

Submission to

South Australia's Biodiversity Bill

from Sustainable Population Australia SA&NT branch

18 February 2025

1. INTRODUCTION

The South Australian Government has released the draft Biodiversity Act ('The Act') for public consultation. The Government states that this new legislation will:

- offer better measures and improve protections for our State's biodiversity.
- absorb the Native Vegetation Act 1991 and National Parks and Wildlife Act 1972 and result in changes in other legislation.

2. OUR ORGANISATION

Sustainable Population Australia (SPA) is an independent, not-for-profit organisation seeking to protect the environment and our quality of life by ending population growth in Australia and globally, while rejecting racism and involuntary population control. SPA is an environmental advocacy organisation, not a political party.¹

3. OPENING COMMENTS

Australia is ranked as the second worst among the seven countries responsible for 60% of the world's biodiversity loss between 1996 and 2008.^{2,3} Governments and other organisations do not acknowledge that the size of the human population effects the environment.^{4,5}

We believe that SPA's evidence-based recommendations may help South Australia manage the biodiversity crisis.

The Act contains many positive proposals such as strengthening protection and improving restoration of biodiversity. For example,^{6,7} :

- a) The principal that a healthy biodiversity underpins our economy.

¹ Sustainable Population Australia <https://population.org.au/>

² Australia among the world's worst on biodiversity conservation (3 Nov 2017)

<https://theconversation.com/australia-among-the-worlds-worst-on-biodiversity-conservation-86685>

³ Sustainable Futures, Linking population, resources and the environment (CSIRO 2014), Chris Dickman -Chapter 3

⁴ David Shearman (26 Oct 2024)

[Treasurer Chalmers should have attended the biodiversity COP16 - Pearls and Irritations](#)

⁵ New Matilda, David Shearman (27 June 2024)

[The Government Is All At Sea, Wallowing Over Climate And Environmental Policy - New Matilda](#)

⁶ South Australia's first Biodiversity Bill, Explanatory Guide (Jan 2025)

<https://yoursay.sa.gov.au/96921/widgets/455031/documents/301885>

⁷ Draft South Australia Biodiversity Bill 2025

<https://yoursay.sa.gov.au/96921/widgets/455031/documents/301879>

- b) Halting and reversing biodiversity loss, such that there is an improvement in biodiversity.
- c) Improvements in the enforcement of legislation.
- d) Improvements in the collection and use of biodiversity data.
- e) The use of the 'Common Assessment Method' for improving the assessment of the extinction risk of species.

Our concerns are that:

- f) Federal Government's role is not fully explained, e.g. the role of national nature protection legislation or the link between net overseas migration and environmental impacts.
- g) As noted, the use of the 'Common Assessment Method' would reduce complexity for development proponents. Potentially this method will result in housing developments taking place more easily and quicker, to the detriment of biodiversity.
- h) The FAQ's states that '*Biodiversity Bill does not propose to restrict the supply of land in South Australia*'.⁸ The inclusion of this statement must be a relief to proponents of housing developments.
- i) The YourSay Survey for feedback on The Act, directs the public to selected subjects that examine only limited reasons for environmental decline (typically the symptoms not the root cause). For example, the Survey does not include questions that link biodiversity decline to human population and economic growth.

We would like to comment on a limited range of issues raised within The Act.

4. HUMAN POPULATION AND BIODIVERSITY

i. State of the Environment Reports

The 2023 South Australian State of the Environment Report (SOER) states that human population is a driver of loss of biodiversity:⁹

- "Our population is growing and there is no doubt that human activities are the greatest driver of environmental change. We now need to reduce our impacts, adapt to our environment and better appreciate that our health and wellbeing is intrinsically linked to the health of our environment. Unless we act, population growth is likely to be unsustainable."
- "Human activities and climate change are the most significant pressures on the liveability of our environment."

Community responses (165) surveyed as part of the SOER do not indicate a good Community understanding of links between biodiversity and population growth. However, the respondents showed knowledge of a range of impacts on the environment such as urban sprawl and development, waste, pollution and loss of green space. It is worth noting that issues with high community awareness, are strongly influenced by population growth.

