



**AUSTRALIAN FOOD  
SOVEREIGNTY ALLIANCE**

# Response to Planning for Sustainable Animal Industries Draft Planning Provisions

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Australian Food Sovereignty Alliance

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## About the Australian Food Sovereignty Alliance (AFSA)

The Australian Food Sovereignty Alliance (AFSA) is a collaboration of organisations and individuals working together towards a food system in which people can create, manage, and choose their food supply from paddock to plate. AFSA is an independent organization and is not aligned with any political party. Currently we have more than 700 individual, organisational, business, and farm members.

In 2014 we established a producers' branch of AFSA, Fair Food Farmers United (FFFU) to provide a balanced voice to represent farmers and advocate for fair pricing for those selling to the domestic market, connect Australian farmers for farmer-to-farmer knowledge sharing, and to be a voice for farmer-friendly regulations and standards.

We are part of a robust global network of farmer-led organisations involved in food security and food sovereignty policy development and advocacy. We are members of the International Planning Committee for Food Sovereignty (IPC), Urgenci: the International Network for Community-Supported Agriculture, and La Via Campesina – the global movement of peasant farmers, and we have strong relationships with Slow Food International and its Australian chapters. We also provide support for the sole Australasian representative on the Civil Society Mechanism (CSM), which relates to the Committee on World Food Security (CFS)

We work extensively with primary food producers and consumers across every state and territory in Australia. Our committee has consisted of published academics and lecturers from the University of Melbourne, RMIT, Deakin University, University of Tasmania, University of Sydney, and QUT. We have also had representation from farmers from every state, and local advocates and campaigners such as Food Connect, Friends of the Earth, Regrarians, Fair Food Brisbane, and the Permaculture Network.

Our vision is to enable regenerative farming businesses to thrive. Australians increasingly care about the way their food is produced, including its social and environmental impacts. They seek out food that is grown locally and without damage to the environment. Food produced on small regenerative farms is increasingly in demand, and we believe that it is critical that government heeds changing community expectations and facilitates, supports and encourages the

growth and viability of regenerative agriculture while protecting the environment and human and animal health.

## Background

AFSA welcomed the work of the Animal Industries Advisory Committee (AIAC) and the opportunity to contribute our views on potential planning policy solutions to address the issues faced by pastured livestock farmers in Victoria. We were heartened by the AIAC's report released in April 2016, which recommended a risk-based approach to planning controls that would have eased the unnecessary burden on low-risk small-scale pastured pig and poultry farms. We were therefore both surprised and disappointed to see that the draft planning provisions appear to have ignored the AIAC's recommendations, which would now codify the burdensome red tape instead of rectifying it.

The AIAC noted that "broader community awareness and interest in farming practices has also risen. Consumers are more vocal in their expectations around animal welfare standards and environmental impact. The community is not only interested in local developments, but also the ethical and environmental standards of production as a whole. For example an application to expand a dairy in Gippsland attracted objections from across Australia and from as far-afield as the USA, with the primary concern being animal welfare and foreign ownership."<sup>1</sup>

As one illustration of our concerns, in the case of free range pig farming, per the existing Victorian Planning Provisions (VPP), Intensive Animal Husbandry refers to 'importing most food from outside the enclosures'. The AIAC reported in 2015 that "in *Happy Valley Piggery v Yarra Ranges SC*, VCAT [2015] determined that 'most food' meant most nutrition. This had the effect of making a free-range piggery fall under the definition of Intensive Animal Husbandry. This classification was counterintuitive to some people as a 'free range' piggery was not seen as 'intensive'."

The current planning definition of 'Intensive Animal Husbandry' is clearly inadequate and is causing significant material and symbolic damage to Victoria's pastured livestock farming community. The fact that the same definition is applied

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<sup>1</sup> [https://www.planning.vic.gov.au/\\_data/assets/pdf\\_file/0009/10080/Animal-Industries-Discussion-Paper-Revision-1.PDF](https://www.planning.vic.gov.au/_data/assets/pdf_file/0009/10080/Animal-Industries-Discussion-Paper-Revision-1.PDF)

to a 30-sow pastured pig farm and a 1000-sow indoor piggery is a stark example of this inadequacy, and the urgent need for reform of the planning scheme.

### The Case for Reform: Preserving Valuable Farm Land for Farming

Two of the purposes of the Farming Zone are:

- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*

At the heart of the review of animal industries is the perceived or actual conflict between residential and agricultural land use. The Farming Zone must maintain a key focus on preserving land for agricultural use, especially as the pressures of development for non-agricultural uses are being felt in peri-urban areas that have not been responsibly managed to date, and have forced farming further and further from Melbourne and regional cities. The pressures of a growing population must be dealt with in the residential suite of zones, not in Farming, Green Wedge, Rural Conservation nor Rural Lifestyle Zones.

This is especially critical in the face of the negative impacts of climate change on Australia's capacity to grow food on the limited arable land we have, most of which is concentrated around cities (and indeed is the very reason cities were settled where they were). If the Government continues to allow inappropriate encroachment and urban growth into viable farm land, what will future generations have to eat? A food secure and food sovereign future depends on appropriate planning controls that preserve farm land in perpetuity.

In the case of pastured pig and poultry farms, we propose that they should be wholly unshackled from the well-documented environmental consequences<sup>2</sup> of their industrial counterparts and treated independently, because they do not pose a significant risk to environment or amenity. We would recommend that the Government consult with shires with growing populations of pastured pig and poultry farms, such as the forward-thinking Hepburn and Strathbogie Shires, who

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<sup>2</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2367646/>

share our concerns about the overly onerous requirements of the current scheme for small-scale producers.

### Summary of Recommendations

**Recommendation 1:** That the Government continue to allow low-risk, low-impact grazing animals as an allowable use in the UGZ.

**Recommendation 2:** That the trigger to judge a pastured pig farm a Section 2 use (streamlined process) be set at more than 25 SPU/Ha, subject to meeting minimum standards.

**Recommendation 3:** That the trigger to judge a pastured poultry farm a Section 2 use (streamlined process) be set at more than 450 birds/Ha, subject to meeting minimum standards.

**Recommendation 4:** Treat all pastured livestock systems with supplemental feeding the same in the land use definitions and graduated controls, subject to meeting minimum standards.

**Recommendation 5:** That all pastured livestock are defined under 'Grazing Animal Production', but that the term be changed to 'Pastured Animal Production'. We further recommend that where feeding infrastructure is mobile that the setback from waterways and environmentally sensitive areas be set at no more than 20m.

**Recommendation 6:** Maintain the definition of 'intensive' as drafted in the new VPP, and include intensive pig and poultry farms in that nesting diagram.

**Recommendation 7:** That the Government's proposed Action 6 – to establish a panel of animal industries specialists to provide technical advice to local government – include representation from small-scale pastured pig and poultry farmers.

**Recommendation 8:** Develop Codes of Practice in close consultation with small-scale pastured pig and poultry farmers. (See draft Code of Practice for Pastured Pig Production in Appendix C for what such codes might include.)

**Recommendation 9:** That a regulatory impact statement be prepared urgently.

## Animal Industries in Australia

A growing scientific literature<sup>3</sup> demonstrates that the high-density housing of genetically-cloned stock, immunologically depressed by breeding and environmental circumstances, in small spaces on the grounds of economies of scale, results in many acute infections—bacterial and viral—within the very environments in which they tend to evolve greater transmissibility and resistance. The sheds ostensibly built to keep disease out are instead the environments in which pathogenic species flourish.

