hard impervious surfaces eg concrete.

There should be sufficient space for trees, shrubs and ground covers, not just a small strip of lawn. Therefore, the Planning and Design Code needs to be changed to enable the new Biodiversity Act to be successful and meet its goals. Do not let housing densification take priority over the protection of biodiversity. The environment must take priority over development.

Topic 9 – Biodiversity: a Shared Responsibility

We agree with the points made here, but you must include developers in the 'community' and make them accountable. Effective communication of all information with the community is essential. You must define who is included in this section. Is it government departments, specialist organisations, businesses, developers? The details of how you will enable community involvement will be important. We do not think voluntary standards and codes of practice will be practical. You need mandatory standards that are enforced and ensure developers remain accountable. A biodiversity duty of care is similar to the idea of the 'Rights of Nature'.

Topic 10 – Consequences of Doing the Wrong Thing

This section should align with what Qld and NSW are doing now. We were not sure what number 29 meant eg could a community or environmental agency take a company to court such as the Environmental Defender's Office? But who can afford to do this? Will there be funding to support the community for any legislative action? A more sensible course of action would be strong legislation protecting our environment, biodiversity, and in particular endangered species so that litigation is neither desirable nor necessary.

Land developers and industry proponents will willingly support that legislation if they are acknowledged and recognised for so doing (or named and shamed with heavy financial penalties for flaunting the Biodiversity Act). Preventing further damage is more important than punishment after the fact, particularly when that punishment is simply considered 'part of the process.' We also do not understand the second paragraph in the right-hand column 'Instead of solely relying on...'. Does this mean you are not planning to punish people for doing the wrong thing? We certainly hope not. This would negate the best efforts of this Act.

Conclusion

In conclusion, CASA thanks the Department for Climate, Environment and Water for the opportunity to comment on the potential for a new Biodiversity Protection Act for South Australia. We applaud the concept but cannot state clearly enough that this Act will be of no use unless it is part of an integrated strategy. <u>It must take precedence over other Acts</u> and Regulations in order to halt and reverse our extinction rate of native species and protect our remaining habitat and biodiversity across the entire State. It is our most essential infrastructure.

While this might seem an extreme measure to proponents of large corporations which need to turn profits to remain viable, the situation is dire and strong action and legislation is urgently needed. With South Australia in the ignominious position of having six (6) Ramsar listed Wetlands, several of which are already at great risk of de-listing due to drought and over-allocation (mismanagement) of the River Murray (Murray Darling Basin system), and another a target of international criticism due to being both "conservation and hunting' reserve – South Australia needs to seriously lift its game and change from talking about conservation to enacting strong legislation which protects the natural environment and our declining native flora and fauna.

White colonists, for the most part, have inflicted enormous environmental damage while exploiting natural resources and expanding human population and settlement exponentially

since 1836 in South Australia. That we now lead the world in extinction of species and biodiversity loss in such a brief time as 188 years is an appalling indictment of our system of land management. It is all too true that when all else is gone we will follow.

We look forward to the opportunity to speak with you about these important concerns. We also look forward to contributing to the next stage of the official process to create this new and important Biodiversity Act.

Yours Sincerely

Dianne van Eck

Dianne van Eck
President
Community Alliance of South Australia (CASA)