



AUSTRALIAN FOOD SOVEREIGNTY ALLIANCE

Australian Food Sovereignty Alliance

Submission to New Land Use Planning Regulations for Animal Production

*Agriculture Victoria
Victorian Government*

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We thank the Victorian Government for this consultation process for new land use planning regulations for animal production. AFSA welcomes the opportunity to provide a written submission, as well as all further opportunities to participate in development and implementation. We hope the Government will facilitate robust and meaningful stakeholder engagement across all aspects of the agricultural and food sector, prioritising the voices of First Peoples, rights holders and those with lived experience within our food system.

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About the Australian Food Sovereignty Alliance

The Australian Food Sovereignty Alliance (AFSA) is a farmer-led civil society organisation of people working towards socially-just and ecologically-sound food and agriculture systems. The democratic participation of First Peoples, small-scale food producers and local communities in decision-making processes is integral to these efforts.

AFSA provides a balanced voice to represent small-scale food producers and local communities' interests at all levels of government. We connect small-scale food producers for farmer-to-farmer knowledge sharing, assist local, state and the federal government in instituting scale-appropriate and consistent regulations and standards, and advocate for fair access for small-scale food producers to local value chain infrastructure and markets.

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. We also support the Australasian representative on the Civil Society and Indigenous Peoples' Mechanism (CSIPM), which relates to the UN Committee on World Food Security (CFS).

Our vision is to enable agroecology-oriented farms to thrive. This has taken on an added salience in the face of the increasing impacts of the climate crisis, the COVID-19 pandemic and rising food prices as a result of ongoing droughts, fire, flood, and war. Australians care more than ever about the way their food is produced and how and where they can access it, with a growing awareness of its social, environmental, and economic impacts. Nutritious food produced and distributed in socially-just, ethical and ecologically-sound ways is increasingly in demand.

Governments must facilitate and encourage the emergence and viability of agroecology embedded in localised food systems with short and direct supply chains, thereby protecting the environment and human and animal health. Inextricable to this vision is the need to honestly and truthfully account for the land's needs. As such, AFSA works to increase understanding of and appreciation for Aboriginal and Torres Strait Islander Peoples' connection to and care for Country and the ongoing impacts of colonisation and development on Country. We aim to put First Peoples' knowledge first as best practice for healing Country and sustaining life, and as an organisation we are committed to decolonial futures for food and agriculture systems, and just relations between settlers and First Peoples.

We work extensively with primary food producers and eaters across every state and territory in Australia. The National Committee has consisted of farmers from every state, and local advocates and campaigners such as Open Food Network, Food Connect, Southern Harvest Association, Friends of the Earth, Fair Food Brisbane, and the Permaculture Network, as well as academics from the University of Melbourne, RMIT, Deakin University, University of Tasmania, University of Sydney, SCU, QUT, UQ and UWA.

AFSA thanks the Victorian Government for the opportunity to provide this submission to the consultation on new land use planning regulations for animal production. As a farmer-led organisation, AFSA represents

over 300 small-scale food producers and allies who are fighting for social and ecological justice for people, animals and ecosystems.

In addition to providing evidence-based responses and recommendations to the terms of reference outlined in this inquiry, AFSA has also provide four key recommendations to the Victorian Government to transform food and agriculture systems in Victoria: 1) transition to agroecology; 2) transition to a degrowth economy; 3) transition to localised food systems and 4) transition to democratic knowledge production.

AFSA welcomes any further opportunity to discuss the evidence provided in this submission to develop policies, regulation and legislation that improves land use planning regulations for animal production.

Context

We commend the Victorian Government for prioritising these reforms at a time when the world is grappling with the rise of zoonotic disease and antimicrobial resistance, caused in no small part by intensive livestock production. With H5N1 - a highly pathogenic avian flu - currently affecting every region of the world except Australia, leading to mass cullings of commercial poultry flocks, and now infecting dairy herds of cattle in the US, governments must take systemic action to discourage and eventually prohibit intensive animal production. These reforms offer an opportunity to tighten regulation, but unfortunately are currently mostly aimed at making it easier for the largest, most intensive production systems to expand.

