



**AUSTRALIAN FOOD  
SOVEREIGNTY ALLIANCE**

# **Australian Food Sovereignty Alliance (AFSA)**

## **Legal Guide for farmers (consolidated version)**

**Updated August 2024**

**Note: This is intended to be a living document that is updated in accordance with changes to legislation, policy and regulation. Please [email us](#) for the latest version. In addition, AFSA has sought legal support to develop this guide, however we strongly advise that you seek your own legal advice where needed to ensure you are following legislation, guidelines and regulation administered by state and local governments.**

## **TABLE OF CONTENTS**

<b>Introduction</b>	<b>6</b>
<b>Planning and Development</b>	<b>7</b>
<b>I BACKGROUND</b>	<b>7</b>
<b>II PLANNING &amp; LAND USE CONTROL</b>	<b>10</b>
Victoria	10
1 Land Use Controls	10
2 Planning Scheme	10
3 Zoning	10
4 Overlays	20
New South Wales	22
1 Land Use Controls	22
2 Local Environmental Plan	23
4 Zoning	24
Queensland	34
1 Planning Scheme	34
2 Land Use Controls	34
(a) Zoning	34
(b) Overlays	37
Tasmania	37
1 Tasmania Planning Scheme	37
2 Land Use Controls	38
(a) Zoning	38
<b>Livestock Farming</b>	<b>47</b>
Pigs	47
Victoria	47
New South Wales	49
Queensland	50
Tasmania	51
Cattle, sheep and goats	51
Victoria	51
New South Wales	52
Queensland	52
Tasmania	53
Poultry	53
Victoria	53
New South Wales	54
Queensland	55
Tasmania	55
Bees	56
Victoria	56

New South Wales	56
Queensland	57
Tasmania	58
<b>Horticulture</b>	<b>58</b>
<b>Water Rights and Licensing</b>	<b>59</b>
<b>Victoria</b>	<b>59</b>
Livestock farming	59
Market Gardening	60
Works licence	60
Water-use licence	60
<b>New South Wales</b>	<b>61</b>
Using water without a licence:	61
Obtaining a water access licence:	64
<b>Queensland</b>	<b>64</b>
Overland flow water:	65
Underground water:	65
Applying for a water licence:	66
Conditions attachable to a water licence:	67
<b>Tasmania</b>	<b>67</b>
Using water without a licence:	67
Obtaining a water licence and water allocation:	68
<b>Food Licences</b>	<b>68</b>
<b>Meat Processing</b>	<b>68</b>
Victoria	68
Third Party Audits	69
New South Wales	70
Third Party Audits	71
Queensland	72
Third Party Audits	74
Tasmania	74
Third Party Audits	76
<b>Eggs</b>	<b>76</b>
Victoria	76
Third Party Audits	77
New South Wales	77
Third Party Audits	78
Queensland	79
Third Party Audits	80
Tasmania	81
<b>Dairy Production &amp; Processing</b>	<b>82</b>
Victoria	82
Production (Farming)	82
Processing (Manufacturing)	83
Raw Milk/Cheese	84

New South Wales	84
Production (Farming)	84
Processing (Manufacturing)	85
Raw Milk/Cheese	87
Third Party Audits	88
Queensland	89
Production (Farming)	89
Third Party Auditing	91
Processing (Manufacturing)	91
Raw Milk/Cheese	92
Third Party Audits	93
Tasmania	93
Production (Farming)	93
Processing (Manufacturing)	94
Vendors	95
Raw Milk/Cheese	96
<b>Food Sales</b>	<b>96</b>
Victoria	96
Farm gate/On-site	96
Off-site/Farmers Markets	97
New South Wales	97
Farm gate/On-site	97
Off-site/Farmers Markets	98
Queensland	99
Farmgate/On-site	99
Off-site/Farmers Markets	99
Tasmania	99
Farmgate/On-site	99
Off-site/Farmers Markets	99
<b>Abattoirs</b>	<b>99</b>
Victoria	100
On-Farm Slaughter	100
Abattoir	100
Third Party Audits	101
Mobile Slaughter Unit	101
New South Wales	102
On-Farm Slaughter	102
Abattoir	103
Third Party Audits	104
Mobile Slaughter Unit	105
Queensland	105
On-Farm Slaughter	105
Abattoir	106
Third Party Audits	107

Mobile Slaughter Unit	107
Tasmania	108
On-Farm Slaughter	108
Abattoir	108
Third Party Audits	109
Mobile Slaughter Unit	109
<b>Game Meat</b>	<b>110</b>
Victoria	110
New South Wales	112
Third Party Audits	114
Queensland	115
Third Party Audits	118
Tasmania	118
<b>Storage and Transportation</b>	<b>119</b>
Victoria	119
New South Wales	119
Queensland	120
Transport	120
Third Party Audits	121
Cold Storage	121
Third Party Audits	123
Tasmania	123
<b>Volunteer Agreements</b>	<b>123</b>
<b>Land Sharing Agreements</b>	<b>126</b>
What are land sharing agreements?	126
Guidelines for a Land Sharing Agreement:	126
Requirements for a land sharing agreement:	127
Improvements to the shared land:	127
<b>Grounds For Review</b>	<b>131</b>
Victorian Grounds for Review	131
Case study: Operating a small-scale livestock farm under rural industry and rural living zones	132
New South Wales Grounds for Review	134
Case study: Running a poultry farm in a special water catchment area	135
Queensland Grounds for Review	138
Case study: Dealing with unfair restrictions due to a salmonella outbreak	138
Tasmania Grounds for Review	141
Case study: Navigating the planning system as a small-scale dairy farmer	141

# Introduction

If you are a farmer or making plans to farm, this guide will help you navigate what can be a confusing and at times overwhelming range of practical, legal, philosophical, and political concerns. While the focus is on the legalities of farming, from growing to processing and distributing your food, the Guide also encourages you to think about the principles you bring to your farming enterprise.

First, all of us in what is today known as Australia are living on unceded Aboriginal and Torres Strait Islander Land, and whether we are farming or not, we have a responsibility to care for and heal Country. We should all acknowledge on whose traditional lands we are/will be farming. Consider how you can contribute to Indigenous sovereignty, land restitution, paying the rent, and decolonising approaches to agriculture. This may be done by stating one's relationship to the First Peoples on whose Land you are farming. Build this understanding and practical resolutions throughout your approach to farming, processing and distributing your food.

Consider the background you bring to farming, setting out what resources and skills all farmers bring to farming. Who are the parties engaged in the farming enterprise? Are they individuals, businesses or incorporated associations, for instance? If it is more than an individual or family farming, do you need a land sharing agreement? If so see our section on *Land Sharing Agreements*.

Determine your practical, political and philosophical approach to farming – e.g. agroecology, regenerative agriculture, certified organic, biodynamic. (See [AFSA's discussion of the differences and similarities between agroecology and regenerative agriculture](#).) Consider all aspects of your farming system (e.g. are you producing vegetables, pasture-raised animals, eggs or dairy? Are you building processing facilities? Through what distribution channels are you selling?). Ensure you understand all legal requirements of your enterprise (see sections on *Planning & Land-Use Controls, Water Rights and Licensing and Food Safety Licensing*).

Regulatory matters – this Guide will help you understand what regulatory approvals or permits may be necessary (i.e. Local Laws, Planning, NLIS for livestock, PIC number) and agree on a plan for compliance. Do you need planning approvals for your land use (e.g. pastured pigs or poultry, or on-farm processing or sales), or food safety licences for processing or sales (e.g. boning rooms, egg processing, abattoirs, or dairy processing). *Here, you should read sections on Planning & Land-Use Controls and Food Safety Licensing*.

As the ATO considers primary production income as taxable, you need to decide on your business structure (e.g. sole trader, partnership, or cooperative), and register an ABN. If you earn over \$75,000, you will need to [register for GST](#). If you employ others, you will need to

pay income tax and obtain Workcover (*see section on Volunteer Agreements*). Consider insurance responsibilities – public liability, third party etc.

The contents of this Guide have been produced by AFSA for your information and are intended to provide guidance on the relevant laws and regulations as at the date of publication (or as otherwise indicated), but is not a substitute for legal advice and should not be relied upon as such.

AFSA is not liable for any loss, damage or injury (direct or indirect) arising as a result of your reliance on this Guide, or arising as a result of or in part by any act or omission in procuring, compiling, collecting, interpreting, reporting, communicating or delivering any information from this Guide. AFSA encourages readers to seek independent advice regarding the material contained in this Guide.

## Planning and Development

### I BACKGROUND

The planning system governs the agricultural activities/uses that farmers and producers can legally undertake on any given parcel of land. Every local government area (council) has a **land use plan** that outlines **land use controls**. Land use controls such as **zones** and **overlays** ‘determine the type of activity/use and/or development’ that is ‘allowed (with or without a permit) or prohibited, on a given site’.<sup>1</sup> There may be multiple zones and overlays on a property. For example, in Victoria, a property may be located within both the rural living and green wedge zones.

Land use plans are amended from time to time so it is essential to ensure the current version is being accessed. Issues that arise in this area are typically in relation to the interpretation of the land use plan by the council. Members are welcome to seek support from the AFSA Legal Defence Fund as a first step.

### **Definitions of intensive and extensive animal production in each state and territory**

It is important to have an understanding of what category of land use applies to your farm or prospective farm, ideally before you purchase a property. Amending the land use of your property can be costly and time-consuming. The AFSA Legal Defence Fund can help you to

---

<sup>1</sup> <https://www.pc.gov.au/research/completed/planning-zoning-reforms/planning-zoning-reforms.pdf>

determine the land use category under the relevant land use plan. The land use plan will determine what types of activities are permitted and restricted on your property. Often small scale farmers' activities will be categorised as "intensive" or "extensive", which will determine what other requirements apply to your farming enterprise. The below table informs readers of this Guide about how animal production land uses are defined under the state planning codes. Please note that local planning schemes may include different definitions.

State	Definition of intensive animal production	Definition of extensive animal production
Victoria	<p>Land used for animal production where:</p> <p>a) all of the animals' food is imported from outside the immediate building, enclosure, paddock or pen; and</p> <p>b) the animals do not obtain food by directly grazing, browsing or foraging plants growing on the land on a daily basis. Other than cattle feedlot and intensive dairy farm, it does not include any other defined use.</p>	<p><b>Appears to have been deleted in 2018. No current definition seems to exist.</b></p>
New South Wales	<p>The keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, sheep, horses or other livestock, and specifically includes any of the following:</p> <p>(a) dairies (restricted),</p> <p>(b) feedlots,</p> <p>(c) pig farms,</p> <p>(d) poultry farms.</p>	<p>(a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,</p> <p>(b) the grazing of livestock for commercial purposes, where the animals eat plants growing on the land as the main source of dietary requirements,</p> <p>(c) bee keeping,</p> <p>(d) a dairy (pasture-based), where the animals eat plants growing on the land as the main source of dietary requirements,</p> <p>(e) supplementary and emergency feeding, and temporary penning or</p>



		housing of animals for weaning, dipping or related purposes, that is incidental to the grazing of livestock or a dairy (pasture-based)
Queensland	<p>(a) means the use of premises for—</p> <p>(i) the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or</p> <p>(ii) storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but</p> <p>(b) does not include the cultivation of aquatic animals.</p> <p>Examples of intensive animal industry—feedlot, piggery, poultry and egg production.</p>	<b>Appears to be no current definition in legislation/regulation.</b>
Tasmania	Any concentrated, confined animal growing operation for meat, milk or egg production located in pens or houses wherein the animals are provided with externally sourced feed.	<b>Cannot find a current definition.</b>

## II PLANNING & LAND USE CONTROL

### *Victoria*

#### **1 Land Use Controls**

The zone(s) and overlays that apply to a property can be determined by either obtaining an unofficial Planning Report for that property from [DELWP](#), locating the land on the ‘map’ of the applicable planning scheme (for example, see map for [Hepburn Shire Council](#)), or on the page of your parcel of land on [VicPlan](#), or applying for an official Planning Certificate pursuant

to section 198 of the *Planning & Environment Act 1987* (Vic) for a fee: a) \$24.50 (1.5 fee units) for an application not made electronically and b) \$7.82 for an application made electronically (as of August 2024).

## **2 Planning Scheme**

In Victoria, land use plans are called ‘planning schemes’, for example [Hepburn Planning Scheme](#). The planning scheme for a council can be accessed through the [Department of Transport and Planning, VicPlan](#), or the website of the relevant council.

## **3 Victoria Planning Provisions**

The Victoria Planning Provisions (‘VPP’) is a broader planning instrument that forms the framework for all planning schemes in Victoria. It provides a template for councils in order to ensure the consistency of planning schemes within Victoria.

## **3 Zoning**

The **zone** in which a property is located affects the types of land uses (farming, processing, farm gate shops, etc) that are allowed (with or without a permit) or prohibited on that land.

It is necessary to determine the land use(s) within which the proposed farming operation falls. Each land use is defined in the table at clause 73.03 of the relevant planning scheme. For example, ‘animal production’ means ‘land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products’.

The below tables, taken **from the VPP**, illustrate the requirements for agricultural uses within a sample of zones. For example, in a Rural Living Zone, a *poultry* farm with no more than 100 poultry does not require a permit. However, a *broiler* farm with more than 100 but no more than 10,000 chickens requires a permit (as at 28 July 2022).

A local planning scheme is usually consistent with the VPP. However, any requirements for the proposal must be confirmed against the relevant planning scheme (by reviewing the table of uses, and the meaning of terms (see clause 73 of the relevant Scheme, noting that where there is no definition of a listed term, it indicates the ordinary meaning), for the zone in which the property is located and any schedule to that zone). The zoning provisions are located in

each local planning scheme from clause 30 onwards. Further conditions may be included in any schedule to the zone as it applies to the relevant property.

### Zone RU1 Primary Production<sup>2</sup>

Use	No permit required	Permit required	Prohibited
Agriculture (other than animal production, apiculture) <sup>3</sup>			
Animal production (other than grazing animal production)			
Grazing animal production			

Use	No permit required	Permit required	Prohibited
Agriculture (other than animal production, apiculture)			
Grazing animal production			

### Industrial 1 Zone,<sup>4</sup> Industrial 2 Zone,<sup>5</sup> and Industrial 3 Zone<sup>6</sup>

	No permit required	Permit required	Prohibited
Crop raising			
Grazing animal production			
Agriculture (other than apiculture, crop raising, grazing animal production, intensive animal production, pig farm and poultry farm)			

<sup>2</sup><https://planning-schemes.app.planning.vic.gov.au/Victoria%20Planning%20Provisions/ordinance/35.07>

<sup>3</sup> **NB:** excludes other uses such as horse husbandry which are not necessarily relevant to farming?

<sup>4</sup> VPP, cl 33.01.

<sup>5</sup> VPP, cl 33.02.

<sup>6</sup> VPP, cl 33.03.

Intensive animal production			
Pig farm			
Poultry farm			

### Rural Living Zone<sup>7</sup>

	No permit required	Permit required	Prohibited
Poultry farm	Maximum of 100 poultry (10 for emus or ostriches)		
Agriculture (other than apiculture, intensive animal production, poultry farm)			
Broiler farm (if not allowed without a permit due to number of animals)		Maximum of 10,000 chickens	
Primary produce sales			
Rural industry (other than abattoir and sawmill)			
Abattoir			
Intensive animal production			

### Green Wedge Zone<sup>8</sup>

	No permit required	Permit required	Prohibited
Agriculture (other than animal production, apiculture, rice growing)			
Grazing animal production			
Poultry farm	Maximum of 100 poultry (10 for emus or ostriches)		
Primary produce sales	Must be not be within 100 metres of a dwelling in		

<sup>7</sup> VPP, cl 35.03.

<sup>8</sup> VPP, cl 35.04.

	separate ownership		
Rural store	Must be used in conjunction with agriculture Must be in a building not a dwelling Building must have a gross floor area of less than 100 square metres Must be the only rural store on the lot		
Animal production (other than cattle feedlot, grazing animal production and poultry farm)			
Broiler farm (if not allowed without a permit due to number of animals)		Must meet further requirements set out in clause 53.09	
Cattle feedlot		Must meet requirements of clause 53.98 AND site must be located outside catchment area listed in appendix 2 of Victorian Code for Cattle Feedlots (August 1995)	
Host farm			
Rice growing			
Rural industry			

### Green Wedge A Zone<sup>9</sup>

	No permit required	Permit required	Prohibited
Agriculture (other than animal production, apiculture, rice growing)			
Poultry farm	Maximum of 100 poultry (10 for emus or ostriches)		
Primary produce sales	Must be not be within 100 metres of a dwelling		

<sup>9</sup> VPP, cl 35.05.

	in separate ownership Area used for display and sale used of primary produce must not exceed 50 square metres		
Rural store	Must be used in conjunction with agriculture Must be in a building not a dwelling Building must have a gross floor area of less than 100 square metres Must be the only rural store on the lot		
Animal production (other than intensive animal production and poultry farm)			
Broiler farm (if not allowed without a permit due to number of animals)		Maximum of 10,000 chickens	
Host farm			
Rural industry (other than abattoir and sawmill)			
Rice growing			
Rural store (if not allowed without a permit due to not satisfying the conditions)		Must be in a building not a dwelling Must be used to store equipment, goods, motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot	
Abattoir			
Intensive animal production			

## Rural Conservation Zone<sup>10</sup>

<sup>10</sup> VPP, cl 35.06.

	No permit required	Permit required	Prohibited
Poultry Farm	Maximum of 100 poultry (10 for emus or ostriches)		
Agriculture (other than apiculture, intensive animal production, poultry farm, rice growing)			
Broiler farm (if not allowed without a permit due to number of animals)	Maximum of 10K chickens		
Host farm			
Primary produce sales			
Rural industry (other than abattoir and sawmill)			
Rural store			
Abattoir			
Intensive animal production			
Rice growing			

#### Farming Zone<sup>11</sup>

	No permit required	Permit required	Prohibited
Agriculture (other than animal production, apiculture, rice growing)			
Cattle feedlot	Maximum of 1000 cattle to be housed Site must be located outside a special water supply catchment under the <i>Catchment and Land Protection Act 1994</i> Must also meet further requirements set out in clause 53.08		

<sup>11</sup> VPP, cl 35.07.

Grazing animal production			
Poultry farm	Maximum of 100 poultry Unless they are emus or ostriches, in which case, maximum of 10		
Primary produce sales	Must be no more than 100 metres of a dwelling in separate ownership Area used for display and sale of primary produce must not exceed 50 square metres		
Rural industry (other than abattoir and sawmill)	Many conditions apply — see clause 35.07-1		
Rural store	Must be used in conjunction with agriculture Must be in a building not a dwelling Must have a gross floor area of less than 10 square metres Must be the only rural store on the lot		
Abattoir			
Animal production (other than cattle feedlot, grazing animal production, and poultry farm)			
Broiler farm (if not allowed without a permit due to not satisfying the conditions)		Must meet the requirements of cl 53.09	
Cattle feedlot (if not allowed without a permit due to not satisfying)		Must meet the requirements of cl 53.08	
Host farm			
Rice growing			



## Rural Activity Zone<sup>12</sup>

	No permit required	Permit required	Prohibited
Agriculture (other than animal production, apiculture, rice growing)			
Cattle feedlot	<p>Maximum of 1000 cattle to be housed</p> <p>Site must be located outside a special water supply catchment under the <i>Catchment and Land Protection Act 1994</i> and outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots, August 1995</p> <p>Must meet also meet further requirements set out in clause 53.08</p>		
Grazing animal production			
Poultry farm	Maximum of 100 poultry (10 for emus or ostriches)		
Primary produce sales	<p>Must not be within 100 metres of a dwelling in separate ownership</p> <p>Area used for display and sale of primary produce must not exceed 50 square metres</p>		
Rural industry (other than abattoir and sawmill)	Many conditions apply — see clause 35.08-1.		
Rural store	<p>Must be used in conjunction with agriculture</p> <p>Must be in a building not a dwelling</p> <p>Must have a gross floor area of less than 100 square metres</p>		

<sup>12</sup> VPP, cl 35.08.

	Must be the only rural store on the lot		
Abattoir			
Animal production (other than cattle feedlot, grazing animal production and poultry farm)			
Broiler farm (if not allowed without a permit due to not satisfying the conditions)		Must meet further requirements set out in clause 53.09	
Cattle feedlot (if not allowed without a permit)		Must meet further requirements set out in 53.08 Site must be located outside a catchment area listed in Appendix 2 of the <i>Victorian Code for Cattle Feedlots</i> (August 1995)	
Host farm			
Rice growing			

#### 4 Overlays

The overlay(s) that apply to a property indicate whether a permit is required in order to construct a building or make other changes to that land. For example, if an environmental significance overlay applies, a permit is required to construct a building on that land, with some exceptions (as at 7 July 2024). The overlays that may apply are included in the VPP and listed below, with the most commonly relevant explained. The relevant overlay(s) and any Schedule to the Overlay (as relevant) in the relevant planning scheme must be reviewed in order to determine permit requirements. The overlay provisions are located from clause 40 onwards.

#### Environmental Significance Overlay<sup>13</sup>

This overlay aims to ensure that development is compatible with identified environmental values. Development must be in line with the stated environmental objectives found in the

<sup>13</sup> VPP, cl 42.01.

