



Our ref: CORP F2024/000025
Receipt No: 18822669

CORPORATE SERVICES
Level 20
11 Waymouth Street
Adelaide SA 5000
GPO Box 1671
Adelaide SA 5001
DX 667
Tel 8429 0422
www.pir.sa.gov.au

9 February 2024

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 10 January 2024, seeking access to the following:

"I seek copies of the email titled '___IMPORTANT UPDATE_aerial shooting complaints.msg' as noted on Page 15 of FOI Agency reference CORP F2023/000706 which purports to be a Briefing on the event from Limestone Coast Landscape Board manager of operations Mike Stevens. (25 March 2023)"

Timeframe: 24/03/2023 to 31/08/2023

On 11 January 2024, it was confirmed that your application was clarified and amended as follows:

"I seek copies of the email titled '___IMPORTANT UPDATE_aerial shooting complaints.msg' as noted on Page 3 of Document 1 of FOI Agency reference CORP F2023/000706 which purports to be a Briefing on the event from Limestone Coast Landscape Board manager of operations Mike Stevens. (25 March 2023)"

Timeframe: 24/03/2023 to 31/08/2023

Accordingly, the following determination has been finalised.

I have located two documents that was captured within the scope of your request.

Determination 1

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

Doc No.	Description of document	No. of Pages
1	Email from Landscape SA to Landscape SA and PIRSA officers dated 27/3/2023 titled "Important Update: Aerial shooting complaints"	3

The information removed from the above document is pursuant to Clause 4(1)(a), 4(2)(a)(i) 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 4(2)(a)(i) states:

“4—Documents affecting law enforcement and public safety

- (2) A document is an exempt document if it contains matter the disclosure of which -*
(a) could reasonably be expected -
(i) to prejudice the investigation of any contravention or possible contravention of the law (including any revenue law) whether generally or in a particular case; and
(b) would, on balance, be contrary to the public interest.”

The information removed pursuant to Clause 4(1)(a) and Clause 4(2)(a)(i) consists of details of location details of a hazard event which has been reported during feral deer aerial shooting control operations and details outlining the nature of any investigation into the matter.

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.

In addressing the public interest test for the Clause 4(2)(a) exemption, I have balanced the following factors:

- Meeting the objects of the Act favouring access to documents.
- Ensuring optimal use of public resources.
- High level of interest in the accountability of public office holders.
- The importance of transparency and openness and the interest that the public has in the decision-making processes of Government.
- High level of media and community interest in the matter.

Contrary to the public interest:

- Release of this information is likely to prejudice any investigation into the matter.
- To release such details would provide the public with its own view of the circumstances prior to any investigative outcomes being known.
- It would be inappropriate to disclose information relating to processes leading to any possible wrong-doing, prior to the knowledge of any outcomes.
- A regulator should be able to carry out its legislative functions and investigate matters without fear of the information being prematurely released.

- Should any findings reveal any allegations of wrong-doing, disclosure of this information could reasonably be expected to prejudice the possible contravention of the law.

Having considered the various factors weighing for and against disclosure, I have determined that disclosure of this information would, on balance, be contrary to the public interest.

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 6(1) consists of:

- name of officer to whom the event was reported and their email address
- names of individuals
- name of witness
- mobile telephone numbers

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.

Having considered the various factors weighing for and against disclosure, I have determined that disclosure of this information would, on balance, be contrary to the public interest.

Determination 2

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

Doc No.	Description of document	No. of Pages
1a	Attachment to Document 1 - Maps	3

Access to the above document is refused pursuant to Clause 4(1)(a) of Schedule 1 of the Freedom of Information Act.

The document consists of flight path and mapping details indicating the locations of feral deer during aerial shooting control operations.

Publicising the locations where feral deer have been located 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.

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.

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

Buxton, Cristina (PIRSA)

From: Stevens, Mike (LandscapeSA)
Sent: Monday, 27 March 2023 5:25 PM
To: Bourne, Steve (LandscapeSA); Page, Brad (PIRSA)
Cc: [REDACTED] Peters, Bart (LandscapeSA)
Subject: ***IMPORTANT UPDATE: aerial shooting complaints
Attachments: Map 1.png; Map 2.png; Map 3.jpg
Importance: High

OFFICIAL

Hi all – I have spoken with several people today and have the following update.

