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Regulation of Agriculture
Productivity Commission
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The Productivity Commission

DRAFT REPORT – REGULATION OF AUSTRALIAN AGRICULTURE

Thank you for the opportunity to make comment on the Productivity Commission's draft report into the Regulation of Australian Agriculture. As agriculture is the dominant industry in the Wimmera our region is significantly influenced by regulation. The comments below are designed to assist the Commission with its final findings and recommendations.

Native vegetation management and clearing

Wimmera CMA support incentives for landholders to better protect native vegetation. Wimmera CMA has shown that there is an ongoing willingness from landholders in the Wimmera to protect high quality native vegetation where they are reasonably reimbursed to do so and these incentives are supported by adequate communication and engagement activities.

In relation to native vegetation clearing or management regulation it is acknowledged that the regulatory framework can be challenging for some proponents to navigate. It may be worth noting that one reason for this is that the purposes of the various legislation are quite different and as a result they often seek very different outcomes. For that reason there would need to be considerable effort invested in understanding these differences or developing alignment to create a framework that allowed one agency to administer across the range of jurisdictions. For example the purposes of the Commonwealth Environmental Protection and Biodiversity Act is different from the Victorian Flora Fauna Guarantee Act, which is only one of three relevant pieces of legislation in Victoria. The suggested landscape approach put forward by the Productivity Commission may not meet the purpose of the various legislation. Achieving the recommendation may require significant legislative change. It should also be recognised that there may always be inconsistency from state to state given the differences in scale of vegetation and land use and also the level of development that has already occurred in some States.

Also of note is the fact that local government play a significant role in native vegetation regulation in Victoria. Given the challenges some Victorian councils have in generating their rate base and recognising they have many services to deliver, it is often challenging for them to provide the support to proponents to navigate efficiently through the regulatory process beyond what is considered their responsibility.

Whole farm planning

Whole farm planning could be used as a means of incentivising good farm management and remove regulatory burden. For example if a land manager was willing to develop a long term whole farm plan that identifies all of the development aspiration that they wish to undertake and demonstrated good outcomes, this would allow for some form of coordinated approval by agencies and also provide long term certainty for the landholder.

Whole farm planning has been adopted extensively across the Wimmera by farmers where they have been supported with intelligent advice and technical support.



Codes of practice

Codes of practice and self-assessable development have been used in many jurisdictions to deliver outcomes consistent with legislation without the need for permitting processes. This obviously needs to be supported with appropriate monitoring, auditing and compliance. This concept could be explored further.

General comment

The report outlines many undesirable processes and outcomes in case studies. It is suggested that the Commission could put forward a number of examples of good processes and outcomes as a mean of describing the outcomes it seeks.

Once again thank you for the opportunity to comment on the draft report. Should you wish to discuss our submission please contact Mr Tony Baker

Yours sincerely

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