Schedule of the Overlay for your property (if relevant). For example, an environmental objective may be to preserve habitat areas.

#### **Vegetation Protection Overlay<sup>14</sup>**

This overlay aims to protect areas of significant vegetation, and to ensure development minimises loss of vegetation. For example, native or other vegetation that is rare, supports rare species of flora or fauna or forms part of a wildlife corridor will generally be protected by this overlay.

#### **Significant Landscape Overlay<sup>15</sup>**

This overlay aims to identify significant landscapes, and to conserve and enhance the character of these.

#### **Heritage Overlay<sup>16</sup>**

This overlay aims to conserve and enhance heritage places of natural or cultural significance.

#### **Design and Development Overlay<sup>17</sup>**

#### **Incorporated Plan Overlay<sup>18</sup>**

#### **Development Plan Overlay<sup>19</sup>**

#### **Neighbourhood Character Overlay<sup>20</sup>**

**Erosion Management Overlay<sup>21</sup> (To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development<sup>22</sup>.)**

#### **Salinity Management Overlay<sup>23</sup>**

---

<sup>14</sup> VPP, cl 42.02.

<sup>15</sup> VPP, cl 42.03.

<sup>16</sup> VPP, cl 43.01.

<sup>17</sup> VPP, cl 43.02.

<sup>18</sup> VPP, cl 43.03.

<sup>19</sup> VPP, cl 43.04.

<sup>20</sup> VPP, cl 43.05

<sup>21</sup> VPP, cl 44.01.

<sup>22</sup>[https://www.planning.vic.gov.au/\\_\\_data/assets/pdf\\_file/0025/95173/08-Environmental-Management-Overlay-44\\_01.pdf](https://www.planning.vic.gov.au/__data/assets/pdf_file/0025/95173/08-Environmental-Management-Overlay-44_01.pdf)

<sup>23</sup> VPP, cl 44.02.

**Floodway Overlay<sup>24</sup>** (These apply to land that's identified as carrying active flood flows associated with waterways and open drainage systems. This overlay is categorised by depths in excess of one metre<sup>25</sup>.)

**Land Subject to Inundation Overlay<sup>26</sup>** (These are planning scheme controls that apply to land affected by flooding associated with waterways and open drainage systems. Such areas are commonly known as floodplains. These overlays require a planning permit for buildings and works.<sup>27</sup>)

**Special Building Overlay<sup>28</sup>**

**Bushfire Management Overlay<sup>29</sup>** (This applies to land that may be significantly affected by extreme bushfires. A planning permit is required for some types of development to ensure bushfire risk is considered and bushfire protection measures are in place<sup>30</sup>.)

**State Resource Overlay<sup>31</sup>**

**Buffer Area Overlay<sup>32</sup>**

**Public Acquisition Overlay<sup>33</sup>**

**Airport Environs Overlay<sup>34</sup>**

**Environmental Audit Overlay<sup>35</sup>**

**Restructure Overlay<sup>36</sup>**

**Development Contributions Plan Overlay<sup>37</sup>**

**City Link Project Overlay<sup>38</sup>**

**Melbourne Airport Environs Overlay<sup>39</sup>**

---

<sup>24</sup> VPP, 44.03.

<sup>25</sup><https://www.melbournewater.com.au/building-and-works/flooding-information-and-advice/overlays-explained>

<sup>26</sup> VPP, 44.04.

<sup>27</sup><https://www.melbournewater.com.au/building-and-works/flooding-information-and-advice/overlays-explained>

<sup>28</sup> VPP, 44.05

<sup>29</sup><https://www.planning.vic.gov.au/guides-and-resources/guides/all-guides/building-in-the-bushfire-management-overlay>PP, cl 44.06.

<sup>30</sup><https://www.planning.vic.gov.au/guides-and-resources/guides/all-guides/building-in-the-bushfire-management-overlay>

<sup>31</sup> VPP, cl 44.07.

<sup>32</sup> VPP, cl 45.01.

<sup>33</sup> VPP, cl 45.02.

<sup>34</sup> VPP, cl 45.03.

<sup>35</sup> VPP, cl 45.04.

<sup>36</sup> VPP, cl 45.05.

<sup>37</sup> VPP, cl 45.06.

<sup>38</sup> VPP, cl 45.07.

<sup>39</sup> VPP, cl 45.08.

Parking Overlay<sup>40</sup>

Infrastructure Contributions Plan Overlay<sup>41</sup>

Infrastructure Contributions Overlay<sup>42</sup>

Specific Controls Overlay<sup>43</sup>

## *New South Wales*

### **1 Land Use Controls**

The land use controls, including the **zone**, that apply to a property can be determined by obtaining the **planning certificate** for a specific property or using the **ePlanning Spatial Viewer** to locate that property.

#### ***(a) Planning Certificate***

Section 10.7 of the *Environmental Planning and Assessment Act 1979* (NSW) entitles people to apply for and receive a Planning Certificate from a local council. This can be done by either submitting an online application through the [NSW Planning Portal](#) (which requires registering an account), or lodging a written application to the local council (if the relevant council does not accept online applications).

In making an application, it is necessary to select the type(s) of Planning Certificate that are sought. There are two types available — ‘Section 10.7(2)’ and ‘Section 10.7(5)’ certificates. Both types provide information about zoning, state/regional/local planning controls, and other property constraints applicable to the property. Section 10.7.5 certificates provide additional information such as advice from other authorities and any information held by the council on the property.<sup>44</sup>

#### ***(b) ePlanning Spatial Viewer***

The [ePlanning Spatial Viewer](#) has filters that allow users to search for the controls that apply to any property. The first step is to search for the relevant property. Ensure the map is sufficiently ‘zoomed in’ to the property otherwise the information may not show on the map.

---

<sup>40</sup> VPP, cl 45.09.

<sup>41</sup> VPP, cl 45.10.

<sup>42</sup> VPP, cl 45.11.

<sup>43</sup> VPP, cl 45.12.

<sup>44</sup><https://pp.planningportal.nsw.gov.au/post-consent-certificates/online-section-107-planning-certificate-service>

There are two ways to determine the applicable zone.<sup>45</sup> The first way is to go to the search results tab on the right-hand side of the screen. Open this and click on the plus symbol beside the Land Zoning option to see the zone(s) that apply. The second way is to select the ‘land zoning map’ layer (Principal Planning Layers) from the layers tab on the left-hand side of the screen. The land zoning will be displayed on the map. To view the legend, select the legend tab on the left-hand side of the screen’. The legend tab may only show the code for the zone. In this case, it may be necessary to search the results tab to see the name of the zone.

## **2 Local Environmental Plan**

In New South Wales, land use plans are called ‘local environmental plans’ (‘LEPs’), for example [Maitland Local Environmental Plan 2011](#). The LEP for a council can be accessed on the ‘Environmental Planning Instruments’ page of the [NSW Planning Portal](#) or [NSW Legislation](#). The Standard Instrument — Principal Local Environmental Plan (‘Standard Instrument’) is a broader planning instrument that ensures that LEPs are consistent across all councils.

## **3 State Environmental Plan**

Farmers and landholders in New South Wales should also be aware of State Environmental Planning Policies (SEPPs), which can provide more flexibility on what you can or cannot do on your land. SEPPs are especially helpful for farmers or anyone living on acreage as the LEPs can be quite restrictive, whereas the SEPPs can be applied more broadly to the same issue or topic. Here’s a list of SEPPs worth noting:

Focus area	SEPP
Housing	<a href="#">Housing SEPP</a>
Transport and Infrastructure	<a href="#">Transport and Infrastructure SEPP</a>
Primary Production	<a href="#">Primary Production SEPP</a>
Biodiversity and conservation	<a href="#">Biodiversity and conservation SEPP</a>
Resilience and hazards	<a href="#">Resilience and hazards SEPP</a>
Industry and employment	<a href="#">Industry and employment SEPP</a>

<sup>45</sup>[https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub\\_pdf/QRGs/FAQs+ePlanning+Spatial+Viewer.pdf](https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub_pdf/QRGs/FAQs+ePlanning+Spatial+Viewer.pdf)

Resources and energy	<a href="#">Resources and energy SEPP</a>
Planning systems	<a href="#">Planning systems SEPP</a> Precincts SEPPs: <a href="#">Eastern Harbour City SEPP</a> , <a href="#">Western Parkland City SEPP</a> , <a href="#">Central River City SEPP</a> and <a href="#">Regional SEPP</a>
Exempt and Complying Development	<a href="#">State Environmental Planning Policy (Exempt And Complying Development Codes) 2008</a>
Environmental Planning	<a href="#">Environmental Planning And Assessment Act 1979</a>

#### 4 Zoning

It is important to note that the NSW Planning System has recently undergone reforms including the repeal and enactment of new zones by the end of 2022. This guide does not yet include specific information on zones while they are still in a state of significant flux.

The ‘Land Use Table’ in the relevant LEP outlines how the zone in which a property is located affects the types of farming that are allowed (with or without consent) or prohibited in each zone. For example, in a rural landscape zone in the Maitland Council, ‘extensive agriculture’ is permitted without consent, ‘agriculture’ is permitted with consent, but ‘intensive livestock agriculture’ is prohibited (as at 19 July 2022).<sup>46</sup>

Each use is defined in the Dictionary section of the LEP. For example, ‘extensive agriculture’ includes ‘(a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes, (b) bee keeping, (c) a dairy (pasture-based) where the animals generally feed by grazing on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar husbandry purposes, of the animals’ (as at 7 September 2022).<sup>47</sup>

<sup>46</sup> *Maitland Local Environmental Plan 2011* (NSW), p. 13.

<sup>47</sup> *Maitland Local Environmental Plan 2011* (NSW), p. 84.

PLEASE NOTE: AFSA is currently in the process of including a land-use table that clearly outlines permit requirements for farmers in New South Wales. This table will be included in the document by the end of August 2024.

## *Queensland*

### **1 Planning Scheme**

There are two overarching types of planning instruments in Queensland: 1) the [State Planning Policy](#)<sup>48</sup> (SPP) and 2) regional plans that provide guidance on land-use controls for farmers and other food producers.

If you're a Queensland farmer and would like to understand how your State's planning system works, there are a few key pieces of legislation that are relevant to you:

- [Planning Act 2016](#)
- [Planning Regulation 2017](#)
- [Sustainable Planning Act 2009](#)
- [Regional Planning Interests Act 2014](#)
- [Regional Planning Interests Regulation 2014](#)

You don't need to read each of the above legislations or regulations in full, however they can be used as further reading for this guide.

### **2 Land Use Controls**

The zones and overlays that apply to a property can be checked by locating the land on the 'Zone Map' and 'Overlay Map' (schedule to the planning scheme which is accessible on the website of the relevant council (for example, maps for [Hinchinbrook Shire Council](#)).

#### **(a) Zoning**

The relevant planning scheme outlines how the zone in which a property is located affects the types of farming ('uses') that are accepted (with or without development approval) or prohibited. It does so by categorising development as either 'prohibited', 'assessable' or 'accepted development'.<sup>49</sup> If the use is 'accepted development' it may be allowed without development approval. If 'prohibited development', it is not allowed. If 'accepted development

---

<sup>48</sup><https://planning.statedevelopment.qld.gov.au/planning-framework/plan-making/state-planning/state-planning-policy>

<sup>49</sup> *Planning Act 2016* (Qld) s 44.



subject to conditions’, it is allowed without development approval so long as a self-assessment is done to ensure compliance with the code and rules of the relevant council.

### **What does self-assessment mean under Queensland’s planning system?**

If the work is accepted development (self assessable), the owner is responsible for ensuring the work complies with applicable standards, including structural sufficiency, size limits and boundary setbacks.

Minor building work may require approval under local government planning schemes. Owners are responsible for complying with relevant planning schemes.

So, that means that if you’re a farmer in Queensland, or looking to establish an agricultural business, you’ll need to refer to your local council planning scheme for further guidance on what is considered accepted development (self-assessed) and what you might require a permit for.

If ‘assessable development’, it may be allowed if development approval is obtained. There are two categories of assessment: code assessment and impact assessment.

### **Categories of assessment<sup>50</sup>**

**Code assessment** helps deliver expected development without delay. Under Queensland law, public consultation is not required. **Code assessable applications** are assessed against the relevant assessment benchmarks set out in the relevant local government’s planning scheme. Where the development application meets the criteria, it will be approved. If it does not meet some criteria, that part of the development application can be refused or approved with conditions.

**Impact assessment** generally applies to development proposals that may impact on the amenity of adjoining land uses. This type of assessment is broader than code assessment and requires a development application to be publicly notified. Impact assessable development applications are assessed against:

- the relevant assessment benchmarks set out in the relevant local government’s planning scheme
- any matters outlined in the Planning Regulation 2017
- and may be assessed against any other relevant matter, such as planning need.

<sup>50</sup>[https://planning.statedevelopment.qld.gov.au/\\_\\_data/assets/pdf\\_file/0034/55699/categories-of-assessment.pdf](https://planning.statedevelopment.qld.gov.au/__data/assets/pdf_file/0034/55699/categories-of-assessment.pdf)

Impact assessable applications also require the applicant to carry out public notification of the proposed development to ask for feedback from the local community about the impact (good and bad) of the proposed development. Feedback provided by a particular individual or entity is often referred to as a submission.

As with code assessment, the assessment manager (local or state) must also publish the reason for their decision.

Generally cropping and animal husbandry (but not extensive grazing) land uses are exempt activities in a Rural Zone in local planning schemes and are usually (but not always) self-assessable in a Rural Zone. However, councils do regulate these uses (e.g. via creating setbacks).

In other zones (such as Rural Residential, Residential or Commercial Zones), these types of activities usually require approval. Some planning schemes require planning approval for intensive farming in sensitive areas, for forestry for wood production and for farm diversification activities. You should check local government requirements in your area for further information about development applications. There will be different requirements for the land uses – animal husbandry and intensive animal husbandry, cropping, intensive horticulture – but they are dependent on stocking densities, etc. Look at the particular Animal Husbandry Code (e.g. for [meat chicken farms](#)) or similar for “acceptable” solutions which are self-assessable or code assessable. Check the [State Planning Policy - state interest guideline - Agriculture](#). Also you should check out the [Sustainable Planning Regulation](#) and the [EP Regulation](#) to see how assessable development is prescribed for different types of farming activities. E.g. poultry farming is an “environmentally relevant activity” under that Regulation if more than 1000 birds. That means farmers must also have an Environmental Authority approval.

For example, the categories of development for Hinchinbrook Shire Council are set out in Table 5.5.1 ‘Levels of Assessment and Assessment Criteria — All Development’.<sup>51</sup> In a rural zone, ‘animal husbandry’ is an accepted development subject to conditions and ‘intensive animal husbandry’ is a code assessable development.<sup>52</sup>

<sup>51</sup> *Hinchinbrook Shire Planning Scheme 2017* (Qld) p. 33.

<sup>52</sup> *Hinchinbrook Shire Planning Scheme 2017* (Qld) p. 37, 39.

Each use is defined in the ‘Use Definitions’ table (schedule to the planning scheme). For example, ‘animal husbandry’ means using the premises to produce ‘animals or animal products or native or improved pastures or vegetation’ or an ancillary ‘yard, stable temporary holding facility or machinery repair and servicing’.<sup>53</sup>

### ***(b) Overlays***

Overlays are development controls prepared under the *Sustainable Planning Act 2009* (Qld). They are called Overlay Codes or Maps. They impose controls over any development subject to the relevant Overlay. They also show the particular characteristics of a property, for example features which are sensitive or worth protection, as well as important planning constraints such as susceptibility to flooding. Overlays can cover many lots of land. These act like a “filter” when councils in Queensland consider planning applications.

## ***Tasmania***

### ***1 Tasmania Planning Scheme***

The planning system in Tasmania is called the ‘Tasmanian Planning Scheme’. It was only recently established and is still being rolled out across the state. It implements the *Land Use Planning and Approvals Act 1993* (Tas) and comprises the State Planning Provisions (‘SPP’) and Local Provisions Schedules (‘LPS’). The [SPP](#) is a broad planning instrument that ensures planning schemes are consistent across all councils. Each council will eventually have its own local land use plan called an LPS, for example the Draft Launceston Local Provisions Schedule. Councils that are yet to transition to the new system each have an ‘interim’ planning scheme that implements the *Land Use Planning and Approvals Act 1993* (‘LUPAA’), for example the [Kingborough Interim Planning Scheme 2015](#). The LPS or interim planning scheme for a council can currently be accessed [here](#).

### ***2 Land Use Controls***

To determine the **zones** and **overlays** that apply to a property, either generate an unofficial Property Report for the property from [PlanBuild](#), or locate the property on the ‘map’ of the applicable LPS (for example, see the [map of Draft Launceston Local Provisions Schedule](#)).

---

<sup>53</sup> *Hinchinbrook Shire Planning Scheme 2017* (Qld) p. 128.

### ***(a) Zoning***

The zone in which a property is located affects the types of farming that are allowed (with or without a permit) or prohibited on that land. In order to determine this, it is necessary to first, determine the **land use** and **land use class** in which the proposed farming operation falls, and second, review the requirements (if any) for that land use class in the relevant **zone**.

#### ***(i) Land uses and land use classes***

Each land use is defined in Table 3.1 of the SPP.<sup>54</sup> For example, using land to keep and breed non-domestic animals and pets is a type of ‘agricultural use’. Each land use class is defined in Table 6.2 of the SPP. Relevant agricultural use classes (as at 14 September 2022) taken from the SPP are included in the below table. For example, agricultural uses fall within the class of ‘resource development’.

<b>Land use class</b>	<b>Description</b>
<b>Resource Development</b>	Use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fish stock. <ul style="list-style-type: none"><li>● If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors.<ul style="list-style-type: none"><li>○ Examples (among others) include:<ul style="list-style-type: none"><li>■ <b>Agricultural use</b></li><li>■ <b>Controlled environment agriculture</b></li><li>■ <b>Crop production</b></li><li>■ <b>Intensive animal husbandry</b></li></ul></li></ul></li></ul>
<b>Resource Processing</b>	Use of land for treating, processing or packing plant or animal resources. <ul style="list-style-type: none"><li>● Examples (among others) include:<ul style="list-style-type: none"><li>○ <b>Abattoir</b></li><li>○ <b>Animal saleyard</b></li><li>○ <b>Cheese factory</b></li><li>○ <b>Fish processing</b></li><li>○ <b>Milk processing</b></li></ul></li></ul>
<b>General Retail and Hire</b>	Use of land for selling goods or services, or hiring goods. <ul style="list-style-type: none"><li>● Examples (among others) include: <b>primary produce sales</b></li></ul>

#### ***(ii) Zone***

<sup>54</sup> *State Planning Provisions ('SPP')*, p. 7.

The below tables, taken from the SPP, provide the requirements for agricultural use classes in each zone. For example, in a rural living zone, uses that fall under the ‘resource development’ class are allowed without a permit so long as it is for grazing (as at 08 August 2022).

### General Residential Zone<sup>55</sup>, Low Density Residential Zone<sup>56</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing				
General Retail and Hire			If for a local shop	

### Inner Residential Zone<sup>57</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing				
General Retail and Hire				

### Rural Living Zone<sup>58</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development	If for grazing		If NOT for: Intensive animal husbandry OR ‘No permit required’	
Resource Processing			If NOT for: Abattoir Animal saleyard	
General Retail and Hire			If for either: Primary produce sales	

<sup>55</sup> State Planning Provisions, cl 8.0.

<sup>56</sup> State Planning Provisions, cl 10.0.

<sup>57</sup> State Planning Provisions, cl 9.0.

<sup>58</sup> State Planning Provisions, cl 11.0.

			Sales related to Resource Development A local shop	
--	--	--	-------------------------------------------------------	--

**Village Zone<sup>59</sup>**

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing			If NOT for: Abattoir OR Animal saleyard	
General Retail and Hire				

**Urban Mixed Use Zone<sup>60</sup>**

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing			If for food or beverage production	
General Retail and Hire				

**Local Business Zone<sup>61</sup>, General Business Zone<sup>62</sup>, Central Business Zone<sup>63</sup>**

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing			If for food or beverage production	
General Retail and Hire				

<sup>59</sup> State Planning Provisions, cl 12.0.

<sup>60</sup> State Planning Provisions, cl 13.0.

<sup>61</sup> State Planning Provisions, cl 14.0.

<sup>62</sup> State Planning Provisions, cl 15.0.

<sup>63</sup> State Planning Provisions, cl 16.0.

### Commercial Zone<sup>64</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing			If for food or beverage production	
General Retail and Hire				

### Light Industrial Zone<sup>65</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing				
General Retail and Hire			If for alterations or extensions to existing General Retail and Hire	

### General Industrial Zone<sup>66</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing				
General Retail and Hire				

### Rural Zone<sup>67</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				

<sup>64</sup> State Planning Provisions, cl 17.0.

<sup>65</sup> State Planning Provisions, cl 18.0.

<sup>66</sup> State Planning Provisions, cl 19.0.

<sup>67</sup> State Planning Provisions, cl 20.0.