Highly pathogenic strains of avian influenza A H7N4 and H7N7, for instance, have been documented on large broiler and layer poultry operations in Victoria and Queensland since the 1970s. An on-site increase in the virulence of an avian influenza H7N4 strain from low to high pathogenicity was documented on a large commercial broiler-breeder operation of 128,000 birds.<sup>4</sup>

It is the concentration, scale, and throughput of animal production that are driving the new disease ecology, selecting for the evolution of greater deadliness, and increasing the geographic extent of pathogen transmission.

Industrial pigs have repeatedly suffered disease outbreaks in Australia, including atrophic rhinitis, *Actinobacillus pleuropneumoniae*, *Haemophilus parasuis*, *Pasteurella multocida*, porcine circovirus 2, and swine flu H1N1 (2009). Many such acute pathogens can persist, and spread across multiple regional farms, only under intensive industrial models of production.<sup>5</sup>

The key difference between highly industrial models and the agroecological small-scale farms our members manage is highlighted in this account of the structural differences in how industrial and agroecological farmers heed the signs their land offers them:

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<sup>3</sup> Wallace R.G. and Wallace, R. (eds). 2016. Neoliberal Ebola: Modeling Disease Emergence from Finance to Forest and Farm. Springer, Switzerland.

<sup>4</sup> D.E. Swayne & D.L. Suarez, 2000. Highly Pathogenic Avian Influenza, Rev. sci. tech. Off. int. Epiz., 19 (2), 463-482

<sup>5</sup> Wallace & Wallace, 2016.

*High-input methods reduce the need for the grower to pay attention or respond to ecological feedback cycles in the agroecosystem. For example, instead of responding agroecologically to feedback cycles of soil erosion and excessive surface water runoff or leaching by increasing soil organic matter (and thus increasing crop diversity and incorporating forages and green manures), conventional producers are—both structurally and rhetorically—encouraged to simply change the nitrogen-phosphorous-potassium balance of synthetic fertilizer application. The result is an agricultural system that is stabilized through significant investments in engineering, infrastructure, and policy, rather than agroecological system knowledge (Berardi et al. 2011).<sup>6</sup>*

Scientists have turned their attention to the growth in pastured pig and poultry production and found many ecological and health benefits:

*Outdoor pig farming became more popular in the last 20 years with the rise in public interest in animal welfare and products originating from production systems which take care of the environment. It is designed as a system that allows the pigs outside access including contact with soil and growing plants (Honeyman et al., 2001) in which animals can express their natural behavior (Miao et al., 2004). If this production system is coupled with good management practices it can result in acceptable production performance, high quality of pork with superior taste and health benefits for humans due to the high level of unsaturated fatty acids (Simopoulos, 1991) and absence of residues (growth promoters, antibiotics, pesticides) or biological agents (microorganisms, parasites).<sup>7</sup>*

Climatic conditions, land size, and soil characteristics are the main factors that must be considered in pastured pig and poultry management. They comprise the

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<sup>6</sup> Rotz S. & Fraser E., 2015. Resilience and the industrial food system: analyzing the impacts of agricultural industrialization on food system vulnerability, *J Environ Stud Sci*, 5:459–473.

<sup>7</sup> Salajpal, Karolyi, Lukovic. 2013, Sanitary Aspects of Outdoor Farming Systems, *Acta argiculturae Slovenica*, Supplement 4, 109–117, Ljubljana



management of housing and feeding, including the type of buildings and materials used, space allowance, ground cover, group size, type of feeds and feeding regime, management of mating and disease prevention.

While the greater risks of industrial livestock production are well known, and to a large extent appropriately managed through each Australian state's planning provisions, there is an element of regulatory capture that appears to be growing worse, as evidenced by the current draft planning provisions that would codify what appear to be an inadvertent inclusion of small-scale pastured livestock farming in the definitions designed for high-risk, high-density intensive pig and poultry production.

It is useful to examine an example from overseas that demonstrates what can happen when a well-meaning government responds to a food safety or ecological crisis and enacts legislation that serves to promote industrial food systems while hindering regenerative, localized food production. Significantly, the Canadian authority responded to the public's concerns and a compromise was achieved that protected all scales of farming satisfactorily.

*After the BSE crisis hit British Columbia, the Canadian Food Inspection Agency rushed to adopt a highly prescriptive food policy that required all meat slaughter to be conducted at centralized, publically licensed plants. Predictably, this policy served to protect industrial, export-oriented production against global fears of Canadian meat contamination, while enforcing impossibly onerous transport requirements on more rural, isolated, small-scale meat producers. The subsequent rise in concentration of meat production, slaughter, and processing throughout western Canada led to vocal struggles over food safety standards and system vulnerability.*

*On the one hand, alternative and small-scale producers and advocates contended that, given the large-scale and broad distribution inherent in concentrated industrial production systems, the risk of a widespread outbreak was high (Miewald et al. 2013). Hence, they argued that the shorter geographic distance between farm-slaughter-customer, which small-scale production and direct*

*to consumer marketing provided, reduced risk along the supply chain (ibid). As such, proponents of more local food systems concluded that small-scale producers and their applicable distribution networks should be valued and supported within British Columbia's regulation.*

*Industrial production proponents, on the other hand, argued that centralized production allowed for more efficient monitoring and surveillance. In the end, the Miewald et al. (2013) study found that by opening up the policy (and the definition of 'risk' within the policy in particular) to include an appreciation for diversity of scale and distribution, both producers and regulators could facilitate flexibility in enforcement and reduce systemic risk within the meat production system. In effect, these amendments helped to build a more nuanced meat inspection policy that appreciated the role that different scales and methods of production and distribution had to play in buffering systemic risk.<sup>8</sup>*

As the Canadian authorities recognized, farmers committed to producing healthy, sustainable food for their local communities should have assistance, support and training for the continual transitions inherent to genuinely regenerative forms of production. Small-scale farmers across Australia are already engaged in agroecological practices that provide nutritious food for their communities while caring for animal welfare, the soil and all other components of their local ecosystems.

### **The case for agroecology**

*Agroecological farming is the application of ecology to the design and management of sustainable agroecosystems<sup>9</sup>. Agroecological farmers favour long-term planning strategies that are flexible and can be adjusted and re-evaluated through time. They aim to diversify production on farm, which creates resilience ecologically, and for*

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<sup>8</sup> Rotz S. & Fraser E., 2015. Resilience and the industrial food system: analyzing the impacts of agricultural industrialization on food system vulnerability, *J Environ Stud Sci*, 5:459–473.

<sup>9</sup> Gliessman, S.R., *Agroecology : the ecology of sustainable food systems*. 2007, Boca Raton: CRC Press.

farmers and eaters in the face of climate change, but also for shifting market prices<sup>10</sup>. At the core of agroecology is the idea that the type of farming undertaken must be appropriate for that particular environment.

This farming philosophy has been gaining an increasing following globally as farmers everywhere are beginning to seek out more sustainable farming methods. The concept has been endorsed by the Food & Agriculture Organisation of the UN (FAO) as a means to feed growing populations sustainably<sup>11</sup>.

