

# **“Unsustainable Intensive Animal Production”**

A Discussion Of Proposed Planning Scheme Changes To Expand and De-regulate Intensive Animal Industries

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## **1. The State government:**

- ❖ Is proposing major changes to planning scheme zones, definitions and particular provisions which de-regulate intensive animal industries.
- ❖ Is selling these changes as “sustainable” animal production when they prioritise economics over environment and social, and the public interest.
- ❖ Is basing changes on industry interests, and recommendations in the “*Regional Economic Development and Services Review Report*”, produced in July 2015 by an External Advisory Board, chaired by John Brumby. Recommendations include:
  - 5.2.5 Increased call in powers
  - 5.2.6 Improving strategic statutory planning

*“In recent years there has been a **lack of clarity around how the land use planning system can support opportunities for economic growth in non-urban areas** across multiple uses such as agriculture, tourism, rural industry and commercial activity as well as valuable natural resources.”*

- 5.2.7 More productive use of regional non-urban land

*“work with industry and local councils to **address land use planning conflicts relating to intensive agricultural systems commencing with planning and reform to realise strategic regional growth opportunities for the broiler industry.***

*“This includes steps such as arranging planning pre-approvals for projects by drawing on the Planning Minister’s call-in powers...”*

- Visitor Economy – similar priorities as above.

## **2. Proposed Changes - Planning Scheme Definitions:**

- ❖ Introduce “Animal Production”, a new catch-all definition within “Agriculture”:

*It means production of all mammals except rodents – for eggs, fibre, meat, milk, or other animal products.*

- ❖ Replace existing “Intensive Animal Husbandry” (all forms of intensive animal uses) with “Intensive Animal Production” (cattle feedlots and intensive dairy farms only).

*Where “Intensive Animal Production” is prohibited, only two intensive uses remain prohibited, the rest are not.*

- ❖ Replace existing “*Extensive Animal Husbandry*” (grazing of farm animals) with “*Grazing Animal Production*” (that is, animal production – all mammals – through supplementary feeding).

‘Grazing’ as we know it will no longer exist as a land use.

### 3. Proposed Changes - Zones

#### Green Wedge, Farming and Rural Activity Zones are treated the same way.

- The new “*Grazing Animal Production*” (supplementary feeding) replaces “*Extensive Animal Husbandry*” (grazing) and remains as-of-right.
- Pig and Poultry Farms (including Broiler Farms) are changed from requiring a permit, to as-of-right. Conditions apply.

#### Rural Conservation, Rural Living and Green Wedge A zones

- “*Intensive Animal Husbandry*” (currently prohibited) is replaced with “*Intensive Animal Production*”, meaning only cattle feedlots and intensive dairy farms remain prohibited.  
  
All other forms of intensive animal husbandry/production are no longer prohibited.
- The new “*Grazing Animal Production*” (supplementary feeding) replaces “*Extensive Animal Husbandry*” (grazing) and remains permit required.
- Pig and Poultry Farms (including Broiler Farms) are changed from prohibited to permit required. No conditions.

#### Industrial Zones

- “*Intensive Animal Husbandry*” (currently prohibited) is replaced with “*Animal Production*” (permit required), meaning all forms of intensive animal production, including cattle feedlots and intensive dairy farms, and pig and poultry farms, are no longer prohibited.
- Only “*Cattle Feedlots*” and “*Broiler Farms*” have conditions applied.
- The new “*Grazing Animal Production*” (supplementary feeding) replaces “*Extensive Animal Husbandry*” (grazing) and changes from as-of-right, to permit required.

#### Commercial, Residential and Urban Growth Zones

- “*Intensive Animal Husbandry*” (currently prohibited) is replaced with “*Animal Production*” (prohibited). All forms of intensive animal production are prohibited.
- Currently, “*Extensive Animal Husbandry*” (grazing) requires a permit. The new, intensified “*Grazing Animal Production*” (supplementary feeding) is prohibited.

## 4. Proposed Changes - Particular Provisions

Three new particular provisions are proposed, which contain the conditions applied for new as-of-right intensive animal uses in the Green Wedge, Farming and Rural Activity Zones.

### 52-XX Grazing Animal Production

- ❖ Not referenced as a condition in any zones.
- ❖ No restriction on number or type of animals.
- ❖ Provides for as-of-right for building, works or equipment if  
*100m from a dwelling in separate ownership / residential or UGZ zone / waterway-wetland.*
- ❖ A permit can be issued for buildings, works and equipment within the 100m setbacks.
- ❖ All 3 decision guidelines relate to consideration of impacts of supplementary feeding.