Resource Processing				
General Retail and Hire		If associated with Resource Development or Resource Processing	If NOT 'permitted'	

### Agriculture Zone<sup>68</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development	If on land that is not prime agricultural land OR If on prime agricultural, for an agricultural that is 'dependant on the soil as the growth medium or conducted in a manner which does not alter, disturb or damage the existing soil profile or preclude it from future use as a growth medium'		If NOT 'no permit required'	
Resource Processing				
General Retail and Hire		If associated with Resource Development or Resource Processing		

### Landscape Conservation Zone<sup>69</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development			If NOT for intensive animal husbandry	
Resource Processing				
General Retail and Hire			If associated with a Tourist Operation	

<sup>68</sup> State Planning Provisions, cl 21.0.

<sup>69</sup> State Planning Provisions, cl 22.0.



### Environmental Management Zone<sup>70</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development		If for grazing AND An authority under the National Parks and Reserve Management Regulations 2019 is granted by the Managing Authority, or approved by the Director-General of Lands under the Crown Lands Act 1976.	If not 'permitted'	
Resource Processing				
General Retail and Hire		If an authority under the National Parks and Reserve Management Regulations 2019 is granted by the Managing Authority, or approved by the Director-General of Lands under the Crown Lands Act 1976.		

### Major Tourism Zone<sup>71</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing			If for food or beverage production	
General Retail and Hire				

### Port and Marine Zone<sup>72</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource				

<sup>70</sup> State Planning Provisions, cl 23.0.

<sup>71</sup> State Planning Provisions, cl 24.0.

<sup>72</sup> State Planning Provisions, cl 25.0.

Development				
Resource Processing			If for marine, port, shipping and transport purposes or aquaculture or fish processing	
General Retail and Hire		If for chandlers and other shipping and transport related goods.		

### Utilities Zones<sup>73</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing				
General Retail and Hire				

### Community Purpose Zone<sup>74</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing				
General Retail and Hire			If for a market	

### Recreation Zone<sup>75</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development				
Resource Processing				

<sup>73</sup> State Planning Provisions, cl 26.0.

<sup>74</sup> State Planning Provisions, cl 27.0.

<sup>75</sup> State Planning Provisions, cl 28.0.

General Retail and Hire			If for a market OR clothing, equipment or souvenirs for a Sports and Recreation use	
-------------------------	--	--	-------------------------------------------------------------------------------------	--

### Open Space Zone<sup>76</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development			If for grazing OR marine farming shore facility or other facility that relies upon a coastal location to fulfil its purpose	
Resource Processing				
General Retail and Hire				

### Future Urban Zone<sup>77</sup>

Use Class	No permit required	Permitted	Discretionary	Prohibited
Resource Development		If for agricultural use EXCEPT for controlled environment agriculture		
Resource Processing				
General Retail and Hire				

### 3 Codes

The code(s) that apply to land indicate the standards that apply for building or making other changes to that land. For example, if a Scenic Protection Code applies and the land is within a scenic protection area, any buildings or works (including destruction of vegetation) must be on land not less than 50m in elevation below a skyline and not total more than 500m<sup>2</sup> in extent (as at 08 October 2022). All the codes that may apply are included in the SPP and listed below.

<sup>76</sup> State Planning Provisions, cl 29.0.

<sup>77</sup> State Planning Provisions, cl 30.0.

Signs Code<sup>78</sup>

Parking and Sustainable Transport Code<sup>79</sup>

Road and Railway Assets Code<sup>80</sup>

Electricity Transmission Infrastructure Protection Code<sup>81</sup>

Telecommunications Code<sup>82</sup>

Local Historic Heritage Code<sup>83</sup>

Natural Assets Code<sup>84</sup>

Scenic Protection Code<sup>85</sup>

Attenuation Code<sup>86</sup>

Coastal Erosion Hazard Code<sup>87</sup>

Coastal Inundation Hazard Code<sup>88</sup>

Flood-Prone Areas Hazard Code<sup>89</sup>

Bushfire-Prone Areas Code<sup>90</sup>

Potentially Contaminated Land Code<sup>91</sup>

Landslip Hazard Code<sup>92</sup>

Safeguarding of Airports Code<sup>93</sup>

---

<sup>78</sup> *SPP*, C1.0.

<sup>79</sup> *SPP*, C2.0.

<sup>80</sup> *SPP*, C3.0.

<sup>81</sup> *SPP*, C4.0.

<sup>82</sup> *SPP*, C5.0.

<sup>83</sup> *SPP*, C6.0.

<sup>84</sup> *SPP*, C7.0.

<sup>85</sup> *SPP*, C8.0.

<sup>86</sup> *SPP*, C9.0.

<sup>87</sup> *SPP*, C10.0.

<sup>88</sup> *SPP*, C11.0.

<sup>89</sup> *SPP*, C12.0.

<sup>90</sup> *SPP*, C13.0.

<sup>91</sup> *SPP*, C14.0.

<sup>92</sup> *SPP*, C15.0.

<sup>93</sup> *SPP*, C16.0.

# Livestock Farming

## Pigs

### Victoria

All owners and keepers of pigs must, regardless of the intended use of the pigs (pets, breeders or commercial piggeries) must:

- register the property where pig/s are kept with a [Property Identification Code](#) (PIC) and a tattoo brand number
- tag or tattoo all pigs moving off their property
- register with [PigPass](#), and complete paperwork for all pigs moving on or off their property
- **refrain from feeding pigs swill:** meat products or food that has been in contact with meat products. See more information and penalties that apply [here](#).

More details can be found [here](#).

All pig farms require a planning permit in Victoria, regardless of the number of pigs, size of the land, or production model (e.g. pastured vs sheds). Certain overlays may preclude pig farming, so a conversation with your local council before commencing pig farming is advisable. Zones that permit pig farming include:

- Farming Zone
- Rural Activity Zone
- Green Wedge Zone
- Green Wedge A Zone
- Rural Conservation Zone
- Rural Living Zone
- Urban Growth Zone

However, AFSA advocated for several years and worked with the Victorian Government to achieve reforms, introduced in 2018, for a simplified permit application process for small-scale pastured pig farms that meet certain conditions. Eligible farms should apply as a [Low Density Mobile Outdoor Pig Farm](#) (LDMO). You will find both the [LDMO Guidelines and a template for a Development Plan](#) on the Ag Vic website. The threshold requirements for this application process include:

- a maximum of 150 sows or 1,000 Standard Pig Units (SPU)
- a maximum stocking density of 12 SPU/hectare of range available to the pigs

- mobile housing and feeding infrastructure that is relocated at least every three months, with rest periods of at least three months
- adequate separation from waterways, residential areas and sensitive uses
- a nutrient management plan in place and at least 50% ground cover maintained

**AFSA can provide examples of successful development applications to AFSA members.**

Health and welfare legislation and guidelines must be followed if you have pigs on your property. Please find detailed information on the Agriculture Victoria [website](#), including advice regarding feed, water, and shelter needs of pigs.

## New South Wales

All owners and keepers of pigs must, regardless of the intended use of the pigs (pets, breeders or commercial piggeries) must:

- register the property where pig/s are kept with a [Property Identification Code](#) (PIC) and a tattoo brand number
- tag or tattoo all pigs moving off their property
- register with [PigPass](#), and complete paperwork for all pigs moving on or off their property
- **refrain from feeding pigs swill:** meat products or food that has been in contact with meat products. See more information and penalties that apply [here](#).

More details can be found [here](#).

All local councils in NSW define pig farms as 'intensive agriculture' in the local environment plan (LEP), as pigs require most of their food to be imported from outside their enclosures. Intensive livestock agriculture activities are commonly permitted with consent and require a development application, typically in the following land zones:

- RU1 – Primary Production
- RU2 – Rural Landscape (in certain areas)
- RU4 – Primary Production Small Lots in certain areas.

In most LEPs, intensive livestock projects require consent in the RU1 zone. In RU2 and RU4 zones, projects sometimes require consent or may be prohibited. Where intensive livestock development is permissible, it is a requirement for the local environmental plan (LEP) to require consent for the following projects:

- a pig farm able to accommodate 200 or more pigs or 20 or more breeding sows; and
- any pig farm located within 500 metres of a dwelling not associated with the development or in an environmentally sensitive area.

We recommend having a conversation with your local council before purchasing pigs, as there may be other restrictions placed on your property, such as areas of environmental sensitivity, which may impact planning approval. For example, the following will require you to obtain an environmental impact statement on your farm because it is classified as designated development:

Pig farms--

- that accommodate more than 200 pigs or 20 breeding sows and are located—
  - within 100 metres of a natural waterbody or wetland, or
  - in an area of high watertable, highly permeable soils or acid sulphate, sodic or saline soils, or
  - on land that slopes at more than 6 degrees to the horizontal, or
  - within a drinking water catchment, or
  - on a floodplain, or
  - within 5 kilometres of a residential zone and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, odour, dust, traffic or waste, or
- that accommodate more than 2,000 pigs or 200 breeding sows.

Health and welfare legislation and guidelines must be followed if you have pigs on your property. Please find detailed information on the NSW Department of Primary Industries [website](#).

## Queensland

All owners and keepers of pigs must, regardless of the intended use of the pigs (pets, breeders or commercial piggeries) must:

- register the property where pig/s are kept with a [Property Identification Code](#) (PIC) and a tattoo brand number
- tag or tattoo all pigs moving off their property
- register with [PigPass](#), and complete paperwork for all pigs moving on or off their property
- **refrain from feeding pigs swill:** meat products or food that has been in contact with meat products. See more information and penalties that apply [here](#).

More details can be found [here](#).

Before bringing pigs onto your property, contact all of the following organisations:

- Local council - ascertain if any approvals are required to keep pigs under the planning laws administered by the council.

- The Department of Agriculture and Fisheries intensive livestock environmental officers administer the approvals that are required under the *Environmental Protection Act 1994*. The environmentally relevant activity of pig keeping relates to keeping 400 or more standard pig units, in which case you will need to obtain a development permit and environmental authority.
- Your local DAF office - any person who runs one or more pigs is required to register their property with Biosecurity Queensland and obtain a Property Identification Code (PIC) and, if they have more than two pigs, must apply for a registered tattoo brand. You can do that [here](#).

Health and welfare legislation and guidelines must be followed if you have pigs on your property. Please find detailed information on the Business Queensland [website](#).

## Tasmania

All owners and keepers of pigs must, regardless of the intended use of the pigs (pets, breeders or commercial piggeries) must:

- register the property where pig/s are kept with a [Property Identification Code](#) (PIC) and a tattoo brand number
- tag or tattoo all pigs moving off their property
- register with [PigPass](#), and complete paperwork for all pigs moving on or off their property
- **refrain from feeding pigs swill:** meat products or food that has been in contact with meat products. See more information and penalties that apply [here](#).

Health and welfare legislation and guidelines must be followed if you have pigs on your property. Please find detailed information on the Tasmania Department and Natural Resources [website](#).

## Cattle, sheep and goats

### Victoria

Cattle, sheep and goat farmers and keepers must ensure that:

- the land on which their animals are kept has a Property Identification Code (PIC)
- their animals are identified in the right (offside) ear with an NLIS (Cattle) ear tag before leaving their property
- the arrival of livestock directly from another property is registered within 2 days on the NLIS database
- a National Vendor Declaration (NVD) form or similar movement document is supplied to the person receiving their animals.

More information can be found [here](#).



Livestock health and welfare legislation and guidelines must be followed if you have animals on your property. Please find detailed information on the Agriculture Victoria [website](#).

## New South Wales

Cattle, sheep and goat farmers and keepers must ensure that:

- the land on which their animals are kept has a Property Identification Code (PIC)
- their animals are identified in the right (offside) ear with an NLIS ear tag before leaving their property
- the arrival of livestock directly from another property is registered within 2 days on the NLIS database
- a National Vendor Declaration (NVD) form or similar movement document is supplied to the person receiving their animals.
- A National Sheep or Goat Health Statement is required for movements of sheep and goats into NSW, and may be required by some purchasers, but is not an approved movement document for NLIS purposes.
- Once an NLIS sheep/goat tag is attached, it must not be removed until the animal is processed in an abattoir or knackery.

More information can be found [here](#).

We recommend having a conversation with your local council before purchasing cattle, as there may be other restrictions placed on your property, such as areas of environmental sensitivity, which may impact planning approval.

Livestock health and welfare legislation and guidelines must be followed if you have animals on your property. Please find detailed information on the NSW Department of Primary Industries [website](#).

## Queensland

Cattle producers and keepers must ensure that:

- Devices which have full or conditional NLIS accreditation status are accredited devices for cattle, bison, buffalo, sheep and goats and must be fitted to animals before the animal is moved off a property.
- Once fitted, a tag must remain on the animal for life.

Anyone in Queensland who keeps more than one head of cattle is a [registrable biosecurity entity](#) and must be registered with Biosecurity Queensland to be [allocated a PIC](#). You can do that [here](#).

Livestock health and welfare legislation and guidelines must be followed if you have animals on your property. Please find detailed information on the Business Queensland [website](#).

## Tasmania

Cattle, sheep and goat farmers and keepers must ensure that:

- You must have a Property Identification Code (PIC).
- Animals must have an NLIS ear tag.
- You must supply a vendor declaration form to the buyer or carrier and retain a copy, and notify the NLIS database of livestock movement. Both the seller and the buyer must keep a copy of the vendor declaration for at least TWO years.
- You should supply an animal health statement. There are different animal health statement forms for beef and dairy cattle, and for sheep and goats.

Please note that for the time being, NLIS requirements do not apply to a dairy goat unless it is going to a saleyard or directly to an abattoir.

Livestock health and welfare legislation and guidelines must be followed if you have animals on your property. Please find detailed information on the Biosecurity Tasmania [website](#).

## Poultry

### Victoria

All poultry farms require a planning permit in Victoria, regardless of the number of birds, size of the land, or production model (e.g. pastured v. sheds). Certain overlays may preclude poultry farming, so a conversation with your local council before commencing pig farming is advisable. Zones that permit poultry farming include:

- Farming Zone
- Rural Activity Zone
- Green Wedge Zone
- Green Wedge A Zone
- Rural Conservation Zone
- Rural Living Zone
- Urban Growth Zone

However, AFSA advocated for several years and worked with the Victorian Government to achieve reforms, introduced in 2018, for a simplified permit application process for small-scale pastured poultry farms that meet certain conditions. Eligible farms should apply as a [Low Density Mobile Outdoor Poultry Farm](#) (LDMO). You will find both the [LDMO Guidelines and](#)

[a template for a Development Plan](#) on the Ag Vic website. The threshold requirements for this application process include:

- a poultry farm for the production of chicken meat or chicken eggs
- less than 5,000 chickens (for eggs) or less than 10,000 chickens (for meat)
- outdoor stocking density less than 1,500 birds/hectare
- mobile housing and feeding infrastructure that is relocated at least every two weeks
- adequate separation from waterways, residential areas and sensitive uses
- a nutrient management plan in place and at least 50% ground cover maintained

All poultry farms with more than 100 poultry, including low density mobile outdoor poultry farms, must have a Property Identification Code (PIC) to assist with traceability and biosecurity.

**AFSA can also provide examples of successful development applications to AFSA members.**

Health and welfare legislation and guidelines must be followed if you have poultry on your property. Please find detailed information on the Agriculture Victoria [website](#).

## New South Wales

If you have more than 100 poultry on your property you must have a Property Identification Code (PIC) to assist with traceability and biosecurity.

In most LEPs, intensive livestock projects require consent in the RU1 zone. In RU2 and RU4 zones, projects sometimes require consent or may be prohibited. Where intensive livestock development is permissible, it is a requirement for the local environmental plan (LEP) to require consent for the following projects:

- poultry production facilities able to accommodate 1,000 or more birds; and
- any poultry production facility located within 500 metres of a dwelling not associated with the development or in an environmentally sensitive area.

We recommend having a conversation with your local council before purchasing poultry, as there may be other restrictions placed on your property, such as areas of environmental sensitivity, which may impact planning approval. For example, the following will require you to obtain an environmental impact statement on your farm because it is classified as designated development:

- Poultry farms for the commercial production of birds (such as domestic fowls, turkeys, ducks, geese, game birds and emus), whether as meat birds, layers for egg production or breeders and whether as free range or shedded birds–
  - that accommodate more than 250,000 birds, or
  - that are located–

- within 100 metres of a natural waterbody or wetland, or
- within a drinking water catchment, or
- within 500 metres of another poultry farm, or
- within 500 metres of a residential zone or 150 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, odour, dust, lights, traffic or waste.

The distance between poultry farms is to be measured as the shortest distance between the edge of any facilities or works associated with an existing poultry farm and the facilities or works to which the development application applies (excluding access roads).

Health and welfare legislation and guidelines must be followed if you have poultry on your property. Please find detailed information on the Department of Primary Industries [website](#).

## Queensland

In Queensland, poultry farming is an [environmentally relevant activity \(ERA\)](#) under the [Environmental Protection Regulation 2019](#). However, if you plan on having less than 1000 chickens in your flock you will not need to be issued with an environmental authority.

If your farm has over 100 birds, you must register with Biosecurity Queensland. You can do that [here](#).

Health and welfare legislation and guidelines must be followed if you have poultry on your property. Please find detailed information on the Business Queensland [website](#).

## Tasmania

There are no regulatory requirements for keepers of small poultry producers in Tasmania. However, it is recommended that you develop a biosecurity plan - more information can be found [here](#).

Health and welfare legislation and guidelines must be followed if you have poultry on your property. Please find detailed information on the Biosecurity Tasmania [website](#).

## Bees

### Victoria

Anyone who keeps one or more hives of bees is required to [register as a beekeeper](#) with the department. Registration must be renewed every 2 years.

All hives must be marked or branded with the beekeeper's registered number (brand) that is printed on the Certificate of Registration.

Branding of hives enables the department's apiary inspectors to:

- identify the owners of hives
- notify the owners of disease, vandalism, theft and other problems.

The Bees Registrar must be notified using this [form](#) within 7 days when a hive is:

- disposed of
- sold
- given away.

Health and welfare legislation and guidelines must be followed if you have bees on your property. Please find detailed information on the Agriculture Victoria [website](#).

### New South Wales

In NSW, beekeepers who own European honey bees (*Apis mellifera*) must register with NSW DPI. Registration is valid for 2 years. Business registration is for those intending to derive a taxable income (part time/full time business) from the sale of bees or hive products (eg. honey, beeswax). Business registration is not defined by the number of hives that you own. However, if you own 50 or more hives, there are additional requirements that apply to you under the Australian Honey Bee Industry Biosecurity Code of Practice: <https://beeaware.org.au/code-of-practice/>.

More information about registration can be found [here](#).

Registered beekeepers must only use a frame hive (a hive containing only movable frames which may be separately and readily removed for examination, OR a hive containing fixed frames in the honey-super boxes of the hive, and a broodbox (being the bottom box of an active hive) with movable frames, and a queen excluder which is fitted immediately above the broodbox of the hive in order to prevent the queen from gaining access to the honey-super boxes of the hive.

Beekeepers must keep written records (which may be in electronic form) of the following and retain that record in a readily accessible form for a period of 5 years:

- if a hive of the registered entity that contains bees has been lost, stolen or destroyed; the date on which that occurred, and the number of hives to which this occurred.
- disposes (including by sale) of a queen bee or colony of bees to another person; the date on which the disposal occurred, and the number of queen bees or colonies of bees disposed of, and the method of disposal (for example, by sale or gift), and the name, postal address and beekeeper registration number of the person to whom the queen bee or colony of bees was disposed.

Registered beekeepers must:

- notify NSW DPI of a change in the contact details within 7 days after the change occurs.
- report notifiable bee pests and diseases to NSW DPI within 1 working day after the person first suspects or becomes aware of the presence; and
- manage the hives to minimise risk of a nuisance or threat to the amenity or health of any other person or property.

## Queensland

If you are a new beekeeper and have more than 1 hive, you must [register as a biosecurity entity with Biosecurity Queensland](#). Once you're registered as a biosecurity entity, you'll receive a unique HIN to brand your hives. Each beekeeper who registers as a biosecurity entity will receive only 1 HIN. The HIN is not transferrable to other beekeepers.

Any person who keeps bees or carries on a business as a beekeeper must be registered with the Department of Agriculture and Fisheries.

The *Biosecurity Act 2014* requires a beekeeper to place a HIN on 1 hive out of every 50, but it is recommended that you brand all your hives as proof of ownership and to help with recovery in the event of loss or theft. This is particularly important if your hives have old brands.

You must ensure that hive markings stay legible in accordance with the FSANZ and Queensland Health requirements. You must mark or brand the HIN:

- on the front of the hive
- in block letters, at least 25mm high.

You must also ensure that if you become aware of any disease present in your hives, you notify the local council within 14 days.

Beekeepers are also required to make sure their extraction and storage facilities meet standards compliant with the *Food Act 2006 (Qld)* and the *Food Production (Safety) Act 2000*

(Qld). These regulations are rather strict, especially in relation to handling, packaging and storing honey.

## Tasmania

Registration as a beekeeper in Tasmania is currently voluntary and there is no cost to become registered. As part of the implementation of the *Biosecurity Act 2019* (the Act), beekeeping will soon become a 'regulated dealing' and under the Act, a person must not engage in a regulated dealing unless they are 'registered'.

