

Draft Biodiversity Bill 2025 submission.

I will preface this submission outlining my qualifications and experiences around this proposed amended bill. I have a BSc in Biodiversity and Conservation and I have extensive experience in field ecology, native plant restoration, ecological surveys for mining corporations, specialist in ornithology and (was) a certified native vegetation assessor for the Native Vegetation Council SA.

My experience of legislation around the EPBC act will be drawn from an incredibly disturbing repeal of this act to facilitate the development of a motor race track called 'the Bend Motor Park' at Tailem Bend. In 2019 the state government suspended a range of state laws including federal government laws in place for the EPBC nationally threatened ecological community of Peppermint Box (*Eucalyptus odorata*) grassy woodland habitat. The vegetation assessment was done by the company I was working for at the time.

Getting to the point of this reference: If this Biodiversity bill does not stamp out the fluctuating mood swings of the current minister and the propensity for allowing wealthy development at state level then it may as well be written on toilet paper for all the good it will do (and has done in the past).

There needs to be solid conviction around the halting of development applications to protect and preserve nationally threatened ecological communities and ecological communities with threatened species. And certainly not to be influenced by large wealthy stakeholders like the Peregrine Corporation or similar.

I take issue with the following from the draft bill.

- Division 2 (15) 2/4
- **Establishment of a Biodiversity Council**
- (b) selecting a reasonable range of persons who collectively have skills, knowledge and experience in the following areas:
 - (i) terrestrial biodiversity conservation and restoration;
 - (ii) aquatic biodiversity conservation and restoration; (iii)
 - (iv) **energy and resources;**
 - (v) scientific research;
 - (vi) **primary production or pastoralism;**
 - (vii) land use, urban or regional planning;
 - (viii) climate change adaptation"

The collective knowledge and skills of the energy and resources sector and primary production sector should not be represented on a Biodiversity Council. Both industries have a proven track record of extractive processes and have absolutely no vested interest in conservation as a whole and in most cases see conservation and biodiversity as a hurdle to overcome in their pursuit to gain wealth. Including these groups just because they use the land and its resources is not a sufficient reason to sit at the same table and discuss issues, policies and procedures

around biodiversity and conservation. Particularly conservation. It is very much a conflict of interest and would be seen as such.

I have sought clarification with the following:

- **Subdivision 2—Biodiversity Conservation Fund 38—Biodiversity Conservation Fund**
- (4) Subject to this Act, the Minister may apply any portion of the Biodiversity Conservation Fund towards—
 - (a) plant and animal conservation programs; and
 - (b) the promotion of research into—
 - (i) problems relating to the conservation of plants and animals; or
 - (ii) the impact of the issue of any permits under this Act; or
 - (iii) any other matter connected to this Act; and
 - (c) programs for the benefit of any industry requiring a permit under this Act; and
 - (d) any other purpose for which the fund may be applied under this Act

Clarification for section (c) is as follows:

“I have received the following response in relation to your query:

The Draft Bill provides offences for a number of actions unless you have a permit granted under Part 9 of the Bill.

For instance, Part 5, section 62 of the Bill would regulate the taking, interfering, releasing, keeping, farming, harvesting, etc of a protected animal or animal egg. Any associated industry that has a permit to undertake an action within the bounds of the Bill would therefore be eligible for funding from Biodiversity Conservation Fund under section 38(4)(c) – in this case that could be farming a protected animal (such as a kangaroo) pursuant to section 62.

There are a number of other sections contemplated in the Bill which would fall into the same category, farming/harvesting protected plant species for instance.”

Unfortunately this clarification did not address my original query which was: Will mining companies and similar industries needing a permit for land clearance receive funding from this fund to establish an offset area (SEB or equivalent on ground biodiversity work)?

An example of inappropriate funding would be SANTOS and the SEB offset area of Gidgealpa. SANTOS has been extracting resources since (circa) 1960 and has only recently established an offset area, the livestock exclusion fencing around the Gidgealpa flood plains. With all its accumulated wealth it should not be eligible for funding under this arrangement even though it would discourage such conservation measures. If a permit is sought to clear land or destroy

biodiversity then that company should forfeit the right to seek funding of this nature particularly from the biodiversity fund.

Exploring this further I draw on experiences from my ecological surveys to mine sites throughout the state and touch on an issue that needs addressing under this proposed bill.

Mining explorations need to be regulated far more or restricted with permit systems in conjunction with vegetation assessment processes and or biological surveying to limit the widespread damage caused in most cases to intact vegetation communities and habitats where threatened species occur. Damage like slurry dumping, top soil removal, rubbish and stockpiling of soil samples, earth banking, drainage channel damage or infill, grader leveling and wholesale plant and seed bank removal.

As far as I'm aware this activity is not regulated enough under the Energy resource act 2000 nor the Mining Act 1971, happy to be corrected though. Even if it is covered under these acts, there seems to be no imperative to limit biodiversity damage. This should be addressed under the new proposed Biodiversity Bill because the broad scale damage I have seen in remote locations from explorations is extensive. In some cases complete habitat fragmentations occur because of the patchwork of drilling sites interconnected with heavy vehicle access tracks in areas where recovery and regrowth is painfully slow, in some cases many decades.

I also draw on my experiences in native vegetation surveying and assessment for the Native Vegetation Council and in particular the SEB fund.

The northern connector project determined after assessment that approx 300+ trees would need to be removed, many of which were significant (trunk circumference of 2.0 meters or more) and hollow bearing. The SEB is, for the uninitiated, another acronym meaning a 'significant environmental benefit'. There is categorically NO significant environmental benefit removing hollow bearing trees of this size and in this quantity for any development regardless of the price paid into the said fund. It is simply paperwork shuffling [REDACTED] at its best and environmental vandalism at its worst. Please prove me wrong.

To reiterate and summarise: This bill needs conviction. Not more acronyms. Not more councils. Not loopholes or funding for big industries wrecking biodiversity for profits. Not wiggle room for ministers and developers. It needs to be a bill for sustainable biodiversity and conservation in perpetuity.