



Our ref: CORP F2023/000832
Receipt No: 18503013

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23 November 2023

The Hon Heidi Girolamo MLC
Member of the Legislative Council
Parliament House
ADELAIDE SA 5000

Dear Ms Girolamo

Determination under the *Freedom of Information Act 1991*

I refer to your application made under the *Freedom of Information Act 1991* which was received by the Department of Primary Industries and Regions (PIRSA) on 30 October 2023, seeking access to the following:

"All copies of briefings, notes and correspondence including emails sent to the Minister's office regarding the aerial culling incident on March 28 2023."

Timeframe: 28/03/2023 to 29/10/2023

Accordingly, the following determination has been finalised.

I have located four documents that are captured within the scope of your request.

Determination 1

I have determined that access to the following documents is **granted in full**:

Doc No.	Description of document	No. of Pages
1	Email from Principal Biosecurity Officer – Pest Animals, Biosecurity, PIRSA to Office of the Minister for Primary Industries and Regional Development dated 18/10/2023 re Incident report during Limestone Coast Board program	1
1b	Attachment to Document 1 – South Australian Pest Animal Aerial Culling Steering Committee – Agenda Paper for meeting of 11/4/2023	2

Determination 2

I have determined that access to the following document is **granted in part**:

Doc No.	Description of document	No. of Pages
1a	Attachment to Document 1 – GovSAfety Incident Report dated 28/03/2023	8

The information removed from the above document is pursuant to Clause 4(1)(a) and Clause 6(1) of Schedule 1 of the Freedom of Information Act.

Clause 4(1)(a) states:

“4 - Documents affecting law enforcement and public safety

- (1) A document is an exempt document if it contains matter the disclosure of which could reasonably be expected—*
(a) to endanger the life or physical safety of any person;”

Clause 6(1) states:

“6 - Documents affecting personal affairs

- (1) A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).”*

The information removed pursuant to Clause 4(1)(a) and Clause 6(1) consists of:

- location details of an incident event which has been reported during feral deer aerial shooting control operations
- name of officer to whom the event was reported and their email address
- names of individuals
- name of witness
- mobile telephone numbers

Publicising the locations where feral deer could occur could result in illegal hunters accessing properties to illegally hunt the feral deer that are on the properties. In turn, there is a high likelihood that such activity would endanger the life or physical safety of members of the community.

Releasing the names of individuals, email addresses and mobile telephone numbers would identify the properties to which the event refers.

Exposing the names of the officers and witnesses and their telephone numbers to illegal hunters would pose a safety risk to the individuals concerned. Disclosure of this information would be an unreasonable intrusion into the privacy rights of the individuals concerned.

Determination 3

I have determined that access to the following document is **refused**:

Doc No.	Description of document	No. of Pages
2	Parliamentary Briefing Note dated 19/10/2023	7

Access to the above document is refused pursuant to Clause 17(c) of Schedule 1 of the Freedom of Information Act which states:

“17 – Documents subject to contempt etc

*A document is an exempt document if it contains matter the public disclosure of which would, but for any immunity of the Crown –
(c) infringe the privilege of Parliament.”*

The document consists of a briefing note which was specifically prepared for the purpose of use in proceedings in Parliament. Disclosure of this information would infringe the privilege of Parliament.

Please note that some of the information contained within the document is outside of the scope of your request. Accordingly, the determination made with respect to Document 2 refers to the information in scope.

If you are dissatisfied with this determination, you are entitled to exercise your right of review and appeal as outlined in the attached documentation [Making a Freedom of Information Application | State Records of South Australia \(archives.sa.gov.au\)](#), by completing the “FOI Application Form for Internal Review of a Determination” and returning the completed form to:

Freedom of Information Principal Officer
Department of Primary Industries and Regions
GPO Box 1671
ADELAIDE SA 5001

or via email PIRSA.FOI@sa.gov.au


In accordance with the requirements of Premier and Cabinet Circular PC045, details of your application, and the documents to which you are given access, will be published in PIRSA’s disclosure log. A copy of PC045 can be found at http://dpc.sa.gov.au/data/assets/pdf_file/0019/20818/PC045-Disclosure-Log-Policy.pdf

If you disagree with publication, please advise the undersigned in writing within fourteen calendar days from the date of this determination.

OFFICIAL

Should you require further information or clarification with respect to this matter, please contact Ms Lisa Farley, Senior Freedom of Information Advisor on 8429 0422 or email PIRSA.FOI@sa.gov.au.