Biosecurity Tasmania is currently developing a compulsory registration system for beekeeping in Tasmania that will include registration conditions which will need to be met. More information about this system, and further stakeholder consultation (including both commercial and recreational beekeepers) on the conditions of registration, will be undertaken in early 2022. The registration system has not yet been introduced.

You are welcome to register as a beekeeper at any time, under the current system. More information can be found [here](#).

## Horticulture

Currently in Australia, growing most fresh fruit and vegetables for direct sales does not require a licence and does not experience much regulatory burden. This, coupled with the smaller land size required, can make market gardening a more accessible and appealing avenue for young and emerging small-scale farmers, and can be a great way to begin your journey into agroecology and food sovereignty.

Please note that if you are growing for commercial purposes, you will require a water licence for commercial extraction in all states. More information can be found in the Water Rights and Licensing section.

The Australian Competition and Consumer Protection Commission (**ACCC**) is responsible for the Horticulture Code of Conduct under the *Competition and Consumer Act 2010* (Cth). The Code is designed to regulate trade between growers and wholesalers and to avoid conflicts of interest. The Code demands mandatory compliance (for example, entering into written trade agreements). For small-scale growers selling directly to eaters, the Code does not apply.

However, there are new standards that will come into effect Australia-wide on 25 February 2025 that introduce three new primary production and processing Standards that will affect growers of leafy vegetables, berries and melons. The Standards can be viewed here:

- [Standard 4.2.7 – Primary Production and Processing Standard for Berries](#)

- [Standard 4.2.8 – Primary Production and Processing Standard for Leafy Vegetables](#)
- [Standard 4.2.9 – Primary Production and Processing Standard for Melons](#)

As at April 2024, AFSA is working with state governments in the implementation of the new standards to ensure the burden on small-scale market gardeners is commensurate with their low risk, particularly around the costs that may be incurred in meeting any new requirements.

You can view AFSA's earlier submissions to FSANZ [here](#) (please note, this link will open as a ZIPfile containing a number of submissions, one of which was prepared by AFSA).

## Water Rights and Licensing

### Victoria

#### Livestock farming

Most livestock farmers in Victoria do not need a water licence ('section 51 licence' under the [Water Act 1989](#)) to provide water to stock, whether via dams, rivers, creeks, or an existing bore, as 'domestic and stock use' is exempt from licensing requirements. Domestic and stock use refers to water usage for household purposes, watering of animals kept as pets, watering of cattle or other stock, irrigation of a kitchen garden, and in the case of a home paddock or outbuilding, watering an area not exceeding 1.2 hectares for fire prevention purposes with water obtained from a spring or soak of water from a dam.

Note that domestic and stock use does not include dairies, piggeries, feedlots, poultry, or any other intensive or commercial use. While you may not need a section 51 licence to take water for domestic and stock purposes, you may need a licence to construct and operate the works needed to access the water. This can include a private dam that is not on a waterway, a groundwater bore or pumps and pipes off a waterway. See below for details on obtaining a licence to construct and operate works.

#### Market Gardening

If you are growing fruit or vegetables for commercial sale, you must hold a water-use licence to irrigate your crops, no matter what scale you are, or whether you access groundwater or surface water. Once you obtain a water-use licence, you can buy a water share (e.g. 5ML) at market price. Each year, the resource manager determines the allocation for your share depending on the water available in your catchment (e.g. 50% allocation of a 5ML share allows you to use 2.5ML that year).

If you intend to drill a bore to take and use groundwater for irrigation, you must:

1. Obtain a works licence from the water corporation to drill the bore;



2. Obtain a water-use licence from the water corporation;
  - a. Notify neighbours of your take and use application;
3. Drill the bore and install a pump; and
4. Obtain a water share from a broker.

In 2023, this process cost approximately \$30,000 for a 2ML water share for a 100 metre-deep bore. Approximately \$2500 was in licensing fees, \$20,000 for drilling and pump installation, and \$3200/ML for the water share.

### Works licence

A works licence is a licence to construct, operate, alter, decommission or remove works associated with the extraction of water (i.e. bores, pumps and dams). Whether you intend to drill a bore or dig a new dam, you may need a works licence, which you can obtain from your regional water corporation.

### Water-use licence

A water-use licence enables a person to irrigate a specific parcel or parcels of land. It sets out conditions for the usage of the water, including the amount that is to be used. If supplied with water from the Murray, Goulburn, Broken, Loddon, Campaspe, Bullarook, Werribee or Macalister systems, a water-use licence is required.

Water use licence applications can be lodged electronically via [‘My Water’](#) or the [Submit Applications form page](#) on the [Victorian Water Register](#) website. The application form to apply for a licence as well as the forms to vary or cancel a licence can be found on the [Victorian Water Register](#) website.

In obtaining a licence there can be various conditions attached by the Minister, these are outlined in Section 56 of Water Act. Conditions can relate to:

- the purposes for which the water may be used;
- the maximum amounts of water which may be taken in particular periods;
- payment for the amount of water used;
- the protection of the environment;
- the maintenance of the environmental water reserve;
- the conservation policy of the government;
- the efficient use of water resources;
- proper management of the waterway and its surrounds or of the aquifer;
- the drainage regime;
- the manner in which the licensee is to compensate any person whose existing water rights have been affected by the granting of the licence;
- the installation or use of measuring devices or pumps; and
- any other conditions which the minister thinks fit and specifies in the licence.

A water-use licence is valid for the period outlined in the licence. This period cannot exceed 15 years, however it can be suspended or cancelled under Section 60 or renewed under Section 58 of the Water Act.

## New South Wales

In New South Wales the government controls the use and flow of all water in lakes, rivers, and aquifers. The central legislation that regulates water usage is the [Water Management Act 2000 \(Act\)](#).

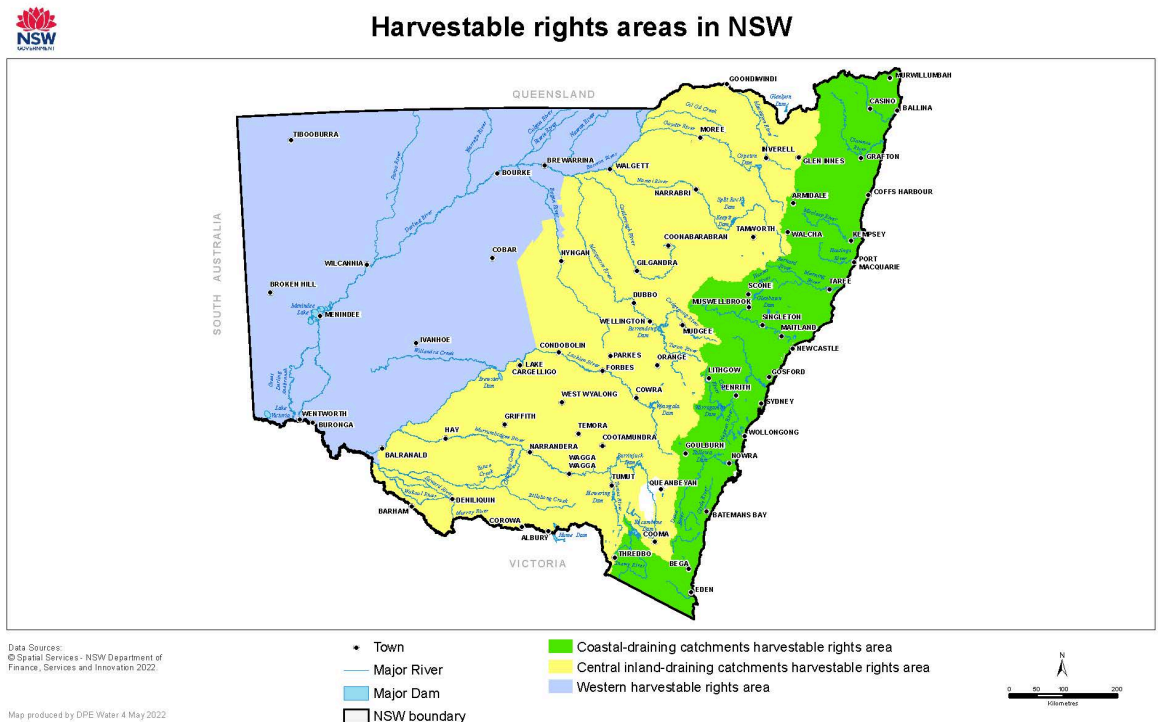
For private entities such as rural landholders, water access licences are granted by WaterNSW. WaterNSW is responsible for managing access to water and ensuring that it is equitably shared between the environment, farmers, and industry. The requirements for a licence depends on how and why the water is required. There are instances where a water access licence is not needed to use water and these are outlined in the Act.

Using water without a licence:

There are three types of landholder rights that allow the use of water without a water access licence. These are domestic and stock rights, harvestable rights, and native title rights.

1. Domestic and stock rights:
  - a. Owners or occupiers of land can without a licence take water from any river, estuary, or lake to which the land has frontage or from any aquifer underlying the land, and to construct and use a water supply work for that purpose, and to use that water for domestic and stock purposes but for no other purpose.
  - b. An “occupier” of land can mean a tenant, lessee, business operating on a property, trust, or other person or entity in possession of the land. If you are unsure whether you are an occupier of land, you should seek independent legal advice.
  - c. Domestic consumption entails consumption for normal household purposes in domestic premises. Stock watering means the watering of stock animals being raised on the land but does not include stock raised in a commercially intensive manner such as those kept in buildings or feedlots for a substantial portion of their lives.
  - d. There are a few exemptions. For example, if an owner or occupier wants to construct a dam or a bore, they must first obtain a [water supply work approval](#). As a general guide, any activity that affects the quantity or flow of water in a water source will be considered a “controlled activity” under the Act. These types of activities will require controlled activity approval.
2. Harvestable rights:

- a. Landholders may build harvestable dams on non-permanent minor streams, hillsides, or gullies, and capture a percentage of rainfall runoff from their landholding.
- b. Note that these water supply works cannot be built on or within 40 metres of a third-order or higher order stream, a declared floodplain, or within 3 km upstream of a wetland of international importance. Further information on where dams can be constructed is available at the following [example](#).
- c. Harvestable rights work by harvestable right orders which set out, among other things how the water can be used and the amount that can be collected. Listed below is a map delineating the boundaries where separate harvestable right orders begin.



- d. The **coastal-draining catchments** harvestable rights area enables up to 30% of the average annual regional rainfall runoff to be captured and used for domestic consumption, stock watering, and extensive agriculture. To read more on this area click [here](#).
  - i. For the Coastal-draining catchments area, a notification form is required to be lodged if over 10% of the rainfall runoff is to be captured and stored. The notification form can be found [here](#). It is a requirement that it be lodged within 28 days of construction of a new dam or enlarging an existing dam to make it carry over 10% of the rainfall runoff.
- e. The **Central inland-draining catchments** harvestable rights area enables up to 10% of the average annual regional rainfall runoff to be captured, which can be used for any purpose.
- f. The **Western** harvestable rights area enables all rainfall runoff to be captured and also used for any purpose.

- g. Regarding the volume that can be collected, there is a limit known as the maximum harvestable right dam capacity (**MHRDC**). The combined volume of all dams that capture and store harvestable rights water cannot exceed the MHRDC. A free calculator to determine the MHRDC for your landholding can be found [here](#).
- 3. Native title
  - a. Native title holders are allowed to take and use water for the purposes of the native title determination without the need of a licence, water supply work approval, or water use approval.
  - b. There are some exceptions. For example, if a dam or bore is constructed a water supply work approval is required. In addition, there is a maximum amount of water permitted to be taken or used in any given year. You should seek independent advice from your relevant native title prescribed body corporate to confirm how the regulations affect your intended usage.

### Obtaining a water access licence:

There are two types of water access licences in NSW. These are:

1. Zero-share; and
2. Specific purpose.

Zero-share licences do not come with a share in of water in of itself, however it provides a water allocation account that allows the account holder to purchase or transfer water allocation from another water access licence holder on an annual basis.

A specific purpose licence entitles its holder to specified shares in the available water within a water share management area or from a specified water source. It entitles its holder to take water at specified times, at specified rates, or in specified circumstances. However, it does not permit the use of the water for any other purpose that is not specified by the licence. Nor does it permit the usage or construction of a water supply work.

In addition to zero-share and specific purpose licences, there are controlled allocation orders which allows a person to obtain a water access licence. Controlled allocation licences are obtained via the NSW Government Gazette through auction, tender, or other means specified.

To apply for a licence, there is an online application form which can be found [here](#).

## Queensland

Similar to other States, in Queensland water can be used for domestic and stock purposes by land owners without a form of licence as given by Section 96 of the [Water Act 2000](#). This specifically enables the taking of water from dams, watercourses, lakes, or springs. Domestic

purposes is defined as water used for household purposes, watering of animals kept as pets, and watering a garden, whereas stock purposes

In Queensland a water licence is required for a large variety of conduct involving taking and storing water. A water licence is not a water allocation (for example, you might have purchased the land with water allocations but this may not necessarily entitle you to a licence). A water allocation entitles someone to a share of a water resource that is not attached to the land and can be traded. Even if you do not own land you can still own a water allocation.

The [Water Act 2000](#) requires that a water licence be issued before a person can take or interfere with surface water (water in a watercourse, lake or spring for varying purposes) as listed below:

- stock or domestic use on lands that do not adjoin a watercourse, lake or spring;
- irrigation;
- industrial or commercial use;
- storing water behind a weir;
- impounding water behind a storage structure; and
- storing water in excavations that are within or connected to a watercourse.

Included in the types of watercourses are aquifers under the land and any water flowing across the land.

Along with surface water, a water licence is sometimes needed for overland flow water and generally required for underground water.

### Overland flow water:

Overland flow water is the water that runs across the land after rainfall, either before it enters a watercourse, after it leaves a watercourse as floodwater, or after it rises to the surface naturally from underground. However, this does not include water that has naturally infiltrated the soil in normal farming practices, irrigation tailwater, and water collected from roofs for rainwater tanks.

Overland flow water can be taken and used for any purpose according to section 101(1(b)) of the *Water Act 2000*, however, if there is a moratorium notice or a water resource plan that restricts the amount that can be taken a water licence is required. A moratorium is best thought of as a freezing period to ensure that no new water work developments occur to enable better planning through reducing uncertainty. Whether a moratorium is in place for a particular area can be found through this [link](#). Water resource plans for an area may require a landholder to obtain a licence to take overland flow water and also a development permit for the works (including infrastructure) to take the water, such as diversion banks. Levee banks that capture overland flow for irrigation purposes generally require approval.

## Underground water:

Schedule 17 of the [Water Regulation 2016](#) establishes ground water areas which require a licence as outlined in Section 1046(1) of the [Water Act 2000](#).

Landholders should consider whether they need a water licence before taking or interfering with artesian water (bore or “tapped” water) and sub-artesian water (pumped water). There are some exceptions where non-intensively stocked land or domestic purposes do not require a licence.

## Applying for a water licence:

Owners of land or “prescribed entities” (such as councils or water authorities) can apply for a water licence in Queensland. An owner includes a registered owner and also a lessee, licensee, trustee or sublessee of land (s104, *Water Act 2000* (Qld)). Essentially if you have a valid legal right to occupy the land, you can generally apply.

The application form for a water licence can be found [here](#).

Under the *Water Act 2000* an application to obtain a licence requires that it be made to the QLD Department of Regional Development, Manufacturing and Water in the approved form and accompanied by the fee prescribed by regulation. This fee is usually updated annually each financial year. The department might ask you for additional information or even inspect your property as part of the process ([S 111 Water Act 2000](#)).

Water licence applications need to meet the assessable criteria. There are different criteria for different catchments, for example, the Murray-Darling Basin Plan’s sustainable limits will apply to applications relating to that Basin. The Department also takes into consideration the public interest in any taking of water. The application is quite involved and for that reason applicants should seek independent advice. Applications generally require many attachments such as maps of all water infrastructure (this can involve property searches such as through Queensland Globe), relevant works invoices, photographs, flow reports, and bore drilling records).

If the application is properly made and the Department is satisfied, a public notice of the water licence application must be made. This typically requires the applicant to publish on the department’s website. This allows others the opportunity to make a submission on your notice and state any grounds they have to object to your notice in the public interest. You can contact the Department to get a copy of any submissions made.

The [Water Act 2000](#) requires that public notices include:

- the location of the proposed taking of or interfering with water;
- where, including on the department's website or on the Queensland Government business and industry portal, copies of the application may be inspected;
- that written submissions may be made by any entity about the application;
- a day by which submissions must be made, and the person to whom, and the place where the submissions must be made.

Following the information being published, within 10 business days the applicant must send the Department evidence of the publication. The application will lapse if this step is not fulfilled.

If a licence is granted, the Department must give a copy of the licence within 30 business days of its decision.

Conditions attachable to a water licence:

The Department has the power to attach conditions to the water licence pursuant to section 118 of the Water Act 2000. Common conditions include:

- require the installation of a measuring device to measure the volume of water taken, the rate at which it is taken and the time it is taken;
- provide and maintain access to alternative water supplies for other persons, authorised under the Water Act 2000 to take water, who would be affected by the granting of the licence;
- carry out and report on a stated monitoring program; and
- give relevant information reasonably required by the chief executive for the administration or enforcement of the Water Act 2000.

## Tasmania

In Tasmania the [Water Management Act 1989](#) governs the taking and usage of water. It sets out rights and responsibilities with water usage, and similar to other states, enables the taking and using of water without a water licence for domestic use only. All other usage requires a water licence.

Using water without a licence:

Section 48 of the [Water Management Act 1989](#) sets out the rights of landowners and occupiers to use water adjoining their property without a licence. Without a licence, water used must be for domestic purposes, irrigation of a household garden, stock watering, or firefighting. If a water management plan is in place this right can be revoked and a licence may be required. Water management plans are implemented by the Department of Natural

Resources and Environment and seek to regulate how water is utilised within their boundaries. To find out if a water management plan is in place for your area click [here](#). For more information regarding whether a water licence is needed and the offences of taking water without a licence click [here](#).

### Obtaining a water licence and water allocation:

A water licence specifies where water can be taken and must be obtained in order to take, trap, or store water for the use of watering stock for commercial sale or for crop irrigation. Along with a water licence, a water allocation would generally need to be required. A water allocation states how much water can be taken at a specified time whereas a water licence specifies where water can be taken.

Section 58 of the [Water Management Act 1999](#) outlines that conditions may be attached to the water allocation including but not limited to the area that the water is to be taken from, the area the water is to be used on, and the specific purpose for which the water is to be used.

Along with the application, there is a fee that is required to be paid for both the water licence and the water allocation. The fees for each can be found [here](#).

Upon the application being submitted and reviewed by the Water Resources Division the application is advertised for a 14 day period for objections. If no valid objections are lodged, then the Water Resources Division can approve or refuse the application. If the application is refused the applicant has 14 days to appeal the authorities decision to the [Resource Management and Planning Appeal Tribunal](#). If it is successful the applicant has 14 days to request a review of licence conditions.

## Food Licences

### Meat Processing

#### Victoria

AFSA has long supported smallholders in reclaiming the means of production, including the infrastructure intrinsic to agroecology, such as abattoirs, boning rooms, grain mills, dairy processing facilities and more. For livestock farmers intent on building processing facilities on farm, this section outlines your responsibilities under legislation. You will be joining a growing movement of farmers with control of the value chain - a critical step in the struggle for food sovereignty.



The requirements are typically not overly onerous or expensive for meat processing, but can be confusing when you first start out. The principles small-scale farmers raising animals on pasture hold dear - to raise animals well and subject them to as few stresses as possible while respecting their natural instincts - carries through to facilities for slaughter, to then transform carcasses into delicious, nutritious, ethical, ecologically sound and socially just meat to nourish local communities. Meeting the standards just means translating these principles and an ethic of care into construction of safe and hygienic facilities, and implementing the same high standards you bring to farming to food safety.

In Victoria, all meat processing activities are regulated by PrimeSafe, under the *Meat Industry Act 1993* (Vic). A licence is required for the following activities:

- Smallgoods (excluding sausages)
- Abattoir (more information can be found [here](#))
- Prime tallow processing
- Further meat processing
- Retail butcher shop
- Game meat processing (more information can be found [here](#))
- Poultry processing

To get a PrimeSafe licence, you need to comply with the [\*Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption\* \(AS 4696:2007\)](#). The basic requirements to apply:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written food safety program.
  - See more information [here](#)
- Sign an agreement with a PrimeSafe approved auditor.
- Submit a [licence application](#).
- Pay the application fee.

Once the application and the relevant fee has been received, your facility will need to be inspected by PrimeSafe to ensure it complies with the relevant standards. The cost of your application for a meat processing facility will vary depending on your activity and the volume of meat that is being processed. The schedule of licensing fees can be found on the [Primesafe website](#).

### Third Party Audits

Auditing schedules vary depending on the type of licence you have and processes you undertake. For example, domestic abattoirs and retail butcher's shops that manufacture smallgoods are required to have two third-party audits per annum, while retail butcher's shops

that do not manufacture smallgoods require one. Audits are conducted for a fee by third party auditors approved by PrimeSafe.