Although the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the UN Declaration on the Rights of Peasants (UNDROP) assure the rights of First Peoples and smallholders to secure tenure and access to land managed by communities as commons, these rights are not upheld in Australia in 2024. Where the UN has long recognised the significant role played by First Peoples and smallholders in maintaining biodiversity and healthy ecosystems, Australian land and water use policy does not reflect this, and in fact supports increasing consolidation of ownership and management by the most damaging industrial actors. At the same time that legislation allows the wealthiest industries to tighten control over agricultural land, governments allow peri-urban encroachment of lifestyle blocks and outdated fortress conservation approaches to re-zoning farmland, excluding even agroecological stewards from healing Country while farming in harmony with Nature. Finally, the cognitive dissonance that leads governments to 'protect' land via the planning provisions from those it privileges in ownership leads to perverse outcomes for smallholders, who face significant barriers to farming and rural industry on smallholdings due to scale-inappropriate planning controls on everything from raising pastured pigs and poultry, to building micro-abattoirs and opening farm gate shops to feed local communities.

AFSA advocates for devolving decision making to First Peoples, smallholders and local communities to increase autonomy and self determination - rights assured in UNDRIP and UNDROP. It also advocates a scaled approach to planning controls that takes into account the low risk to environment, amenity and public health of human-scale systems exchanging or selling through direct supply chains to local communities.

Key issues identified in regards to planning provisions for land and water use include:

- Land access and secure tenure
- Protecting agricultural land
- Urban and peri-urban food production
- Scale-appropriate planning controls

New Land Use Planning Regulations for Animal Production

Are you generally supportive of the proposed changes to planning regulations for animal production?

AFSA is not generally supportive of the proposed changes to planning regulations for animal production, which risk further consolidating land ownership by making the largest scale farm businesses the least open to community scrutiny and planning controls. While recent changes in Victorian Government regulation recognise the vast differences between intensive livestock production and pastured livestock - in particular the 2018 Low Density Mobile Outdoor Pig and Poultry reforms - the proposed regulations are regressive, giving large intensive systems more freedom to expand and intensify. Additionally, there are large areas of semi-arid extensive grazing lands, rangelands,¹ across Australia that would benefit from an agroecological focus in their management with an added benefit of helping to revitalise rural communities, but these reforms propose to make those areas ‘friendlier’ to intensive animal industries rather than prioritised for stronger ecological stewardship.

At the heart of planning controls for animal industries is the perceived or actual conflict between residential and agricultural land use. The zones that support agriculture (e.g. Farming, Rural, etc) 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. However, the conflict between residential use and intensive livestock production remains real, as does the very real risk to public health from the rise of zoonoses from intensive livestock production.

Three out of four of all new and emerging human infectious diseases are zoonotic in origin, and a study in the journal *Nature* found that conventional agriculture was associated with half of all the zoonotic pathogens² that emerged in humans in that time.³

Highly pathogenic strains of what Bulach et al. (2010) reported are monophyletic H7N3, H7N4, and H7N7 were documented on large broiler and layer poultry operations in Victoria and Queensland as far back as the 1970s (Cross 1986/2003, Westbury 1998). An on-site increase in the virulence of an avian influenza H7N4 strain from low to high pathogenicity in 1997 was

¹ Department of Primary Industries, NSW, 2021

² Rohr et al. 2019

³ Whalen, 2021

*documented on a large commercial broiler-breeder operation of 128,000 birds (Selleck et al. 2003).*⁴

Why this association? Because capitalist industrial agriculture is a recipe for biodiversity suppression and erosion, which is ergo a major contributor to the development of pandemics. Amassing thousands of genetically identical animals in close quarters creates the conditions for pathogens to thrive and potentially mutate to infect other organisms close by, including people.

