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SOUTH AUSTRALIA'S NEW BIODIVERSITY ACT- PROPOSED.

To Whom it May Concern,

Under Topic 2 Avoiding impacts
'The Act could require any action that could harm biodiversity such as development projects to first consider ways to avoid or minimise the harm..'
This is unclear. An 'action' cannot 'consider'. Environmental oversight should not be left in the hands of developers with a vested interest.
Offsetting is very problematic. Ecosystems operating at a micro level, or soil level, cannot simply be transposed somewhere else, and fragmentation of ecosystems leads to decline of key species.

Topic 3 Transparent decision making.
Reporting must be open and mandatory as a prerequisite for transparency. It cannot be left to developers to voluntarily report essential data.

Topic 4. Threats to biodiversity
Here the Discussion Paper rightly points to clearing of native vegetation, invasive species, inappropriate grazing, and poor fire management regimes.
However, there is no detail provided around the following threats:

1. The multiple threats to SA's water supply which include further drying under the impacts of global heating, over-extraction from the river Murray, and the impacts on ground water from gas exploration and other mining activities.
2. Urban green space is being lost faster than it can be recovered. In a heating climate this will badly impact human health as the heat island effect worsens. The issue of clearing should not be left to councils alone.
3. As elsewhere, our bird life is in critical decline for many species, but driving on beaches and duck hunting are allowed to continue.
4 Experience with fire ants in the eastern states has shown that half measures and poor funding lead to poor outcomes. And so it is with foxes and cats which decimate our small native birds and mammals.

Topic 5 Assessing the risk and Topic 6 Planning and Reporting.
SA does not have a threatened species committee. We have excellent scientists in diverse environmental disciplines. There is an urgent need for their expertise yet no formal means to draw from it.
The Environmental Protection Agency is poorly resourced and only equiped to react to violations of inadequate laws. In the United States the EPA has a wide remit and enforcement powers.
An Expert Biodiversity Committee legislated under the Act could provide advice to government, set targets, and plan.

Topic 7 Benefits of information
This topic is related to Topic 3. Information must have scientific rigour, reproducible data, and open reporting. It should be free of government and non government interference alike. It is an appropriate task for a well-resourced DEW.

Topic 8 Thirty by Thirty.
I commend the commitment to the Thirty by Thirty Initiative. The Nature Conservancy Report https://www.natureaustralia.org.au/newsroom/pathways-report-released/#:~:text=Today%20The%20Nature%20Conservancy%20(TNC,land%20by%202030%20(30x30) Sets out a plan for how it may be achieved. It will require close cooperation between all levels of government.
It is disturbing to note that the Federal Environment Minister may be forced to cede some of her powers to the Minister for Resources https://www.thesaturdaypaper.com.au/news/politics/2024/02/24/plibersek-sidelined-over-gas-project-approvals Such an action would be reprehensible, and an example of the potential for powerful business interests to white ant environment protection laws.

Topic 9 Biodiversity-A shared responsibility and Topic 10, Consequences of doing the wrong thing.
Enshrining a duty of care within the Act would be appropriate because it would remind all involved what is at stake. However, 'voluntary standards and codes of conduct' should not replace rigorous oversight and application of the law. Again, this relates to the powers of the EPA and/or DEW to enforce the laws which are currently inadequate.

Specifically, the Discussion inadequately deals with….
1 Population. The driest state in the driest continent must recognise that there are limits to growth. Our food supply is under threat from climate change. Our water sources are overexploited and replenishment is also threatened by climate change. Urban expansion adds to the problems, removing valuable agricultural land. There remains inadequate public transport infrastructure, and more vehicles exacerbate air pollution while reducing amenity.
2 The environmental impacts of the proposed desalination plant in the upper Spencer Gulf have not been widely canvassed, particularly with regard to the marine environment.
3 Seismic testing of South Australian waters should be ruled out because of its potential for widespread harmful impacts on marine ecosystems large and small. https://theconversation.com/whales-stop-singing-and-rock-lobsters-lose-their-balance-how-seismic-surveys-can-harm-marine-life-211207#:~:text=The%20surveys%20use%20air%20guns,of%20kilometres%20from%20the%20source.
4 Gas mining impacts on water and land are overlooked despite growing evidence of harm to both and their contributions to greenhouse gases.
5 The Murray Darling Basin Plan: South Australia must fight for every gigalitres of environment water denied to us by over allocation, use and wastage of the water in upstream states.

Thank you,
Dr Graeme McLeay