PrimeSafe also conducts unannounced inspections to ensure compliance with food safety standards is maintained at all times.

## New South Wales

AFSA has long supported smallholders in reclaiming the means of production, including the infrastructure intrinsic to agroecology, such as abattoirs, boning rooms, grain mills, dairy processing facilities and more. For livestock farmers intent on building processing facilities on farm, this section outlines your responsibilities under legislation. You will be joining a growing movement of farmers with control of the value chain - a critical step in the struggle for food sovereignty.

The requirements are typically not overly onerous or expensive for meat processing, but can be confusing when you first start out. The principles small-scale farmers raising animals on pasture hold dear - to raise animals well and subject them to as few stresses as possible while respecting their natural instincts - carries through to facilities for slaughter, to then transform carcasses into delicious, nutritious, ethical, ecologically sound and socially just meat to nourish local communities. Meeting the standards just means translating these principles and an ethic of care into construction of safe and hygienic facilities, and implementing the same high standards you bring to farming to food safety.

In New South Wales, all meat production activities are regulated by the NSW Food Authority, under the *Food Act 2003* (NSW), *Food Regulations 2015*, and the Food Standards Code.

A licence is required for the following activities:

- Meat processing plant (any place where meat/fish/poultry is stored, packed, packaged, treated, processed, boned or cut up);
- Abattoir (more information can be found [here](#));
- Rendering plant;
- Game meat field depot;
- Game meat processing (more information can be found [here](#));
- Meat retail premises; and
- Poultry processing.

To get a NSW Food Authority licence, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written food safety program.

- See more information [here](#)
- Submit a [licence application](#).
- Pay the application fee.
- Be audited by NSW Food Authority.

Before applying for a licence, it is important to ensure that you understand the standards and guidelines your facility must adhere to, which can be found on the NSW Food Authority website. All meat processing facilities must comply with the [Australian Standard AS 4696–2007, Hygienic production and transportation of meat and meat products for human consumption](#).

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by the NSW Food Authority.

The cost of your application will vary depending on how many FTE (full-time equivalent) food handlers you employ. The [schedule of fees](#) can be found on the [NSW Food Authority website](#).

### Third Party Audits

Under the [NSW Food Regulation 2015](#), food businesses are licensed with the [NSW Food Authority](#), including:

- businesses that handle, process or store meat
- dairy farms, factories, vendors and milk collection contractors
- businesses that handle seafood and shellfish
- food service to vulnerable persons in hospitals and aged care facilities
- high priority plant product businesses
- the egg industry

The Food Authority is responsible for conducting regular audits and inspections of all licensed businesses, and uses the national risk profiling tool, called the [Food Safety Risk Priority Classification Framework \(RPF\)](#) to determine the risks associated with food businesses.

The RPF comprises two decision trees; one each for primary production and food businesses. There are four (4) possible classification outcomes:

- Priority 1 (P1)
- Priority 2 (P2)
- Priority 3 (P3)
- Priority 4 (P4)

Businesses in the P1 tier represent the highest food safety risk. Conversely, P4 businesses represent the lowest food safety risk. The risk status of P2 and P3 businesses are intermediate between these extremes. For example, under the RPF, a catering business is classified as P1 (high food safety risk), whereas a pig farm is considered P3 (intermediate risk), and a whole grain farm is considered P4 (low risk).

If you're unsure about what to expect during an audit, [head here](#) for a checklist provided by the NSW Government.

Once your business has been audited, you'll be given a ranking A-E (A-B is acceptable, C is marginal and D-E is unacceptable). From here, the frequency of audits will be determined based on your priority classification (P1-P4) as well as your ranking (A-E). Here is an example of what an auditing schedule under the NSW system might look like:

Rating	Priority 1	Priority 2
A	12 months	24 months
B	6 months	12 months
C	3 months	6 months

For more information, please check the [NSW Food Authority website](#).

## Queensland

AFSA has long supported smallholders in reclaiming the means of production, including the infrastructure intrinsic to agroecology, such as abattoirs, boning rooms, grain mills, dairy processing facilities and more. For livestock farmers intent on building processing facilities on farm, this section outlines your responsibilities under legislation. You will be joining a growing movement of farmers with control of the value chain - a critical step in the struggle for food sovereignty.

The requirements are typically not overly onerous or expensive for meat processing, but can be confusing when you first start out. The principles small-scale farmers raising animals on pasture hold dear - to raise animals well and subject them to as few stresses as possible while respecting their natural instincts - carries through to facilities for slaughter, to then transform carcasses into delicious, nutritious, ethical, ecologically sound and socially just meat to nourish local communities. Meeting the standards just means translating these principles and an ethic of care into construction of safe and hygienic facilities, and implementing the same high standards you bring to farming to food safety.

In Queensland, all meat production activities are regulated by Safe Food Queensland, under the [Food Production \(Safety\) Act 2000](#) (Qld) and the [Food Production Safety Regulation](#)

[2014](#). Safe Food Queensland regulates the meat processing industry with the Department of Agriculture and Fisheries, Queensland Health and Meat & Livestock Australia.

An accreditation is required for the following activities:

- Meat processing
- Abattoir (more information can be found here ([LINK](#)))
- Retail butcher shop
- Rendering
- Wild animal harvester (more information can be found here ([LINK](#)))
- Field depot (temperature controlled storage)
- Wild game processing
- Poultry production (rearing)
- Poultry processing

All of the above activities are administered under the Food Safety Scheme for Meat.

Accreditation is not required for slaughter and processing of livestock for private consumption not intended for sale.

To obtain a Safe Food accreditation, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written food safety program.
  - See more information [FIND A TEMPLATE](#)
- Obtain written approval from your local council ([CHECK THIS](#))
- Submit a floor plan and photos of your processing facility that detail:
  - Cool rooms/fridges (floor plan and photos)
  - Hand-washing facilities (floor plan and photos)
  - Drains (floor plan only)
  - All equipment used (photos only)
- Submit a [licence application](#).
- Pay the application fee.
- Be audited by Safe Food Queensland

Before applying for an accreditation, it is important to ensure that you understand the standards and guidelines your facility must adhere to, which can be found on the Safe Food Queensland website. All meat processing facilities must comply with [AS 4696 – Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption](#).

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by Safe Food Queensland. Please note that an inspector can enter your premises without any notice to you, and they (if authorised) have the right to inspect and take samples of meat for testing. They can also seize your products but only if they have reasonable grounds to believe it is necessary to prevent the meat from being dealt or to test it pursuant to the *Food Production Safety Regulation 2002* (Qld).

Please see **Auditing** for more detailed information about audits.

The current accreditation costs are listed on the [Safe Food Queensland website](#).

### **Third Party Audits**

As part of your application for accreditation, a compliance audit will also be conducted against the food safety program or management statement you submit with your application. This audit will be done in the form of a site visit, or desktop audit from Safe Food's head office. Safe Food will advise what type of compliance audit your business will require.

The 2024 fee for service rate (audit fee) is **\$340.63 per hour** (plus GST).

A compliance audit or assessment is required during each accreditation period (calendar year). If you choose to renew your accreditation for the following year, your compliance audit or assessment will be done on site.

For more information on auditing in Queensland, please visit the [Safe Food Queensland website](#).

### Tasmania

AFSA has long supported smallholders in reclaiming the means of production, including the infrastructure intrinsic to agroecology, such as abattoirs, boning rooms, grain mills, dairy processing facilities and more. For livestock farmers intent on building processing facilities on farm, this section outlines your responsibilities under legislation. You will be joining a growing movement of farmers with control of the value chain - a critical step in the struggle for food sovereignty.

The requirements are typically not overly onerous or expensive for meat processing, but can be confusing when you first start out. The principles small-scale farmers raising animals on pasture hold dear - to raise animals well and subject them to as few stresses as possible while respecting their natural instincts - carries through to facilities for slaughter, to then transform carcasses into delicious, nutritious, ethical, ecologically sound and socially just meat to nourish local communities. Meeting the standards just means translating these principles and an ethic

of care into construction of safe and hygienic facilities, and implementing the same high standards you bring to farming to food safety.

In Tasmania, all meat production activities are regulated by the Biosecurity Tasmania, under the Meat and Poultry Food Safety Scheme which is established by the [Primary Produce Safety \(Meat and Poultry\) Regulations 2014](#) and [Primary Produce Safety Act 2011](#). An accreditation is required for the following activities:

- Commercial live poultry producers (farmers and transporters);
- Meat, poultry meat and game meat processors; and
- Ready-to-eat meat (smallgoods) manufacturers.

To get a Biosecurity Tasmania accreditation, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written food safety program.
  - [See more information](#)
- Submit an [accreditation application](#).
- Pay the application fee.

Before applying for an accreditation, it is important to ensure that you understand the standards and guidelines your facility must adhere to, which can be found on the Department of Natural Resources and Environment website. All meat processing facilities must comply with [AS 4696 – Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption](#).

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by an Approved Food Safety Auditor.

Please see **Auditing** for more detailed information about audits.

In Tasmania, there is an [annual accreditation fee](#), based on how many FTE (full-time equivalent) employees you have.

If you are producing smallgoods, there is a useful guideline available on the [Department of Natural Resources and Environmental website](#).

### **Third Party Audits**

In addition to accreditation fees, farmers in Tasmania must pay for an [audit of their approved food safety program](#) to be carried out at least once annually. In some cases, the Chief Inspector might require a more frequent auditing schedule.

Audits can be carried out by an approved private third party auditor or by a Department of Natural Resources and Environment Tasmania (NRE Tas) auditor and will be charged according to market rates, on a “fee for service” basis.

There will be no direct charges to producers for a random inspection or “check audit” (to verify a third party audit) carried out by an NRE Tas authorised officer under the Act. However statutory fees will be charged for NRE Tas audits and inspections that are related to non-compliance with the Act or regulations.

For more information, please visit the [Biosecurity Tasmania website](#).

## Eggs

### Victoria

If you have less than 50 egg-producing birds, you do not need to register your flock with Agriculture Victoria. However, if you would like an egg stamp you can register your flock and get a free stamp.

If you have 50 or more poultry and you sell or give away eggs, you must also:

- get a poultry Property Identification Code (PIC) (NB: if you have 50 or more poultry you must get a PIC regardless of whether you sell or give away eggs)
  - See [Livestock Farming: Poultry](#) for more information.
- stamp every individual chicken egg with a unique stamp (you don't need to stamp duck and quail eggs)
- have and follow a food safety management statement, or be part of an approved industry or commercial quality assurance (QA) program

Agriculture Victoria is the governing body for egg production in Victoria. All egg producers must comply with [Standard 4.2.5 — Primary Production and Processing Standard for Eggs and Egg Products](#) by Food Standards Australia New Zealand (FSANZ).



## Third Party Audits

### New South Wales

If you are a 'small egg farm' - producing less than 20 dozen eggs per week - you do not need to apply for a NSW Food Authority licence.

However, you do need to notify the Food Authority with your business details and food activities, such as selling your eggs. Even if you're only selling your eggs from your farm gate or at the local markets, you are required to notify the NSW Food Authority of your flock details.

Egg production in NSW is regulated by the NSW Food Authority. If you are producing eggs in NSW, you need to meet the requirements set by the relevant standards and guidelines. These are:

1. Food Standards Code:
  - relevant sections of [Chapter 1. - General Food Standards](#) covers labelling substances allowed in food; microbiological limits; etc
  - [Standard 2.2.2 - Egg and Egg Products](#) covers sale of cracked or dirty eggs, unprocessed pulp; and traceability
  - [Standard 3.2.2 - Food Safety Practices and General Requirements](#) covers food handling skills & knowledge; handling controls; health & hygiene; cleaning & sanitising; etc
  - [Standard 3.2.3 - Food Premises and Equipment](#) covers new, existing, temporary, mobile & domestic premises; transport vehicles; water; waste; fixtures & fittings; hand washing facilities; toilet facilities; storage facilities; etc
2. [Food Regulation 2015](#), including:
  - relevant sections of [Part 13. Egg Food Safety Scheme](#), and notification of business details
3. [Food Act 2003](#):
  - general requirements throughout the Act
  - notification of business activities in [ss 100-101](#), and
  - may need to be inspected in response to an incident

## Third Party Audits

If you are a small egg farm, producing no more than 20 dozen (around 240) eggs per week, you **will not** be subject to routine inspections or audits.

However, in the event of an incident or complaint by a local community member, you may need to comply with a routine inspection to investigate such claims.

Larger egg producers—businesses or farms that produce more than 20 dozen (240) eggs for sale per week—**will be** routinely inspected by the Food Authority for compliance with requirements.

Under the [NSW Food Regulation 2015](#), food businesses are licensed with the [NSW Food Authority](#), including:

- businesses that handle, process or store meat
- dairy farms, factories, vendors and milk collection contractors
- businesses that handle seafood and shellfish
- food service to vulnerable persons in hospitals and aged care facilities
- high priority plant product businesses
- the egg industry

The Food Authority is responsible for conducting regular audits and inspections of all licensed businesses, and uses the national risk profiling tool, called the [Food Safety Risk Priority Classification Framework \(RPF\)](#) to determine the risks associated with food businesses.

The RPF comprises two decision trees; one each for primary production and food businesses. There are four (4) possible classification outcomes:

- Priority 1 (P1)
- Priority 2 (P2)
- Priority 3 (P3)
- Priority 4 (P4)

Businesses in the P1 tier represent the highest food safety risk. Conversely, P4 businesses represent the lowest food safety risk. The risk status of P2 and P3 businesses are intermediate between these extremes. For example, under the RPF, a catering business is classified as P1 (high food safety risk), whereas a pig farm is considered P3 (intermediate risk), and a whole grain farm is considered P4 (low risk).

If you're unsure about what to expect during an audit, [head here](#) for a checklist provided by the NSW Government.

Once your business has been audited, you'll be given a ranking A-E (A-B is acceptable, C is marginal and D-E is unacceptable). From here, the frequency of audits will be determined based on your priority classification (P1-P4) as well as your ranking (A-E). Here is an example of what an auditing schedule under the NSW system might look like:

Rating	Priority 1	Priority 2
A	12 months	24 months
B	6 months	12 months
C	3 months	6 months

For more information on audits, please check the [NSW Food Authority website](#).

## Queensland

Egg production in Queensland is regulated by Safe Food Queensland. If you produce eggs in Queensland (including storing, cleaning, candling, grading or packing eggs), with the intent to sell or supply them for human consumption, then you require an accreditation with Safe Food.

To get a Safe Food accreditation, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written food safety program.
  - See more information [here](#).
- Obtain written approval from your local council.
- Register as a biosecurity entity with [Biosecurity Queensland](#) and provide a [biosecurity map](#)
- Submit a licence application
- Pay the application fee
- Be audited by Safe Food QLD

For egg production and processing, your facility must adhere to the following standards and guidelines.

- [Food Production \(Safety\) Regulation 2014](#)
- [Food Production \(Safety\) Act 2000](#)
- [Food Standards Code \(Primary Production and Processing Standard for Eggs and Egg Products\) Standard 4.2.5](#)
- [Food Standards Code \(Food Premises and Equipment\) Standard 3.2.3.](#)
- [Safe Food Guideline for Egg Cleaning Procedures](#)
- [National Farm Biosecurity Manual – Poultry Production](#)
- [National Water Biosecurity – Poultry Production](#)
- [Salmonella Enteritidis Prevention Plan – Standard Operating Procedures for Egg Farms](#)

- [Safe Food Notifications Protocol](#)

Once your initial accreditation application has been reviewed, you will need to address your biosecurity requirements as an egg farm. These requirements are in response to Queensland's *Salmonella* Enteritidis Prevention Plan to ensure that all egg and poultry producers and processors are following a set of standard operating procedures to reduce the risk of *Salmonella* Enteritidis from entering Queensland. You will be asked to complete the following tasks online via the Safe Food Hub:

- Business profile
- Food Safety Management Checklist

**Please note: under Queensland's *Salmonella* Enteritidis Prevention Plan, you will be required to undertake a yearly swab test of discarded egg pulp through a registered laboratory.**

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - select your 'Producing - egg scheme' on the application form.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by Safe Food Queensland.

Please see **Auditing** for more detailed information about audits.

### **Third Party Audits**

As part of your application for accreditation, a compliance audit will also be conducted against the food safety program or management statement you submit with your application. This audit will be done in the form of a site visit, or desktop audit from Safe Food's head office. Safe Food will advise what type of compliance audit your business will require.

The 2024 fee for service rate (audit fee) is **\$340.63 per hour** (plus GST).

A compliance audit or assessment is required during each accreditation period (calendar year). If you choose to renew your accreditation for the following year, your compliance audit or assessment will be done on site.

For more information on auditing in Queensland, please visit the [Safe Food Queensland website](#).

## Tasmania

Small commercial egg producers (producing less than 20 dozen eggs per week) will not be required to hold an accreditation, have an annual food safety audit nor pay any associated fees. However, they will be required to formally notify and register their activity with Biosecurity Tasmania - find the relevant form [here](#).

They must also comply with the Food Standards Code requirements in respect to commercial egg production, including the requirement to have a [Food Safety Management Statement](#) and to stamp their eggs.

Small backyard egg producers with less than 20 egg producing birds, who produce eggs on their property primarily for home consumption (but may only occasionally sell or barter excess eggs directly to friends, family or neighbours) are exempt from the requirements of Standard 4.2.5 and the Egg Scheme.

The commercial production of eggs for human consumption in Tasmania is regulated by Biosecurity Tasmania under the *Primary Produce Safety (Egg) Regulations 2014* (the Egg Food Safety Scheme). The Egg Scheme gives effect to the requirements applying to Tasmanian egg producers under the [Australia New Zealand Food Standards Code \(Food Standards Code\)](#).

## Dairy Production & Processing

### Victoria

#### Production (Farming)

Dairy farming is the keeping of any animals for the purpose of producing milk for profit or sale (as defined by the Dairy Act). Dairy production in Victoria is regulated by Dairy Food Safety Victoria (DFSV), under the [Dairy Act 2000](#) (**the Dairy Act**). To produce dairy on your property, you are required to obtain a licence from DFSV.

To get a DFSV dairy production licence, you need to:

- ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards; develop a written food safety program - see more information [here](#);
- ensure you and staff have the relevant training to manage all food safety aspects in production;
- submit a licence application; and
- pay the application fee.

The DFSV website has a number of useful resources to help applicants for licences understand the process and the regulatory requirements. There is an [Information Pack](#) and a [list of common application terminology](#), plus a [Victorian Dairy Licence Handbook](#).

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#).

Once the application and the relevant fee has been received, you will be contacted within seven business days to confirm receipt of your application. Once this has occurred, you will be requested to complete a new farm remote inspection checklist.

Your licence will be approved or denied within 30 business days of your application.

You may be subject to random audits of your facility and product.

There is also a dairy farmer licence fee, which is calculated per litre of milk supplied from the farm - \$0.0001667 per litre. Direct Pay dairy farmer licence fees are paid every two years, in line with the farm licence renewal period, based on the volume of milk supplied from the farm over a 24-month period. A renewal application will be emailed to you prior to the end of the licence period. An administration fee is also charged for Direct Pay Farms.

#### Processing (Manufacturing)

Dairy processing in Victoria is regulated by Dairy Food Safety Victoria, under the [Dairy Act 2000](#). To produce dairy on your property, you are required to obtain a licence from DFSV.

To get a DFSV dairy production licence, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
  - [Standard 3.2.3](#) of the Australia New Zealand Food Standards Code. Additional information can be found in the DFSV [Hygienic design: guidelines for dairy food manufacturing premises](#).
  - You may also need to obtain local council planning approval for new or modified premises
- Develop a written food safety program - see more information [here](#).
  - The Food Standards Code requires dairy manufacturing businesses to control potential food safety hazards by implementing a documented food safety program based on Codex HACCP principles as outlined in Codex Alimentarius, Basic Texts on Food Hygiene, [Annex Hazard Analysis and Critical Control Point \(HACCP\) System and Guidelines for its Application](#).
  - Microbiological testing program must be included in your food safety program. Please refer to the [Compendium of Microbiological Criteria for Food](#) for guidance.

- Ensure you and staff have the relevant training to manage all food safety aspects in production.
- Submit a licence application.
- Pay the application fee.

Before applying for a licence, it is important that you understand the standards and guidelines your facility must adhere to, which can be found on the DFSV [website](#). Dairy manufacturer licence holders must also comply with all relevant provisions of the [Food Act 1984](#) and the [Australia New Zealand Food Standards Code](#) in the conduct of the dairy business and the processing, handling, packaging and storage of dairy food.

The DFSV website has a number of useful resources to help applicants for licences understand the process and the regulatory requirements. There is an [Information Pack](#) and a [list of common application terminology](#), plus a [Victorian Dairy Licence Handbook](#).

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#).

Once the application and the relevant fee has been received, you will be contacted within seven business days to confirm receipt of your application. Your licence will be approved or denied within 90 business days of your application.

To monitor ongoing compliance, dairy manufacturer licensees are required to be audited every six months, with the first audit of a new licensee conducted within 30 days of the commencement of operations.