*Such ills are often managed in comparatively sterile, though at such densities still pathogen-conducive, conditions, requiring continuous applications of vaccine and pharmaceuticals in livestock to reduce now endemic diarrheas and respiratory diseases. Pesticides are applied to crops largely engineered for withstanding still greater petrochemical application, selecting for superweeds and pests.*⁵

In some parts of the world microbes have already evolved to resist 80 percent of the antibiotics used on animals.⁶

When chickens, pigs or cows are forced to live in crowded conditions - sometimes by the tens of thousands - disease is inevitable. This has led to the widespread use, and overuse of antimicrobial drugs in farming.⁷

The role monocultures of livestock and crops play in disease emergence has been known for decades, just as it has been known that smallholder, low-input farming rarely breeds such potential disasters.⁸ Biodiversity-rich farms, therefore, are the most effective form of biosecurity we have, as they are both a form of prevention of outbreaks and system-level resilience when they occur. Long, complicated supply chains and free trade agreements are also contributing to the rapid spread of diseases (such as African Swine Fever and Foot and Mouth Disease), while small-scale pastured livestock production in agroecological systems selling meat in direct supply chains reduces the risks of disease emergence and spread, while also being far more able to adapt to climate change (itself also a known contributor to the rise and spread of zoonoses, such as Japanese Encephalitis Virus' appearance in southern Australia for the first time in 2021).

It is worth quoting a 2021 FAO thematic paper on One Health at length, which categorises the three major anthropogenic drivers of zoonotic disease emergence as below (these are also aligned with Australia's Strategy for Nature 2019-2030).⁹

⁴ Wallace, 2018

⁵ Wallace, 2016 (p.242)

⁶ United Kingdom Government, 2021

⁷ *ibid.*

⁸ Graham et al. 2008

⁹ Australia's Nature Hub, 2019

- **Modifications to natural habitats.** These include climate and land-use changes, development (urban or agricultural), dams, extractive industries, loss of biodiversity, ecosystem services, natural resources and habitat, encroachment on natural habitats, and environmental contamination;
- **Changes in agricultural practices.** These include agricultural intensification and expansion of crop, livestock and aquaculture farming, changes in food value chains (global or across country/regional borders), waste management (of water, faeces, antimicrobials, runoffs), unregulated use of antibiotics, globalised value chains, and marketing; and
- **Human behaviour and choices.** These include increased utilisation/exploitation of wildlife for exclusive food consumption in urban centres (wildlife, bushmeat), traditional medicines using animal body parts or organs, and exotic pet ownership.¹⁰

Governments must look to the health of production systems to address biosecurity risks before they are created in sheds of immuno-compromised genetically identical pigs and poultry or in vast monocultures of annual crops. Until the drivers of disease emergence are addressed, we will continue to pay the price. The proposed reforms, we submit, are simply more fuel to the pandemic-era fire.

Section 60(1)(f) of the Planning and Environment Act 1987 directs authorities to consider the ‘social effects’ of any amendments to the planning scheme, as well as to use and development proposals. A social effect will result from the proposed land use planning for animal production planning scheme amendment, and a social impact assessment should be undertaken that examines, at a minimum:

- Public health risks from disease emergence and spread;
- Road safety risks from increased heavy vehicle use;
- Consolidation of land ownership and flow on effects to vertically integrated commodity value chain infrastructure; and
- Barriers to small-scale pastured livestock farming due to separation distances established by intensive animal production systems.

How will the proposed changes to planning regulations impact you or your organisation?

As a national organisation representing small-scale farmers and allies who operate under the existing LDMO Guidelines, the changes will have no immediate impact on our members or AFSA. However, as stated above, the systemic impacts in future are likely to impact directly on small-scale farmers and those seeking to commence farming by:

- Reduced access to land;
- Reduced access to processing infrastructure;

¹⁰ Alders, 2021

- Increased risk of disease and pathogen exposure from intensive animal production.

The impacts on local communities will include:

- More zoonotic disease emergence and spread;
- Reduced amenity and safety on rural roads servicing intensive animal industries; and
- Reduced access to meat from animals grown on local pastured farms.

What do you think about the exemption from notice and review for animal production farms that contain separation distances wholly within their property boundaries?

AFSA does not support the proposed exemption from notice and review for intensive livestock farms that contain separation distances wholly within their property boundaries. The impact of intensive livestock production goes beyond noise and odour, and includes increased risk of zoonoses and other impacts as listed above. The proposed exemption not only opens the door to more intensive livestock production, it would encourage large landholdings for intensive production, taking more land away from more diversified ownership.

What do you think about the proposed measures to limit separation distances to no more than 50 per cent of the land area on adjacent properties?

