

02 August 2014

Re: Tasmanian Farmers and Graziers Association Submission to: *Review of the Primary Industry Activities Protection Act 1995*

On behalf of Fruit Growers Tasmania, I indicate that as an industry body we support the submission made by Jan Davis of the Tasmanian Farmers and Graziers Association.

The TFGA submission has been made after consultation with Fruit Growers Tasmania and Wine Tasmania with consideration of the limited range of possible policy approaches.

We agree that across Tasmania, farmers are under pressure from urban encroachment, restrictive regulatory overlays, increasing community expectations and increasing input cost pressures that threaten agricultural viability.

Unless these issues are successfully addressed, the economic and social stability provided to Tasmania as a result of a strong agriculture sector will be seriously threatened.

We believe that this review should be broadened into a wider process that investigates the underlying issues, considers possible options, and delivers an innovative and robust holistic planning scheme.

This approach would also provide support to the state government's commitment to ensure streamlined and state-wide planning legislation.

Fruit Growers Tasmania supports the following recommendations as outlined in the TFGA submission:

- 1.1 Introduce as a matter of urgency an overarching State Planning Policy that prioritises the cornerstone role agriculture plays in the economic, social and environmental life of all Tasmanians.

The objectives of such a policy could include the following:

- the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,
- recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or state,

- recognition of the significance of rural land uses to the state and rural communities, including the social and economic benefits of rural land use and development,
- in planning for rural lands, to balance the social, economic and environmental interests of the community.

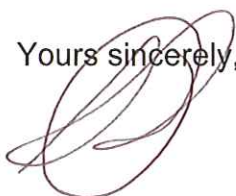
The state government has already committed to developing a suite of high level planning policies of this type to reinforce its identification of key economic focusses. This would be an important component of the current review of the state's broader planning policies.

- 1.2 Undertake a detailed assessment of agricultural land in Tasmania as a matter of urgency. Without knowing our overall asset base, it is impossible to develop a coherent planning approach, or to make any informed consideration of what is essential to future industry security and what can perhaps be traded or even be given up.
- 1.3 Introduce clear mandated zoning definitions that recognise the specific requirements of agricultural activities as part of the current review of the state's planning system. The perception that exists now where agriculture is essentially a 'remainder' use in rural zones is not tenable. These definitions should acknowledge the fact that agriculture is to some extent an industrial activity rather than a rural living area, or a passive amenity or landscape resource. The zone definitions must be consistent across the state.
- 1.4 Introduce a 'buyer beware' certificate which identifies the existence of agricultural uses adjacent to the lot in question. The statement would provide detail of likely impacts (noise, smells, livestock etc) to ensure potential owners of property in a rural zone acknowledged and accepted these impacts existed prior to purchasing. This is intended to alert buyers of the potential for conflict before they commit to the purchase, and to make it clear that there would be no grounds for complaint about these activities.
- 1.5 Amend relevant sections of other legislation to ensure that, as a general rule, farmers cannot be prosecuted under other legislation when using industry-accepted farming practices. This would include legislation covering animal welfare, fire management, forestry activities etc.
- 1.6 Provide appropriate compensation where any legislation or regulation does impinge on the rights of a farmer to carry out his or her legitimate business. Farmers should be treated no differently to other citizens and are entitled to have their property rights recognised and respected in the same way as all other Tasmanians. The current practice of continual alienation of basic property rights of farmers without financial recognition is not sustainable.

- 1.7 Develop a familiarisation program for those seeking to move to a rural area to ensure they fully understand what to expect and what their obligations to their new communities will be.
- 1.8 Provide state government funding to establish rural advisory committees in all council areas to ensure farmers are appropriately engaged in decisions on planning, rates and other matters that would impact (positively or negatively) on farming enterprises.

Fruit Growers Tasmania would welcome an opportunity to further contribute on this proposal in conjunction with the Tasmanian Farmers and Graziers Association and Wine Tasmania.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Phil Pyke', written over the text 'Yours sincerely,'.

Phil Pyke
Business Development Manager
Fruit Growers Tasmania