⁸ South Australia's Biodiversity Bill Frequently asked questions

<https://yoursay.sa.gov.au/96921/widgets/455031/documents/301878>

⁹ The SA State of the Environment Report 2023 <https://soe.epa.sa.gov.au/>

The 2021 “Australia State of the Environment Report” reached similar conclusions to the SOER. This national report was prepared (February 2025) when our nation’s population was almost 3 million lower. It states¹⁰:

- “Population growth rates are expected to return to pre-pandemic rates, along with other pressures such as consumption, pollution, congestion and waste.”
- “Overall, the major pressure causing population declines for threatened plant species is habitat destruction.”
- “Population growth (despite reductions due to COVID-19), urban expansion, and associated land clearing and pollution continue to impact our environment, particularly in coastal areas where most Australians live. Habitat modification such as construction of seawalls, and recreational activities such as tourism and fishing can also have substantial negative effects on species and ecosystems.”
- “Much of Australia’s population growth has been driven by overseas immigration.”

ii. **Other Reports**

The Intergovernmental Panel on Climate Change (IPCC) is the United Nations body for assessing the science related to climate change. It recognises that population growth has a multiplier effect with consumption in causing global warming.¹¹

Sustainable Population Australia released a Discussion Paper on Population and Climate Change. It states, “All governments have the option to use population policy to help reduce greenhouse gas emissions, either by minimising further population growth or supporting its gradual decline. This lever is more accessible to Australia than to most other countries¹².”

iii. **Net Overseas Migration**

Australia’s population growth is made up of natural increase (births minus deaths) and net overseas migration (immigration arrivals minus emigration departures).¹³ During the 20th Century, Australia averaged a net overseas migration (NOM) of around 80,000. In the Howard era (1996-2007), the annual NOM to Australia increased dramatically to 150,000 - 220,000.¹⁴

More recently (2023-2025), the annual net migration is at a rate of 400,000 - 640,000.^{15,16} That is, more than double the Howard era.

Most of South Australia’s population growth is currently from overseas migration.¹⁷

Key threats to South Australia’s biodiversity include population growth and infrastructure & development. However, State Planning did not mention these factors in in public documents

¹⁰ Australia State of the Environment 2021 (Overview p40, p63, p94) <https://soe.dcceew.gov.au/>

¹¹ Intergovernmental Panel on Climate Change: <https://www.ipcc.ch/>

¹² Sustainable Population Australia (2021), Population and Climate Change. <https://population.org.au/discussion-papers/climate/>

¹³ Australian Government Profile of Australia’s Population. <https://www.aihw.gov.au/reports/australias-health/profile-of-australias-population>

¹⁴ ABC How John Howard boosted migration and embraced foreign students, in five charts (20 Feb 2018). <https://www.abc.net.au/news/2018-02-20/migration-figures-under-prime-minister-john-howard/9465114>

¹⁵ Australian Government Department of Home Affairs Historical Migration Statistics <https://data.gov.au/data/dataset/historical-migration-statistics>

¹⁶ Australian Bureau of Statistics, Overseas Migration (13 Dec 2024) <https://www.abs.gov.au/statistics/people/population/overseas-migration/latest-release>

¹⁷ Australian Bureau of Statistics, Births, Australia <https://www.abs.gov.au/statistics/people/population/births-australia/latest-release>

linked to the Greater Adelaide Regional Plan (GARP).¹⁸ Note: In October 2024, Sustainable Population Australia made a submission to GARP that will be supplied as part of this submission.

A stable or declining population is expected to show a positive effect on the environment. It is likely to reduce the financial burden to government of road building, hospital construction, sewerage and other infrastructure for a growing population.

Australia does not have an explicit or formal population policy aimed at influencing the level of population. National population policy need not be coercive – unlike, for example, in India or China. Instead, it can be a series of targets and connected policies with oversight.¹⁹

iv. **Housing**

The building & construction sector is by far the largest emitter of greenhouse gases, accounting for a staggering 37% of global emissions. The production and use of materials such as cement, steel, and aluminium have a significant carbon footprint.²⁰

State Government plans for an extra 670,000 people by 2050 within the Greater Adelaide Regional Plan (GARP). However, water supply for the massive growth has not been properly analysed, i.e. availability, cost, and environmental impacts.²¹

In the October 2024 Planning Ahead Newsletter, Craig Holden, Chair of the State Planning Commission says, “And we need to grow, so that all South Australians can have access to safe, secure and affordable housing.” This is a remarkable assertion, contradicting the vast global evidence that population growth puts upward pressure on housing prices.²²

South Australians do indeed want access to safe, secure, and affordable housing. However, the vast majority of ordinary South Australian do not need, or even want, “growth” to achieve that outcome.

