

Response Letter to South Australia's Draft 2025 Biodiversity Bill

Dear Premier - Peter Malinauskas,

Thank you for the opportunity to provide comments on the draft Biodiversity Bill for South Australia.

Neoxena Research have provided a response to ensure that the value of ecosystems within the State are appropriately protected for future generations. Neoxena Research strongly emphasise that to fully realise the principles stated in the Bill, this would require extensive implementation and participation from all sectors. Though this needs to be **driven with the most up-to-date information on the state of ecosystem health and its future in South Australia**. Without having future ecosystem services and health incorporated as a key theme within the bill, will not allow appropriate protections or safeguards to ensure an ecological sustainable future for the State.

This response is provided by Andre Ortiz, Principal Ecologist at Neoxena Research. Andre Ortiz who possesses a Master of Ecological Sciences (University of South Australia, 2016) and a Bachelor of Ecological Science (University of South Australia, 2013), with specialised training and 12+ years of experience in ecological assessments, ecosystem services research, biodiversity health evaluations, arboriculture equivalent AQF - level 8, and led assessments for multi-stage large developments.

Professional credentials include training in Scattered Tree Assessment (SCAT), Bushland Assessment Method (BAM), and Rangelands Assessment Method (RAM) (2024) by the Native Vegetation Council of South Australia, and additional expertise training in ecological condition assessments, shorebird and coastal ecosystem research, native flora management, and conservation practices with universities or technical bodies.

Neoxena Research currently undertake research and leading ecological assessment with industry, private landholders, first nation outcomes and community groups, government and non-government organisations (local, state and national) to coordinate ecological outcomes whether that is through protection of ecosystem services or function research, threatened species management or advice, healthy country outcomes for first nations land, waters and sea and facilitate development approval pathways.

Neoxena Research's key outcomes that believe need attention within the Bill include:

- Stronger clarity on messaging, particularly where this involves the accountability of others, currently the bill loosens existing regulations and provides less protection for biodiversity values.
- The **biodiversity bill does not provide long-term protection** of ecosystem services and biodiversity, **this will further erode ecological sustainability** for South Australia.
- Concerns in relation of how political pressure and loss of environmental integrity may influence the necessary protections of protection and restoration of ecosystems.
- A greater emphasis on proactive environmental repair rather than the minimising of harm. There is currently no consequence from going to 'avoid minimising to offset' each step down the mitigation hierarchy should include further costs and stricter regulations as a deterrent.

- Reevaluate offset strategy, currently provides an easy gateway to destroy ecosystems by 'paying into a fund.' **Not all ecosystems and biodiversity values can be offset once certain ecosystems or services associated have been lost in a region they cannot be returned again**
- Creates barriers in placing unintentional limitations to cultural practices.
- Disruption of necessary management of problematic native plants from interstate, controls for impact causing native species.
- Ensure that cultural burning is excluded from the regulations and other important cultural practices that enable cultural connection and longevity.
- Protection of soils and soil health with specific emphasis on 'rich organic' soils which are rapidly being degraded.
- That **general duty of care includes avoidance of harm as the first step.**
- Stronger prescribed enforcement for a failure to comply with the Act for repeat-offenders.
- Increased protection measures for critical habitat is protected from all types of development. This includes further emphasis on aquatic ecosystems with fish, amphibians and invertebrates associated.
- **Provide transparency of key decisions** made to reject or approve development and clearance applications.
- Emphasize that a lack of knowledge is not a reason for a lack of protection and consider where this could be a barrier for protection in the Act.

Essentially as this bill currently sits, would allow **multiple risk-free pathways to increase erosion of critical ecosystem services and removal of biodiversity values that we as a society depend upon** i.e. (water filtration, pollination, air purification, asset protection, cultural preservation, and economic benefits).

Policy development with environmental integrity along with a communication approach that raises suitable public awareness of the joint responsibilities of ecosystem preservation and restoration that this Bill advocates for will be a crucial step in its implementation.

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