

18 February 2025

Biodiversity Coordination Unit
Department for Environment and Water

To Whom it may concern,

Succession Ecology welcomes the introduction of the Biodiversity Bill and looks forward to its implementation. However, there are some aspects of the proposed Bill that we would like to make general and constructive comment on.

Principles and Objectives

We strongly welcome the proposal to state that all sectors within the community have a responsibility to assume a duty to take reasonable and practicable measures to avoid non-trivial harm to biodiversity. We would like to highlight that we strongly see a need for a clear and workable definition of 'non-trivial harm', that can be applied to project assessments, with minimal ambiguity. Clear assessment criteria will assist in the consistent assessment of projects by project owners, consultants and regulatory bodies.

We applaud the recognition of the need for 'transformative ways of thinking and acting to support the environment', the inclusion of First Nations knowledge and the continuation of community input into decision making.

Native Plants and Animals – inclusion of algae, fungi and threatened taxa

We welcome the expansion of the definition of native plants and animals to recognise algae, fungi, threatened invertebrates, threatened amphibians and threatened fish. With the inclusion of these organisms we envisage that there will be a need to provide clear guidance to developers, consultants and regulators on how to assess impacts to these organisms, particularly when they may be difficult to identify or detect in the field.

Native Plants Definition – broadened to include non-SA Australian species

We view this proposal with significant caution. Whilst we can understand the principle behind the broader definition of native plants (in view of climate change effects) we also foresee that ecological issues may arise where there is too sudden a change to habitat from local to non-local flora. Such changes could significantly impact a wide range of local fauna species, particularly specialist fauna such as many invertebrate species. A loss of local ecosystem function would significantly erode biodiversity. As such we would strongly suggest that:

- It be made clear that priority still be given to the restoration and enhancement of local native vegetation, which are best to support local native fauna assemblages and local native ecosystems.

- Restrictions be clearly explained around inclusion of non-local SA species in restoration works, with the requirement for clear justification for the inclusion of non-local species. Such inclusions must clearly demonstrate how local ecosystems will be enhanced and not harmed by such non-local species inclusions.
- Non-local species to be included in restoration works to be demonstrably 'non-problematic' with regards to existing within remnant or native habitat.
- It be made very clear which non-local species are problematic for each region and so must be excluded for restoration actions.

Native Plants Definition – planted vegetation >20 years old

We note the proposal for the inclusion of planted native vegetation >20 years to be subject to the same protection as remnant vegetation. We agree that planted native vegetation can provide usable, suitable habitat for native fauna, and so support this proposal. However, the resources currently available to determine whether vegetation has been planted are patchy. Their use can be time consuming and difficult, and sometimes inconclusive. In order to support this proposed change, we strongly suggest suitable resources be made readily available to accurately determine whether vegetation has been planted and when it was planted. Google Earth can be used near Adelaide, where high-quality historic satellite imagery is more plentiful. However, in our experience, Google Earth is not helpful for much of South Australia. Ideally, the aerial imagery currently available for purchase from DEW in hard copy would be made available on-line (either free or under general license), at a resolution that will allow definitive assessment of evidence of prior clearance or planting.

Threatened species, communities and entities

We welcome the proposed statutory list of threatened ecological communities, and the proposal to develop processes to identify and protect habitat that is critical for the survival of threatened species and communities. We suggest that learnings are taken from the EPBC process, where broad scale statements regarding critical habitat can become unworkable for the assessment of impacts on a species that have a wide range, or are generalist in habitat requirements. If possible, the identification of specific key habitat areas and key habitat attributes for threatened species and communities would greatly assist project impact assessment.

Administration

We suggest that clear outlines are provided regarding the transitional period for projects within the assessment system or under development, prior to the Act coming into effect.

Kind regards,

[Redacted signature]

[Redacted name]

[Redacted contact information]