**PLEASE NOTE:** DFSV has, under the power at Section 22A(1) of the *Dairy Act 2000* (Vic), exempted proprietors of food businesses that manufacture ice cream and/or frozen yoghurt from pasteurised milk for direct retail sale to consumers for consumption on the premises, or to take away for immediate consumption, from the requirement to hold a dairy industry licence.

#### Raw Milk/Cheese

In Victoria, the sale of raw (unpasteurised) milk for human consumption is illegal. It is also illegal to package, deliver or provide raw milk for consumption.

Raw milk can be used to manufacture cheese if:

- You hold a dairy producing licence with DFSV (if producing the milk on your property); and/or
- You hold a dairy manufacturing licence with DFSV; and
- You have addressed the requirements in the Primary Production and Processing Standard for Dairy ([Standard 4.2.4](#))

Please find more information on the DFSV website [here](#).

## New South Wales

### Production (Farming)

Dairy production in New South Wales is regulated by the NSW Food Authority under the [Food Act 2003](#) (NSW), [Food Regulations 2015](#), and the [Food Standards Code](#). This includes keeping, grazing, feeding and milking of animals, and storing milk product on the premises at which the animals were milked.

To get a NSW Food Authority licence, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
  - The full requirements are set out in the Food Standards Code, [Standard 3.2.2 - Food Safety Practices and General Requirements, clause 3](#) and the FSANZ guide [Safe Food Australia](#)
- Develop a written food safety program.
  - See more information [here](#)
- Develop a documented cleaning schedule that identifies:
  - all fixtures, fittings and equipment used in the processing of dairy products
  - the frequency of cleaning
  - how all fixtures, fittings and equipment are cleaned and sanitised
  - how food contact surfaces and utensils are sanitised (where applicable)
  - chemical usage eg. strength, contact times, temperature
- Submit a licence application.
- Pay the application fee.
- Be audited by NSW Food Authority.

Before applying for a licence, it is important to ensure that you understand the standards and guidelines your facility must adhere to, as listed above.

When you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - select 'Dairy Primary Production'.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by the NSW Food Authority.

Please see **Auditing** for more detailed information about inspection and audits.



The cost of your application will vary depending on how many FTE (full-time equivalent) food handlers you employ.

**PLEASE NOTE:** The only testing required by dairy primary production businesses is for unpasteurised goats' milk that is being packaged at the business. Testing requirements are outlined in the [NSW Food Safety Schemes Manual](#).

### Processing (Manufacturing)

To process dairy products on your property, you must hold a licence from the NSW Food Authority. Dairy processing includes businesses that deal in the packaging, treating, cutting or manufacturing of dairy products, and the packing and storing of those products on the premises where they are processed.

Dairy products include colostrum, milk and any food that contains at least 50% milk or any substance produced from milk (by weight measurement). These include:

- liquid milk products, buttermilk, concentrated buttermilk
- dairy blend
- cream, thickened cream
- butter, butter concentrate, ghee, anhydrous milk fat (butter oil)
- cheese
- yoghurt, cultured milk
- Ice cream, ice cream mix
- casein, caseinate, whey, whey cream, concentrated whey cream
- buttermilk powder, lactose powder, milk sugar, powdered milk, skim milk powder, whey powder, milk protein powder
- other milk and concentrates.

The licensing requirements for Dairy Processing are the same as Dairy Production, so please refer to the steps above.

However, there are extra regulatory controls placed on Dairy Processing in NSW that need to be followed as part of your licensee obligations.

[Standard 4.2.4 - Primary Production and Processing Standard Dairy](#) explains the requirements for the safe processing of milk and dairy products (Clause 15) and for processing of dairy products to make cheese and cheese products (Clause 16).

A person must not sell a dairy product for human consumption unless the product has been processed in line with these requirements. Under Clause 15, you must safely level any pathogenic microorganisms that may be present in the raw milk.

Clause 15 and 16 do not apply to:

- a dairy primary production business for the sale of milk or cream to a dairy processing business, or
- a dairy processing business for the sale of a dairy product to another dairy processing business, or
- goats milk, but only if the milk has been produced in compliance with a Food Safety Program (FSP) and (in the case of unpasteurised milk) the milk bears a label with a statement that complies with Clause 2 of [Standard 1.2.3 - Mandatory Warning and Advisory Statements and Declarations](#).

### **Notification of residue detection for raw milk**

Operators in the dairy processing industry that receive raw milk directly from the farm need to advise the NSW Food Authority if they detect antibiotic residue in the raw milk. If a sample does not meet the standards set out in the [NSW Food Safety Schemes Manual](#) the licence holder must [notify the Food Authority](#) within 24 hours by phone, and within 7 days in writing. For the written notice, complete and lodge: [Notification of Residue Detection Form RES001 \(WORD\)](#).

### **Pasteuriser requirements**

Equipment used for pasteurising dairy products at a processing business must comply with the requirements of the [Guidelines for Food Safety: Validation and Verification of Heat Treatment Equipment and Processes](#). The guidelines have been developed by the Australia New Zealand Dairy Authorities' Committee (ANZDAC).

- *Salmonella* Control
  - Dairy processing businesses must control Salmonella contamination in dried milk products in keeping with the [Australian Manual for Control of Salmonella in the Dairy Industry](#) published by the Australian Dairy Authorities' Standards Committee.
- *Listeria* Control
  - Dairy processing businesses must control Listeria contamination in keeping with the [Australian Manual for Control of Listeria in the Dairy Industry](#) published by the Australian Dairy Authorities' Standards Committee.

### **Testing**

Businesses operating in the dairy processing industry must meet the requirements outlined in the [NSW Food Safety Schemes Manual](#). The Manual details microbiological testing requirements. Importantly, you should know that:

- Microbiological testing is required to confirm that processing is hygienic and sanitary and required meeting standards
- Testing must involve the National Association of Testing Authorities (NATA) or a laboratory approved by the Food Authority
- Any analysis is at the licence holder's expense

- If a sample does not meet the standards set out in the Manual, the licence holder must notify the Food Authority within 24 hours by phone, and within 7 days in writing.

Once the licence application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by the NSW Food Authority.

Please see **Auditing** for more detailed information about inspection and audits.

The cost of your application will vary depending on how many FTE (full-time equivalent) food handlers you employ.

### Raw Milk/Cheese

In NSW, the sale of raw (unpasteurised) milk from cows for human consumption is illegal. The sale of unpasteurised goats milk is only permitted subject to compliance with the dairy food safety scheme and an advisory statement that the milk is unpasteurised must be included on the product.

Raw milk can be used to manufacture cheese if:

- You hold a dairy primary production licence with the NSW Food Authority (if producing the milk on your property); and/or
- You hold a dairy processing licence with NSW Food Authority; and
- Have completed a production process pro forma (see below)

Any NSW business producing raw milk cheese must complete a production process [pro forma](#), which is a written description of the steps used to make a particular product. The pro forma can demonstrate to the Food Authority that the production process used is effective in reducing the numbers of *L.monocytogenes* to a safe level. The NSW Food Authority will review the pro forma and must provide approval before manufacture can begin.

Cheese producers wishing to produce raw milk cheese can download the [Raw Milk Cheese Decision Support Tool](#). The tool was developed to assist cheese producers and food safety managers assess whether a particular raw milk cheese, and process, satisfies Australian regulations for safe production.

### Third Party Audits

The Food Authority is responsible for conducting regular audits and inspections of all licensed businesses, such as dairy, and uses the national risk profiling tool, called the [Food Safety Risk Priority Classification Framework \(RPF\)](#) to determine the risks associated with food businesses.

The RPF comprises two decision trees; one each for primary production and food businesses. There are four (4) possible classification outcomes:

- Priority 1 (P1)
- Priority 2 (P2)
- Priority 3 (P3)
- Priority 4 (P4)

Businesses in the P1 tier represent the highest food safety risk. Conversely, P4 businesses represent the lowest food safety risk. The risk status of P2 and P3 businesses are intermediate between these extremes. For example, under the RPF, a catering business is classified as P1 (high food safety risk), whereas a pig farm is considered P3 (intermediate risk), and a whole grain farm is considered P4 (low risk).

If you're unsure about what to expect during an audit, [head here](#) for a checklist provided by the NSW Government.

Once your business has been audited, you'll be given a ranking A-E (A-B is acceptable, C is marginal and D-E is unacceptable). From here, the frequency of audits will be determined based on your priority classification (P1-P4) as well as your ranking (A-E). Here is an example of what an auditing schedule under the NSW system might look like:

Rating	Priority 1	Priority 2
A	12 months	24 months
B	6 months	12 months
C	3 months	6 months

For more information on audits, please check the [NSW Food Authority website](#).

## Queensland

### Production (Farming)

If you want to produce milk from a bovine animal (or camel, goat, sheep or buffalo) on a farm in Queensland, with the intent to sell or supply that milk for human or animal consumption, then you require an accreditation with Safe Food. This activity is classified as **Producing** under the Dairy Scheme of the *Food Production (Safety) Regulation 2014*. The dairy industry is also regulated by *Safe Food Queensland under the Food Production (Safety) Act 2000* (Qld).

Accreditation is required before producing, storing, transporting, handling or processing milk or dairy products.

To get a Safe Food accreditation, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written food safety program
- Obtain written approval from your local council
- Submit a floor plan and photos of your processing facility that detail:
  - milking room, including milk vats/silos
  - milking pit
  - yards and grain / ration storage areas
  - CIP cleaning station and chemicals
  - hand washing facilities, including chemicals
  - equipment
  - storage areas
  - rodent bait stations (site plan only)
- Submit your milk supply agreement, if you are supplying milk to a single processor - by providing this, Safe Food will be able to audit your records via the processor that you supply to, removing the need to conduct an on-site audit at your business.
- Submit a licence application.
- Pay the application fee.
- Be audited by Safe Food Queensland.

Before applying for an accreditation, it is important to ensure that you understand the standards and guidelines your facility must adhere to. These include:

- [Food Production \(Safety\) Regulation 2014](#)
- [Food Production \(Safety\) Act 2000](#)
- [Food Standards Code \(Primary Production and Processing Standard for Dairy Products\) Standard 4.2.4](#)
- [Food Standards Code, Standard 3.2.3 \(Food Premises and Equipment\)](#)
- [Safe Food Notifications Protocol](#)

The Australian and New Zealand Dairy Authorities Committee (**ANZDAC**) also provides [industry guidelines](#) to help producers prepare food safety plans.

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - select “Producing - dairy scheme”.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by the Safe Food QLD.

Please see **Auditing** for more detailed information about inspections and audits.

**PLEASE NOTE:** If you plan to produce **and** process dairy on your property, you will need to apply for an accreditation as a Processor. Under this accreditation, Production of milk will be covered - this means you will not require two separate accreditations.

### Third Party Auditing

#### Processing (Manufacturing)

If you want to process dairy products in Queensland with the intent to sell or supply for human or animal consumption, then you require an accreditation with Safe Food. 'Processing' includes activities such as:

- pasteurising and bottling milk or flavoured milk
- producing cream, butter, cheese, yoghurt, ice-cream, whey or dairy powders (e.g. skim milk powder, whey powder and milk protein powder)

These activities are classified as **Processing** under the Dairy Scheme of the [Food Production \(Safety\) Regulation 2014](#).

To get a Safe Food accreditation, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written Food Safety Program.
  - See more information [FIND A TEMPLATE](#)
- Obtain written approval from your local council (**CHECK THIS**)
- Submit a floor plan and photos of your processing facility that detail:
  - hand washing facilities and signage, including chemicals (site plan & photos)
  - processing equipment (e.g. pasteuriser, blending equipment, packing equipment etc.) (site plan & photos)
  - storage areas (e.g. raw material, packaging, finished product) (site plan & photos)
  - rodent bait stations (site plan only)
  - staff amenities (site plan only)
- Submit a licence application.
- Pay the application fee.
- Be audited by Safe Food QLD

Before applying for an accreditation, it is important to ensure that you understand the

standards and guidelines your facility must adhere to. These include:

- [Food Standards Code \(Primary Production and Processing Standard for Dairy Products\) Standard 4.2.4](#)
- [Food Standards Code \(Food Premises and Equipment\) Standard 3.2.3.](#)
- [Food Production \(Safety\) Regulation 2014](#)
- [Food Production \(Safety\) Act 2000](#)
- [Safe Food Notifications Protocol](#)
- [FSANZ Compendium of Micro Criteria in Food](#)
- [FSANZ Schedule 27 Microbiological Limits in Food](#)
- [ADASC Minimum Sampling Guidelines or Dairy Products](#)

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - select “Processing - dairy scheme” as your activity.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by the Safe Food QLD.

Please see **Auditing** for more detailed information about inspections and audits.

**PLEASE NOTE:** As a dairy processor, you will be undertaking activities deemed to be high risk under the *Food Production (Safety) Regulation 2014*. As such, if your application is approved, you will be issued a temporary accreditation to start with. A temporary accreditation is issued for a period of up to **two months**, prior to being considered for an open accreditation. Under a temporary accreditation, must have your food production system approved by Safe Food **before** you can begin supplying dairy products.

If issued a temporary accreditation, you will be required to submit additional technical information to demonstrate that your nominated food safety controls are effective in maintaining compliance with the requirements of the Dairy Scheme. This required information is in addition to the application process and will incur additional costs. You will be notified in writing if you are issued a temporary accreditation and what you need to supply.

## Raw Milk/Cheese

In Queensland, all milk sold (except goats’ milk) must be pasteurised. The sale of raw milk for human consumption is illegal.

Unpasteurised goats’ milk is permitted subject to compliance with the dairy scheme which includes strict requirements for testing, appropriate recall procedures, and labelling. The statement ‘*Caution— This milk is an unpasteurised product and may contain organisms that*

*could be injurious to health* is required to be included on the product. The pasteurisation of milk and manufacturing of other dairy produce is administered by Safe Food Production Queensland under the *Food Production (Safety) Act 2000*.

Raw milk cheeses for human consumption must be approved by Food Standards Australia New Zealand (FSANZ). The maturation of the cheese must meet certain time, temperature and water content requirements, a process which has a similar outcome to pasteurisation in that it reduces pathogens.

FSANZ conducted a risk assessment for a small number of raw milk cheese types/varieties including Extra Hard, Swiss-type, Cheddar, Blue, Feta and Camembert. The Extra Hard and selected Swiss-style cheese were determined to present a low to negligible risk to public health and safety due to high curd cooking temperature. Other types of cheese (Cheddar, Feta and Camembert) were considered a high risk due to growth and/or survival of pathogens during cheese making.

### **Third Party Audits**

## Tasmania

### Production (Farming)

If you want to operate a dairy farm on your property in Tasmania, you must hold a licence issued by the Tasmanian Dairy Industry Authority (TDIA) under the [Dairy Industry Act 1994](#). The *Dairy Industry Act 1994* defines a dairy farmer as the owner ( or person in charge) of a premises where cows (or other non-bovine animals such as sheep or goats) are kept or milked for the purpose of producing milk for profit or sale. This includes farmers who supply milk to themselves for bottling or making into dairy products.

To obtain a dairy farming licence in Tasmania, you must:

- Submit Dairy Farmer Licence Application/Transfer Form to TDIA and pay the prescribed fee
- Submit Referral to Function Control Authority form to TDIA for 'Special Use Building'
- Develop or obtain, and complete, a TDIA-approved Food Safety Program
- Develop, review and/or update your dairy farm premises [Effluent Management Plan](#) and submit documentation to TDIA for approval
  - Effluent systems are to be assessed and designed by suitably qualified persons and meet the design criteria set out in the National Effluent and Manure Database



- Effluent Management System Assessment by appropriately qualified persons
- Verification from the appropriately qualified designer(s) that the effluent system has been built in accordance with the submitted effluent management plan
- Obtain and submit a Certificate of Occupancy to the TDIA
- Obtain and submit a Certificate of Completion (plumbing permit to the TDIA)
- Submit a Notice of Intention to Complete Dam Works to DPIPWE Water Branch (if applicable)
- Register new or existing effluent dams with DPIPWE Water Branch
- Submit a Notice of Completion of Dam Works with proof of 'Works as Executed' (WAE) to DPIPWE Water Department and the TDIA
- On-farm site inspection by TDIA

As a first point of call, contact the TDIA, your local Council and your preferred milk supply company to ensure that your plans and/or premises meet their requirements. You may need to obtain planning approvals for new or modified premises.

Before applying for a licence, it is important to ensure that you understand the standards and guidelines your facility must adhere to, which can be found on the TDIA website [here](#).

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#).

Once the application and fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by an Approved Food Safety Auditor.

Please see **Auditing** for more detailed information about inspections and audits.

### Processing (Manufacturing)

In Tasmania, dairy processors and manufacturers come under the umbrella term “factories”, and will require a licence from TDIA:

- **Dairy Manufacturers** are defined as businesses that take milk and transform it into other products for sale - such as cheese, yoghurt, ice cream, powdered milk and other dairy products.
- **Dairy Processors** are defined as businesses that process milk and cream into packaged cartons and bottles for sale.

Not all businesses that manufacture dairy products will be required to have a licence - some retail establishments that manufacture and sell on site, such as restaurants, do not need to be licenced with TDIA as their local Council will take responsibility for these businesses.

However, if a business manufactures and sells on site but also sells at other premises, such as an ice cream retailer that also supplies other stores, they will require licensing.

To obtain a dairy farming licence in Tasmania, you must:

- Make contact early with TDIA and your local Council to ensure your premises meet requirements - you may need to obtain planning approvals for new or modified premises.
- Develop a written food safety program to identify and control potential food safety hazards in the food manufacturing process.
  - TDIA has resources to help you with this process, and provides feedback on your program to assist you. Read the Requirements for Factories document listed below to help develop your program.
- Lodge your application form, application fees and food safety program with TDIA for assessment.

Before applying for a licence, it is important to ensure that you understand the standards and guidelines your facility must adhere to. These can be found at the following links:

- [Requirements for Factories](#)
- [Primary Production and Processing Standard for Dairy Products - Dairy Processing](#)
- [ANZDAC Validation and Verification of Heat Treatment Equipment and Processes](#)
- [Dairy Factory Licence Conditions](#)

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#).

Once the application and fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by an Approved Food Safety Auditor.

Please see **Auditing** for more detailed information about inspections and audits.

## Vendors

A vendor's licence is issued to persons (or entities) that sell or transport market milk. Market milk is defined under the *Dairy Industry Act 1994* as milk or cream for sale for human consumption as a liquid. This means that you need to have a licence if you intend to carry or deliver milk or cream.

Although vendors are not required to have a food safety program, they are required to ensure their products are carried and stored at below 5°C to ensure their safety.

TDIA will check that vendors can effectively monitor their transport temperatures, and that vehicles are kept clean.

Application forms can be found [here](#), and licence conditions [here](#).

## Raw Milk/Cheese

In Tasmania, all milk sold must be pasteurised. The sale of raw milk for human consumption is illegal.

If you wish to produce raw milk cheese, please contact TDIA for more information around standards and regulations.

## Food Sales

### Victoria

#### Farm gate/On-site

In Victoria, the sale of eggs, honey, fruit and vegetables from a farmgate stall or directly from your residence does not require a licence or permit.

The Agriculture Legislation Amendment Bill 2022 (passed in 2022) has expanded the *Meat Industry Act 1993* to allow for the retail sale of fresh meat that is of 'low risk'. This allows farmers from 1 January 2023 to sell packaged meat that has been processed at a PrimeSafe licensed facility at their farmgate stall.

'Packaged meat' includes:

- Cryovac or vacuum packaged cuts of meat, mince, sausages and smallgoods
- Cuts of meat, mince, sausages and smallgoods in modified atmosphere packaging
- Canned or bottled meat products
- Meat and meat products packaged in other impermeable and hermetically sealed packaging

This does not include seafood.

Under the amended legislation, you are only allowed to sell your own and your neighbours' produce. You must use your premises (such as your farm gate) to retail the packaged meat.

If you sell packaged meat at markets from a vehicle or stall, you need local council registration for a temporary/mobile premises.

**Please note** that in most cases you will need to apply for a Class 3 Food Business Registration with your local council to sell packaged meat and dairy products on your property. For example, see the Hepburn Shire Council business registration requirements [here](#). See more information from the Department of Health [here](#). This is not a substitute for any licences requirements that still apply to you.

The Victorian Planning Scheme (Farming Zone 35.07-1) states that primary produce sales must not be within 100 metres of a dwelling in separate ownership and the area used for the display and sale of primary produce must not exceed 50 square metres.

**PLEASE NOTE:** licences must be obtained to process meat and dairy products for the purpose of sale - *see the section on Food Licences for more detail.*

#### Off-site/Farmers Markets

There is no PrimeSafe licence category that requires a licence to be obtained for the roadside sale of fresh meat and meat products from a vehicle or purpose built mobile facility. This includes sale of goods at farmers' markets. However, you will need a PrimeSafe licence to produce most of the products you may wish to sell at your stall, or else have your meat processed by a licensed butcher. In addition, your business may need a PrimeSafe Meat Transport Vehicle licence - see **Storage and Transport - Victoria** for more information.

Local councils are responsible for the regulatory oversight of farmers' markets and roadside sales in Victoria. Please use the [Foodtrader website](#) for guidance around registering a market stall and get approval to sell your products.