Yours sincerely



Michelle Griffiths

Accredited Freedom of Information Officer
DEPARTMENT OF PRIMARY INDUSTRIES AND REGIONS

OFFICIAL

Farley, Lisa (PIRSA)

From: Page, Brad (PIRSA)
Sent: Wednesday, 18 October 2023 4:54 PM
To: Jones, Lucas (PIRSA)
Cc: Rhodes, Nathan (PIRSA); Secomb, Nick (PIRSA); Bourne, Steve (LandscapeSA)
Subject: Incident report during Limestone Coast Board program
Attachments: Part release - CORP F2023-000706.pdf; 2.SAPAASC_meeting 2_paper_6-Incident_LC_week_2.docx

Hi Lucas

My search of PIRSA briefs and PBNs on feral deer indicate that we never briefed Minister Scriven on this other aerial culling incident, which occurred 28 March 2023.

Ive attached the incident report that was supplied under FOI to Hon H Girolamo MLC. The attached document contains some text that is greyed out. That text was blacked out in the version supplied to Hon H Girolamo MLC.

Ive also attached a paper on the incident to the "South Australian Pest Animal Aerial Culling Steering Committee". I understand that this was not supplied to Hon H Girolamo MLC, because I think it was out of scope of the request. Note a concluding sentence of that paper "A follow-up phone call by General Manager Steve Bourne to the landholder confirmed there was no near miss involved, the employee was safe in the paddock and the landholder held no animosity towards the program."

Steve Bourne (cc'd) advised that he and Penny Schulz briefed Deputy Prem Close on this incident during face to face meetings 28 Sept 2023 and 16 June 2023.

regards, Brad

Brad Page | Principal Biosecurity Officer – Pest Animals
 Biosecurity Division | **Department of Primary Industries and Regions**
 Government of South Australia | Building 1, Entry 4 Waite Rd, Urrbrae
 GPO Box 1671 Adelaide SA 5001
 T: 08 8429 0803 | M: 0477 337 969 | E: Brad.Page@sa.gov.au
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The Department of Primary Industries and Regions respects Aboriginal people as the state's first people and nations. We recognise Aboriginal people as traditional owners and occupants of South Australian land and waters. We pay our respects to Aboriginal cultures and to Elders past, present and emerging.

Disclaimer: The information in this email may be confidential and/or legally privileged. Use or disclosure of the information by anyone other than the intended recipient is prohibited and may be unlawful.

South Australian Pest Animal Aerial Culling Steering Committee	MEETING No: 2
	LOCATION: Waymouth Street
	DATE: 11 April 20023
AGENDA PAPER	ITEM: 6

Landholder breaching access to shoot area

KEY ISSUES

1. An incidents occurred in Session 2 of aerial shooting operations in the Limestone Coast Landscape Board (LCLB).
2. A participating landholder who had signed-on to the aerial shooting operation ignored the 72 hr notification text message and sent an employee into the shoot area to ground shoot feral deer.
3. On the morning of 28 March, the employee of the landholder was in the shooting zone when the DEW Aerial Marksman Team (AMT) were operating.
4. AMT were operating for approximately 1hr and 20 minutes and removed 17 feral deer.
5. When notified by the Project Officer, AMT followed all protocols and ceased operating and relocated.
6. It was then confirmed the landholder wanted to withdraw participation in the shoot over protest due to an unrelated matter and conflict with the Murraylands and Riverlands Landscape Board (MLRLLB)
7. Flight maps were modified with the property deleted from any further operations.

BACKGROUND

8. The landholder had signed a landholder participation form.
9. The landholder maps were verified and checked.
10. On Wednesday 22 March a MLRLLB employee advised the LCLB that the landholder was considering withdrawing support and would advise further if this was confirmed. No confirmation was received by the LCLB.
11. On Friday 24 March the 72 hour notification text messages were sent and the landholder did not reply noting that his consent had changed.
12. It appears the landholder's intention to withdraw in the aerial shooting operation was unclear that resulted in miscommunication between MLRLLB and LCLB.

13. A follow-up phone call by General Manager Steve Bourne to the landholder confirmed there was no near miss involved, the employee was safe in the paddock and the landholder held no animosity towards the program.

RECOMMENDATION

14. The incident investigation recommended for cross regional collaborative shooting operations clarity is provided to all agency staff to direct all landholder correspondence to the aerial shooting Project Manager for the particular shooting session to liaise directly with the landholders rather than through a third party.