The aim is to design complex and diverse agroecosystems for all the individual parts to eventually support and sustain each other to prevent the outbreaks of pests and disease common in mono-culture systems. In practice this means incorporating livestock, grains and plants in ways that minimise external inputs by re-using waste on the farm, spreading out the risk of relying on just one crop, conserving water and looking after the soil<sup>12</sup>.

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<sup>10</sup> Parfitt, C., et al., *THE PEOPLE'S FOOD PLAN. A common-sense approach to a fair, sustainable and resilient food system.* , in *Working Paper*, C. Richards and N. Rose, Editors. 2013, Australian Food Sovereignty Alliance: Kambah.

<sup>11</sup> FAO, *Final report for the International Symposium on Agroecology for Food Security and Nutrition*. 2015, Food and Agriculture Organisation of the United Nations: Rome.

<sup>12</sup> SOCLA, *Acroecology: Key Concepts, Principles and Practices*, ed. T.W.N.a.S.C.L.d.A. (SOCLA). 2015, Penang: Malaysia: Jutaprint.

## Issues with the Proposed Victorian Planning Provisions

In 2016, the AIAC recommended a 'graduated approach to planning controls based on risk', pointing out that "some intensive animal industries are of a scale that people not associated with the industry might find confronting: chicken farms of 1.2 million birds, goat dairies of 14,000 goats. But many intensive animal industries are of a small scale catering to local or boutique markets – ***the planning system needs to manage the lower risk these operations pose in a manner commensurate with that risk*** [our italics]." (AIAC 2016)

In a survey of small-scale pastured livestock farmers across Australia [see Appendix D], AFSA found pastured poultry farmers with stocking rates from 1 to 1500 birds per hectare and an average of 136 birds/Ha. We found pastured pig farms with stocking rates from 1 to 21 pigs per hectare and an average of 6.5 pigs/Ha. The farms had a median land size of 41Ha, and 75% of pastured poultry farms and 72% of pig farms do not currently hold a permit. 82% of pastured poultry systems are mobile and 96% of pastured pig farms are mobile and 76% of all farms rotate animals and infrastructure at least weekly. These figures highlight the low-density, high-mobility and therefore low-impact, low-risk nature of the farms AFSA represents.

The AIAC recognizes that the relevant permit requirements of the VPP and associated codes of practice were designed to address the risks to environment and amenity posed by large-scale industrial sheds of pigs and poultry, and that free-range pig and poultry farms have been inadvertently caught up in the definition over the technicality of importing the majority of feed. The independent committee also recognizes that the risk profile of a small-scale free-range pig farm is very different to sheds full of pigs or poultry, and that the planning provisions should account for this difference in risk.

The AIAC recommendation that there be graduated controls that would treat small-scale pig and poultry farmers much like other grazing systems (subject to meeting minimum standards), would have removed the onerous and unnecessary requirement for a permit.

They also recommend allowing these low-risk farms to operate in Green Wedge Zones *with* a permit, which is significant because the prohibition on intensive animal husbandry in Green Wedge Zones is what ultimately caused the move of Happy Valley Free Range to a different shire to continue farming. The AIAC's recommendations were broadly acceptable to most small-scale pastured pig and poultry farmers and the growing number of consumers who want access to ethical and ecologically-sound meat.

What is also significant is that the government is now proposing to allow intensive pig and poultry sheds into Green Wedge, Rural Living, and Rural Conservation Zones with a permit, quite contrary to the recommendations of the AIAC, and also at odds with community expectations that they will not have to defend their right to live without the potential health and environmental risks and loss of amenity posed by intensive pig and poultry sheds.

The continued provision for cattle feedlots with up to 1000 cattle to be established with no permit, subject to the Cattle Feedlot Code of Practice, is anomalous given the unwillingness to allow pastured pig and poultry farms with much smaller numbers of stock to operate without a permit (even with a set of minimum standards). Even more anomalous is the new proposal to allow routine supplemental feeding of grazing animals without a permit, while imposing more stringent requirements on small-scale pastured pigs and poultry where feed infrastructure is typically mobile, and thus lower impact. These systems are quite unlike some of the examples Agriculture Victoria staff showed during the public information sessions, such as the image of permanent dairy feed pads.

In the proposed new VPP, 'Grazing Animal Production' is defined as 'Land used for animal production where the animals obtain food by directly grazing, browsing, or foraging plants growing on the land. It includes emergency, seasonal, and supplementary feeding.' AFSA asserts that this definition is equally applicable to pastured pigs and poultry, a position supported in the AIAC's original report, as well as by the resolution made by Hepburn Shire Council on 17 October 2017.

No longer does risk to environment or amenity appear to be a key consideration – the intensive producers’ representative bodies such as Australian Pork Limited (APL), the Victorian Farmers’ Federation (VFF), and Meat & Livestock Australia (MLA) have offered the Government a singular view of animal industries. The result is prohibitive and expensive permit application requirements that will be a significant barrier to the growing movement of small-scale pastured pig and poultry farms in Victoria.

Farming and other rural uses in the Urban Growth Zone (UGZ) would not continue under the proposed planning provisions. This zone currently allows not only agricultural activities but also newly establishing farming uses. AFSA supports the prohibition of intensive animal industries in the UGZ, but not prohibition of grazing animal production. We see this as a retrograde move that will further erode Victoria’s capacity to feed ourselves, and urge the Government to continue to allow low-risk, low-impact grazing animals an allowable use in the UGZ.

Greater justification is required for why existing use rights are to be inadvertently restricted by these same changes. Various provisions of the *Environmental Planning and Assessment Act 1979* acknowledge the scope of these rights. The locking up of zones for limited purposes has the potential to restrict how appropriate uses may be conducted into the future. This suspends current landowners with grazing animals in a state of flux. Further clarification is needed and re-examination of the proposal must be soundly completed for existing use rights to remain sufficient to protect the integrity of farmers’ businesses. As per the Productivity Commission’s Draft Report, the stated conflicts between residential and agriculture land uses should be managed directly through planning regulations (on page 57). The Government may want to take note of the current state of identified UGZs and consider examples of where interacting systems benefit from multiple uses.

<b>Recommendation 1: That the Government continue to allow low-risk, low-impact grazing animals as an allowable use in the UGZ.</b>
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## Proposed Pig Farm Provisions

As we have described, AFSA was deeply surprised and disappointed at the Government's radical departure from the AIAC recommendations. The smallest category for pigs and poultry now includes a setback from waterways and adjacent dwellings, even though there does not appear to be a clear rationale for that requirement. This would be a barrier to peoples' capacity to be self-sufficient in food production on smallholdings.

### Number of Animals

The small or 'mid-scale' farms AFSA also represents were recommended by the AIAC to be treated the same as other grazing animals with supplemental feed, 'where provided for in a code'.

### AIAC Recommendation (April 2016)

**Category 3 – Mid-scale    No permit if specified standards and requirements are met**

Intensive supplementary feeding of cattle, sheep or goats (not a feedlot) where provided for in a code. Small sheep feedlot where provided for in a code. Small free range pig and poultry farms where provided for in a code.

However, the Government departed dramatically from this recommendation, choosing an apparently arbitrary maximum number of eight sows, one boar and their progeny with no land size component to make the numbers meaningful.

### PSAI Draft (September 2017)

**Permit required – Streamlined application process\***

No more than 8 sows + 1 boar + progeny

No pigs located in these setbacks: 100m from other dwellings

A more evidence-based approach would be to use a stocking rate based on Standard Pig Units (SPU), a common measure supported by regular rotations to ensure good land management in livestock farming.