Shooter location

Based on my conversation with [REDACTED] Clause 6(1), I map his location as approximately [REDACTED] Clause 4(1)(a). Based on the flight path (see attached map 1) the helicopter's closest point was 339m. The track log aligns with [REDACTED] Clause 6(1) timing of 1910hrs. The flight path concurs with the account of [REDACTED] Clause 6(1) that the chopper went towards the edge of the bush then circled back in and commenced shooting.

Number of deer shot in the area

Within [REDACTED] Clause 6(1) immediate area, 3 deer were shot. [REDACTED] Clause 6(1) account of hearing approximately 80 gun shots would be correct based on the significant numbers of deer removed further east of [REDACTED] Clause 6(1) position. These large numbers of deer were shot 3.8km east of [REDACTED] Clause 6(1) position.

Flight footage

Flight footage has been reviewed by pilot [REDACTED] Clause 6(1) between 1900hrs and 1920hrs on Saturday 25 March. No people are in the footage which aligns with the approx. GPS location of [REDACTED] Clause 6(1) position and the flight path.

[REDACTED] Clauses 4(2)(a)(i), Clause 6(1)

[REDACTED] Clauses 4(2)(a)(i), Clause 6(1)

[REDACTED] Clause 4(2)(a)(i)

RECOMMENDATION

1. There will be no shooting this evening
2. Tomorrow, only shoot private lands and parks until we can quadruple check all forestry parcels.
3. I meet on site with [REDACTED] Clause 6(1) and his father [REDACTED] Clause 6(1) to sit down over a cup of tea with a map and explain what happened. Apologise. Put a face to the program and try keep them onside.
4. I also make contact with the landholder to explain what has happened.

Mike Stevens
Manager, Landscape Operations

Limestone Coast Landscape Board

P (08) 8735 1175 | Clause 6(1)
11 Helen Street (PO Box 1046)
Mount Gambier SA 5290
environment.sa.gov.au | naturalresources.sa.gov.au



From: Stevens, Mike (LandscapeSA)
Sent: Monday, 27 March 2023 12:33 PM
To: Bourne, Steve (LandscapeSA) <Steve.Bourne@sa.gov.au>; Page, Brad (PIRSA) <Bradley.Page@sa.gov.au>
Clause 6(1) Peters, Bart (LandscapeSA) <Bart.Peters@sa.gov.au>; Mules, Lydia (Landscape SA) <Lydia.Mules@sa.gov.au>; Bartetzko, Andrea (LandscapeSA) <Andrea.Bartetzko2@sa.gov.au>; Perkins, Liz (LandscapeSA) <Liz.Perkins@sa.gov.au>
Subject: ***IMPORTANT UPDATE: aerial shooting complaints
Importance: High

OFFICIAL

Hi Steve and Brad,

Please find below a summary of three complaints received. Importantly, please note the third complaint of a person being in the bush whilst the shoot was in progress.

1. Complaint about shooting in forestry with a nearby house (everything was compliant and OK – the team shot 12 deer and the house would have heard 24 to +30 gun shots early in the morning). My understanding Bart successfully managed this.
2. Over the weekend Bart took a phone call from an irate hunter. Swearing and abuse for 15 minutes about a waste of money and deer meat.
3. On Saturday evening a white ute was following the chopper and the aircraft had to relocate. Today Clause 6(1) and I received a phone call from a Clause 6(1) 710pm and was “running for his life” as the TAAC shot “about 80 shots around him”. I also spoke with C I who pinpointed to me where he was exactly and advised me the farmer had given him approval to shoot that area and advised he was not participating in the aerial shooting.

Where to from here

- Clause 6(1) and I have spoken today, the TAAC team will review the footage near 1910hrs on Saturday 25 March
- I will drive to Clauses 4(2)(a)(i) today for a fact finding mission to i) review footage, ii) review landholder agreements and iii) review mapping of flight paths and shot deer locations in relation to C I position.
- I will report back on preliminary findings.

Thanks,

Mike Stevens
Manager, Landscape Operations

Limestone Coast Landscape Board

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Close 1 May 2023



