

**Submission  
No 270**

**INQUIRY INTO PROVISIONS OF THE RIGHT TO FARM  
BILL 2019**

**Name:** Ms Karen Vegar

**Date Received:** 1 October 2019

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The Committee  
NSW Legislative Council  
NSW Parliament

1 October 2019

Dear Committee

**Provisions of the Right to Farm Bill 2019 (“the Bill”)**

I write to express my opposition to and concerns about the provisions of the current Bill.

I respectfully submit that the Committee should recommend that the Bill not be accepted in its present form.

Curtailement of the action for nuisance – Right to Farm

I submit that insufficient justification has been provided for the proposed abolition of actions for nuisance in respect of commercial agricultural activity. The tort of nuisance is a fundamental right that should remain available to members of the public, considering the damage caused by nuisance.

Amendment of Inclosed Lands Protection Act 1901 (“the Act”)

I submit that:

1. The purpose of the proposed amendments is unclear. The amendments are unnecessary as the current laws dealing with trespass, and the current penalties are entirely adequate.
2. Unnecessary additional offences and harsher penalties would also be against the public interest by seeking to hinder transparency on poor animal welfare practices. Transparency in the agriculture industry is essential to exposing poor animal welfare practices. This has been achieved partly through covertly obtained footage in exposing, and raising public awareness of poor animal welfare practices.
3. The proposed amendments, and in particular by inclusion of the words “*or hinder*” “*or hinders*”, are so broad as to potentially encompass and criminalize protests on any issue.

4. The proposed penalties may also serve to deter members of the community from engaging in protests and assembly on legitimate issues.
5. If the Bill is to proceed, it should at a minimum contain clauses exempting individuals engaged in genuine peaceful protest and assembly.

Yours sincerely,

Karen Vegar