AFSA does not believe the immediate impacts of an intensive animal production system should be borne by other neighbouring properties, so does not support this measure.

What do you think about the new approach to determining separation distances?

While AFSA broadly supports risk-based approaches to regulation, we are concerned that the proposed approach is quite technical and likely to lead to confusion, especially amongst local planners and decision-makers. While the approach purports to simplify things, it is actually quite complicated and requires a great deal of technical knowledge of intensive animal production, ecosystem protection, hydrology, geology and even atmospheric science.

False Solutions

False solutions are measures that propose to address climate change, biodiversity loss, hunger, poverty, pandemics, and other global crises that fail to address the economic, social and ecological roots of the crises caused by colonial capitalism. They may offer a short-term improvement, and are often framed in a

way that deceives people with high tech and undemocratic approaches. These failures have the potential to create further social and ecological destruction, felt by marginalised communities first and foremost.

False solutions include technologies and policies at a global, national and sub-national level, that:

- Fail to reduce emissions or biodiversity-damaging practices where there is a continued focus on growth and exports;
- Generate environmental, social, economic and political problems and consequences, and result in the violations of human and collective rights; or
- Distract people and policy makers from real solutions; and direct public financing, infrastructure and institutional support away from the actions needed for systemic changes.

Examples of false solutions include: carbon and biodiversity markets; ultra-processed plant-based meat alternatives and lab meat; the digitalisation of agriculture; and genetic engineering.¹¹

- **Technology will feed the world.** Small-scale farmers are responsible for feeding around 70 percent of the world's population, and are able to do so without expensive technology pushed by agribusiness. The digitalisation of agriculture aims to further entrench corporate control over food systems, by insisting that farmers must adapt to emerging technologies, or be pushed out of farming. In reality, what we need to address future food security is horizontal knowledge exchanges between farmers, communities and collectives to scale-out agroecology and localised food systems.
- **Sustainable intensification, precision agriculture, climate smart agriculture and other such approaches** are seen as silver bullets to food and nutrition security. However, the focus on higher productivity has not, and will not, solve current and future food requirements, and these approaches attempt to do so at the cost of healthy and biodiverse agro-ecosystems. The focus of government reforms should be on enhancing biodiversity in agricultural production and surrounding ecosystems.
- **Farm lock-ups.** Similar to the problems of fortress conservation, locking up farms to reduce biosecurity threats fails to recognise a key opportunity to make agricultural lands and activities more diverse and resilient. On agroecology-oriented farms, biodiversity flourishes and mitigates the risk of emerging diseases by slowing or stopping the spread of pathogens.

Recommendations

- Include democratically-elected representatives of smallholders and civil society in stakeholder and advisory groups responsible for local land use development decisions.
- Halt negative drivers and meet obligations through policy for the targets of the *Kunming-Montreal Global Biodiversity Framework* with regard to land-use change and land-use intensification which are major drivers of biodiversity loss.

¹¹ <https://focusweb.org/false-solutions-instead-of-just-solutions/>

- Integrate food system thinking into planning frameworks, policies and implementation (look to examples in Canada¹², Brazil¹³, and Ecuador¹⁴)
- Identify ‘Food Sheds’ by consulting with **Local Governments** and taking into consideration research by Foodprint Melbourne in relation to peri-urban planning.
- Develop a mechanism to financially account for loss of soil, carbon, and water through industrialised food and agricultural systems by subsidisation of agroecological land management or building this cost into food prices through taxation.
- Enable zoning for smaller, localised food production and associated processing and distribution infrastructure with targeted reforms of relevant planning provisions.
- Enact policy that will ‘Ensure that areas under agriculture, aquaculture, fisheries and forestry are managed sustainably, in particular through the sustainable use of biodiversity, including through a substantial increase of the application of biodiversity friendly practices, such as [...] agroecological and other innovative approaches contributing to the resilience and long-term efficiency and productivity of these production systems and to food security, conserving and restoring biodiversity and maintaining nature’s contributions to people, including ecosystem functions and services.’¹⁵ This will enable Australia to meet its obligations under the *Kunming-Montreal Global Biodiversity Framework* (GBF) agreed in December 2022.
- Enact policy that will ‘Reduce pollution risks and the negative impact of pollution from all sources, by 2030, to levels that are not harmful to biodiversity and ecosystem functions and services, considering cumulative effects, including: reducing excess nutrients lost to the environment by at least half including through more efficient nutrient cycling and use; reducing the overall risk from pesticides and highly hazardous chemicals by at least half including through integrated pest management, based on science, taking into account food security and livelihoods; and also preventing, reducing, and working towards eliminating plastic pollution.’ This will enable Australia to meet its obligations under the Kunming-Montreal Global Biodiversity Framework (GBF) agreed in December 2022.