In our survey, AFSA found that 73% of respondents have 9 or more sows, and 90% have 2 or more boars, which would put these small farms in the same land use category as sheds with 500 sows. Their stocking rates range from 1 to 21 SPU/Ha, with an average of 6.5.

## Setbacks

The AIAC recommended that the government:

Develop a standard methodology for determining the separation distances of different production systems as part of developing a consistent approach to drafting Codes of Practice that:

- includes minimum separation distances to sensitive uses
- includes a minimum setback from boundaries for **intensive** animal operations
- **makes the separation distance proportional to the square root of the number of animals**
- bases the separation distance on the impact on a single rural dwelling
- clarifies whether the separation distance should be increased to require greater separation from towns and settlements
- **accounts for different design and management approaches typical in the production system**
- **sets adjustment factors which increase or decrease separation distance based on terrain, wind direction and vegetation cover.**

However, the draft planning provisions have not substantially followed these recommendations. If there is a standard methodology that has been applied to arrive at the figures of 30m, 50m, and 100m setbacks from waterways and dwellings in the different land use definitions, it has not been shared. It is applied across extensive and intensive systems, is largely unrelated to animal numbers, and does not account for different management practices.



Of the pig farms AFSA surveyed, 59% responded that they would not meet the setbacks for the proposed exempt or streamlined permit process.

### **Conflation of ‘Pig Farms’**

One of the proposals is to group all pig farms under the one definition, thereby erasing the distinction between intensively reared animals confined in sheds and pastured pig farms. This does not achieve any of the aims of good planning provisions, which in this case should be to ensure:

- economic development in regional Victoria by supporting the growing industry of small-scale pastured pig farms, which also often bring significant agri-tourism to the regions;
- protection of the environment through clear land use terms and a shared understanding of the risk profiles of different production models; and
- community expectations and amenity are met and maintained.

This last issue will perhaps inflict some of the most egregious harm on pastured pig and poultry farming. As one example, a pastured farm submitting an application for 20 sows and 2 boars on 25ha, with plans for weekly rotations and fodder cropping, would have to post the same notice for a ‘pig farm’ as an application for a shed of 500 sows. It is deeply misleading to the community not to distinguish between these very different production models in the nomenclature, as well as in application of legislative hurdles. Such an approach would also create unnecessary financial barriers to the small businesses who manage this innovative, low impact method of livestock farming.

### **Nutrient Management**

A further area of concern for livestock farming (intensive farming particularly, but not exclusively) is nutrient management. Concentration of effluent can obviously lead to pollution, environmental degradation, and unpleasant and offensive odours. Both intensive and extensive pig farms can and do manage their nutrition well, albeit very differently, as well-managed extensive systems aim not to concentrate effluent.

The current definition based on importing more than 50% of animals' nutritional needs is clearly inadequate, and does not helpfully distinguish between different systems and their impacts, be they environmental, social or welfare impacts.

APL funded research in 2014 found that pigs in its rotational outdoor piggery study were 'adding some 300-600kg N/ha/yr and 100-200kg P/ha/yr [...] presenting environmental risks to both surface water and groundwater.' The research is included in APL's publication 'Rotational Outdoor Piggeries and the Environment', which cites cases of pigs being rotated after 6-24 months on paddocks. The citation does not include the stocking density that created this nutrient load.

Using the Nutrient Balance Calculator available on the APL website, we were able to calculate that a system with 12 sows and 2 boars – total herd size of approximately 100 pigs at any given time on 10ha, where pigs are rotated anywhere from fortnightly to up to two months, adds 15kg N/ha/yr and 6 P/ha/yr. Just one season of growing lupins in the affected area would actually deplete the overall available nitrogen, and balance the phosphorous and potassium.

AFSA further used APL's Nutrient Calculator and modelled systems from 1 to 150 sows on land sizes from .5ha to 50ha. Short of leaving animals in one spot for 12 months or more at a time, we could not model a system that overly nutrified the soils. As we have described, the farmers we represent move animals regularly (76% move more often than weekly), and run either low density models, or high-density highly-mobile rotational systems.

APL has promoted its National Environmental Guidelines for Rotational Outdoor Piggeries (NEGROP), which are being increasingly adopted by states as a *de facto* code of practice to replace what are considered mostly outdated piggery codes. However, while NEGROP is not without merit, it is written for high-density, high-input, low-mobility outdoor production models that are not representative of those run by small- to medium-scale growers raising pigs on pasture. The NEGROP gives examples of 500- and 1000-sow operations with two-year rotations, whereas AFSA members run between 0 and 100-sow farms (with a median of 9), and 85% move their animals more frequently than monthly.

In alignment with the above statement, AFSA has compiled a simple 'impact assessment form' [See Appendix A] to ascertain whether any given farm should

require a permit. The information in the form clearly shows a number of interrelated triggers to easily ascertain whether any given pig farm is low risk and therefore a Section 1 use in the Farming Zone. It also proposes a basic set of minimum standards. AFSA asserts that the planning document should incorporate the impact assessment form as a 'trigger' for permits, or include a clause that directs councils to its use for pig farms that fit under a 'Grazing Animal Production' definition (or 'Pastured Animal Production').

**Recommendation 2: That the trigger to judge a pastured pig farm a Section 2 use (streamlined process) be set at more than 25 SPU/Ha, subject to meeting minimum standards.**

### Proposed Poultry Provisions

AFSA strongly disagrees with the proposed limitations applied to small- and medium-scale poultry farms. and the rationale behind these limitations. A fundamental misunderstanding of the risks posed by small- and medium-scale poultry farmers stems from the underrepresentation of pastured poultry production within the Implementation Reference Group, and has enabled these proposed planning reforms that fail to achieve their intent and purpose.

#### Number of animals

The Government has attempted to rectify the conflation of all poultry farms under one definition by allowing exceptions for "small scale, low-risk pig and poultry farms". However, the thresholds suggested in Clauses 52.ZZ-1 and 52.ZZ-4 are not indicative of the majority of these farms, rendering the intent to capture small-scale farms here unsuccessful.

During the public consultation period, the Government's implementation team explicitly stated that "150,000 broilers is a small broiler farm." Clause 52.ZZ-3 of the draft VPPs proposes to exempt an existing broiler farm from "any requirement" of the scheme when opening a range area for no more than 150,000 chickens. Yet a new farm of more than 201 poultry will require a permit and a 100m setback. This represents a staggeringly baseless and unjust application of planning laws.

Small to medium-scale pastured poultry production should therefore be proportionately regulated, and we propose this would be more effectively captured by a threshold of 450 birds/Ha. This number represents the upper limit of commercially viable, low-risk, small-scale poultry farms.

As noted above for pig farms, the AIAC recommended that smaller poultry farms be treated the same as the category of grazing animals with supplemental feed, 'where provided for in a code'.

#### **AIAC Recommendation (April 2016)**

**Category 3 – Mid-scale      No permit if specified standards and requirements are met**

Intensive supplementary feeding of cattle, sheep or goats (not a feedlot) where provided for in a code. Small sheep feedlot where provided for in a code. Small free range pig and poultry farms where provided for in a code.

