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Hi,
Please find attached a submission regarding the proposed new SA Biodiversity Act.
Regards
Peter Martin
[redacted]

Points to answer from the SA biodiversity pdf 2024

All text on this page is from the Govt-prepared pdf circulated as background information for discussions on the proposed new SA Biodiversity Act.

From p. 4 – Anticipated benefits

- a sense of shared responsibility in looking after our biodiversity
- improved conservation and protection of biodiversity
- stronger partnerships with First Nations peoples in biodiversity conservation
- consistency and transparency in our approach to biodiversity conservation
- clearer provisions relating to identifying and protecting at risk species
- improved alignment with national legislation and international obligations
- support for a smart, sustainable and inclusive economy.

From p. 4 - Goals

1. To conserve biodiversity and maintain the diversity, quality and function of ecosystems
2. To enhance capacity to adapt in the context of a changing climate
3. To protect threatened and culturally important species and ecological communities
4. To recover threatened species and ecological communities so their conservation status improves

From p. 11 - Data collection, collation, interpretation and dissemination

A new Act can support better information sharing and availability without adding complexity to existing processes. Providing better information on biodiversity early in processes will increase awareness of possible impacts before financial commitments are made. This will help guide better decision-making, encourage good design that promotes avoidance and assist in providing certainty about where biodiversity impacts can't occur. This will ultimately build confidence in investment and foster a shift towards a culture that seeks to avoid, rather than offset.

Planning processes related to biodiversity should set goals and targets that are measurable, and these targets must be underpinned by effective monitoring programs. A new Act is an opportunity to establish requirements for improved biodiversity reporting.

From p.12 - Achieving 30 by 30 - exploring new and different ways to protect nature

Australia is committed to the global '30 by 30' target, which calls for protection of 30% of the Earth's lands, oceans, coastal areas, and inland waters – basically, 30% of the planet – by 2030.
As at 2020, protected areas cover just over 16% of the Earth's terrestrial areas and inland waters, and almost 8% of all marine and coastal areas. [In SA] this equates to protection of 21% of land, and almost 45% of the state's marine waters.

It is proposed the new Act places emphasis on increasing the network of lands managed for conservation purposes. The protection and restoration of under-represented habitats and ecosystems and connectivity between these areas will assist in promoting conservation outcomes.

In South Australia, incentives are currently available to support landowners who have Heritage Agreements. The new Act could seek to improve, broaden and establish incentives to encourage non-government entities and private landowners to conserve and recover biodiversity.

Implications of Govt pdf on biodiversity, using its own text as a starting point...

From p. 4 - Goals

Goal 1. 'To conserve biodiversity and maintain the diversity, quality and function of ecosystems'

Despite the excellent work done in building the Biological Databases of SA, and now in BioData SA, terrestrial biodiversity and abundance continues to decline, as regularly observed by the SA Environment Report. While the collection of quality data on the condition of SA ecosystems remains essential, and should be greatly expanded, it is clearly not enough in itself to arrest this decline. Other serious changes are required if data collection is not to merely track long-term degradation.

This first goal presumably concerns conserving what is left of the State's ecosystems. In many areas that is not much – for example, in the Copper Coast Local Government Area (LGA), less than 4% of the ecosystems have been left standing, and much of that is degraded or in scattered patches that may not be ecologically viable in the long term. Other entire districts are in a similar state. This raises several fundamental questions that could well be addressed in the Act:

(1) What is the scale at which measures under the Act will be taken? For example, the Dept's pdf refers to 21% of SA's land being under some sort of conservation protection, which is at the scale of the entire State. Of course, this figure is inflated by the large areas protected in the arid and semi-arid zone. If the scale adopted were to be one at which our communities operated, and to which most people related, it could well be at the scale of LGA, for example. At this scale the picture is very different. Of the 30 rural LGAs in SA, only 12 have more than 30% of their native ecosystems still standing – 30%, of course, is the target now adopted by SA in alignment with the new 30-30 goals of the Montreal protocol. Yet 8 of those 12 rural LGAs are partly in the pastoral zone, where native vegetation is mostly left standing to support sheep and cattle rather than protected in conservation zones. Only 4 of the State's 21 rural LGAs outside the pastoral zone currently meet the new 30-30 goal now officially adopted by SA. These are Southern Mallee, Lower Eyre Peninsula, Elliston and KI. Consideration of scale is thus fundamental.

(2) What is the degree of specification of ecosystem type that will be adopted? For example, let's say a decision is made within a district (of say 500 000 ha) 'to conserve biodiversity and maintain the diversity, quality and function of ecosystems' (Goal 1). Let's say too that five broad ecosystem types are known to exist there. Will/should efforts be made to conserve all seven types? The wording of the goal suggests that this diversity is important. This becomes increasingly important in goal 4 below dealing with ecosystem restoration.

(3) Will the Act allow governments to exempt whole regions from biodiversity and ecosystem protection, and allow business as usual to continue as they further degrade? Or will some long-term thinking be deployed to consider how all regions might eventually be able to meet the 30:30 criteria? This is what is really needed for an ecologically responsible and sustainable future.

Goal 2. 'To enhance capacity to adapt in the context of a changing climate'

While ecologists might be able to suggest what the consequences of certain climate shifts may be, to understand this fully, and to plan any actions in response, will require a major commitment to long-term research. Facilities such as the Australian Government's Analogues Explorer facility predict, for example, that the climate in Kadina today will, at the end of the C21, be more like that experienced in Hawker today. Even if that dire prediction is accurate, it will only mark the start of the major research effort needed to guide new conservation efforts, especially in ecosystem restoration.

Goal 3. 'To protect threatened and culturally important species and ecological communities'

Most of this work would logically be included in goal 1 above, or in goal 4 below.