Steve Bourne

Limestone Coast Landscape Board

4 April 2023

Event Details

Event Type

Event Type:

☒ Incident ☐ Injury / Illness ☐ Hazard

Event Sub Type:

☐ Environmental Damage ☐ Exposure - Including Novel Coronavirus (COVID 19) ☐ Fatigue
☐ Motor Vehicle ☐ Property Damage ☐ Psychological
☒ Security Breach ☐ Violence and Aggression (challenging behaviour)

Event Details

☐ Is this event restricted?

Tick this box if the record is of a sensitive nature or requiring limited access, for example bullying, harassment or cultural safety. This means that only your Agency WHS contact will be notified by email of this record. They will follow up with you accordingly.

Date of Event e.g. DDMMYYYY

28/03/2023

Time of Event e.g.
HH:MM (24hr)

7:30AM

Date Reported e.g. DDMMYYYY

28/03/2023

Time Reported e.g.
HH:MM (24hr)

10:30AM

Reported By:

Employee

Reported By Name:

Clauses 4(1)(a), 6(1)

Contact Number:

Clauses 4(1)(a), 6(1)

Email Address:

Clauses 4(1)(a), 6(1)

Reported To:

Michael Stevens

Entered By:

Michael STEVENS

Date/Time Entered:

04/04/2023 14:23 PM

Event Location

Where did the Event Occur?

Alternate Workplace

Specific Location:

Clauses 4(1)(a), 6(1)

Address:

Clauses 4(1)(a), 6(1)

Suburb:

NARRUNG

State:

SA

Postcode:

5259

Description of Event

Description of the Event:

An employee of Clauses 4(1)(a), 6(1) was within the shoot zone whilst aerial shooting was occurring. The LCLB had a signed landholder agreement from 4(1)(a), 6(1) plus had sent a confirmation text message 72hrs prior to the shoot to 4(1)(a), 6(1). 4(1)(a), 6(1) did not contact the LCLB or reply to the text message instead had a conversation with Rebecca Gould from MLRL to withdraw consent without formal notification to the LCLB.

Security Details

Security Type:

- | | | |
|--|---|--|
| <input type="checkbox"/> Assault | <input type="checkbox"/> Escape / Attempt escape from custody | <input type="checkbox"/> Suspicious Behaviour / Person |
| <input type="checkbox"/> Bomb Threat | <input type="checkbox"/> Loss of identification / security access pass / keys | <input type="checkbox"/> Suspicious mail / Package |
| <input type="checkbox"/> Break and Enter | <input type="checkbox"/> Offensive or disorderly behaviour / language | <input type="checkbox"/> Theft |
| <input type="checkbox"/> Confiscation of prohibited item including drugs / weapons | <input type="checkbox"/> Personal security breach | <input type="checkbox"/> Threats to Person / Property |
| <input type="checkbox"/> Damage to Property | <input type="checkbox"/> Premises security breach | <input checked="" type="checkbox"/> Unauthorised access to secure area |
| <input type="checkbox"/> Data / Information Security Breach | <input type="checkbox"/> Property / asset security breach | <input type="checkbox"/> Unauthorised use of recording device |

Was any control type required?:

- ☐ Direction (Verbal) ☒ None Required ☐ Restraint ☐ Use of Force

Security Description:

An employee of the landholder accessed the shoot zone whilst aerial shooting was in progress.

Person Involved 1

Person Type:

☐ Employee ☒ Non Employee

Non Employee Type:

Visitor

Gender:

☐ Female ☒ Male

Given Name(s):

Unknown

Family Name:

Unknown

Email:

Clauses 4(1)(a), 6(1)

Contact Number:

Clauses 4(1)(a), 6(1)

Occupation:

Landholder

Work status at the time of the incident:

On duty

% of shift complete at the time of the incident:

0 - 25

Was this person affected by fatigue?

No

Event Agency

Agency:

Landscape Boards SA

Level 1:

LIMESTONE COAST LANDSCAPE BOARD

Level 2:

LIMESTONE COAST

Level 3:

Landscape Operations

Level 4:

Landscape Operations

Level 5:

Landscape Operations

Witnesses

Given Name(s)	Family Name	Phone Number	Person Type	
#(1)(a), 6(1)	4(1)(a), 6(1)	4(1)(a), 6(1)	Employee	<button>Remove</button>

Immediate Action Taken

☐

Details of Immediate Action Taken, treatment provided and who took the Action:

No Action Taken

The employee notified **Clauses 4(1)(a), 6(1)** rang Rebecca Gould at MLRL. Rebecca contacted **4(1)(a), 6(1)** at LCLB **4(1)(a), 6(1)** contacted **4(1)(a), 6(1)**. **4(1)(a), 6(1)** notified the aerial shooting team who instigated the appropriate protocols. Shooting ceased in the area. The team relocated. Maps were updated. The landholder was spoken to by GM Steve Bourne after consultation with MLRL staff.