Adelaide can have affordable housing if the availability of that housing exceeds or matches the population demand. Population stability will assist affordability by reducing housing demand and will limit urban sprawl. Limiting or lowering human traffic pressure is also a positive result for biodiversity in our National Parks, Reserves and other open spaces.

v. **Water**

The world is recognised to be in a water crisis by the UN²³ and the life support system and planetary boundary of freshwater availability is already crossed.²⁴ Australia is participating in

¹⁸ Greater Adelaide Regional Plan (2024)

<https://plan.sa.gov.au/regional-planning-program/summary-of-the-discussion-paper/index.html>

¹⁹ The Conversation, Liz Allen (3 Jul 2017) <https://theconversation.com/australia-doesnt-have-a-population-policy-why-78183>

²⁰ UN Environment Program, Building Materials And The Climate: Constructing A New Future (12 Sep 2023) <https://www.unep.org/resources/report/building-materials-and-climate-constructing-new-future>

²¹ Greater Adelaide Regional Plan (2024)

<https://plan.sa.gov.au/regional-planning-program/how-to-get-involved/greater-adelaide-regional-plan>

²² SA State Planning October 2024 Newsletter, <https://www.saplanningcommission.sa.gov.au>

²³ UN Press Release | Water crises threaten world peace (22 Mar 2024)

<https://www.un.org/sustainabledevelopment/blog/2024/03/un-world-water-development-report/>

²⁴ Katherine Richardson, Will Stefan et al, Earth beyond six of nine planetary boundaries (13 Dec 2023) <https://www.science.org/doi/full/10.1126/sciadv.adh2458>

these failures, yet in our dry continent, water is still regarded as a “given”. Its provision for a growing economy is usually the main concern in government reports.^{25, 26}

Dry conditions have seen the lowest amount of water inflows to Adelaide's reservoirs in more than 40 years. In 1990, Metro Adelaide's population was one million and was serviced solely by rain-fed water supply including the Murray River. In early 2025, our city is 1.4 million and needs much more expensive solutions.²⁷

SA Water and State Government see desalination as the best way to drought-proof Adelaide. Desalination is the most energy intensive form of water supply to desalt seawater and pump it to consumers in Adelaide. World-leading SA renewable grid power will be used for desalination plants instead of displacing coal & gas in the national grid.^{28,29,30}

A larger human population in South Australia combined with a drying climate, will likely cause less water availability for native fauna and flora.

vi. **Economy**

World emissions continue to rise steadily, and the only significant blips in the yearly figures have been caused by the U.S. recession of 2007-2009 and the 2020 COVID-19 crisis. Both abnormal periods reduced our extravagant consumption that causes rising emissions.³¹

The current market economy is based on everlasting growth and is the prime cause of rising pollution, climate change and environmental damage. Conversely climate change and environmental degradation are a threat to economic growth.

National budgets are being eroded by a rapid increase of environmentally and economically damaging extreme weather events.³²

Many aspects of South Australia State Government's economic and population growth plans are to the detriment of our environment and biodiversity.³³

5. **BIODIVERSITY OFFSETS**

The concept of offsetting for Biodiversity is raised in The Act.

²⁵ David Shearman (20 Sep 2023) [Revolution is needed to save the dying River Murray - Pearls and Irritations](#)

²⁶ Big thirsty Australia: how population growth threatens our water security and sustainability
<https://population.org.au/discussion-papers/water/>

²⁷ EPA SA Where do we get our Water? (2016)
<https://www.epa.sa.gov.au/soe-2018/inland-waters/where-do-we-get-our-water>

²⁸ ABC, Lonsdale desalination plant to quadruple output as reservoirs drop to 20-year low (27 Jan 2025)
<https://www.abc.net.au/news/2025-01-27/desalination-production-to-ramp-up-as-reservoir-levels-drop/104864230>

²⁹ SA Water, Seawater
<https://www.sawater.com.au/water-and-the-environment/south-australias-water-sources/seawater>

³⁰ Adelaide Desalination Plant https://en.wikipedia.org/wiki/Adelaide_Desalination_Plant

³¹ Mark Diesendorf (11 Jan 2023) [Reduce consumption, or face reality of civilisational collapse - Pearls and Irritations](#)

³² Australia State of the Environment (2021) <https://soe.dcceew.gov.au/extreme-events/graphs-maps-and-tables>

³³ South Australian Economic Statement (2024)
<https://www.premier.sa.gov.au/south-australian-economic-statement>

Sustainable Population Australia believe that biodiversity offsets are included to allow 'business as usual' for housing and infrastructure developers. The continuation of the current building program will perpetuate urban sprawl and densification of inner suburbs, to the detriment of farmland, biodiversity, green space, and public amenity.

