



Out of control: This devastating wildfire burned for nearly two weeks across nearly 600ha of land, including about 270ha of highly valued and internationally recognised conservation land in the Awarua Wetlands complex, about 38ha of pine plantation, three maimais and a boundary fence.

PHOTO: SOUTHERN RURAL FIRE AUTHORITY

Court case highlights need to be vigilant

IN a recent court case taken by the Southern Rural Fire Authority in Invercargill, a Gorge Road landowner was fined \$1200 after admitting he failed to take all reasonable steps to extinguish smouldering vegetation.

A devastating wildfire resulted, which burned for nearly two weeks across nearly 600ha of land, including about 270ha of highly valued and internationally recognised conservation land in the Awarua Wetlands complex, about 38ha of pine plantation, three maimais and a boundary fence.

The landowner's insurance company had earlier reimbursed all firefighting costs, which were more than \$500,000.

In addition the landowner agreed to pay nearly \$30,000 in weed-suppression costs in recognition of the devastation the fire caused to the conservation land.

This was an illegal fire. A previous fire permit obtained by the landowner had expired nearly six weeks earlier.

In my last column, I mentioned the requirement for landowners burning vegetation to be vigilant and that fires needed to be well planned and carefully managed.

In this case, none of these requirements were factored in to the fire's management by the landowner.

Fire permits are issued by rural fire authorities for particular types of burning, at a certain location, within certain dates/times and under prescribed conditions.

When any of these requirements are breached, the fire permit is no longer valid and in fact any fire is illegal.

In this case at Gorge Road, the



Fire break

Advice by Mike Grant
Southern Rural Fire Authority
Principal Rural Fire Officer

landowner no longer had a valid fire permit.

When he noticed the vegetation was still burning, he used farm machinery to push it up into heaps to continue burning.

His lawyer accepted he had not taken adequate steps to ensure the fire was extinguished.

Landowners must acknowledge and accept that fire management is just one part of the broader land-management considerations required to successfully manage a farm, lifestyle property or forest.

Consequently, fire management must be integrated into the overall operation to ensure adequate planning for, and management of, fire activities.

What this case also highlights is that people need to be vigilant.

Whatever occurs as a result of the fire remains the responsibility of the person lighting the fire.

This extends to firefighting costs and damage caused from the fire.

While it is not common for rural fire authorities to prosecute under the Forest and Rural Fires Act, it is essential that people realise the importance of acting lawfully and responsibly.

Authorities will take any illegal or negligent activity seriously.

Spraying of trees cleared to continue

By MARGARET PHILLIPS

CHANGES to conditions imposed upon an exemption to the Emissions Trading Scheme have cleared the way for the Mid Dome Wilding Trees Trust to carry on with its eradication work.

Last month, trust chairwoman Ali Timms, who is also an Environment Southland councillor, said the conditions would have made it impossible for the trust to comply with them, and the deadline to apply for an exemption was too short.

As a consequence, the proposed

aerial spraying trial designed to control the wilding trees in the Mid Dome area could not proceed this summer.

Environment Southland backed the trust in its protest against the "totally unworkable and impractical conditions", and Cr Timms said common sense had prevailed.

"I'm pleased to report that as a result of the publicity that was generated about this ridiculous situation, alterations to the exemption criteria have been made," Cr Timms said.

The definition of tree clearance

now included "spraying with herbicide intended to kill", harvesting, removing by mechanical means, burning or any other human activity that killed a tree, she said.

The conditions also acknowledged a 100% kill rate might not always be achieved "as tree weeds can be difficult to eradicate".

Most importantly, there would be no financial liability on the trust if the total area exempted was not cleared or all the trees within the area were not killed before the end of the first commitment period, she said.

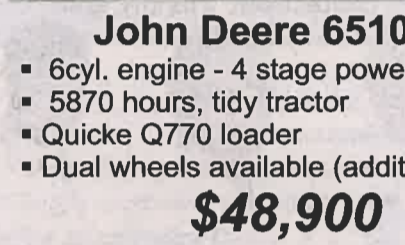
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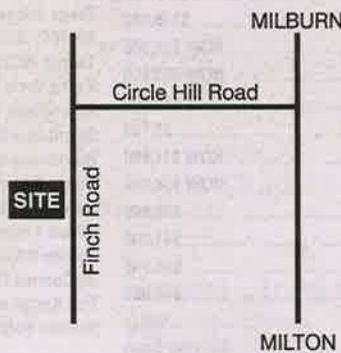
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