### 52-YY Poultry Farm (includes Broiler Farm)

- ❖ Provides for as-of-right for Poultry Farm use for  
200 poultry / 10 emus/ostriches if  
*no poultry within 30m of waterway.*  
*no poultry housing or constructed shelter within 50m of dwelling in separate ownership / residential or UGZ zone.*
- ❖ Third party rights are extinguished for use or buildings and works for Poultry Farm for  
up to 450 poultry / 25 emus/ostriches if  
*no poultry housing or constructed shelters within 100m of dwelling in separate ownership / residential or UGZ zone; or*  
*meets requirements of the Code of Practice for a "Class A Broiler Farm" (up to 400,000 chickens).*

### 52-ZZ Pig Farm

- ❖ Provides for as-of-right for pig farm use (land size restrictions are applied) for up to  
10 pigs, or  
3 sows, a boar and their progeny if  
*pigs are not within 50m of dwelling in separate ownership / residential or UGZ zone / waterway-wetland.*
- ❖ Third party rights are extinguished for pig farm use or buildings and works for  
8 sows, a boar and their progeny if  
*pigs are not within 100m of dwelling in separate ownership / residential or UGZ zone.*

**All may be conducted at the same time.**

## 5. Implications For The Green Wedges – More Change

- ❖ In 2013 zone changes by the Liberal government:
  - ❖ “Agriculture” changed from permit required, to as-of-right, in GWZ and GWAZ.
  - ❖ “Intensive Animal Husbandry” - all forms of intensive animal use - remained permit required in GWZ, and prohibited in GWAZ.
  - ❖ “Extensive Animal Husbandry” (grazing) changed from permit required to as-of-right in GWAZ.
- ❖ 2017 proposed “Sustainable Animal Industries” changes go further:

### **Green Wedge Zone**

- ❖ “Extensive Animal Husbandry” (grazing) is replaced with “Grazing Animal Production” (supplementary feeding) – remains as-of-right.
- ❖ “Pig Farms”, “Poultry Farms” and “Broiler Farms” are made as-of-right.

### **Rural Conservation and Green Wedge A Zones**

- ❖ “Extensive Animal Husbandry” (grazing) is replaced with “Grazing Animal Production” (supplementary feeding) – remains permit required.
- ❖ Only “Cattle Feedlot” and “Intensive Dairy Farm” remain prohibited intensive uses.
- ❖ “Pig Farms”, “Poultry Farms” and “Broiler Farms”, and all other forms of intensive animal production, change from prohibited, to permit required.
- ❖ No conditions are applied to ‘permit required’ intensive animal uses in these zones.

**The bad news continues for Green Wedges:** *Smart Planning – Reforming the Victoria Planning Provisions* proposes to:

- ❖ Delete Clause 57 (the Green Wedge particular provision) and translate its requirements into the zones. *The zones alone weren’t enough when Green Wedges were introduced, and this action would remove one layer of protection for Green Wedges.*
- ❖ Move peri-urban areas from the “Regional Victoria” to the “Urban Growth” theme in State policy.

In just 4 years, in Green Wedges, agriculture and animal production – including intensive animal production - has changed from permit required and prohibited, to as-of-right and permit required, concurrently with substantial loss of third party rights.

## 6. Stand-Out Features Of What The Government Is Doing Include:

- ❖ The government is selling proposed changes as opening up small-scale 'keeping a few chooks at home' enterprises when they are actually economics-driven deregulation of industrial intensive animal production.
- ❖ Broadly speaking, in the Green Wedge Zone that results in no permit for ridiculously high animal numbers, and no third party rights for 450 poultry, 25 emus/ostriches (or even up to 400,000 chickens), and 8 sows a boar and their progeny. For supplementary feeding – no permit, and the sky's the limit in terms of numbers.
- ❖ The Rural Conservation Zone is Victoria's only conservation zone, applied to the most sensitive land. These changes turn it into a place for industrial intensive animal production.
- ❖ Changes in Industrial and Rural Living / Green Wedge A zones brings intensive animal industries next to or inside towns.
- ❖ Changes have no regard to zone purposes, or where and why these zones are applied.
- ❖ Distinctions between zones are further blurred. Notice how the Green Wedge zone provisions are made almost identical to the Farming and Rural Activity Zones.
- ❖ New particular provisions set inadequate setbacks, too high animal numbers, and extinguish residents' rights for even more.
- ❖ Meagre setbacks from waterways for as-of-right uses, pretty much sums up the total consideration of impacts on the environment in these changes.
- ❖ Amenity impacts are a minor consideration. Changes fail to recognise the extent of small lot residential use in rural areas and lifestyle expectations.
- ❖ The government has again consulted 'industry groups', shutting out the public and environment. From here final changes go straight into planning schemes.
- ❖ These changes build upon the already-significant loss of third party rights through expanded VicSmart for applications up to:
  - \$500,000 value in Farming and Rural Activity Zones,
  - \$250,000 value in Rural Conservation, Rural Living, Green Wedge and Green Wedge A zones,
  - \$1,000,000 in Industrial Zones.
- ❖ VicSmart applications in rural zones are exempt from complying with planning scheme requirements, including Clause 57, local policies or Localised Planning Statements.
- ❖ Third party rights are not only removed by VicSmart, and by deliberately extinguishing them (as in the new particular provisions), they are also lost in conversion of existing permit required uses to as-of-right, and as-of-right uses are not measured against planning scheme requirements either.
- ❖ Where prohibited uses are changed to permit required – some would already qualify as VicSmart applications (no rights), and VicSmart is set to be further expanded.

GET ACTIVATED, GET VOCAL, GET MOVING, GET THIS STOPPED