While the AIAC noted that “stocking rates would be easy enough to apply”, the planning team evidently concluded that “there is no simple way to determine what the stocking rates should be for a particular farm” and applied an ineffective arbitrary maximum poultry number with no land sized attached.

In our survey, AFSA found that pastured poultry farmers range from 1 to 1500 birds per hectare with an average of 136 birds/Ha.

#### **PSAI Draft (September 2017)**

**Permit required – Streamlined application process\***

Up to and including 450 poultry

No poultry located in these setbacks: 100m from other dwellings, Residential Zone or Urban Growth Zone

After some basic analysis, AFSA has concluded that a stocking density based on the highest sustainable carrying capacity for a low-risk mid-scale pastured poultry farm with the least favourable soil conditions and climate, can be applied as the lowest common denominator. This stocking density (eg. 450 poultry/Ha where provided for in a code) is a more effective evidence-based threshold for poultry farms that should not require a permit in the Farming Zone.

### **Setbacks**

The proposed setbacks for small-scale poultry farms are inconsistent and excessive. A highly-mobile, low-stocking density, pastured-poultry farm poses very little risk to environment and amenity and should require setbacks commensurate with this risk. As expressed by the planning team during public consultation, the proposed restrictions “were not intended for mobile systems”, however, this intent has not been codified. AFSA recommends a consistent setback of no more than 20m for pastured poultry farms of up to and including 450 poultry/Ha, where provided for in a code.

It is important to note that the animal production in these systems is designed to achieve a purpose (e.g. soil aeration) corresponding to an agroecological goal (e.g. increased water retention). A high level of management occurs at all times to achieve these outcomes and the animal production area never remains in one location long enough to evolve from beneficial effect to detrimental risk.

In our survey, AFSA found that 72% of pastured poultry farms would not meet the setback requirements for exemption or a streamline permit process, which would put the majority of these small-scale systems in the same land use definition as sheds with millions of birds.

### **Conflation of ‘Poultry Farms’**

The conflation of all poultry farms does not account for the differing systems of production. To effectively manage the proportionate risk in a ‘graduated approach’ the planning must take into consideration the production system for all animals, not just ruminants.

Intensive shed-based poultry production is the ‘feedlot’ of the poultry industry. The risks to environment and amenity posed by this kind of production are significant and should be regulated as such. In contrast, low-density pastured animal husbandry is sustainable and potentially regenerative and should therefore be a Section 1 use in the Farming Zone (where provided for in a code).

“For the graduated system to work effectively and efficiently, very clear planning permit triggers need to be built into the zone and the Codes of Practice to ensure that it is easily determined when a planning permit is required and when it is not.” (AIAC 2016)

In alignment with the above statement, AFSA has compiled a simple ‘Impact Assessment Form’ [See Appendix B] to ascertain whether any given farm should require a permit. The information in the form clearly shows a number of interrelated triggers to easily ascertain whether any given poultry farm is low risk and therefore a Section 1 use in the Farming Zone. It also describes a basic set of minimum standards. AFSA asserts that the planning document should incorporate the impact assessment form as a ‘trigger’ for permits or include a clause that directs councils to its use for poultry farms that fit under a ‘Grazing Animal Production’ definition (or ‘Pastured Animal Production’).

Additional inconsistencies that stem from the conflation of all production systems include but are not limited to:

- Geese can be 100% pasture raised with no exogenous feed input. This quintessentially highlights the need to account for different production methods.
- Hatcheries sit outside the controls for poultry farms despite the potential significance of their operation (eg. Substantial industrial style construction; increased truck traffic). The proposal appears to ignore this problem despite the example of *Gaist v Campaspe SC* [2-15] VCAT 1662 (16 October 2015) provided by the AIAC. Many small-scale farms hatch their own poultry with none of the same risks to amenity.

## Nutrient management

Importing more than 50% of the feed for 450 chickens foraging in rotations on 10 ha is a very different proposition to importing 100% of the feed for 10,000 broilers housed in a shed. Whereas the manure in the pastured operation fertilises paddocks directly with no need for treatment and removal, in the intensive operation, effluent must be carefully managed to ensure nearby catchments and waterways are not polluted.

In our survey, AFSA found that 82% of pastured poultry farms are mobile, with 75% moving birds and infrastructure more frequently than weekly.

**Recommendation 3: That the trigger to judge a pastured poultry farm a Section 2 use (streamlined process) be set at more than 450 birds/Ha, subject to meeting minimum standards.**

**Recommendation 4: Treat all pastured livestock systems with supplemental feeding the same in the land use definitions and graduated controls, subject to meeting minimum standards.**

**Recommendation 5: That all pastured livestock are defined under 'Grazing Animal Production', but that the term be changed to 'Pastured Animal Production'. We further recommend that where feeding infrastructure is mobile that a setback from waterways or environmentally-sensitive areas be set at no more than 20m.**

**Recommendation 6: Maintain the definition of 'intensive' as drafted in the new VPP, and include intensive pig and poultry farms in that nesting diagram. See revised nesting diagram in Appendix E.**

## Regulatory & Process Issues

‘Land use planning and regulation is foundational to any food system. It can prohibit some activities and incentivise others, and generally shape a community’s relationship to its land.’<sup>13</sup> Changing needs of Victorian communities are constantly diversifying and regulators need to understand and work with communities and councils to get broad agreement before implementing changes. The proposed regulations are not entirely compatible with good regulatory practice, which should achieve its policy objectives at the least cost to the community. Lack of consultation with the community and the exclusion of representation from small-scale growers have exacerbated the trend towards overregulation and red tape. Through land use planning, a government should guide development in the rural and peri-urban zones in pursuit of common goals and values, such as nutritious and clean food products, environmental protection and sustainable liveable communities with a sense of place.

Regulatory expression in the PSAI reforms will act as a core framework of the operating system to come. The expression must give a sense of clarity and comprehensiveness, as they are the initial step in the broader process of regulatory application. However, instead the reforms produced overlook many recommendations presented by the appointed and non-appointed contributors to PSAI. The Government should foster a more holistic view of regulatory design where an integrated planning model is used in the process of determining what regulatory interventions are needed based on evidence gathered. Rather than codifying all scales of agriculture, the regulations could facilitate customised exemptions from the need for a permit where development is acceptable and does not trigger land use conflict.

‘Effective regulatory planning requires an awareness of the different options available in systems design and the ability to drill from a high-level policy formulation down through the regulatory expression of policy and to the ultimate application of individual proposals.’<sup>14</sup> That is the context in which the proposed planning controls should be reconsidered.

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<sup>13</sup> Good Laws, Good Food: Putting Local Food Policy to Work for Our Communities

<sup>14</sup> Rowley, Stephen. The Victorian Planning System: Practice, Problems and Prospects. The Federation Press. 2017. pg11



The Government should carefully monitor and evaluate the inconsistency with the intentions of the rural zones in the current proposal. Subordinate legislation to the overarching VPP will follow suit, and the Government needs to take responsibility for ensuring that changes are made based on evidence and community needs with local relevance. Greater transparency fundamentally gauges community responses to ideas before they are fully formed. If the current proposal is implemented, future courses of action are anticipated between small-scale farmers and responsible authorities. This consequence may be due to the low representation of small-scale farmers in the Implementation Reference Group (IRG), appointed in response to the AIAC's first recommendation and implemented under the Government's Action 2. The Minister for Agriculture appointed the members, however none were engaged in small-scale pig or poultry farming. A representative of AFSA would have made a valuable contribution and represented the majority of small-scale Victorian pastured pig and poultry producers, but our expression of interest was denied.