Please note that you will need to register as a food business with your local council before selling your produce. See more information [here](#).

Chapter 3 of the *Food Standards Australia & New Zealand Food Standards Code* sets out food safety objectives that apply to the sale of all food in Australia.

## New South Wales

#### Farm gate/On-site

Previously in NSW, most council areas required you to lodge a development application for a roadside stall from which to sell meat, dairy, eggs, honey, fruit and vegetables. If you wanted to build a small shop on your property to sell from, you were required to lodge another development application under a 'retail premises' land use term.

However, the Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2022 has created a new definition for 'farm gate premises' (previously called 'farm gate activities') which allows a building or place on a farm, with commercial agriculture, to sell produce. The produce sold is to be mostly grown on the farm and supplemented with produce from other local farms in the area. This includes the processing, packaging and sale of products, but not the processing of animals.

This includes an optional clause that councils can adopt into their local planning scheme to make farm gate premises 'exempt development', meaning you do not need approval from the council. This will make it easier for small-scale producers to sell directly from their property in NSW.

Roadside stalls are also considered 'exempt development' and do not need approval from your local council.

More detailed information can be found in this [Agritourism and Small-scale Agriculture Fact Sheet](#).

You will also need to register with the NSW Food Authority as a food business if you are selling meat, eggs, dairy or high-risk plant products (seed sprouts) - you can find more information [here](#).

#### Off-site/Farmers Markets

To sell meat, dairy, eggs, honey, fruit and vegetables from a stall or vehicle in a public place you will need local council approval. Examples of the sort of activities that require approval include:

- selling goods from a vehicle or stand
- temporary food stalls
- mobile food vendors

For example, Lismore Shire Council requires you to apply for a permit to operate a market stall or food van at a market or event within the Lismore City Council Local Government Area (LGA). The application form can be found [here](#) and the associated fees can be found on Page 62 of the [Fees and Charges](#) documents.

You will also need to register with the NSW Food Authority as a food business if you are selling meat, eggs, dairy or high-risk plant products (seed sprouts) - you can find more information [here](#).

Chapter 3 of the *Food Standards Australia & New Zealand Food Standards Code* sets out food safety objectives that apply to the sale of all food in Australia. You must ensure that you follow the standards outlined in the Code.

## Queensland

### Farmgate/On-site

You do not need a food business licence if you are selling fruit and vegetables, meat and dairy produced with a Safe Food accreditation. An accreditation is required in order to legally sell or supply your products in Queensland.

#### Off-site/Farmers Markets

You do not need a food business licence if you are selling fruit and vegetables, meat and dairy produced with a Safe Food accreditation.

Chapter 3 of the *Food Standards Australia & New Zealand Food Standards Code* sets out food safety objectives that apply to the sale of all food in Australia. You must ensure that you follow the standards outlined in the Code.

## Tasmania

#### Farmgate/On-site

#### Off-site/Farmers Markets

If you intend to operate a mobile food business, you must notify your local council before you commence operation. The sale of meat and whole fruit and vegetables only requires to notify your local council before you commence operation. Other products may require registration with your local council. Please find detailed classifications [here](#), and [Guidelines](#) for mobile food business here.

Chapter 3 of the *Food Standards Australia & New Zealand Food Standards Code* sets out food and safety objectives that apply to the sale of all food in Australia. You must ensure that you follow the standards outlined in the Code.

## Abattoirs

## Victoria

#### On-Farm Slaughter

In Victoria, you do not need a PrimeSafe licence if you are slaughtering your own animals on your property for private consumption at home.

Section 5 of the *Meat Industry Act 1993* (Vic) states that the rules in the Act do not apply to the slaughter of an animal on a farm if:

- it is slaughtered for consumption on that farm; and
- it is not slaughtered for sale; and
- it is not slaughtered for use in the preparation of food for sale;
- it is not removed from that farm.

Please note that you do require a gun licence (if this is what you are using). Find gun licensing requirements [here](#).

There are specific animal welfare standards in Australia that must be followed when slaughtering animals, even if it is for private consumption. You can find more information [here](#).

### Abattoir

To operate an abattoir on your property, you will need to apply for a licence from PrimeSafe. Applications should be submitted **at least** ten days before you wish to commence activities at your facility.

To get a PrimeSafe licence, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written food safety program.
  - See more information [here](#)
- Sign an agreement with a PrimeSafe approved auditor.
- Submit a licence application.
- Pay the application fee.

An abattoir that processes cattle, sheep, pigs, deer, goats, camels and buffalo must comply with:

- [\*Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption \(AS 4696:2007\)\*](#)
- [\*A Guide to the Implementation and Auditing of HACCP\*](#)
- [\*Microbiological Testing for Process Monitoring in the Meat Industry Guidelines\*](#)

Poultry abattoirs follow a different set of standards and guidelines. You can find those on the PrimeSafe website [here](#).

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - click on your relevant activity to access the application form.

Once the application and the relevant fee has been received, your facility will need to be

inspected to ensure it complies with the relevant standards. This will be done by a third-party auditor who has been approved by PrimeSafe.

### Third Party Audits

Domestic abattoirs are required to have two third-party audits per annum. Audits are conducted for a fee by third party auditors approved by PrimeSafe.

PrimeSafe also conducts unannounced inspections to ensure compliance with food safety standards is maintained at all times.

The current cost of the application is \$1023. If your annual throughput is less than 15,000 units, the current annual fee is \$2045.

*Note: 1 cattle = 5 units, 1 rabbit = 0.2 units, 1 other stock = 1 unit*

AFSA has hosted several gatherings and online solidarity sessions regarding abattoirs. Drop us an email at [admin@afsa.org.au](mailto:admin@afsa.org.au) to find out more.

### Mobile Slaughter Unit

Licensing requirements for a vehicle-based slaughter unit in Victoria are the same requirements for an abattoir licence, as listed above.

The Primary Industries Legislation Amendment Bill 2019 expanded the definition of ‘abattoir’ to include ‘a vehicle used for slaughter of consumable animals for human consumption’.

***MEAT INDUSTRY ACT 1993 - SECT 3 Definitions:***

*abattoir means—(includes):*

*(ab) a vehicle used for slaughter of consumable animals for human consumption.*

*(c) any structure, facility, vehicle or equipment (including equipment to deal with offal or condemned meat) used in connection with a place referred to in paragraph (a) or a vehicle referred to in paragraph (ab) whether before or after slaughter.*

*"vehicle" means a conveyance designed to be propelled or drawn by any means, whether or not capable of being so propelled or drawn, and includes cart, caravan, bicycle, railway carriage, tram-car, ship, boat, barge, vessel, aircraft and aircushion vehicle.*

Meat slaughtered using a mobile slaughter unit can leave the property on which it is slaughtered and is able to be sold for human consumption.



The processing of any waste generated on the land does not require Environment Protection Authority approval if it does not exceed thresholds for slaughtering and processing animals and that any organic waste generated on the site is processed and retained on-site under the following regulation.

***Environment Protection Regulations 2021 - Schedule 1***

Prescribed development activity and Prescribed operating activity:

- D01 (Abattoirs) *Slaughtering or processing animals (including poultry) at a designed throughput of more than 200 tonnes per year.*

Prescribed registration activity:

- A07b (Organic waste processing—small) *but not including, (c) operations processing organic waste generated on-site and that retain the processed organic waste on-site.*

## New South Wales

### On-Farm Slaughter

In NSW, you do not need a NSW Food Authority licence if you are slaughtering your own animals on your property for private consumption at home.

Section 78 of the *Food Regulation 2015* (NSW) states that the meat food safety scheme does not apply to or in respect of the handling of food that is not intended for sale

Please note that you do require a gun licence (if this is what you are using). Find gun licencing requirements [here](#).

There are specific animal welfare standards in Australia that must be followed when slaughtering animals, even if it is for private consumption. You can find more information [here](#).

### Abattoir

To operate an abattoir on your property, you will need a licence from the NSW Food Authority. To get a NSW Food Authority licence, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written food safety program.

- See more information [here](#)
- Submit a licence application.
- Pay the application fee.
- Be audited by NSW Food Authority.

Before applying for a licence, it is important to ensure that you understand the standards and guidelines your facility must adhere to, which can be found on the NSW Food Authority website.

*For example, a meat processing plant that processes cattle, sheep, pig, deer, goat, camel and buffalo must comply with:*

- [Food Act 2003 \(NSW\)](#)
- [Food Regulation 2015](#), including relevant parts of the Meat Food Safety Scheme
- [Food Safety Schemes Manual](#)
- [Food Standards Code](#), including -
  - [Chapter 1, Part 1.2 - Labelling and other Information Requirements](#)
  - [Standard 1.3.1 - Food Additives](#)
  - [Standard 3.2.2 - Food Safety Practices and General Requirements](#)
  - [Standard 3.2.3 - Food Premises and Equipment](#)
- [Australian Standard AS 4696–2007. Hygienic production and transportation of meat and meat products for human consumption](#)

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - select your relevant activity on the application form.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by the NSW Food Authority.

Please see **Auditing** for more detailed information about inspection and audits.

The cost of your application will vary depending on how many FTE (full-time equivalent) food handlers you employ.

### **Third Party Audits**

In New South Wales, red meat abattoirs will be audited by the Food Authority for compliance with [requirements](#).

The Biosecurity Management Plan Implementation Program is an inspection and compliance program to help licensed abattoirs and knackeries reduce biosecurity risks.

[Read the implementation guide](#) which has been developed for industry to help ensure a robust and consistent, risk based system is in place to maintain biosecurity.

If required, the Food Authority will take compliance or regulatory action if requirements are breached or unfulfilled.

In terms of audit schedules, the Food Authority is responsible for conducting regular audits and inspections of all licensed businesses, such as dairy, and uses the national risk profiling tool, called the [Food Safety Risk Priority Classification Framework \(RPF\)](#) to determine the risks associated with food businesses.

The RPF comprises two decision trees; one each for primary production and food businesses. There are four (4) possible classification outcomes:

- Priority 1 (P1)
- Priority 2 (P2)
- Priority 3 (P3)
- Priority 4 (P4)

Businesses in the P1 tier represent the highest food safety risk. Conversely, P4 businesses represent the lowest food safety risk. The risk status of P2 and P3 businesses are intermediate between these extremes. For example, under the RPF, a catering business is classified as P1 (high food safety risk), whereas a pig farm is considered P3 (intermediate risk), and a whole grain farm is considered P4 (low risk).

If you're unsure about what to expect during an audit, [head here](#) for a checklist provided by the NSW Government.

Once your business has been audited, you'll be given a ranking A-E (A-B is acceptable, C is marginal and D-E is unacceptable). From here, the frequency of audits will be determined based on your priority classification (P1-P4) as well as your ranking (A-E). Here is an example of what an auditing schedule under the NSW system might look like:

Rating	Priority 1	Priority 2
A	12 months	24 months
B	6 months	12 months
C	3 months	6 months

For more information on audits, please check the [NSW Food Authority website](#).

### Mobile Slaughter Unit

Licensing requirements for a mobile slaughter unit in New South Wales are the same requirements for an abattoir licence, as listed above.

The *Food Act 2003* (NSW) includes vehicles in its definition of “premises”. Section 76 of the Food Regulation 2015 defines “abattoir” to mean premises used for or in connection with the slaughtering of abattoir animals for human consumption

Because of this, a mobile slaughter unit falls under the umbrella definition of abattoir and therefore has the same licensing requirements and associated costs.

Meat slaughtered using a mobile slaughter unit can leave the property on which it is slaughtered and is able to be sold for human consumption.

## Queensland

### On-Farm Slaughter

In Queensland, you do not need a Safe Food accreditation if you are slaughtering your own animals on your property for private consumption at home.

Please note that you do require a gun licence (if this is what you are using). Find gun licensing requirements [here](#).

There are specific animal welfare standards in Australia that must be followed when slaughtering animals, even if it is for private consumption. You can find more information [here](#).

### Abattoir

To operate an abattoir on your property, you will need to obtain accreditation from Safe Food.

To get a Safe Food accreditation, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written food safety program.
  - See more information [FIND A TEMPLATE](#)
- Obtain written approval from your local council
- Submit a floor plan and photos of your processing facility that detail:
  - Cool rooms/fridges (floor plan and photos)
  - Hand-washing facilities (floor plan and photos)

- Drains (floor plan only)
- All equipment used (photos only)
- Provide evidence that you or an employee is qualified in carcase inspection and will be present during slaughter - at a minimum, Cert 3 in Meat Safety
- Provide evidence of NLS and PIC number - see **Animal Requirements LINK** for more information
- Provide evidence that you or an employee has undertaken animal welfare training
- Submit a licence application.
- Pay the application fee.
- Be audited by Safe Food QLD

If you are processing red meat, including chilling, curing, drying, freezing, deboning, packaging or smoking meat for supply or sale, your facility must comply with:

- [Food Production \(Safety\) Regulation 2014](#)
- [Food Production \(Safety\) Act 2000](#)
- [Standard 4.2.3 – Primary Production and Processing Standard for Meat and Meat Products](#)
- [AS 4696 – Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption](#)
- [Food Standards Code, Standard 3.2.3 \(Food Premises and Equipment\)](#)
- [Safe Food Notifications Protocol](#)
- [Listeria Management Guideline \(Australian Meat Regulators Group\)](#)
- [Responsibilities When Producing and Handling Ready-to-Eat Meats \(RTE\) in Queensland](#)

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - select your relevant activity on the application form.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by the Safe Food QLD.

Please see **Auditing** for more detailed information about inspections and audits.

### **Third Party Audits**

As part of your application for accreditation, a compliance audit will also be conducted against the food safety program or management statement you submit with your application. This

audit will be done in the form of a site visit, or desktop audit from Safe Food's head office, and will be charged in 15-minute increments. Safe Food will advise what type of compliance audit your business will require.

The 2024 fee for service rate (audit fee) is \$340.63 per hour (plus GST).

A compliance audit or assessment is required during each accreditation period (calendar year). If you choose to renew your accreditation for the following year, your compliance audit or assessment will be done on site.

### Mobile Slaughter Unit

Queensland does not currently have any legislation that explicitly handles the accreditation of mobile slaughter units.

However, a spokesperson for Safe Food Production Queensland said mobile abattoirs would be assessed for accreditation primarily under the requirements of the Australian Standard for the Hygienic Production and Transportation of Meat (AS4696) and the Australia New Zealand Food Standards Code.

## Tasmania

### On-Farm Slaughter

In Tasmania, you do not need a Biosecurity Tasmania accreditation if you are slaughtering your own animals on your property for private consumption at home.

Section 13 of the [Primary Produce Safety \(Meat and Poultry\) Regulations 2014](#) states that homekill processing is exempt from the meat safety scheme.

Please note that you do require a gun licence (if this is what you are using). Find gun licencing requirements [here](#).

There are specific animal welfare standards in Australia that must be followed when slaughtering animals, even if it is for private consumption. You can find more information [here](#).

### Abattoir

To operate an abattoir on your property, you must get an accreditation from Biosecurity Tasmania, under the Meat and Poultry Food Safety Scheme which is established by the [Primary Produce Safety \(Meat and Poultry\) Regulations 2014](#) and [Primary Produce Safety Act 2011](#).

To get a Biosecurity Tasmania accreditation, you need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written food safety program.
  - [See more information](#)
- Submit an accreditation application.
- Pay the application fee.

The following Standards are implemented by the Tasmanian Meat and Poultry Scheme:

- PPP Standards published in the Food Standards Code by [Food Standards Australia New Zealand](#) (FSANZ)
  - *Standard 4.2.2 Primary Production and Processing Standards for Poultry Meat*
  - *Standard 4.2.3 Primary Production and Processing Standard for Meat.*
- Australian Standards available from CSIRO Publishing at [www.publish.csiro.au](http://www.publish.csiro.au)
  - *Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption (AS 4696:2007)*
  - *Australian Standard for Hygienic Production of Wild Game Meat for Human Consumption (AS 4464:2007)*
  - *Australian Standard for Hygienic Production of Rabbit Meat for Human Consumption (AS 4466:1997)*
  - *Australian Standard for Hygienic Production of Natural Casings for Human Consumption (AS 5011:2001)*

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - select your relevant activity on the application form.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by an Approved Food Safety Auditor.

Please see **Auditing** for more detailed information about inspections and audits.

In Tasmania, there is an annual accreditation fee, based on how many FTE (full-time equivalent) employees you have. In addition, there are fees for the original accreditation application and for approval of your food safety program.

### Third Party Audits

In addition to annual accreditation fees, producers must pay for an audit of their approved food safety program to be carried out at least once annually (unless a different interval is required by the Chief Inspector).

Audits can be carried out by an approved private third party auditor or by an NRE Tas auditor and will be charged according to market rates, on a fee for service basis.

There will be no direct charges to producers for a random inspection or “check audit” (to verify a third party audit) carried out by an NRE Tas authorised officer under the Act. However statutory fees will be charged for NRE Tas audits and inspections that are related to non-compliance with the Act or regulations.

For the current list of audit fees, head [here](#).

### Mobile Slaughter Unit

Mobile abattoirs can operate in Tasmania to provide a service for *homekill* processing, where meat is produced from an animal slaughtered on behalf of the owner of the animal on premises where the owner resides and for consumption on those premises.

Accreditation under the Primary Produce Safety legislation is not required in respect to such activity.

However, it is important to note that the current position in Tasmania is that mobile abattoirs cannot be used for commercial meat processing within Tasmania, meaning that meat will not be able to leave the property on which it is slaughtered or be sold if a mobile slaughter unit is used.

## Game Meat

### Victoria

The licensing of game meat harvesters and processing facilities is regulated by PrimeSafe. These activities include:

- A game meat field harvester is a person approved to conduct field harvesting of game.
- A game meat processing facility (harvest vehicle) is a vehicle used in the field harvesting of wild game animals to transport wild game animal carcasses to a game meat processing facility (premises), a game meat processing facility (field depot) or to a pet meat processing facility.
- A game meat processing facility (field depot) is a facility (vehicle or premises) in which wild game animal carcasses are held temporarily under refrigeration pending transport to a game meat processing facility (premises) or pet meat processing facility. This may also include the meat carrying compartment of a vehicle used to transport wild game animal carcasses under refrigeration to a game meat processing facility (premises) or pet meat processing facility.



- A game meat processing facility (premises) is a facility that processes or packages game meat and/or game meat products.

Licensed abattoirs, further meat processing facilities and poultry processing facilities can also be licensed to use the same facility as a game meat processing facility (premises) provided:

- A game meat processing facility licence is issued;
- Construction and equipment requirements are complied with;
- No game meat processing occurs during the processing of non-game meat; and
- A total clean and sanitation of all process equipment takes place between processing game and non-game animals.

To obtain a PrimeSafe approval as a **game meat field harvester**, you will need to include with your application:

- Certificate of Attainment for Wild Animal Field Harvesting (or equivalent) from an approved Registered Training Organisation (RTO);
- Evidence of shooting proficiency certification;
- [DELWP Authority to Control Wildlife](#) (ATCW) and /or written proof of access to private land;
- Current firearms licence;
- Nominate a licensed Game Meat Harvest Vehicle (GMHV) to use when harvesting; and
- Payment of the appropriate fee.

To obtain a PrimeSafe licence to operate a **game meat processing facility** (harvest vehicle, field depot or premises), you will need to:

- Ensure your facility is fit for purpose, in a good state of repair, can be cleaned and sanitised effectively, and complies with the relevant standards.
- Develop a written Food Safety Program.
- Sign an agreement with a PrimeSafe approved auditor.
- Submit a licence application.
- Pay the application fee.

Before applying for a licence, it is important to ensure that you understand the standards and guidelines you and your facility must adhere to. PrimeSafe has released a [Wild Game Meat Harvesting Guideline](#) which should be referred to before applying for a licence.

The application form can be found [here](#) - please select the relevant activity on the form.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be done by a third-party auditor who has been approved by PrimeSafe.

- Audits are NOT required for game meat field harvesters.

- Game meat processing facilities (premises) are audited in the first week after opening and then every week until their Quality Assurance Program is fully implemented. Game meat processing facilities (premises) then have audits every six months.
- Harvest vehicles and field depots have one audit each year anytime in the licence period.
- Find out more about [Audits](#).

**PLEASE NOTE:** Game Meat Harvesters must fill out a [Game Meat Harvest Declaration](#) for each consignment of harvested wild game animal carcasses (except for kangaroos).

## New South Wales

In NSW, the licensing of a game meat harvester vehicle or a game meat processing facility is regulated by the NSW Food Authority. The requirements for this will be discussed below.

However, please note that there are other licences you **must** hold before applying with the NSW Food Authority. These include:

- [NSW Game Hunting Licence](#)
- [NSW Restricted \(Commercial\) Game Hunting Licence](#)
  - A training course must be undertaken before applying for this licence - an expression of interest can be found [here](#)
- Current firearms licence

To obtain a NSW Food Authority approval for a **game meat field harvester vehicle**, you must fulfil the following requirements:

- Statement of Attainment 900-81367V01 – Game Harvester Skill Set;
- Develop a Food Safety Program - find a template [here](#)
  - Must outline the use of animal carcass identification tags
- Payment of the appropriate fee
- Evidence of completion of an approved food hygiene course
- for harvesting of kangaroos:
  - successfully complete the [AMPG306 Use Firearms to Harvest Wild Game](#) accreditation course for kangaroo harvesters provided by an authorised Registered Training Organisation
  - apply for an [NSW Professional Kangaroo Harvester Licence](#) from the NSW Kangaroo Management Program.

