



Friday, December 18, 2015

## **A response to the State Government document entitled South Australian Multiple Land Use Framework**

Livestock SA is the body incorporated to represent and promote the interests of beef cattle, sheep and goat producers in South Australia. Collectively the members of Livestock SA own a very large proportion of both freehold and perpetual lease land in the State. They are an importantly productive sector of the agricultural community and make an enormous contribution to the State's financial wellbeing.

We recently received the paper entitled *South Australian Multiple Land Use Framework* and have been through the paper's content and comments. To say we are disappointed with the direction and content of the paper would be an understatement; we are in fact angered by the proposal and the sentiments contained within.

We take umbrage firstly that there is no mention of farmers being land owners in the paper. The only mention of farming is in the case study relating to mining and wind farms; and here the mention was trivial in that it was stated the property was a farm.

The paper keeps referring to "stakeholders" as if any Tom, Dick or Harry can have a say in what farming practises are undertaken or how the farm is managed even though they have no pecuniary interest in that land. We have no difficulties with what happens on, or how decisions are made, or who makes those decisions on land not owned or leased by farmers. That is as long as these decisions do not impinge on the "right to farm" of abutting landowners.

We question the need for the process proposed and find the statement in the covering letter "*While existing regulatory frameworks (e.g. legislation, regulations) in South Australia require stakeholder engagement and fair compensation for land access and use, it is recognised that managing the differing interests in land use and changes in land use could be improved to adapt with our evolving economy and global challenges*" rather baffling. What we need is legislation that protects landowner's rights not more complexity that may be used to dilute them.

In our opinion the process proposed is about mining and mineral exploration on one hand and the conservation movement on the other. Nothing in the process attempts to alleviate problems farmers face from mining companies or attempts to protect farmers' rights and their right to farm. Underlying the framework seems to be a desire to increase the number of people who can, as a matter of right, come onto a property whether the landowner is agreeable or not. This

raises matters that not only impinge on privacy and on the laws of trespass but also the issue of biosecurity risk and the long-term consequences of a breach occurring.

The vision proposed makes no attempt to respect landowners' rights and treats them as if they do not exist. This document is totally disrespectful of a significant sector that generates wealth for the State, a matter not addressed anywhere in the paper.

This disrespect currently occurs with the impost placed upon broad-acre farmers in the Barossa. Farmers seeking to establish necessary infrastructure are prevented from erecting sheds or yards because they are accused of tainting the visual amenity of the area: but it seems it is acceptable to create vast groups of stainless steel wine vats for all too see. On top of this problem if wine grapes are planted on land abutting a broad-acre property the landowner is required to create the buffer zone needed by the grape grower. It is a pity that the case studies did not look at this type of situation and show how the framework could have resolved the difficulties broad-acre farmers face.

The paper quotes the desired outcome of the *South Australian Multiple land Use Framework* is to maximise benefits to South Australians. It states this seeks to maximise the benefits from current and future social, economic and environmental land use interests. Again our concern is who bears the brunt of the cost? If the land owner's interest is diluted by transferring rights to other interests then the landowner suffers both a financial and emotional loss. In this regard rights should be determined by equity in land and not be frittered away to others.

The guiding principles lists activities that are not beneficial to current landowners and in fact are likely to be detrimental to their interests; both financial and emotional. Watering down rights incumbent in land ownership destroys confidence in the basics of that ownership and breaks down the fundamental fabric of our society. As long as the actions of the landowner are lawful and within the legislative and regulative rules they should not be deprived of their lawful rights.

A landowner has rights embodied in law that are fundamental to owning land. If in trying to maximise the best use of the asset, the landowner's rights are diminished this creates a situation that is not fair to the land owner. If outside parties wish to be part of the decision-making process regarding land usage they can only do so if they obtain equity in that land. They should not be able to demand the status of "stakeholder" and then be entitled to the same rights as the lawful landowner.

Many landowners in the State allow special interest groups access to their properties. These include conservation groups, ornithologists, botanists and walking groups. They do so as part of being good and decent citizens. They are able to co-exist happily without the need for bureaucratic and complex process to achieve an outcome.

The removal of red-tape in the planning process is welcomed if it occurs without a reduction of the rights of the land owner. If it is used as a means to overrule the rights of the landowner then is it not welcomed and is totally opposed. When considering sharing information on a proposal to identify potential issues, a fundamental consideration in the case of farming land must be the current land use. This must be sacrosanct at all times.

Equity is a term that is bandied about with a degree of abandon; in our view the term relates to the level of ownership, whether physical or financial. It concerns us when the term is used to describe anyone who may think they have an interest or would like to have an interest. This also relates to participation; here someone may object to a management practice or farming system on ideological grounds and wish to influence the continuation or adoption of this practice or system. We have no difficulty with them

having a differing view to the landowner but strongly reject any suggestion that they may have any input into the decision-making process.

Agriculture is a very important sector in the South Australian economy and livestock makes a significant contribution to the financial wellbeing of the State. In many respects it is the beacon, the shining light, and possibly the future for the State. In farm gate dollar terms the livestock industry contributes \$1.3 billion annually into the South Australian economy.

Livestock SA is concerned about food security in the State and the impact that wrong decisions can have on the means of production. We would expect the “right-to-farm” and protection of agricultural land would be at the pinnacle of any land use framework.