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Hon Susan Close MP
Deputy Premier
Minister for Climate, Environment and Water
Via Email: Officeofthedeputypremier@sa.gov.au

Dear Deputy Premier,

Re: Changes to Regulations to enable virtual fencing.

SADA is writing to you proposing minor changes to the *Animal Welfare Regulations South Australia* (2012) which will allow for the introduction of virtual fencing in this state.

SADA has corresponded with previous governments and this government regarding this issue. In light of recent developments we believe it is important that virtual fencing be allowed within South Australia ahead of any review of animal welfare legislation.

With the passage of time other states have come to permit the use of this technology as it amounts to an appropriate animal management tool that offer a number of advantages that current tools do not. Particularly, the use of this technology enables farmers to not only manage pastures more effectively, but also enables farmers to manage land in such a fashion that would allow protection sensitive areas and ecosystems on their properties.

It is important that changes are made to the regulations to enable the use of virtual fencing technologies in the South Australia, as they are in a number of other Australian states. Delays will continue to generate uncertainty, create delays in business decision making which directly impact on industry, delaying investment decisions by farmers and placing South Australian farmers at a disadvantage to other states.

Legislative Impediments

Currently, it is unlawful in South Australia to use an electrical device to manage an animal, but for the operation of the regulations. Section 15 of the *Animal Welfare Act* (1985) which provides:

> ***15—Electrical devices not to be used in contravention of regulations***
>
> *A person must not, for the purpose of confining or controlling an animal, use an electrical device in contravention of the regulations.*
>
> *Maximum penalty: $10 000 or imprisonment for 1 year*

Accordingly, Regulation 8 currently provides:

> ***8—Use of certain other electrical devices***
>
> *(1) For the purposes of section 15 of the Act, a person must not—*
>
> *(a) place on an animal a collar designed to impart an electric shock unless it is for*

the purpose of carrying out research into the use of such collars as part of a research program approved by an animal ethics committee; or

(b) subject to these regulations, apply an electrical prod or goad to an animal.

We submit that it would be simple to make regulatory changes that would enable the use of collars and in the process, limit their use within the primary/livestock sector.

Our first recommendation is that regulation 8(1)(a) be split into two, with the amended wording as follows:

(a) place on an animal a collar designed to impart an electric shock unless it is a collar associated with virtual fencing and approved by the chief veterinary officer; or

(b) unless it is for the purpose of carrying out research into the use of such collars as part of a research program approved by an animal ethics committee; or

After that amendment, the cataloguing of the following sub-regulation to 8(1)(c) should occur.

(c) subject to these regulations, apply an electrical prod or goad to an animal.

Restricting the use of virtual fencing and collars limits the dairy industry's ability to fulfill its commitment to sustainability through enhanced animal welfare practices. These offer significant opportunities to ensure areas of high conservation value are protected. Therefore, embracing technological advancements, such as virtual fencing and collars, should be viewed as an investment in the industry's future, as it will undoubtedly ensure the highest standards of care.

As primary producers, we are constantly on the lookout for technologies that will enable our industry to operate as cost effectively as possible while maintaining the highest standards of care to protect our outstanding reputation as livestock producers. The undeniable benefits of virtual fencing, as evidenced by numerous studies, including the attached 2023 study by The University of Tasmania, coupled with the volume of positive feedback from dairy farmers across Australia and abroad, highlights the importance of changes to regulations to enable this emergent technology.

Virtual fencing technology provides numerous advantages, specifically to enhance dairy livestock management, to optimise animal well-being and to boost productivity. The dairy industry cannot be expected to uphold its standard of care if we cannot utilize innovative technology to improve the well-being of dairy cattle and offer a safer alternative to traditional methods like fencing.

Virtual fences can be integrated with multiple technologies including GPS location devices, farming apps and Wifi. Animal collars used in virtual fencing have substantially stepped forward in terms of animal husbandry, utilising round the clock monitoring and recording of rumination, heat detection and movement. Overall improving dairy herds reproduction rates, health and profitability outcomes.

It is not in the interests of any primary producer to distress an animal and these devices use energy levels much lower than electric fences in use today.

This technology offers multiple advantages in improving livestock management and optimizing animal well-being to increase productivity. Including:

- Alternatives to conventional fencing, virtual fencing offers cattle the free movement and will to escape flooding and bush fire situations without interference of obstacles, whilst

enabling farmers to locate and identify animals' post-incident, significantly reducing stock losses.

- The technology is species-specific and offers flexibility in parameter setting, including the use of wider spaces of land and restricting other areas.
- Farm management is transformed via improved herd monitoring, as newer collars have been developed with GPS tracking.
- The devices emit very low energy pulses, significantly lower than electric fences, and can be switched off with ease.
- Farmers in Tasmania have implemented the use of collars with virtual fencing and have stated that cows quickly adapt to the system.
- Reducing the substantial expenses of the erection and maintenance of fences.

Given the millions of dollars being invested in the dairy industry, SADA anticipates that this technology paired with collars can revolutionise animal monitoring and welfare, reshaping industry standards and increase industry profitability.

The attached study assessed the effectiveness of Halter-virtual fencing technology in managing lactating dairy cows and found:

- Cows quickly learned the cue associations. After training, most cows received ≤1 pulse (electrical) per 100 piezo (sound) cues when confined to a pasture allocation and ≤1 pulse every 4 transitions to the dairy.
- Cows start shifting unassisted within a week of the start of training.

Concluding that Virtual-fencing technology has the potential to revolutionise livestock management.

This technology can position South Australia at the forefront of innovation. As evidenced across many agricultural sectors, well-being of livestock directly correlates with increased productivity. It is conceivable that into the future collars may be replaced by other technologies such as ear tags that have the same or similar function. It is paramount to recognise virtual fencing as a legitimate management tool that supports ethical principles, given its minimal impact on dairy cattle wellbeing.

We urge you to turn a considered eye upon these recommended amendments. It is crucial that we remove barriers to growth that will have the effect of improving animal husbandry to standards even higher than exist today and propel the dairy industry forward. If you have any questions, please don't hesitate to contact us. We would of course be very happy to meet with you to discuss this matter further.

Yours Sincerely

Andrew Curtis
CEO