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The City of Charles Sturt welcomes the opportunity to provide feedback in relation to the draft Biodiversity Bill 2025. This feedback is provided by the administration of the City of Charles Sturt.

We commend the State Government for recognising the urgent need to halt biodiversity decline within the State. We recommend that the State Government recognise this urgency as a biodiversity crisis that exists at the state, national and international scale and requires a focussed and intensive response to respond to this crisis, particularly in the face of a changing climate.

The City of Charles Sturt broadly supports the objects and guiding principles proposed in the draft Bill and we particularly support the introduction of a general duty under the legislation, highlighting the harmony with the general duty under the Environment Protection Act.

We acknowledge the general intent of the legislation to protect and enhance biodiversity and improve environmental outcomes. We support the overall principles of the bill, however we urge that these principles be balanced with the practical needs of councils in managing public lands and ensuring public safety.

We submit the following specific feedback in reference to the draft Biodiversity Bill 2025:

1. Native Plant Protection:

- We seek clarification about how native species older than 20 years, on how the age of plants is identified and what checks and balances are in place to ensure protection without impeding necessary management or restoration efforts.
- The bill proposes protections for all species, including potentially problematic native species, which may be overabundant or locally invasive. There's a need to explore how the bill will allow for effective management of such species, which could hinder biodiversity restoration and environmental management efforts
- We seek clarification on the impact of the Act on tree removal, particularly regarding native plants that are intentionally sown or planted on non-residential land, often managed by councils. There's a question of whether such actions would require specific clearance or if a general clearance power would apply.

2. Threatened Species and Ecological Communities:

- We support the recognition and listing of threatened species and ecological communities, and we express concerns about how long it might take to compile the list of threatened species and ecological communities. The process for developing and updating these lists could be slow, which could delay key protections for these species.
- **Action Plans:** We support the recognition within the Bil for the need for action plan to aid protection and recovery of species and communities. We do view wording in the act that says the Minister "may" prepare action plans for threatened species, communities, and critical habitats as insufficient to address biodiversity decline. We strongly recommend that it should be a "must," to ensure action is taken in a timely manner to address the biodiversity crisis.

3. Critical Habitat and Public Transparency:

- We contend the process for granting consents to disturb or destroy critical habitats should be rigorous and transparent. This includes making the application process clear and accessible to the public, with opportunities for community consultation and feedback.

4. Biodiversity and Conservation Agreements:

- We support the principle of transparency around biodiversity and conservation agreements. We recommend that such agreements are made between the government and landholders, the terms should be publicly available, including how the agreements are assessed over time.

5. Cultural Sensitivity:

- The act includes provisions for handling culturally sensitive information in proceedings, especially in relation to First Nations communities. We commend that such cultural considerations are acknowledged and enshrined in legislated protection.

6. Biodiversity Data:

- We seek further information regarding the collection, management, and dissemination of State biodiversity data, including the responsibility of public sector agencies (such as local councils) to cooperate.
- We seek to understand the potential implications and timelines for councils in complying with these requirements noting the potential for Councils to assist in provision of existing data, specifically for biodiversity, which could help inform policies and action plans.
- Questions arise about the responsibilities of local councils to collect and share biodiversity data with the state, including whether they are compelled to gather new data or merely provide existing data. Clear guidance is needed on the expectations and process for data sharing.

7. Bushfire Management and Biodiversity:

- We seek further information and clarification in relation to how the Act intersects with bushfire management, especially regarding lands in prescribed bushfire areas. We recognise the potential conflict between bushfire management efforts and the biodiversity principles in the Act.

8. Conservation and Restoration Funds:

- There is some uncertainty about how the funds designated for conservation and restoration (through the Biodiversity Restoration Fund and the Conservation Fund) will be applied, whether they will be for specific projects identified by the state or for applications through grant systems, and whether both funds could support a single project

9. Clarifications on the Act:

- There is uncertainty of how this act will affect councils, particularly regarding their responsibilities for maintaining and developing landscapes. We recommend that guidance information be prepared to aid land holders, particularly local government to identify whether certain activities are impacted or need to be altered due to the act. Specifically, we note the following areas for consideration:
- **Maintenance of public land:** How will the bill apply to routine maintenance and management of parks, reserves, and other public spaces? Specifically, we are concerned about how ongoing maintenance practices, such as trimming, pruning, or removal of dead trees, may be impacted by the bill's provisions.
- **Impact on native vegetation:** The bill notes restrictions on the removal of native species older than 20 years. This could affect local councils' ability to manage open spaces, especially in urban areas where such species may exist in areas that are being redeveloped or maintained for public use. We request further clarity on how the bill applies to these situations and whether specific exemptions or management strategies will be provided for councils to manage these spaces effectively.
- **Council's role as landholder:** Councils are significant landholders in their communities. As such, the legislation should take into account the specific responsibilities and operational realities faced by local governments in managing large areas of public land. It is essential that councils have clear guidance on how to reconcile the need for environmental protection with practical land management requirements.

- **Request for Clarity and Guidance:**
 - Given the complexity of the legislation and its potential implications for local governments, we respectfully request that the department provide clearer guidance on the following areas:
 - The types of activities that will require a permit and the specific exemptions for routine maintenance and management of public spaces.
 - A detailed framework for the application process for tree removal, including timelines and associated costs.
 - Resources and training to help councils implement the bill effectively, ensuring compliance without unduly burdening local government operations.
 - We also suggest that the department consider issuing a comprehensive FAQ or guideline document to clarify these issues for all affected councils.

10. Practical Application and Review:

- We suggest implementing a review period (e.g. 3-5 years) for the bill to assess whether it is functioning as intended and how it can be adjusted based on real-world experiences. This review would look into how effectively the bill is being applied and whether it requires modifications.

We appreciate the opportunity to provide feedback on the proposed Biodiversity Bill. Local councils play a pivotal role in managing public land and natural resources, and it is essential that the legislation be designed in a way that allows us to continue fulfilling these responsibilities effectively while protecting the environment. We urge the department to consider the points raised in this submission and to provide additional clarity and flexibility to ensure the successful implementation of the bill across all local government areas.

We look forward to further engagement on this matter and seek to work collaboratively with the Department to ensure that the final version of the legislation supports both environmental goals and practical land management needs.

Yours sincerely,

[Redacted signature]

[Redacted name and title]

[Redacted contact information]



The City of Charles Sturt acknowledges and pays respect to the traditional custodians of the land and waterways, the Kaurna people of the Adelaide plains.

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