We strongly believe that biodiversity offsets will not work, i.e. removing trees or vegetation and creating 'substitute' revegetation elsewhere, is of no value to the disenfranchised wildlife. The wildlife has nowhere to go and much is lost forever. Similar – unapproved - land clearing behaviour has resulted in enforcement notices from the Department for Environment and Water.³⁴

In a similar vein, the concept of Carbon Offsets has a history of corruption. Most schemes operate to allow companies to continue with "business as usual" and have negligible environmental impact.³⁵

6. PRIMACY

How the Biodiversity Act will work in tandem with the current Planning Code is difficult to contemplate - unless the former takes clear precedence over the latter. There will be opposition by all those with personal stake in growth. For example, the Biodiversity Act needs to have primacy over the Planning, Development, and Infrastructure Act 2016.

We need to ensure that the Biodiversity Act ranks higher than other legislation favouring mining, pastoral, and urban development. If The Act subserves others, then it will have no teeth.

The ability of suitable non-government parties to commence proceedings is welcome, as long as environmental organisations are not disadvantaged by having fewer financial resources than, for example, mining, construction and other well-funded companies and business lobby groups.

7. WORDING

Wording in The Act needs to avoid terms like 'may', 'should', 'might' or 'could'. For example, in Clause 116 'may' should be changed to 'will' to ensure that the Biodiversity Act 'will' act against environmental damage. For example,

116—No development orders

*(1) If the owner of land— (a) on which native plants are growing or situated is convicted of an offence against section 44 in relation to clearance of native plants; or (b) is convicted of an offence against section 45 where the effect of the contravention of the condition that constitutes the offence is that native plants growing or situated on that land have been cleared without consent, the ERD Court **may**, in addition to imposing a penalty for the offence, order that no development of the land in relation to which the offence was committed may be undertaken during a period (not exceeding 10 years) fixed by the Court except for the purpose of reestablishing or restoring native plants cleared in, or otherwise making good any damage to native plants caused through, the commission of the offence.*

³⁴ ABC News (26 Feb 2023) [Developer couple issued enforcement notice by Vegetation Council over cleared patch of native forest in Adelaide Hills - ABC News](#)

³⁵ The Australia Institute, Carbons offsets were found to be dodgy (23 Jan 2024) <https://australiainstitute.org.au/post/here-are-23-times-carbon-offsets-were-found-to-be-dodgy-2/>

CONCLUSIONS

1. Healthy biodiversity underpins our economy^{36,37}, our health and our ultimate survival.
2. The science is strong linking biodiversity decline and human population growth.
 - Community awareness (or admission) of this direct connection is weak.³⁸
 - The community is aware of indirect connections between environmental problems and the human population (waste, urban sprawl etc.).
3. Population growth is a key force behind all five drivers of biodiversity loss: habitat reduction, overexploitation, climate change, pollution, and invasive alien species.
4. The Biodiversity Bill may streamline legislation but is unlikely to stop a greater impact on nature due to a larger population in South Australia.
5. 'Business as usual' will not solve the biodiversity crisis.

RECOMMENDATIONS

1. The Biodiversity Act must have primacy in legislation over potentially conflicting legislation (infrastructure, housing development, mining etc.)
2. Do not allow biodiversity offsets within The Act.
3. The sentence 'The *Biodiversity Bill* does not propose to restrict the supply of land in South Australia' should be removed or reworded. The Act would be more successful in protection of biodiversity if the only land were released for development was that had no biodiversity concerns.
4. Update the Biodiversity Act to eliminate those words that allow discretionary inaction by a Minister or appointed bodies.
5. Reports from the IPPC¹¹ and SPA¹² etc. should be considered by the Department for Environment and Water, and State Government, as part of due diligence in the drafting of legislation for The Act.
6. To protect biodiversity, State Government should influence Federal Government on those policies impinging biodiversity, e.g. net overseas migration, and creation of a national population policy.
7. The Department for Environment and Water should conduct an Environmental Impact Assessment for two or more scenarios (population growth and little or no population growth), including greenhouse gas emissions, land use change, habitat loss, urban tree cover, pollution and implications for water supply.

Please contact me if you have any questions on this submission.

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³⁶ David Shearman (1 Oct 2024) [Climate and environment: both sides of the coin are tarnished - Pearls and Irritations](#)
³⁷ David Shearman (27 Feb 2024) [Our life support systems of climate, water and ecological services are in collective crisis - Pearls and Irritations](#)

³⁸ Corey Bradshaw et al, Frontiers in Conservation Science (13 Jan 2021) [Underestimating the Challenges of Avoiding a Ghastly Future](#)

