



We acknowledge the Peramangk/Kaurna as traditional owners of the Karrawirra Parri, and *rakali* as the totem animal for the River Torrens.

Biodiversity Act for SA – Comments on the Draft Bill

We commend the Minister for her leadership in proposing this SA first Biodiversity Act for South Australia, and acknowledge the work done by all those involved in presenting this important draft document for public comment. This Biodiversity Act is timely because protecting and enhancing our biodiversity to safeguard our survival is now urgent, and is not to be delayed. Five years ago, the World Economic Forum's 2020 [*Global Risks Report*](#) ranked biodiversity loss and ecosystem collapse as one of the top five threats humanity will face in the next ten years. Locally, we see the ongoing loss of insect pollinators and bird populations from habitat degradation and fragmentation from clearing.

As members of the Mid Torrens Catchment Group, we recognise that we are very fortunate to be able to live in such a beautiful area of South Australia. We consider ourselves to be stewards of this land; we work tirelessly and invest in improving agricultural practices, restoring and enhancing vegetation to improve biodiversity, controlling invasive weeds and feral animals. We contribute many voluntary hours, and we work with and are supported by government agencies. So when people harm the environment and undermine our work, **we fully support the increased penalties proposed in the Act.**

MTCG has a range of current and ongoing projects, some of these involving members/volunteers working with Masters and PhD students from our universities, such as the Lizard and Frog surveys, installing and monitoring Nest Boxes. Other current activities include the ongoing Paddock Trees Project; Seeding Native Grass Plots; establishment of a Nature Connection Meeting Place on the River at Cudlee Creek CP, broom control; *Acacia pycnantha* regrowth at Porter Scrub; Bush Tucker Farming; Aboriginal Fire Management, establishing insectaries and all members are involved in ongoing weed control. We agree with the objects and guiding principles of the Draft Act. Biodiversity is **a shared responsibility by everyone.**

To address the five topics of your request, we offer the following comments:

- a modern and nationally consistent process to assess and recognise threatened native species and ecological communities, aligned with international best-practice.
 1. Australia is a signatory to international agreements and conventions responding to biodiversity conservation, including the UN Convention on Biological Diversity (CBD) and the Kunming-Montreal Global Biodiversity Framework, to halt and reverse biodiversity loss by 2030 by protecting 30% of the land and coastal areas. If SA adapts its threatened categories to align with the definitions of the national EPBC Act (IUCN categories), SA can work more consistently with national and international standards of best-practice (SER).
- better recognition and protection for native plants that provide critical habitat for threatened species and ecological communities.

2. We support the idea of a Biodiversity Register, which would encourage landholders to map and submit these communities as well as critical habitats that would otherwise not be known. If information were available about what plants are providing critical habitats, landowners would value and care for them and restore ecosystems, with a purpose.

- **tougher penalties for wildlife crime and harm to biodiversity**

3. Penalties were not followed through in many acts, so the commercial interests that do not understand the cost of extinction should face deregistration and have assets seized to repair the harm or replace the wildlife (e.g. Re-Wilding funds). Delays are not an option, as the economic issue of not taking action earlier is explained in new research from Griffith University by Dr Michelle Ward: "The cost of preventing the extinction of just 99 rare species ... would cost Australia \$15.6 billion per year for 30 years. Recovering their populations ... would likely be \$157.7 billion per year... The cost would be more than triple Labor's record defence spending commitment of \$55.68 billion over the current financial year". Offenders might agree that strong enforcement is cheaper than environmental repair, **so strong regulation is urgently needed to stop biodiversity being destroyed.**

- **additional enforcement tools that provide more avenues to address environmental harm, including requiring individuals to repair damage rather than simply paying a fine, and also allowing third parties to take legal action;**

4. An independent assessment team could give an estimate of the work needed to repair damage within a time frame, which would be registered by the Council, along with a bond, or lien against the property, person or business. Repairs should follow international standards and be monitored for effectiveness before released from the bond. Without a legitimate SA Environment Court, third parties would need protection in taking legal action that could take years and cost too much.

- **a general biodiversity duty that would require individuals, businesses, and government agencies to take reasonable steps to prevent or minimise harm to biodiversity.**

5. New thinking and values are required before the population adopts a duty or requirement to take reasonable steps to prevent harm. Climate modelling predicts that wheat crops in SA and southern Europe will begin to fail by 2028 with warming to nearly +2° of the current +1.5°, yet there is no decline in use of fossil fuels by everyone. A few local Councils are making resilience plans for community groups to cope in a collapsing world, thanks to a few dedicated and enlightened individuals; however, we might say that only 4% of the population in SA would take strong action to save environmental integrity to survive, knowing that our trajectory requires urgent and serious actions, to become more cooperative and giving back to the environment that has given us so much. **Caring for Country by First Nations involvement and advice is critical for their sensitivity, knowledge and connection to Country.** Prescribed burning with inappropriate fire regimes should be reviewed.

- **We support implementation of a transparent process for governance by the statutory bodies.**

6. Positions on the three adjudicating bodies, the Biodiversity Council, the Scientific Committee and the First Nations Expert Group, should be chosen from applications, with a transparent process and be reviewed regularly and publicly for independence and integrity, without conflict of interest.

Other Comments:

We ask for the Biodiversity Bill to be put forward to Parliament and passed with URGENCY. Our international agreements impose obligations on Australia to undertake actions to deal with matters of concern to the international community. Preserving and enhancing biodiversity is a shared responsibility by everyone, and our survival depends upon it.

Bird decline globally and locally since the 70s is alarming, and the “Insect Apocalypse” is now well documented in the Northern Hemisphere. **In Australia we don’t know how many insects exist or how many have been lost already because there has been insufficient surveys and monitoring.** We do know that there are a lot less than when we were young. Yet insects provide essential services to the wider environment such as pollination, pest control and nutrient recycling, keeping forests healthy (sequestering C and giving us O²). Habitat loss and fragmentation and isolation, chemical or organic pollution, invasive species and other human-caused changes to the environment are currently recognised as the main drivers of the decline of insects, with climate change amplifying the effects of the other threatening factors.

The State of the Environment (SOE) for SA demonstrates our alarming rate of environmental decline, but we do not even have the staffing required to monitor and evaluate our present state and condition. We can see many biodiversity measurement tools used in other states (MER, Nature Positive Plan, Habitat Conservation Orders, Nature Hubs), but there is limited cooperation and SA needs a lot of help. Our very useful Biological Survey Unit was terminated, and historical information is not available to most people.

Thank you for this opportunity to participate in building this very important legislation to save Biodiversity in SA. We support you fully in making this Act into law ASAP.

