



SUBMISSION IN RELATION TO THE BIODIVERSITY BILL 2025

The Port Adelaide Residents Environment Protection Group (PAREPG) has been advocating and actively protecting biodiversity in the broader Port Adelaide area for 40 years.

We welcome this Bill and largely support its objective to both protect and actively restore South Australia's biodiversity. We support the development of greater transparency in decision making through measures in the Bill such as the development of a Biodiversity Register, and the creation of tougher penalties for clearance and damage to native vegetation.

However, there are a number of provisions in the draft Bill that need to be strengthened if there is going to be real on-ground improvement in the protection and restoration of biodiversity in this state.

Key issues requiring amendment:

1. There is a need for an ***appropriate safeguard mechanism*** in the Biodiversity Act to prevent developments that have a negative impact on biodiversity not just on the development site but on its impact on biodiversity values in the broader area (e.g. on flyways and biolinks for birds, insects and reptiles).
2. The Act needs also to have ***primacy over other legislation***, such as the Planning, Development and Infrastructure Act 2016. which, as we have recently experienced at Gillman, currently allows development applications to pertain to only to the site, or even a portion of an intended development site, thus ignoring the biodiversity impacts on adjacent areas. This allows for a cumulative effect of reducing biodiversity in an area – death by a thousand cuts.
3. The 'offset' mechanisms allowing clearance of native vegetation for a fee or protection of an unprotected native vegetation need to be much tightened to make sure that there is an identified limit to biodiversity loss beyond which no 'offsets' are allowed. Again, consideration of the broader cumulative effects of possible or actual clearance on adjoining properties should be considered, not just the impacts on the applicant's property.
4. The Act should designate the Biodiversity Council as responsible for developing the policy for "offsets" for subsequent Ministerial approval, rather than the Minister having sole responsibility for the policy, particularly given the high risk of political influence on the 'formula' for calculating payments in lieu of on ground "offsets."
5. We believe it is important that the Minister is absolutely required to make timely decisions on the listing of threatened species and the habitats they require to survive.
6. We agree with the Conservation Council of SA that the Bill as currently drafted concentrates too much power into the hands of the Minister of the day. It should be

amended to re-instate the role of the Conservation Council of SA and other peak bodies as nominating organisations for the Biodiversity Council, rather than members of the Biodiversity Council being direct Ministerial appointments. The Minister then has the power to ensure all nominees have the requisite skills and expertise before being appointed.

7. We believe the Bill should revoke the “joint proclamation” of National Parks in South Australia, which allows for mining leases to persist in areas that have been set aside for biodiversity conservation.
8. The Biodiversity Act will be meaningless unless there is sufficient government funding for qualified staff to assess and support the actions required by the Act, including the prosecution of offences under the Act.

Exclusions and inclusions:

Regulated clearance areas need to be expanded in the Port Adelaide area to ensure the protection of Adelaide’s coastal dunes, the saltmarshes at Gillman, mangroves adjacent to the Port River and North Arm, Torrens Island and significant areas of undisturbed terrestrial native vegetation such as Biodiversity Park, R B Connolly Reserve and, further afield, Folland Park.

A significant amount of effort and research has gone into formulating regulations to extend the geographic reach of the current Native Vegetation Act. It would be much clearer and offer a greater level of protection if those areas were instead defined in the proposed Bill

Many areas of good and improving biodiversity exist in the urban and peri-urban areas.

We strongly recommend a review of environmental values in urban and peri urban areas. Our proposal is for a review of their inclusion into the Bill’s regulations using a classification scheme, with those of higher value assigned greater protection.

Determinants for such a scheme should include:

- The former Metropolitan Open Space system which was not adequately considered in the transition to the current Planning Code.
- Reference to the substantial body of work done under Green Adelaide’s Metropolitan and Northern Coastal Action Plan
- Consideration of active revegetation areas undertaken by Green Adelaide volunteer groups along Adelaide’s coast, river systems and parks.

It is vital that the coastal dunes, saltmarshes, mangroves of the LeFevre Peninsula, Barker Inlet and north along the Samphire Coast, the most biodiverse areas in Greater Adelaide, are included in this ground-breaking new Biodiversity Act, with much better protection and restoration efforts when industry or mining continue to threaten their integrity.

Yours sincerely,



18/2/2025