The AIAC Terms of Reference in its second version (contained in the April Report) provided a Method for the Committee. This Method permitted the AIAC to have informed itself *in anyway it sees fit* (at 8) providing it with the discretion to gather evidence from any stakeholders. In addition, in establishing the IRG, they *must include animal industry producers (both small and large-scale operations)* as at 11(b). However, the IRG did not comprise of members who represented a spectrum of interests. This may have attributed to the subsequent planning, design, construction, operation and management requirements of free-range animal production systems, which have been codified on an erroneous basis that they are all intensive.

The Government's counterproposal to the AIAC's proposed land use definitions and graduated control categories creates concern that the Government has not acted transparently and practically in developing this proposal. The exceptions to cattle feedlots and broiler farms are seen as further examples of particular primary industry groups seeking to remove controls on intensive uses in rural zones. Ultimate outputs from the regulatory planning system are changes to the real world. The terms then must reflect real agricultural practices to avoid complex, costly and uncertain tribunal procedures. The bypassing of the AIAC's recommendations

depreciates the role and legitimacy of planning and clogs the courts without clear regulatory expression for their interpretation.

There is now a wide gap left between the implementation of the proposed draft and the release of the Codes of Practice. Speculatively, if PSAI realistically cannot be completed until 2019, then there is productive space for systems reform. The Government should respect the recommendations of the AIAC, particularly in terms of the graduated categories of various livestock systems, which will dictate the permit requirements in each zone. This will reflect a risk-based approach and remove the need for some small-scale farms to obtain a permit in certain zones.<sup>15</sup> The categories proposed do not accurately reflect the levels of risk of industry-specific land uses. Managing different scales of farming practices according to the proposed sections will reinstate the issues that the AIAC was appointed to report on and return the process to square one. We encourage the Government to acknowledge that the proposal has fallen short of its objectives and that it should subsequently reassess where permit triggers might be removed.

86% of respondents to the AFSA Pastured Livestock Survey reported that they have decreased confidence in the Victorian government's ability to regulate animal industries since the draft reform was released.

**Recommendation 7: That the Government's proposed Action 6 – to establish a panel of animal industries specialists to provide technical advice to local government – include representation from small-scale pastured pig and poultry farmers.**

## Resources for Councils to Administer Increased Regulatory Burden and Regulatory Impact Statement

The AIAC reported that few planners have any real experience and understanding of intensive animal operations. Responsible authorities require guidance to administer the planning system and the Minister must approve of their conduct. The

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<sup>15</sup> Advice from Ashurst . p.6.

Government's response was to address this by providing "increased clarity for the community" under Action 12.<sup>16</sup> To do so, lists of information to support permit applications and to model conditions on were included in Appendix G and H. Model permit conditions will be added to the existing document Writing Planning Permits.<sup>17</sup> This is a 35-page document that is extremely dense in written content. However, the lack of education included in regards to animal industries raises concerns for how well this government action is scoped. While a guide may be useful for councils, this particular action is not due to be finalised until March 2019. Interpretive difficulties will arise until the projected release date of the relevant Codes of Practice.

The AIAC's recommendations were to create online guidance on whether particular uses are likely to be intensive according to stocking rates and different conditions. The Government has designated the Agribusiness Development Facilitation model to provide farmers and investors with access to information about the development approval process. The Government also identified food and fibre specialists, whose expertise seems to be in the export industry. This emphasis on technical support for investors from animal industry specialists will have flow on effects that will inform local government decisions, which might not be suitable to for all the various animal industries (including those now defined and those unidentified in the VPP draft). Without a finalised Code of Practice, set separation distances for various animal industries and production models will begin to apply, and the 'one-stop shop' could become a repeat of 'one-size-fits all' regulation for animal industries. The current proposal leaves too much room for further interpretation around permit conditions in the interim.

A regulatory impact statement should be prepared to require regulators to assess the likely impact of their decision on all stakeholders, including community, developers, farming businesses and individuals. Such a statement would treat the impacts as either regulatory impacts or compliance costs.<sup>18</sup> Ideally, a regulatory impact statement would align industry structure with the regulatory outcomes

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<sup>16</sup> AIAC Report (2016) p.4.

<sup>17</sup> Department of Sustainability and Environment and Municipal Association of Victoria, 2<sup>nd</sup> Edition 2007.

[https://www.planning.vic.gov.au/\\_data/assets/pdf\\_/Writing\\_Planning\\_Permits.pdf](https://www.planning.vic.gov.au/_data/assets/pdf_/Writing_Planning_Permits.pdf)

<sup>18</sup> Preliminary Assessment Form Guidance Note, Office of Best Practice and Regulation

needed for each type of animal production identified, and yet to be identified, by the Government. Further communication with not only intensive and export-focused industries but also with communities and small businesses will allow the Government to identify the right programs and resources to educate farmers and regional councils about planning compliance. If Government proposes to “strengthen the community’s confidence” in the regulation of animal industries, it must first substantiate its support for AIAC’s recommendations.

**Recommendation 8: Develop Codes of Practice in close consultation with small-scale pastured pig and poultry farmers. (See draft Code of Practice for Pastured Pig Production in Appendix C for what such codes might include.)**

**Recommendation 9: That a regulatory impact statement be prepared urgently.**

## APPENDIX A: Pastured Pig Farm Impact Statement

This form is to be used to identify whether a pastured pig farm meets the minimum standard for low-risk pastured animal production.

The form is for use in the Farming Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone, Urban Growth Zone and Industrial Zone.

If all answers are Section 1, the use is Section 1.

If **any** answers are Section 2 [streamlined] or Section 2, the use is Section 2 [streamlined] or Section 2 respectively, or the higher of the two where answers include both.

1. Which of the following best describes your farm?
  - a) Pastured Animal Production - Land used for animal production where the animals obtain food by directly grazing, browsing or foraging plants growing on the land. It includes emergency, seasonal and supplementary feeding. [Section 1]
  - b) Intensive Animal Production - Land used for animal production where:
    - all of the animals' food is imported from outside the immediate building, enclosure, paddock or pen; and
    - the animals do not obtain food by directly grazing, browsing or foraging plants growing on the land on a daily basis. [Section 2]

For Q2: Stocking rate refers to the number of SPU/Ha and is applied to the entire animal production area over a year.

*E.g. If 100 SPU are contained in a 5Ha paddock and rotated to a new 5Ha paddock every month for 6 months, the total animal production area is 30Ha. Therefore, the stocking rate is  $100\text{SPU}/30\text{Ha} = 3.3\text{SPU}/\text{Ha}$  (assuming no paddock was used more than once).*

2. Is the stocking rate<sup>19</sup>:

- a) less than 25 SPU/Ha [Section 1]
- b) 25-35 SPU [Section 2 Streamlined]
- c) 35 SPU/Ha or more [Section 2]

3. Is the housing/shelter and feed infrastructure mobile/impermanent?

- a) Yes [Section 1]
- b) No [Section 2]

4. How often will animals and mobile facilities be relocated<sup>20</sup>?

Breeding herds:

- a) < 6 months [Section 1]

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<sup>19</sup> Max density for animal welfare (Humane Choice) is 25/ha. APL's nutrient load calculator shows approx 108/44/39 Kg of N/P/K over 6 months which equals approx zero net gain/year.

