



# AUSTRALIAN FOOD SOVEREIGNTY ALLIANCE

**Submission on Draft General Local Law No. 2 – Community Amenity and Municipal Places**

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**Prepared by**

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## About the Australian Food Sovereignty Alliance (AFSA)

The Australian Food Sovereignty Alliance (AFSA) is a farmer-led civil society organisation made up of organisations and individuals working together towards a food system in which people can create, manage, and choose their food and agriculture systems. AFSA is an independent organisation not aligned with any political party. We have around 700 farmer, individual, and organisational members, with approximately 40% of our members being farmers.

AFSA provides a balanced voice to represent farmers. We connect small- and medium-scale Australian farmers for farmer-to-farmer knowledge sharing, work with all levels of government for scale-appropriate and consistent regulations and standards for agriculture, and advocate for fair pricing for those selling to the domestic market.

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

Our vision is to enable regenerative and agroecological farming businesses to thrive. Australians care now more than ever about the way their food is produced, including its social and environmental impacts. Food produced on small- and medium-scale regenerative farms is increasingly in demand, and government is bound to heed changing community expectations and facilitate and encourage the growth and viability of regenerative agriculture, thereby protecting the environment and human and animal health.

As a key stakeholder and representative body of small- and medium-scale producers Australia-wide, AFSA welcomes the opportunity to provide a submission on Hepburn Shire's Draft General Local Law No 2 – Community Amenity and Municipal Places.

AFSA's concerns with the Draft General Local Law No 2 relate primarily to those laws that impact on peoples' ability within the Shire to determine their own food systems. It is puzzling that a Council as progressive as Hepburn, often held up as an example of best practice, is seeking to curtail peoples' freedoms when it comes to food production or collection.

## Firewood, Flowers and Fruit Collection

*A person must not, without a permit, remove firewood, including dead trees and fallen branches, flowers, other vegetation or fruit from a road reserve or Council land, unless permitted to do so by Council signage.*

We query the rationale behind this new proposed law. What community risk is it trying to address? In relation to firewood, is it an attempt to curtail people collecting firewood to sell commercially? That is understandable, but given the fire risk and last years' fires at Hepburn, surely the thinning out of dead trees and fallen branches is to be encouraged.

In relation to the collection of flowers or fruit, is this intended to be an anti-foraging law? If so what is the risk that Council is trying to address? Without understanding the driver behind this new law, it is perceived as a draconian curtailment on peoples' right to food sovereignty and security. Blackberries, mushrooms, edible plants on the commons have and always should be an available food source for anyone with the initiative to collect them.

## Planting Vegetation on Roads

*A person must not, without a permit, or in accordance a council plan or policy relating to planting vegetation on roads, being a document incorporated by reference into this Local Law, plant any trees or other vegetation on any part of a road.*

Our concern with this proposed law is that "road" includes nature strips, a valuable place to grow vegetables and herbs. We note that other Australian Councils permit this (most recently the City of Ballarat<sup>1</sup>) and suggest Hepburn follow suit.<sup>2</sup> It is no secret that with agriculture being impacted by climate change, local fruit and vegetables will become increasingly more important to people's food security. As such, growing food on roadsides should be encouraged, not restricted.

## Trading in a Public Place

*A person must not without a permit: (a) sell, offer or display for sale any goods or services from a public place; or (b) erect, place or in any other way, leave any structure or physical thing in a public place for the purposes of selling, displaying or offering for sale any goods or services.*

We note that with the new definition of "public place" to include all public land, not just Council land, this widens the existing curtailment and limits peoples' right to be enterprising and sell produce grown or harvested from their properties. We query what the permit process will be and the fee associated with it, and have concerns it will restrict trade unnecessarily. Will it capture people who choose to sell produce from outside their homes (farm gates or otherwise) and place signage

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<sup>1</sup> <https://www.thecourier.com.au/story/5895034/on-the-verge-new-nature-strip-veggie-garden-in-ballarat/>

<sup>2</sup> <https://www.domain.com.au/living/the-communities-across-australia-creating-food-forests-and-guerilla-gardens-20171117-gzmrmy/>

directing people to their lemons, honey, and eggs for instance? We would remind the Council of the community contempt that similar governing bodies receive when undue bureaucracy visits such trading locations and roadside stalls.<sup>3</sup>

## Animal Numbers

The draft law proposes re-categorisation from two areas (built up and non-built up) to four (with the first three categories based on land size rather than residential/non residential land). Apart from noting that the community strongly believes cat numbers should be reduced, it is unclear why all the other animals listed have been roped into further curtailment.

The effect is to greatly limit animals from which meat, produce, or fibre can be sourced. This will in turn restrict people's ability to source food and fibre from their own animals, and does not allow for any "flex" in the event of breeding animals (poultry particularly).

As above, with the predicted impact of climate change on agriculture more and more people will seek to be self-reliant or will be relying on their local community to source their meat and animal products. The stocking rates should therefore not be decreased for what seems purely on the grounds of amenity or perceived nuisance.

In conclusion, AFSA looks forward to further debate on this topic and would welcome the opportunity to discuss further if required.

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<sup>3</sup> <https://www.abc.net.au/news/2014-12-23/bunbury-girls-lemonade-stand-closed-by-council/5985992>

## About Food Sovereignty

*“Food sovereignty asserts the right of peoples to nourishing and culturally-appropriate food produced and distributed in ecologically-sound and ethical ways, and their right to collectively determine their own food and agriculture systems.”<sup>4</sup>*

The core of food sovereignty lies in the following principles:

- Food is a human need and a basic right, rather than a commodity.
- Food systems should be democratically constructed, responding to diverse social, cultural and environmental conditions.
- Food systems should be based on a strong commitment to social justice: for farmers, food system workers, and the most vulnerable members of our society who experience food insecurity.
- Resilient food systems require long-term environmental sustainability, transitioning away from dependence on fossil fuels and chemical inputs.
- Resilient and sustainable food systems will be more localised and regionalised.
- Trade in food and agricultural products can enhance economic and social well-being but should be conducted on the basis of international solidarity, respecting and not undermining the food sovereignty ambitions of other peoples and countries.<sup>5</sup>

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<sup>4</sup> The Australian Food Sovereignty Alliance, <<https://afsa.org.au/?s=food+sovereignty+>>.

<sup>5</sup> Patel, R. (2009). What does food sovereignty look like? *Journal of Peasant Studies*, 36(3), 663-671.