



PASTORAL BOARD
OF SOUTH AUSTRALIA

RE: Consultation on South Australia's Draft Biodiversity Bill, February 2025

The Pastoral Board (the Board) welcomes the opportunity to provide comment on the current draft Biodiversity Bill for South Australia.

The Board also commented on the Biodiversity Act Discussion Paper in February 2024, and we congratulate you and the team on your progress over the past 12 months. In general, we consider the Objects of the Bill are complementary to the conservation related Objects of the *Pastoral Land Management and Conservation Act 1989* (Pastoral Act). Furthermore, we have not identified any inconsistencies between our previous feedback and the current version of the Bill.

Given the progression of the Bill, our latest review has had an operational focus to understand how the Bill's proposals would affect everyday activities of the Board and lease holders on the pastoral estate. While we encourage pastoral lease holders (lessees) to make their own submissions, we consider the proposed settings will not result in any significant adverse impacts on grazing practices.

For lessees, the most relevant provisions are those for clearance of native plants carried over from the *Native Vegetation Act 1991*. One notable change is the removal of the '10-year rule' for ongoing grazing practices, and removal of the need for notification or approval relating to changes in the manner or rate of grazing. The Board welcomes this change in Schedule 2 clause 26 towards an approach that emphasizes best practice land management, particularly the removal of the arbitrary time limit that has raised significant concerns in the pastoral community for many years.

We note that this proposal is appropriate for the pastoral estate, and the pastoral context was the impetus for the change. The Pastoral Act enables the Pastoral Board to enforce the avoidance of degradation in the pastoral zone (for example, fines can be issued and leases can be cancelled), through a legislated monitoring program (involving robust land condition assessments every 14 years). That framework does not apply on non-pastoral land.

It is therefore less clear how effective compliance and enforcement would be outside of the pastoral estate regulated under the Pastoral Act. If Landscape Boards, as the relevant authority under the Landscape Act, are not perceived as having the appropriate capacity and capability, this provision may be subject to extra scrutiny, and ultimately changed for something less favourable for pastoralists.

As such, we suggest that the Bill be amended to specify that the provision in Schedule 2 clause 26 "Ongoing grazing practices" specifically relates to land subject to the Pastoral Act.

The Board also welcomes proposals to provide more options for lessees to undertake conservation on their land, including timebound 'Conservation Agreements' and the use of the Biodiversity Restoration Fund to help facilitate them. This will help to support the conservation objectives in the Pastoral Act.

From the Board's perspective, we re-iterate the importance of stakeholder consultation on strategic planning processes, including the proposed State Biodiversity Plan. While we acknowledge that consultation is likely to include the Pastoral Board, the process is proposed to be at the Minister's

discretion. We suggest an explicit requirement for stakeholder consultation on the State Biodiversity Plan. Section 160 (5)(c) could be reworded from:

“In preparing or reviewing the State Biodiversity Plan, the Minister must undertake such consultation as the Minister considers necessary or appropriate”

to:

“In preparing or reviewing the State Biodiversity Plan, the Minister must undertake public consultation in a manner the Minister considers appropriate”

I wish you well in progressing the Bill through Parliament.

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14 February 2025