

Productivity Commission – Regulation in Agriculture

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Submission by Karen Baines

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Thank you for the opportunity to comment on what I consider 'excessive' regulation in Agriculture. Your introduction within this paper is spot on. Most farms are very lacking in capacity to cope with the ever increasing burden of regulation.

Regulatory burdens can have a significant and disproportionate impact on small businesses. This is largely because small businesses have a narrower revenue base over which to spread what are frequently fixed compliance costs. They may not have the in-house capacity to keep up with regulatory changes unless the regulations are clear, simple and well-communicated. While agricultural production has become increasingly concentrated in large farms in recent decades, most Australian farms are small.

Lack of wide consultation and policy maker ignorance of Agriculture has left farmers with many regulations that see us breaking the law regularly in order to manage our production without loss of produce. Other regulations are leading to costly relocations of families, fire risk of homes surrounded by scrub, damaged machinery due to roadside vegetation and long distances to travel to access school buses.

1. Work, Health & Safety

Fact: Farmers avoid employing people because of these Regulations

The farming community is very self-reliant, we do most things ourselves on farm, often due to the distance and cost required to get professional assistance. These WH&S regulations have created another job to do within farming enterprises, one that many do not have the skills, manpower and experience to properly implement. It seems a 'mountain to climb', so we just ignore it and hope it goes away.

Elements of the regulations require various technical modifications, retrofitting and monitoring that is just not possible to do in some of our rural/remote areas. Many of these changes are also costly and it is debatable what difference some even make.

A farmer's cultural view of 'risk' is different to those in cities and within the regulatory bodies.

The interpretations of these regulations being bandied about by mining and other larger industry groups is out of control. Their favourite mantra of 'zero' harm and 'towards zero' is all 'warm and fuzzy/goodie two shoes' but it's just not reality. Mining are using it as an easy excuse to sack people they want to get rid of.

My Request:

The WHS Law and Regulations need a full review that includes intimate consultation with all facets of agriculture to establish what safety interpretations are achievable and what are not.

2. Transport Regulation (Department of Planning, Transport and Infrastructure, SA)

Where do I start with this one??? Well, over the past 4 years I have been banging my head against a brick wall with this lot! Finally they have started reviewing our ag machinery movement regulations and outdated Code of Practice but it is taking so long for them to address each necessary topic that I fear it will be 10 years before we have a Code of Practice that is workable and doesn't leave farmers breaking the law every day.

In 2015, I tried to initiate some changes to Front End Loader regulations and registration as most farmers own some sort of FEL. The department of transport came back to me with ***"the committee don't understand why a farmer would need a front end loader?"***.

Well..... this was so ignorant it was offensive, there was steam coming out of my ears, hence I gave up for a while to calm down!!!!

Transport have also recently been adding more roadside barriers in country areas that cause immense difficulty in moving large Ag Machinery safely as they don't allow the machine to encroach on the available land at the edge of the road. Did they ever give a thought to the movement of ag machinery? probably not!

My Request:

Pressure to speed up the review of the Code of Practice for Oversize & Overmass Agricultural Machinery on road by DPTI. This needs to be set in concrete prior to any takeover by the NHVR of SA's Ag Machinery regulations. If we have to wait until QLD take over this aspect of heavy vehicle movement on road it will be so much harder to get what we need in heavy grain growing areas.

3. Native Vegetation Regulations

There should be no consequences to remove vegetation around your family home and provide a decent fire break. 20m is nowhere near enough distance. I will always remember the fellow that was fined by his Victorian council for over clearing the vegetation surrounding his house. When the Victorian bushfire went through his area, his was the only house left standing!

Vegetation along roadsides needs urgent attention. It's difficult to move machinery down the roads without causing damage. The council spend thousands of our rate payer dollars every year cutting back the vegetation to keep the greenies happy, only to have it grow back the next year! What a waste of our money! A direct squirt of round up would keep it down and cost an awful lot less.

Many farmers have a very poor relationship with Native Vegetation regulators and this has made it hard the NRM (natural resource mngmt) groups to establish supportive, productive relationships with farmers and land management.

My request:

Relaxation of Native Vegetation Laws to allow farmer to tidy their farms when paddock access for modern machinery is an issue due to vegetation or landscape issues like stone ridges.

No questions asked regarding clearing vegetation surrounding a residential property or farm sheds as a fire break.

4. Public School Regulations

Our SA education department is affecting Agriculture because it is causing farming families to relocate off-farm for the school periods in order for children to get a decent education. Two families within 20km of me have felt forced to purchase houses 100km away in Port Lincoln which means a big juggle of farming roles for the wife and a great deal of unnecessary travel for the husband. It splits the family a lot earlier than should be necessary, if at all. There is no reason a public primary and/or area school cannot provide a decent education to rural/remote children, but this is not happening at some schools.

Another ridiculous regulation that the school system has that affects farmers and productivity is the 'bus policy' and who has the right to ride on the bus and at which point a family are eligible for the school bus route to be changed so the bus stop is within a reasonable distance from the farming property.

I think the expectation for farmers and their wives to drive 80km per day to and from a school bus stop is completely outrageous. That is 1.5hrs per day that one of us loses in our work day.

This is the prospect I now face and my first interaction with the school in question has been "we can't change the bus route just for 1 child!" even though the bus stopped much closer when my husband attended the same school 25 years ago.

The school bus should be for families like mine who live 50km from a shop, it should not be bending over backwards to collect children 4 & 5km out of town.

These are my thoughts on what rules and regulations are affecting my farming business and farming community.

I sincerely hope the Productivity Commission can affect some change in this area as at the moment, it is leading to unnecessary stress for my family and my community.

Feel free to contact me anytime on these matters.

Kind Regards

Karen Baines