Action Taken By: *

Clauses 4(1)(a), 6(1)

Notifications

Supervisor *

Michael STEVENS

Reviewer *

Steven BOURNE

WHS Consultant *

Le-Anne THOMSON

Health and Safety Representative:

Risk Rating

What level of harm could eventuate?

4. Major

How likely is this harm to eventuate?

1. Rare

Associated Documents and Photos

Drag documents and/or photos from your computer and drop them here to upload them.

File Name	Description
Event Status Update20230404T1514.pdf	
Event Status Update20230404T1648.pdf	
Event Status Update20230522T0947.pdf	

Investigation

Investigation Details

Investigation Status

Review Completed - Actions Assigned

Status Date/Time

22/05/2023 09:47:37

Date Investigation Commenced

28/03/2023

Investigation Due Date

18/04/2023

Investigators

Lead Investigator *

Michael STEVENS

WHS Consultant *

Le-Anne THOMSON

Health and Safety Representative Consultation

Has the Health and Safety Representative been consulted?

No HSR

Has a Provisional Improvement Notice (PIN) been issued in relation to this event?

No

Action Taken

What action has been taken to make the area safe?

The aerial shooting team followed the ASOP - ceased shooting and relocated. After the incident maps were updated to remove s(1)(a), s(1) property from the target zone.

Event Questions

Explain how others in the area have been made aware of the Event

Chain of command was followed as per the ASOP with all crew participating appropriately informed. GM was updated via email. Briefing paper is being prepared for statewide aerial shooting committee.

Is this the first time the Event has been reported?

Yes

Was debriefing given?

No

Is Employee assistance required?

No

Does this Event require notification to the Regulator?

No

Mechanism of Event

What was the Mechanism of the Event?

Vehicle Incidents & Other

Vehicle Incidents and Other

Did the event involve land collapse?

Not Applicable

Did the event involve a rollover of mobile, mechanical equipment?

Not Applicable

Did the event involve a motor vehicle?

Not Applicable

Did the event involve multiple mechanisms?

Ignoring landholder obligations in the participation agreement

Was the mechanism unable to be identified?

Landholder failing to notify the LCLB

Contributing Factors

Contributing Factors:

Individual factors (inattention, drugs/alcohol, not following correct procedure)

Residual Risk Assessment

Consequence (Impact)				
Insignificant	Minor	Significant	Major	Catastrophic

Likelihood	Almost Certain	Moderate	Moderate	High	Extreme	Extreme
	Likely	Moderate	Moderate	High	High	Extreme
	Possible	Low	Moderate	Moderate	High	High
	Unlikely	Very Low	Low	Moderate	Moderate	High
	Rare	Very Low	Very Low	Low	Moderate	Moderate

Consequence

4. Major

Likelihood

1. Rare

Risk Rating

Moderate

Detailed Investigation

Is a detailed investigation required?

NO - this investigation is sufficient

Investigation Completion

Investigation Finding 1

Finding

Clauses 4(1)(a), 8(1) signed up to Session 2 shoot. Process was managed by the MLRL using our participation template. On Wednesday 22 March Bec Gould sent 8(1) a message saying 8(1)(a) was thinking of pulling out of the shoot to prove a point to the MLRL board over an issue with MLRL. Bec followed up a phone call with 8(1)(a), 6(1) recalls Bec saying 8(1)(a) was thinking of pulling out not confirming that he was pulling out. On Friday 24 March the '72hr' text messages were sent to all participating landholders advising them of the shoot and to notify us if anything had changed – there was no reply from 8(1)(a) to this message. On the morning of March 28 one aircraft worked 8(1)(a), 6(1) property for about 1hrs 20 minutes and shot 17 deer. 8(1)(a), 6(1) received a text from Bec via 8(1)(a), 6(1) to cease as a worker was in the area. Protocols were followed by the aerial shooting team. GM SBourne followed up with 8(1)(a), 6(1) to clarify incident and all were safe. Appears to be miscommunication between Bec and 8(1)(a), 6(1).

Have steps been taken to prevent recurrence of the event?

Yes

Entered By

Michael STEVENS

Date Entered

4/04/2023

Corrective Action

Is a Corrective Action required?

Yes

Feedback to Reporter

Has feedback been provided to person reporting event?

Yes

Date Provided

4/04/2023

Investigation Completion

☒ Investigation Completed

Completed By

Michael STEVENS

Date Completed

4/04/2023

Associated Documents and Photos

Drag documents and/or photos from your computer and drop them here to upload them.