Transition to Agroecology

Instead of false solutions peddled by corporates and investors, AFSA calls for agroecology as the *real* solution to ethical and ecologically-sound food and agriculture systems, while also addressing social, political and economic inequities in food systems. The UN Food and Agriculture Organisation (FAO) provides a clear definition of agroecology as both a science and a social movement:

Agroecology is a holistic and integrated approach that simultaneously applies ecological and social concepts and principles to the design and management of sustainable agriculture and food systems. It seeks to optimise the interactions between plants, animals, humans and the environment while also addressing the need for socially equitable food systems within which people can exercise choice over what they eat and how and where it is produced. Agroecology is concurrently a science, a set of practices and a social movement and has evolved as a concept over

¹² Food Secure Canada, 2015

¹³ Raffay, 2012

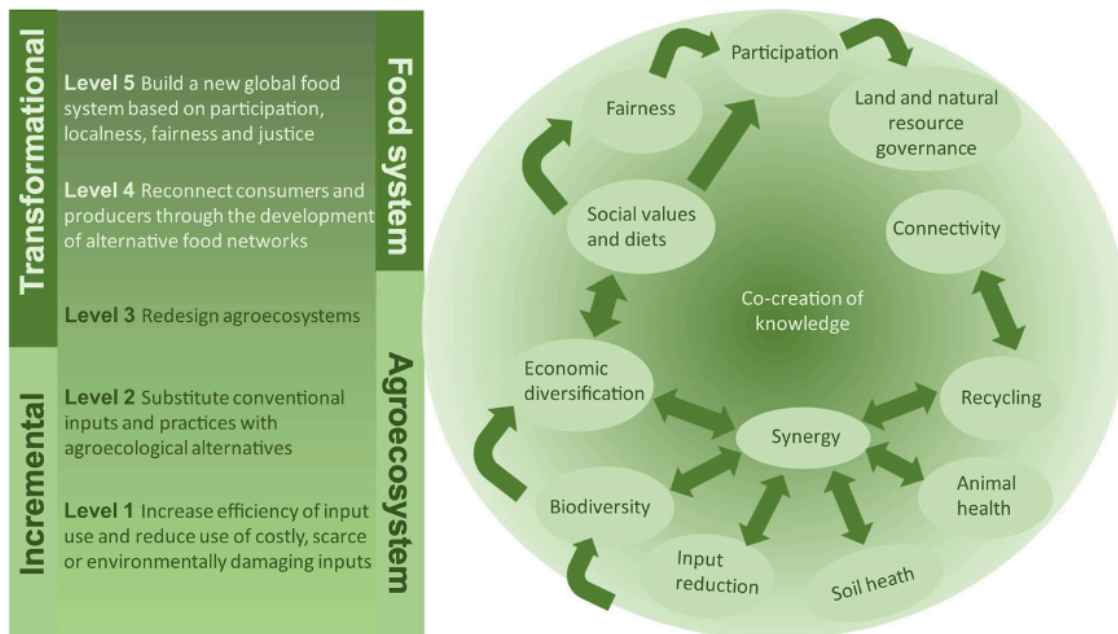
¹⁴ Giunta, 2013

¹⁵ Convention on Biological Diversity, 2022

recent decades to expand in scope from a focus on fields and farms to encompass the entirety of agriculture and food systems. It now represents a transdisciplinary field that includes the ecological, socio-cultural, technological, economic and political dimensions of food systems, from production to consumption.¹⁶

Given that agroecology presents viable solutions to social, ecological, political and economic crises caused by industrial agriculture, it is a pathway toward food sovereignty.

