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Select Committee on the Fire and Emergency Services (Miscellaneous) Amendment Bill

House of Assembly

Parliament of South Australia

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**Inquiry into Fire and Emergency Services Bill**

Livestock SA represents sheep, beef cattle and goat producers across the State and currently have about 3,500 members. It is on their behalf that this submission is made.

In his Second Reading speech on the Fire and Emergency Services (Miscellaneous) Amendment Bill on 28 November 2018, the Minister for Police, Emergency Services and Correctional Services, Corey Wingard states that the Bill seeks to provide “*CFS officers with the power to direct the cessation of harvesting or any other actions that, due to weather conditions, may cause a fire if ignited to get out of control.*”

The Minister in the explanation of clauses, provides the following details on Clause 23

*23—Amendment of section 82—Power to direct*

*This clause clarifies and extends the powers of direction under section 82. The existing power to direct someone to refrain from lighting a fire where weather conditions mean a fire may get out of control is extended to apply to a fire that is being maintained and is amended to make it clear that it applies even if the fire is being lit or maintained pursuant to a permit. A new power is added to allow an officer to direct a person to refrain from carrying on an activity (being an activity of a prescribed kind or any other activity that the officer is satisfied may cause a fire) during a specified period if because of weather conditions a fire caused by the activity might get out of control.*

Regardless of the merits of this Amendment, Livestock SA wishes to express concern at the lack of consultation before this was even brought to State Parliament. Even though the Minister specifically mentions “harvesting” it appears that Grains Producers SA, the main grain grower body in this State was not consulted. Primary Producers SA also was not consulted. And it appears that the proposed amendment was not even discussed by the Government’s own committee, the State Bushfire Coordination Committee.

**In future there needs to be extensive, up-front consultation.** This also needs to be **timely**, allowing plenty of time for discussion and feedback, and held at a time when there can be maximum participation. This Bill was introduced just as the bushfire season was beginning. Surely any amendments in this instance should have been considered outside of bushfire season?



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**Clarification is required about which CFS officers will have the power to direct that any activity stop.** Will this be a paid CFS officer or a volunteer? This 'power' could create friction at a local level. Many local volunteer CFS officers would not like to be put in the position of directing a neighbour while alternatively a local CFS officer could become officious, and the outcome in terms of ensuring a fire does not start may not be improved. This needs to be clarified.

Livestock SA is concerned at the wording of Clause 23. While now aware that the Harvesting Code of Practice may be over-ruled, we wonder what "*or any other activity*" could encompass?

As an example, because of allegations that electric fences can cause bushfires, Livestock SA has been asked by its members to consider having a policy. At the same time CFS has been developing a fact sheet on electric fences. Livestock SA has seen a draft and besides a few minor points would support the detail in the fact sheet particularly in relation to when electric fences should be switched off. We would not like this changed at the whim of an officer given the power and would expect that there should also be full consultation if any changes were being considered.

Yours sincerely

Andrew Curtis  
CEO – Livestock SA