File Name

Description

There are currently no Documents uploaded

Action 1

Action Details

Control Type:

Administrative Control

Description of Action

When conducting cross border shoots with adjoining landscape boards ensure other landscape boards and agencies are clear that all landholder correspondence is directed to the aerial shooting project manager.

Person Responsible: *

Michael STEVENS

Target Completion Date:

4/04/2023

Entered By:

Michael STEVENS

Date Entered:

4/04/2023

Completion Details

Status:

Completed

Actual Completion Date:

4/04/2023

Description of Action Completed

Discussion with feral deer project officer

Entered By

Michael STEVENS

Date Entered

4/04/2023

Investigation Review

Investigation Review

Date Reviewed:

22/05/2023

Reviewed By:

Steven BOURNE

Investigation Review:

Endorsement / ready for WHS Consultant review

WHS Consultant Review

WHS Consultant Review

WHS Review Date:

5/06/2023

Have you reviewed the Risk Assessment?:

Yes

Mechanism of Event:

Vehicle Incidents & Other

Has the correct Mechanism of Event been selected?:

Yes

Will the proposed corrective actions satisfactorily control the hazard?:

Yes

Is further investigation required?:

No

Completed By:

Le-Anne THOMSON

Date Completed:

5/06/2023

Event Closure

Event Closure

Date Event Closed:

5/06/2023

Closed By:

Le-Anne THOMSON

Closure Comments:

Reopened By:

Date Event Reopened:

File Notes

File Notes

Press the Add File Note button to add a new File Note to this Event

Date	Category - Subject	Description	Confidential	
22/05/2023	General - Aerial Shooting Operations Plan change	This incident was reviewed by the SA aerial pest control steering committee. ASOPs have been updated to include single point of contact for landholders and notification 24 hours prior to culling in addition to 3 day notification	<input type="checkbox"/>	<button>Remove</button>

Status and Notification History

Status History

Status	Status Date	Changed By
Initial Entry	4/04/2023 3:14:06 PM	Michael STEVENS
Event Reported	4/04/2023 4:48:04 PM	Michael STEVENS
Investigation Completed - Under Review	22/05/2023 9:47:36 AM	Steven BOURNE

Notification History

Date	Notification Type	Recipients	Subject
4/04/2023 3:14:18 PM	Event Entered	mike.stevens@sa.gov.au	Gov Safety Notification - A Incident has been submitted INC-2300013101 - Supervisor
4/04/2023 3:14:19 PM	Event Entered	steve.bourne@sa.gov.au	Gov Safety Notification - A Incident has been submitted - INC-2300013101 - Reviewer
4/04/2023 3:14:19 PM	Event Entered	le-anne.thomson@sa.gov.au	Gov Safety Notification - A Incident has been submitted - INC-2300013101 - WHS Consultant
4/04/2023 3:14:22 PM	Event Entered	mike.stevens@sa.gov.au	Gov Safety Notification - A Incident has been submitted - INC-2300013101 - Reported on Behalf of
4/04/2023 3:14:23 PM	Event Entered	Clause 4(1)(a), 6(1)	Gov Safety Notification - A Incident has been submitted - INC-2300013101 - Reported By
4/04/2023 4:48:06 PM	Event Investigation Completed	steve.bourne@sa.gov.au	Gov Safety Notification - Investigation Completed INC-2300013101
4/04/2023 4:48:06 PM	Event Investigation Completed	le-anne.thomson@sa.gov.au	Gov Safety Notification - Investigation Completed INC-2300013101
4/04/2023 4:48:08 PM	Corrective Action Assigned	mike.stevens@sa.gov.au	Gov Safety Notification - Corrective Actions Assigned INC-2300013101
4/04/2023 4:48:10 PM	Corrective Action Completed	mike.stevens@sa.gov.au, steve.bourne@sa.gov.au, le-anne.thomson@sa.gov.au	Gov Safety - Corrective Action Completed - INC-2300013101
4/04/2023 4:48:11 PM	Corrective Action Assigned	mike.stevens@sa.gov.au	Gov Safety Notification - Corrective Actions Assigned INC-2300013101
22/05/2023 9:47:37 AM	Investigation Review Completed	mike.stevens@sa.gov.au	Gov Safety Notification - Investigation Review Completed and Endorsed INC-2300013101
22/05/2023 9:47:37 AM	Investigation Review Completed	le-anne.thomson@sa.gov.au	Gov Safety Notification - Investigation Review Completed and Endorsed for WHS Consultant Review INC-2300013101