<sup>20</sup> Rotational Outdoor Piggeries and the Environment 2015 (APL) recommends: "To effectively disperse nutrients, movable facilities must be relocated at least every six months for breeding herds, and every three months for grower paddocks to cover the paddock over the length of the pig phase"

- b) > 6 months [Section 2]
- c) NA

Growing herds:

- a) < 3 months [Section 1]
- b) > 3 months [Section 2]
- c) NA

5. What is the minimum pasture coverage at any one time for the total animal production area?

- a) 60-100% [Section 1]
- b) 40-60% [Section 2 Streamlined]
- c) 0-40%[Section 2]
- d) N/A - animals are permanently housed [Section 2]

6. Will animals or mobile facilities be less than 20m from:

- A natural watercourse; or
- An environmentally sensitive area

for longer than 3 months continuous?

- a) No [Section 1]
- b) Yes [Section 2]

7. Will rest periods for areas defined above be:

- a) > 1 month [Section 1]
- b) < 1 month [Section 2]

## APPENDIX B: Pastured Poultry Farm Impact Statement

This form is to be used to identify whether a pastured poultry farm meets the minimum standard for low-risk pastured animal production.

The form is for use in the Farming Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone, Urban Growth Zone and Industrial Zone.

If all answers are Section 1, the use is Section 1.

If **any** answers are Section 2 [streamlined] or Section 2, the use is Section 2 [streamlined] or Section 2 respectively, or the higher of the two where answers include both.

1. Which of the following best describes your farm?
  - a) Pastured Animal Production - Land used for animal production where the animals obtain food by directly grazing, browsing or foraging plants growing on the land. It includes emergency, seasonal and supplementary feeding. [Section 1]
  - b) Intensive Animal Production - Land used for animal production where:
    - all of the animals' food is imported from outside the immediate building, enclosure, paddock or pen; and
    - the animals do not obtain food by directly grazing, browsing or foraging plants growing on the land on a daily basis. [Section 2]

For Q2: Stocking rate refers to the number of birds/Ha and is applied to the entire animal production area over a year.

*Eg. If the average number of birds stocked over one year is 1800 and the total range area used is 4Ha the stocking rate is 1800/4. Therefore, the stocking rate is 450/Ha.*

2. Is the stocking rate<sup>21</sup>:

- a) less than 450/Ha [Section 1]
- b) 451-600/Ha [Section 2 Streamlined]
- c) more than 600 [Section 2]

3. Is the housing and feeding infrastructure mobile/impermanent?

- a) Yes [Section 1]
- b) No [Section 2]

4. How often will animals and mobile facilities be relocated?

- a) <1 month [Section 1]
- b) >1 month [Section 2]

5. What is the minimum pasture coverage at any one time for the animal production area?

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<sup>21</sup> 450 broilers/Ha = approx. 225Kg N/Ha/Yr which is approx. equal to zero net gain N per year. Humane Choice recommends densities of 600-4800 as the maximum for animal welfare for various kinds of poultry.

- a) 71-100% [Section 1]
- b) 51-70% [Section 2 Streamlined]
- c) 0-50% [Section 2]
- d) N/A - animals are permanently housed [Section 2]

6. Will animals or mobile facilities be less than 20m from:

- A natural watercourse; or
- An environmentally sensitive area

for longer than 1 month continuous?

- a) No [Section 1]
- b) Yes [Section 2]

7. Will rest periods for areas defined above be:

- a) >1 month [Section 1]
- b) < 1 month [Section 2]



## APPENDIX C: Code of Practice for Pastured Pig Farms

[NB: The following draft is not exhaustive, but simply a high-level example of a code of practice for pastured animal production, not dissimilar to the Cattle Feedlot Code of Practice. A parallel document with similar principles could easily be developed for pastured poultry farms.]

### Foreword

The Australian pastured-pig farming sector evolved in response to a new understanding of centralised food systems and their effect on environmental sustainability, socioeconomic equality, health and quality of life. Conventional pork production is losing its social licence and the pastured pork industry serves the resulting market demand for ethically-raised pork.

The industry recognises that it has a social and ethical obligation to customers, communities and government to continually deliver improvements to environmental, animal welfare and food safety practices if it wishes to maintain the confidence of these markets.

The Code of Practice is intended to provide nationally consistent guidelines under state regulation for pastured pig farmers regarding the environmentally relevant aspects of the establishment and operation of pastured pig farms. These guidelines encourage not only sustainability but *regeneration* of environments through agroecological practice.

In recent years scientific knowledge and community expectations in relation to meat production have changed. The Australian pastured-pig industry exemplifies a cultural shift back to extensive, ecologically-sound production of ethical pork driven by a scientific understanding of the risks of intensive industrial pork production to public health, local economies, food sovereignty and community resilience.

The industry expects all pastured pig farms to adhere to the Code of Practice along with all other relevant environmental, animal welfare and food safety legislation.

### Preface

The Australian pastured-pig farming community considers that the protection and regeneration of the environment is essential for an ecologically- and economically-

sustainable agricultural industry. To this end, the industry has been proactive in seeking to develop and adopt appropriate codes of practice for the management of risks to environment and amenity.

Apparent inconsistencies and differences between the various state and national publications have been a concern to the industry. These differences often simply reflect differences in what was accepted as best practice at the time of drafting the various documents. Accordingly, any inconsistencies between this Code of Practice and existing state codes, guidelines and reference manuals are not to be considered as a criticism of these other publications. It is also intended that this Code of Practice be used as a basis for any state guidelines developed in the future, thereby creating regulatory consistency between the states.

A secondary aim of publishing the new Code of Practice was to reach a consensus between regulatory authorities in the various states so that similar conditions apply to pastured pig farms throughout Australia. This aim for consensus was made while mindful of the different physical environments and the different legislative and regulatory frameworks that may apply in each state.

### **Legislative Context**

This Code of Practice is intended to compliment rather than override or replace federal, state or local government legislation, regulation, plans or policies. It is implied by this Code of Practice that those planning to operate a pastured-pig farm will comply with all relevant regulatory requirements.

### **Audit Requirements**

All pastured pig farms can be audited by local councils at their discretion using the Impact Assessment Form. The Impact Assessment Form ensures that the minimum standards are being met.

### **Definitions**

#### **Pastured pig farm**

Land used for pig production where:

- a. the pigs obtain food by directly grazing, browsing or foraging plants growing on the land in addition to supplementary feeding;

- b. no less than 60% of the total animal production area is covered by pasture; and
- c. housing and feeding infrastructure is mobile/impermanent, except in emergency situations.

### Standard Pig Units

Australian Pork Limited have defined Standard Pig Units (SPU's) as shown in the following table.

Type of Pig	SPU Equivalent
Gilt	1.8
Boar	1.6
Gestating Sow	1.6
Lactating Sow	2.5
Suckers	0.1
Weaner	0.5
Growers	1
Finishers	1.6

### Stocking Rate

Stocking rate is defined as SPU per hectare over time. It is calculated on the total area used for animal production over the course of a year.