Goal 4. 'To recover threatened species and ecological communities so their conservation status improves'

Much excellent work is already underway in SA aimed at improving the conservation status of species and communities. The Marna Banggara project on lower Yorke Peninsula is one example, and the cat control effort on KI is another. However, again issues of scale and ecosystem specificity are important. If we are serious about this goal, and wish to aim for ecosystem sustainability, then the long-standing scientific recommendation of retaining at least 30% of habitat in any region becomes paramount. If 30% of original vegetation no longer remains, will/should the Act direct that a long-term strategy be put in place that aims to restore the local ecosystems to at least 30% of their original extent? Excellent research is underway in SA that is showing how this might be done (eg Bio-R).

While increasing cover from 4% to 10%, for example, might be described as improving the conservation status of an ecosystem type, scientific advice is that anything less than 30% will not be adequate in the long term. This is likely to be especially the case in the face of climate change, where greater buffers and corridors will be required.

From p. 11 - Data collection, collation, interpretation and dissemination

'Planning processes related to biodiversity should set goals and targets that are measurable, and these targets must be underpinned by effective monitoring programs. A new Act is an opportunity to establish requirements for improved biodiversity reporting.'

This is a useful and helpful statement. If the Act is to be effective in achieving a long-term goal of 30% of the area of terrestrial ecosystems being reserved, then it will need to provide guidance on how to 'set goals and targets that are measurable'. As outlined above, it will firstly need to decide upon the scale at which to operate. If it decides that a state-wide scale is inadequate (which appears to be the case), and that a community scale such as LGA is more meaningful, then a number of issues need to be addressed:

(1) Most importantly, what is the long-term vision here? If it is to support Goal 4 in its aims of ecosystem restoration, then what does a successfully restored land area (say an LGA of 500 000 ha) look like, say, in 50 or 100 years time? In addition, what level of ecosystem discrimination is desirable within that area? As alluded to above in the discussion on goal 1, if there are five quite different types for example, each of 100 000 ha, what is the long-term vision here? Is it to return each type to 30% of its original extent? This would appear to be the minimum change needed if all five restored ecosystems are to be sustained into the future.

(2) If replanting is necessary, how can the Act assist the restorers gather the data they need on exactly where to restore which type of ecosystem? For example, if targets are to be 'measurable', and 'underpinned by effective monitoring programs', then could the Act play a role in setting up the substantial new research and mapping capacity that would be required? (The name 'SA 30-30' for a new research institute comes to mind.) Some of these skills already exist in DEW and the SA Herbarium, but would need to be both broadened and deepened.

From p.12 - Achieving 30 by 30 - exploring new and different ways to protect nature

'It is proposed the new Act places emphasis on increasing the network of lands managed for conservation purposes. The protection and restoration of under-represented habitats and ecosystems and connectivity between these areas will assist in promoting conservation outcomes.'

This has long been a goal of reserve creation and management in SA, with a chequered history of funding. The fact that the condition of SA's ecosystems have in general continued to decline despite this long-standing goal shows that having this good intention has never been enough. Likewise, it will not be adequate for the text in the Act to simply say that it 'places emphasis on increasing the network of lands managed for conservation purposes'. Such a statement needs to be linked back to well-defined long-term goals set out in a measurable manner.

'In South Australia, incentives are currently available to support landowners who have Heritage Agreements. The new Act could seek to improve, broaden and establish incentives to encourage non-government entities and private landowners to conserve and recover biodiversity.'

This is a useful direction for the Act to go in, especially if it is serious in steering the sort of long-term land-use change that will be required in many districts for 30-30 to become a reality. A great deal of thought and research now needs to go into how the 'new Act could seek to improve, broaden and establish incentives'. The small amounts of funding available in the past for those landowners with Heritage Agreements have been helpful. However, orders of magnitude more support will be needed over some decades, especially in the most over-cleared districts, to encourage landholders to restore substantial portions of their properties to ecosystem function, or to sell them to buyers for that purpose.

In districts where 30-30 is most challenging, careful and creative programs to support local communities and economies will need to be devised and managed, over timescales of decades. Examples exist around the world where governments have supported such economic and cultural change – the German government in phasing out coal mining in the Rhur, for example.

From p. 4 – 'Anticipated benefits

1) a sense of shared responsibility in looking after our biodiversity
2) improved conservation and protection of biodiversity
3) stronger partnerships with First Nations peoples in biodiversity conservation
4) consistency and transparency in our approach to biodiversity conservation
5) clearer provisions relating to identifying and protecting at risk species
6) improved alignment with national legislation and international obligations
7) support for a smart, sustainable and inclusive economy. '

Anticipated benefit (1) above implies a cultural shift that should not be underestimated. These comments are being written from KI where some residents still refer to marsupials as 'vermin'. The profundity and extent of the challenge implicit in the phrase 'a sense of shared responsibility in looking after our biodiversity' is likely to require many more years of slow change in culture and values, and demand long-term investment in school education and community outlook. It might be useful for the Act to at least acknowledge that challenge.

Anticipated benefit (2) would follow naturally if the actions suggested in this submission were put into effect. Benefit (3) is an excellent approach, since we have an enormous amount to learn from the knowledge, outlook and attitudes of indigenous people with respect to conservation. Benefits (4) and (5) could also follow from the sorts of changes outlined in these comments. Benefit (6) is implicit in the decision already taken for SA to adhere to the 30-30 principles. There is every reason to believe that a well conceived and well drafted Act would also align 'with national legislation and international obligations'.

Benefit (7) is covered above.

Finally, the statement in the information brochure that (p.11) 'a shift towards a culture that seeks to avoid, rather than offset' is very welcome. Too often offsets are poorly designed and managed, and in principle deliver no net conservation benefit. At worst they are fraudulent.

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