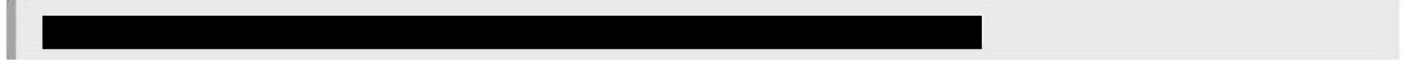




Categories:

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Dear Minister Close,

Thank you for giving me the chance to share my thoughts on the draft Biodiversity Bill 2025. I'm deeply committed to protecting and restoring South Australia's biodiversity, as I know how essential it is for the health of our ecosystems. Stronger nature laws are vital to prevent further loss of biodiversity and create a pathway for more effective restoration efforts.

This issue is particularly close to my heart, as I manage a Heritage Agreement protected bush block in the Adelaide Hills and am a member of Friends of Private Bushland. I am also gravely concerned about the lack of action and priority being placed on the environment by the current federal government.

While there are several positive steps in the draft legislation, I believe there are areas where it can be strengthened. Below, I've outlined my support for certain elements, along with recommendations to make the bill even more effective.

Although the draft Bill does make improvements in biodiversity protection, I feel it doesn't go far enough to truly protect, restore, and enhance biodiversity across all scales.

Achieving a real improvement in the state of biodiversity—one of the main goals of the legislation—requires more action.

Areas of support and suggestions for improvement:

- **Biodiversity Council:** I support the creation of a Biodiversity Council, but I believe it should have stronger powers, especially the ability to set SEB policy and recommend funding requirements for the Biodiversity Plan.
- **Biodiversity Plan:** The requirement for a Biodiversity Plan based on spatial prioritisation is a positive step. However, it's important that a funding mechanism is established to ensure the plan is implemented. We also need incentives for private land conservation, which could be supported through a Conservation Trust and dedicated funding.
- **Listing of Threatened Ecological Communities:** The provisions for listing threatened ecological communities and critical habitats are a welcome addition. However, I believe the Minister should be required (rather than having discretion) to declare these listings.
- **Protection for Native Plantings:** The protection for native plantings is important, but I recommend reducing the protection time frame to 10 years (instead of 20). At that point, most plantings are well-established and provide valuable habitat benefits. The investment in native plantings—both public and private—helps our ecosystems build resilience against climate change.
- **Recognition of First Nations Cultures:** It's encouraging to see a stronger emphasis on recognizing and valuing First Nations cultures. I support formal engagement and the integration of their knowledge into biodiversity decision-making processes.
- **Biodiversity Register:** The creation of a Biodiversity Register will help improve public understanding and transparency around biodiversity efforts.

- **Community Involvement:** The right for community involvement through third-party standing for civil enforcement of breaches of the Act is an important addition.
- **Tougher Penalties:** I support the introduction of tougher penalties for breaches of the Act.
- **Mitigation Hierarchy:** I welcome the requirement for native vegetation clearance applications to reference the mitigation hierarchy, but I am concerned that there has been no significant reform to the SEB process. We need much stronger requirements for nature-positive outcomes.

How the legislation needs to be strengthened:

- **Primacy of the Legislation:** It's crucial that this legislation takes priority over other laws, ensuring real protection for nature. We must prevent this legislation from being weakened by other Acts in the case of conflict. Primacy is critical to its success.
- **Funding Mechanism:** A clear mechanism for funding the administration and implementation of the legislation is needed. This should cover action plans, as well as large-scale ecological restoration projects. South Australia is currently facing a critical shortfall in investment for nature repair, and we must commit to scaling up conservation efforts, boosting the climate resilience of protected areas, and regenerating ecosystems and habitats.
- **Minister's Authority to Refuse Harmful Actions:** This Act should grant the responsible Minister the authority to refuse any proposed actions that would have unacceptable impacts on biodiversity, especially those that come through land-use planning processes or other decision-making systems.
- **Defining "Unacceptable Impact":** I believe it's important to define what constitutes an "unacceptable impact" from development proposals on biodiversity.

Additional recommendations:

- **Definition of Indigenous Plant Species:** I strongly recommend that the current NV Act definition of plant species indigenous to SA be retained and enable a "positive list" of non-SA native plants that provide net ecological value.
- **Minister's Role in Declaring Threatened Communities:** The Minister should be required to declare new listings of threatened ecological communities and critical habitat when a scientific recommendation is made, rather than leaving this to their discretion.
- **Time-frame for Native Planting Protection:** As mentioned earlier, the time-frame for protection of native plantings should be 10 years, as that's when most plantings have become well-established.

Thank you for considering these thoughts. I'm hopeful that, with these changes, the draft Bill can be strengthened to make a meaningful difference in protecting South Australia's biodiversity.

Many thanks,