*Eg. If 100 SPU's are contained in a 5Ha paddock and rotated to a new 5Ha paddock every month for 6 months, the total animal production area is 30Ha. Therefore the stocking rate is  $100\text{SPU}/30\text{Ha} = 3.3\text{SPU}/\text{Ha}$  (assuming no paddock was used more than once).*

### Description of pastured pig farm activities

Pastured-pig farms are low density, high welfare, high management farms that strive for environmental regeneration. Potential risks to environment and amenity (e.g. dust, odour, run off, over-nutrition) are mitigated, if not completely nullified, by stocking at low densities and maintaining pasture cover to a minimum standard at all times. Pastured-pig farms increase biodiversity and landscape function by rotating their stock regularly. Typically housing and feeding infrastructure is highly mobile. Animal welfare

is maintained at the highest level by breeding and raising all pigs outside (with access to mobile housing/shelter/shade) and providing unrestricted access to pasture.

While adherence to a common set of minimum standards allows for easy governance, pastured-pig farms are often at the forefront of sustainable agriculture. Thus, specific agroecological practices and regeneration strategies may vary greatly between farms.

## Environment

Pastured pig farms must address the environmentally relevant aspects of the site, production model and continued operation.

That is, pastured-pig farms should be sited and managed so they:

- prevent adverse impacts on surface waters external to the farm and improve soil moisture retention;
- prevent adverse impacts on and improve the quality of groundwater;
- prevent adverse impacts on and improve the quality of the amenity of the surrounding community;
- prevent adverse impacts on and increase the biodiversity and resilience of native flora and fauna and ecological communities;
- ensure the improvement of landscape function over time;
- ensure the operation of the pastured pig farm produces a net gain in available natural resources;
- utilise nutrients contained in animal waste and waste products.

Buffers of 20m from waterways and environmentally sensitive areas should be maintained, except in the case of specific regeneration outcomes (e.g. weed management).

Pastured-pig farms should consider the effects of different feed inputs on potential risk to environment.

Pastured pig farms should have a comprehensive understanding of the soil quality and soil health of land used for animal production and surrounding areas.

## APPENDIX D: Survey Data

A Pastured Livestock Farming Survey was created by AFSA and distributed through social media, newsletters and through partner organisations. The main purposes of the survey were to gather data on pastured livestock farmers regarding the size of their farms, the species farmed, pasture cover, and stocking rates.

The survey collected 100 responses from livestock farmers in all states and territories except NT and ACT. 46.88% (N= 45) of respondents were from Victoria, 29.17% (N=28) from NSW, 12.50% (N=12) from Queensland, 5.21% (N=5) from TAS, 4.17% (N=4) and 2.08 (N=2) from Western Australia.

The data analysed here was collected from the 1<sup>st</sup> to the 11<sup>th</sup> of November.

Farmers in the survey use an average of 159 hectares for animal production, but there was significant variation in size of farming areas with the smallest area being 0.25 and the largest 3238 hectares. The median land size was 41Ha.

60.82% of the 100 respondents farm in a regenerative/agroecological system, 22.68% in an organic or biodynamic, 12.37% in conventional and 4.12% answered “other”.

The majority of respondents (63.92% N=62)) **do not** think the scale of their farm is represented in the planning laws in their states and territories. Only 11.34% (N=11) of respondents think their scale of farming is represented.

60% of Victorian respondents **do not** think the scale of their farm is represented in the Victorian Planning Provisions. Only 14% think their scale of farming is represented.

### Q 8-14 Zoning of farm by state

VIC – 42 in the farming zone, 6 are in rural activity, 5 in rural living, 1 in rural conservation and 1 is in green wedge.

### Q15 Production system for each species

In poultry production systems, the vast majority of farmers surveyed (91.94% N=57)) reported using a pasture based system with supplemental feeding (e.g. processed feeds, grain, hay, etc). 4.84% (N=3) have poultry in shed based systems with free range access. One respondent said they have a pasture based system without supplemental feeding.

In pig production systems, 90% (N=29) of respondents said they used a pasture based system with supplemental feeding (e.g. processed feeds, grain, hay, etc).

In cattle production, 68.66% (N=19) use pasture based system without supplemental feeding (grass-fed only), 28.36% (N=19) use pasture based system with supplemental feeding (e.g. processed feeds, grain hay, etc).

In sheep production, 80% (N=37) use pasture based system without supplemental feeding (grass-fed only). 19% (N=9) said they operated a pasture based system with supplemental feeding (e.g. processed feeds, grain hay, etc).

41% (N=7) of farmers producing goats do so in a pasture based system without supplemental feeding (grass-fed only). 59% (N= 10) farmers keep their goats in a pasture based system with supplemental feeding (e.g. processed feeds, grain hay, etc).

Others also reported on farming rabbits, alpacas, horses and geese in both pasture based system with and without supplementary feeding (11 respondents).

#### **Q16 Regular rotation of livestock.**

The vast majority of respondents reported that their animals are managed in a mobile system with regular paddock rotations.

Poultry - 47 out of 57. 82.46%

Pigs - 29 out of 30. 96.66%

Cattle - 59 out of 61. 96.72%

Sheep - 42 out of 45. 93.33%

Goats - 14 out of 16. 87.5%

**Q18 If system is mobile, are moves based on time or pasture cover?**

Respondents were asked whether they rotate their animals based on time or pasture cover.

Of respondents who rotate based on time, 76% move their animal to new ground daily or at least weekly. Only 6% of respondents rotate their animals less often than monthly.

Of respondents who rotate based on pasture cover, 75% will move their animals before pasture cover drops below 50%. Zero respondents allow animals to stay in one paddock until there is bare soil.

**Q19 Percent of respondents growing particular species across Australia.**

Poultry 57.73%

Pigs 27.84%

Cattle 61.86%

Sheep 46.39%

Goats 15.46%

**Q20 Average number of animals per hectare (not based on DSE/SPU etc. May fluctuate over seasons)**

Poultry – ranges from 1 -1500 with an average of 136.

Pigs – ranges from 1 to 21 with an average of 6.5.

Cattle – ranges from 1 to 120 with an average of 4.5.

Sheep - ranges from 1 to 200 with an average of 11.

Goats - ranges from 1 to 30 with an average of 7.5.

**Q23 Distance of production area from dwelling or environmentally sensitive area.**

0-30 m – 24.47%

31-50m – 11.70%

51-100m – 23.40%

101-500m 20.21%

>500m 20.21%

**Q26 Do you currently hold a permit for poultry farming?**

75% of respondents who farm poultry in Victoria do not currently hold a permit.

**Q23 Distances from neighbouring dwellings and waterways.**

72% of poultry farmer respondents in Victoria cannot meet the setback requirements for the proposed permit exemption or streamlined permit.

59% of pig farmer respondents in Victoria cannot meet the setback requirements for the proposed permit exemption or streamlined permit.

**Q27 Is NEGROP appropriate for your farm?**

Only 3% of respondents believe NEGROP is appropriate for their farming system.

**Q28 How many sows do you have?**

1-3 – 18%

4-8 – 9%

9-20 – 55%

20-50 – 18%

**Q29 How many boars do you have?**

1 – 10%

2-5 – 70%

5-10 – 20%

**Q33 Since the draft planning reforms were released, has confidence in state government declined?**

86% of respondents have decreased confidence in the Victorian government's ability to regulate animal industries since the draft reform was released.



## APPENDIX E: REVISED NESTING DIAGRAM

### 75.02 AGRICULTURE GROUP (ANIMAL HUSBANDRY)