Around 70 percent of food in the world is grown by small-scale food producers on small plots of land, with the remaining 30 percent grown by large-scale industrial farms, which are responsible for 75 percent of ecological destruction from farming.¹⁷ Beyond farming, 20 percent of the world's population uses 80 percent of its resources.¹⁸ Clearly the Minority World (aka the Global North) is using more than its share, and something has to change.



¹⁶ Food and Agriculture Organization of the United Nations, 2023

¹⁷ Shiva, 2017

¹⁸ Friends of the Earth Austria, 2009

Transition to a degrowth economy

The Victorian Government needs to consider degrowth in agriculture and land sectors if it wants to safeguard Australia from climate and pandemic risks and related food insecurity. Degrowth does not mean less production of food, but rather a shift away from the policies and practices that support increased productivity and growth for the purpose of exporting food, ergo water and soil, to other markets. Central to degrowth is the principle of connectivity, which ensures proximity and trust between producers and eaters through fair and short (often direct) supply chains, and by re-embedding food systems in local economies. Degrowth can assure intergenerational justice, because ‘future generations should have access to the social and material means to live flourishing lives at least at the same level as the present generation.’¹⁹

Transition to localised food systems

Against the social and ecological crises brought on by agricultural systems that are geared towards productivity and exports, localisation is considered the antidote for many of the current and future challenges we face to feed growing populations under an increasingly volatile and inhospitable climate, and the increased threat brought by intensive livestock production in globalised markets.

In her book *Who Really Feeds the World: The Failures of Agribusiness and The Promise of Agroecology*,²⁰ Vandana Shiva explains the social and ecological value of localising food systems:

*Two principles have shaped the evolution of food systems across the world. The first is that everyone must eat. The second is that every place where human beings live produces food. Between these two principles, the food systems that have evolved to nourish people are, by their very nature, local. These systems of food production nourish both biological and cultural diversity. The localisation of food is not only natural but vital, because it allows farmers to practise the Law of Return, produce more food through biodiversity, create food systems adapted to local cultures and ecologies, and nourish themselves, their communities and the soil that they give back to.*²¹

For governments and corporations, viewing food systems through the lens of localisation is in direct contrast with how they understand the generation of profits that inform policies to scale up farming using competitive incentives, technology and other market mechanisms. However, the COVID-19 pandemic, biodiversity loss, and climate change in Australia reveal the fragility of a globalised food system, and should prompt policymakers to consider how agricultural policy should support localisation and solidarity economies to safeguard food security.

¹⁹ Wright (2018: 10)

²⁰ Shiva, 2016

²¹ *ibid.*

Transition to democratic knowledge production

Where productivist food and agricultural policy encourages farmers to specialise, scale up, and outsource knowledge and inputs, localised economies support *scaling out* and diversifying through horizontal knowledge sharing farmer-to-farmer. Agroecology-oriented farming supports producers to effectively feed their local communities with healthy, nourishing foods, with clear boundaries where production puts a strain on ecological, social and economic limits.

*The fact that agroecology is based on applying principles in ways that depend on local realities means that the local knowledge and ingenuity of farmers must necessarily take a front seat. This is in contrast to conventional practices, where farmers follow pesticide and fertiliser recommendations prescribed on a recipe basis by extension agents or sales representatives.*²²

For a major change toward sustainability in food systems, there is a need to promote assemblages of farmers groups, food security and consumer networks, public policies and authorities, and non-human actors and infrastructures, in order to provide access for civil society organisations and agroecology-oriented farmers to the decision-making process.²³ Agroecology appeals to farmers in part because it diminishes their dependencies and builds their autonomy. Thus, agroecology grows best when it is not overly dependent upon external structures originating from NGO projects, research institutions, or public policies.²⁴

²² Rosset & Altieri, 2017

²³ González de Molina et al. 2019; Marsden, Hebinck, and Mathijs 2018

²⁴ Mateo Mier y Terán Giménez Cacho, Omar Felipe Giraldo, Miriam Aldasoro, Helda Morales, Bruce G. Ferguson, Peter Rosset, Ashlesha Khadse & Carmen Campos (2018): Bringing agroecology to scale: key drivers and emblematic cases, Agroecology and Sustainable Food Systems