



Your strong and independent voice for livestock producers

## **Review of the Character Preservation (Barossa Valley) Act 2012 and Character Preservation (McLaren Valley) Act 2012**

*Submission from Livestock SA, February 2018*

Livestock SA represents and promotes the interests of beef cattle, sheep and goat producers in South Australia. It currently has over 3,500 members, predominantly sheep and cattle producers, spread throughout the State. This includes livestock producers in the Barossa Valley and McLaren Vale, and it is on their behalf this submission is made, particularly those in the Barossa Valley.

The discussion paper released to lead this review was disappointing. It ignores agriculture even though these Acts are essentially about retaining the farming landscape in these two regions.

The economic assessment in the discussion paper only concentrates on numbers of visitors staying in these regions and their expenditure while they are visiting. There is a need for a detailed assessment of the impact of the Acts on agriculture, and the effect on future viability of agriculture. If agriculture does not remain profitable then it will very difficult to preserve the current character.

It is absolutely vital to ensure both regions have a strong economic future, and this includes farming businesses. This is crucial if agriculture is going to have a chance to continue to be viable in these areas and not compromised. It is known that there are primary producers who have moved from both the Barossa Valley and McLaren Vale to other parts of the State in a bid to buy larger amounts of land for economies of scale, to be able to undertake farming activities with fewer restrictions, with lower costs of production, and so that their family can continue to profitably farm. The economic assessment needs to include whether this trend has continued in the past five years under these Acts, and if so what does this mean for trying to continue to maintain the character of these two regions.

The environmental assessment in the discussion paper also give agriculture scant attention. It only mentions the interface between primary production and townships/dwellings. There is no mention of the increasing difficulties broadacre farmers with livestock are facing as the area under vines increases, even though in the main broadacre agriculture makes up much of the landscape that the Acts are trying to preserve.

The Review of the two Acts should be an opportunity to not only to review but to consider how the Acts need to be altered. As it is at present, about all the legislation does is reduce the breakup of farming properties for lifestyle blocks or retirement villages. The current legislation does not protect the right to farm.

The definition of the character values is not broad enough. The legislation should not only provide protection to character values within the prescribed areas but also provide protection to the farming communities within the prescribed areas.

The protection should be expanded so that it relates to respecting the rights associated with owning land, the right to go about lawful farming practises without disturbance or litigation and to protect the “right to farm” for those producing agricultural produce in these regions. And this protection should include the right to erect necessary infrastructure to improve farm productivity or improve management practises. The types of infrastructure envisaged include stock yards, shearing sheds, milking sheds, hay sheds, and implement sheds as well as on-farm silos.

Broadacre farming in the Barossa Valley should be protected in the legislation. When a near or abutting neighbouring landowner or land purchaser wishes to change farming activities from broadacre farming to planting vines or other horticultural crops they need to be made aware of the risks they are taking. This includes the possibility of spray drift from nearby broadacre farming enterprises and the potential damage that may occur. The broadacre sector needs to be protected from inappropriate change of enterprises and should not be liable for any damages occurring due to normal activities undertaken on a broadacre farming property.

If a change of enterprise is proposed, then that applicant should be responsible for setting aside enough land in the form of a buffer zone to provide any protection deemed necessary between the two enterprises. It is not the responsibility of the existing broadacre farm owner to provide such a buffer zone. This should be included in the legislation.

If the farming communities in the area are helped rather than hindered, opportunities for greater economic growth may increase. This could far exceed anything that will be obtained by increasing the number of available tourist beds or expanding the number of cafes in the area.

Without such changes, local councils in these regions will continue to give scant attention to primary production areas within their council areas when faced with developmental proposals.

In reviewing these Acts, the current boundaries also need to be assessed. Particularly in the Character Preservation (Barossa Valley) Act 2012 there is confusion of where some of the boundaries are. If local government boundaries were used, this would assist in clarifying the boundaries.