To obtain a NSW Food Authority approval for a **game meat field depot**, you must fulfil the following requirements:

- Evidence of implementation of a monitoring program for hygiene and handling
- **Field chiller labelling requirements** - all game meat carcasses must be labelled as required by:
  - NSW Food Authority
  - [NSW Environment and Heritage](#),

- [Wild Game Meat Field Harvester Food Safety Program](#)
- Develop a Food Safety Program - find a template [here](#)
- Ensure premises, fixtures, fittings, equipment and transport vehicles are designed and constructed in a manner that means they can be easily cleaned and, where necessary, sanitised.

To obtain a NSW Food Authority approval for a **game meat processing plant**, you must fulfil the following requirements:

- Ensure game meat is not removed from the processing plant until the carcass or part of the carcass has been branded under authority of a meat safety inspector with a brand issued by the Food Authority
  - Required brands are set out in Division 4 of the Meat Food Safety Scheme and Schedule 7 of the Food Regulation 2010.
  - does not apply to meat from game birds, meat fit only for animal food and meat not fit for animal food.
- Develop a Food Safety Program - find a template [here](#)
- Ensure premises, fixtures, fittings, equipment and transport vehicles are designed and constructed in a manner that means they can be easily cleaned and, where necessary, sanitised.
- licensed meat processing plants that produce ready-to-eat (RTE) or uncooked comminuted fermented meat (UCFM) products must comply with the requirements set out in the [NSW Food Safety Schemes Manual](#).

Before applying for a licence, it is important to ensure that you understand the standards and guidelines your facility must adhere to. These include:

- [Food Act 2003 \(NSW\)](#)
- [Food Regulation 2015](#), including relevant parts of the Meat Food Safety Scheme
- [Food Standards Code](#), including -
  - Food Standards Code 1.3.1 - Food Additives
  - Food Standards Code 3.2.3 - Food Premises and Equipment
  - Food Standards Code 3.2.2 - Food Safety Practices and general requirements - Premises and Equipment
- [Food Safety Schemes Manual](#)
- [Australian Standard for Hygienic Production of Game Meat for Human Consumption AS4464 – 2007](#)

More information on licensing requirements can be found on the NSW Food Authority website [here](#).

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms for **game meat harvester vehicles** can be found [here](#) and **Game meat field depot / Game meat processing plants** [here](#).

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be done by a NSW Food Authority.

Please see **Auditing** for more detailed information about inspection and audits.

### **Third Party Audits**

Game meat processing plants will be routinely audited by the Food Authority for compliance with requirements.

Compliance or regulatory action will be taken if required.

There are fees for audits and inspections, payable by the licence holder.

For more information, see [audits of licensed businesses](#).

In terms of audit schedules, the Food Authority is responsible for conducting regular audits and inspections of all licensed businesses, such as dairy, and uses the national risk profiling tool, called the [Food Safety Risk Priority Classification Framework \(RPF\)](#) to determine the risks associated with food businesses.

The RPF comprises two decision trees; one each for primary production and food businesses. There are four (4) possible classification outcomes:

- Priority 1 (P1)
- Priority 2 (P2)
- Priority 3 (P3)
- Priority 4 (P4)

Businesses in the P1 tier represent the highest food safety risk. Conversely, P4 businesses represent the lowest food safety risk. The risk status of P2 and P3 businesses are intermediate between these extremes. For example, under the RPF, a catering business is classified as P1 (high food safety risk), whereas a pig farm is considered P3 (intermediate risk), and a whole grain farm is considered P4 (low risk).

If you're unsure about what to expect during an audit, [head here](#) for a checklist provided by the NSW Government.

Once your business has been audited, you'll be given a ranking A-E (A-B is acceptable, C is marginal and D-E is unacceptable). From here, the frequency of audits will be determined

based on your priority classification (P1-P4) as well as your ranking (A-E). Here is an example of what an auditing schedule under the NSW system might look like:

Rating	Priority 1	Priority 2
A	12 months	24 months
B	6 months	12 months
C	3 months	6 months

For more information on audits, please check the [NSW Food Authority website](#).

## Queensland

Wild animal harvesting, storage and processing requires accreditation with Safe Food under the Meat Scheme of the [Food Production \(Safety\) Regulation 2014](#). This includes:

- If you kill wild animals for food, such as macropods (e.g. kangaroos) or wild boar, and supply to a wild game meat processor,
- If you are a fixed premise that receives and refrigerates wild game carcasses (but do not process them)
- If you are processing meat, including chilling, curing, drying, freezing, deboning, packaging or smoking meat for supply or sale

To apply for a **wild animal harvesting** accreditation, please include with your application:

- Copy of Certificate of Attainment for Wild Animal Field Harvesting (SFPQ compliant) - obtained through TAFE Queensland South West Region (TQSW).
- Please include **photos** of your vehicle that show:
  - floor of the processing area
  - pelvic bars
  - water tank and tap
  - knife sanitising container and hand wash soap dispensing unit (chemicals included)
  - vehicle registration plates attached to the vehicle
  - any other items maintained and/or stored in the processing area (e.g. knife storage, spare tires, winch toolbox, etc.)
  - *Note: If you wish to accredit multiple vehicles, you will need to submit separate photos for each vehicle.*

- Statement in writing (wild boar harvesters only)
- Application form and correct fee
- A management statement - documenting how your business intends to operate and what activities you intend to undertake
- If you are harvesting wild macropods, you must obtain a **Commercial Wildlife Harvesting licence** from the Department of Environment and Science (DES) - a copy of this does **not** need to be submitted to Safe Food.

To apply for a **wild animal field depot** accreditation, please include with your application:

- A management statement - documenting how your business intends to operate and what activities you intend to undertake
- Application form and correct fee
- Photos of your facility that include:
  - floors and walls
  - hand washing facilities (chemicals included)
  - hand wash drainage
  - lighting
  - doors and seals
  - refrigeration unit
  - temperature gauges
  - vehicle registration (mobile field depots only)
  - verifiable tamper-proof tags (mobile field depots only)
- If you are a fixed field depot, you must obtain a commercial wildlife licence (macropods) from the [Department of Environment and Science](#) (DES) - please submit a copy of this in your application for accreditation.
  - If you are a mobile field depot, please check with DES for what licences you require. You are **not** required to submit a copy of these to Safe Food.
- Evidence of vehicle monitoring system (mobile field depots only) - mobile field depots must be fitted with suitable equipment to automatically report time, temperature and location of the depot when in use - find more information [here](#).
  - Please submit evidence that your vehicle's monitoring system meets these requirements. This may be in the form of a photo of your electronic tracking device, a copy of the owner's manual, an email from the manufacturer confirming its capabilities, or something else.

To apply for a **wild game field processing facility** accreditation, please see Meat Production and Processing - Queensland for the accreditation process [LINK](#) . Please note that you you

must submit evidence that you or an employee have the relevant qualifications/training in wild game carcass inspections.

- The requirements are an MTM 30311 Certificate III in Meat Processing and disposition, including AMPG304 Receive and Inspect Wild Game Carcasses at a processing plant, and AMPA3127 Perform Post-Mortem Inspections of Wild Game, or a relevant qualification or training equivalent.

Before applying for an accreditation, it is important to ensure that you understand the standards and guidelines your facility must adhere to, which can be found on the Safe Food QLD website. These include:

- [Food Production \(Safety\) Regulation 2014](#)
- [Food Production \(Safety\) Act 2000](#)
- [Primary Production and Processing Standard for Meat and Meat Products](#)
- [National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes](#)
- [Safe Food Notification Protocol](#)

Once you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - select “Wild animal harvesting - meat scheme”.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by Safe Food QLD.

Please see **Auditing** for more detailed information about inspections and audits.

### **Third Party Audits**

As part of your application for accreditation, a compliance audit will also be conducted against the food safety program or management statement you submit with your application. This audit will be done in the form of a site visit, or desktop audit from Safe Food’s head office, and will be charged in 15-minute increments. Safe Food will advise what type of compliance audit your business will require.

The 2024 fee for service rate (audit fee) is \$340.63 per hour (plus GST).

A compliance audit or assessment is required during each accreditation period (calendar year). If you choose to renew your accreditation for the following year, your compliance audit or assessment will be done on site.

## Tasmania

To harvest wild game in Tasmania, you must obtain a licence from the Department of Natural Resources and Environment. Find all of the relevant information [here](#). To obtain a game hunting licence, you will need to:

- Hold a current firearms licence if applying to take deer, duck, wallaby, brown quail or pheasant. Current firearm licences issued from all Australian states or territories will be accepted
- Have completed a [Hunting Take Return Information Form](#) if applying to renew licences
- Have the permission of the landowner if on private land
- Have passed a [Waterfowl Identification Test](#) if applying for a licence to take wild duck

To process game meat in Tasmania, you will be required to follow the same accreditation process as for any meat processing facilities in Tasmania. Please find a detailed explanation of the accreditation process at Meat Production and Processing - Tasmania [here](#).

## Storage and Transportation

### Victoria

A meat transport vehicle (MTV) is a vehicle used for transporting meat or human consumption. Under the Meat Industry Act 1993, all such vehicles must be licensed by PrimeSafe.

To obtain a PrimeSafe licence to transport meat and/or seafood in your vehicle, you will need to:

- Ensure that your vehicle complies with the construction requirements of the relevant standard.
- Submit a licence application together with the applicable fee.
- Make arrangements for your vehicle to be inspected by PrimeSafe or a third party auditor to confirm that it meets the construction requirements of the relevant standard.

**Please note that as of 1 January 2023**, changes to the Meat Industry Act 1993 mean that if your vehicle is only used to transport packaged meat and that transport is incidental to retail sale of that packaged meat (e.g. you're delivering it to a retail customer or to a business that is going to retail the meat without it being repackaged), then the vehicle does not need to be licenced as an MTV with PrimeSafe. This is the case regardless of the other types of licence or registration you have (retail butcher licence vs food business registration). The key constraints are that:



- the transport of the packaged meat is incidental to the retail sale of that packaged meat; and
- the vehicle is not also used for the conveyance of meat outside of the scope of the exemption.

The relevant standard for a meat and seafood transport vehicle in relation to transportation is in Section 25, page 58 of the [Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption \(AS 4696:2007\)](#). You can find the construction and equipment requirements of a meat transport vehicle [here](#).

## New South Wales

A meat van is any vehicle used to transport abattoir meat including red meat, poultry, rabbit, ratite and game meat as well as others, and products derived from abattoir meat. To operate a meat van, you must obtain a licence from the NSW Food Authority.

Operators of meat vans need to:

- Apply for a Food Authority licence
- Complete a Food Safety Management Statement (FSMS) - which sets out the potential food safety risks and how they are controlled and verified.
  - This [document](#) has been approved as FSMS for meat vans - if your vehicle complies with all sections, it is deemed to meet the national standard
- Meet food safety and labelling standards, and
- Prepare for and be regularly audited.

Before applying for a licence, it is important to ensure that you understand the standards and guidelines your facility must adhere to. Meat van operators need to meet the requirements set out in:

- [Food Act 2003 \(NSW\)](#)
- [Food Regulation 2015](#), including relevant parts of the Meat Food Safety Scheme
- Food Standards Code including:
  - [Standard 3.2.2 - Food Safety Practices and General Requirements](#)
- [Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption \(AS 4696:2007\)](#).

Once you are confident that your vehicle meets the requirements, you must complete an application form for your relevant activity, which can be found [here](#).

**PLEASE NOTE:** The licensing requirements and process are the same for vehicles being used to transport dairy, plant products and eggs.

## Queensland

### Transport

If you are transporting meat at *any stage*, from the place where the animal was killed to a place of retail, then you require an accreditation with Safe Food. You will also require an accreditation if you are transporting meat to a premise where meat is processed into smallgoods, pet meat or rendered product. These activities are classified as **Transporting** under the Meat scheme of the *Food Production (Safety) Regulation 2014*.

To get an accreditation as a transporter with Safe Food, please include the following with your application:

- Your application form and correct fee
- A management statement that details how your business intends to operate and what activities you intend to undertake - please find a template [here](#)
- Please submit photos of your vehicle that show:
  - floors and walls inside the carrying unit
  - doors/seal
  - the active refrigeration unit
  - temperature gauge/data loggers
  - vehicle registration
  - *Note: If you wish to accredit multiple vehicles, you will need to submit separate photos for each vehicle.*

Before applying for an accreditation, it is important to ensure that you understand the standards and guidelines your facility must adhere to, which can be found on the Safe Food QLD website. These include:

- [Food Production \(Safety\) Regulation 2014](#)
- [Food Production \(Safety\) Act 2000](#)
- [Primary Production and Processing Standard for Meat and Meat Products](#)
- [Safe Food Notifications Protocol](#)

When you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - select “Transporting” as your activity.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by Safe Food QLD.

Please see **Auditing** for more detailed information about inspections and audits.

## Third Party Audits

As part of your application for accreditation, a compliance audit will also be conducted against the food safety program or management statement you submit with your application. This audit will be done in the form of a site visit, or desktop audit from Safe Food's head office, and will be charged in 15-minute increments. Safe Food will advise what type of compliance audit your business will require.

The 2024 fee for service rate (audit fee) is \$340.63 per hour (plus GST).

A compliance audit or assessment is required during each accreditation period (calendar year). If you choose to renew your accreditation for the following year, your compliance audit or assessment will be done on site.

## Cold Storage

If you are storing meat under refrigeration to extend its shelf-life, and are not involved in any form of processing (including repackaging or relabelling of product), then you require an accreditation with Safe Food. This activity is classified as **temperature controlled storage** under the Meat Scheme of the *Food Production (Safety) Regulation 2014*.

To get an accreditation for cold storage with Safe Food, please include the following with your application:

- Your application form and correct fee
- A management statement that details how your business intends to operate and what activities you intend to undertake - please find a template [here](#)
- Obtain written approval from your local council (CHECK THIS)
- Please include a site plan and photos that show:
  - floors and walls (photos)
  - doors & seals (photos)
  - storage areas (e.g. racking) (photos)
  - active refrigeration unit(s) (floor plan and photos)
  - temperature gauges (photos)
  - hand washing facilities (including chemicals) (floor plan and photos)
  - entry points/doors (floor plan)
  - water points (floor plan)
  - location of lighting (floor plan)
  - rodent bait locations (floor plan)
  - *Note: If you wish to accredit multiple cold store units, you will need to submit separate photos and floor plans for each.*

Before applying for an accreditation, it is important to ensure that you understand the standards and guidelines your facility must adhere to, which can be found on the Safe Food QLD website. These include:

- [Food Production \(Safety\) Regulation 2014](#)
- [Food Production \(Safety\) Act 2000](#)
- [Standard 4.2.3 – Primary Production and Processing Standard for Meat and Meat Products](#)
- [AS 4696 – Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption](#)
- [Safe Food Notifications Protocol](#)

When you are confident that your facility complies, you must complete an application form for your relevant activity. Application forms can be found [here](#) - select “temperature controlled storage (meat scheme, cold store)” as your activity.

Once the application and the relevant fee has been received, your facility will need to be inspected to ensure it complies with the relevant standards. This will be carried out by Safe Food QLD.

Please see **Auditing** for more detailed information about inspections and audits.

### **Third Party Audits**

As part of your application for accreditation, a compliance audit will also be conducted against the food safety program or management statement you submit with your application. This audit will be done in the form of a site visit, or desktop audit from Safe Food’s head office, and will be charged in 15-minute increments. Safe Food will advise what type of compliance audit your business will require.

The 2024 fee for service rate (audit fee) is \$340.63 per hour (plus GST).

A compliance audit or assessment is required during each accreditation period (calendar year). If you choose to renew your accreditation for the following year, your compliance audit or assessment will be done on site.

Tasmania

## Volunteer Agreements

Many people are familiar with [WWOOF](#) (World-Wide opportunities on Organic Farms): ‘a worldwide movement linking volunteers with organic farmers and growers to promote cultural and educational experiences based on trust and non-monetary exchanges, helping to build a sustainable global community.’ Whether through the WWOOF platform or other ways of linking small-scale farmers with farm-curious individuals, volunteering on farms is quite common. There are some things farmers should consider when bringing volunteers on, whether for a few days or a few months.

First, can your farm function without volunteers? If the answer is no, you probably need staff, not volunteers. While AFSA champions reciprocity and forms of value well beyond the financial, if a farm is only viable because of the unpaid labour of people who do not hold title to the land, there is a reasonable chance that the exchange may be exploitative. The Australian Government deems it an ‘employment relationship’ as opposed to a ‘volunteer relationship’ when workers are obliged to attend, rather than offering their voluntary services.

### The Fair Work Act - Interns

In accordance with the Fair Work Act 2009 (*Cth*), interns must be paid if they are performing duties undertaken by an employee. An ‘Employment Relationship’ is determined by an obligation to attend work or perform routine duties, and by expectations of pay for labour. If the volunteer is not under an obligation to attend work or perform, then that is more likely a volunteer arrangement. If the volunteer expected to be paid, then that is potentially deemed an employment relationship.

If your farm is viable without volunteers, and you want to share what you grow and know with others, hosting volunteers can be a great way to grow more farmers and people knowledgeable about the food system. For those hosting a residential experience for volunteers, you should have suitable accommodation with a private bedroom, and shared or private facilities. Most farmers will provide food, whether in shared or separate meals according to each household’s schedule and preferences. Shared meals are a great way to deepen relationships and remind everyone of what you are all working for up to three times a

day. Volunteers may be expected to join domestic rosters for cooking and cleaning at communal meals.

Farmers and volunteers will generally create a relationship built around a desire and willingness of the volunteer to learn from the farmer, and the farmer's willingness to share their knowledge and skills. It can be useful to develop a volunteer agreement to ensure shared understanding of roles, responsibilities, and what volunteers can expect to learn in return for volunteering their time. The agreement should also detail any room and board provided (if any), and sundry details volunteers need, such as appropriate footwear and clothing for farm jobs, or which phone provider they should sign up with to ensure decent reception while on the farm. It is important to establish the voluntary nature of the role, and both the farmer's and the volunteer's right to end the agreement early should the need or desire arise.

Farmers are advised to complete a risk assessment prior to the volunteer attending the farm, identifying any key risks associated with the volunteer role. The farmer should notify the volunteer of any potential risks that may occur at the property and document this in the volunteer agreement. Policies and procedures should be adopted by the farmer to ensure all identified risks are minimised or eliminated prior to the volunteer physically attending the farm. If these risks are identified and recorded, the farm's public liability insurance *should* cover the volunteers in the event of an accident.

### **What should the agreement include?**

**Nature of the role** – volunteers should understand that they are not an employee or contractor and will not receive remuneration for their work. Include details of what is included (accommodation, shared meals or food provided, any other amenities or services that will be provided by the farmer).

**Role Description** – identify what is expected of the volunteer. For example, expectations of behaviour, and typical activities and tasks.

**Risks** - identify key risks on the farm and ensure they are recorded in the agreement.

### **Insurance**

Before the volunteer commences any work on the property, the farmer should ensure that the farmer and the volunteer have insurance that meets any potential risks that may occur during

the course of the volunteer agreement. As discussed above, the insurance held by both parties must cover both the farmer and the volunteer if someone sustains an injury on the property. It may be beneficial to complete a formal risk assessment before the commencement of the volunteer relationship. This will illuminate what the farmer(s) are and are not covered for. Noting, if certain risks are not covered under the insurance policy this may open up the farmer to the possibility of a negligence claim.

In Australia, there are [two types of insurance](#) that farmers or employers should take out to ensure volunteers are protected:

1. **Public Liability Insurance** protects organisations up to a stated amount if a third party sues the organisation for personal injury (including death), or damage to property as a result of an occurrence in connection with the organisation.
2. **Volunteer Personal Accident Insurance** can be taken out similarly to Worker's Compensation for volunteers. It can provide cover for people who become sick or injured whilst providing volunteering services for an organisation. It may cover a portion of a person's salary if they cannot attend their usual paid work as a result of an injury while volunteering or more broadly provides financial compensation in the event that a volunteer unfortunately has an accident or becomes ill.

Further, it is advised that all volunteers have their own medical/ accident and/or travel insurance. Volunteers need to understand the areas their insurance policy covers and any excess requirements.

## Land Sharing Agreements

### What are land sharing agreements?

Land sharing agreements are a type of arrangement where a person who holds title to unceded Aboriginal Land makes a part or whole of it available to another party for the purposes of farming. These can be useful for landholders who are wishing to offer their property for farming, farmers wishing to bring others into their operations, or those wishing to support vertically stacked enterprises in addition to their own. Parties' relationships and obligations to the Land and each other should be clearly articulated, as should how or whether the risks and profits are to be shared, and resources they each bring to the arrangement should be outlined in the agreement itself.

## Guidelines for a Land Sharing Agreement:

For an idea of what should be included in a land sharing agreement, check out AFSA's [free guide](#). Please note that the information in this guide is for general purposes only and should not be taken as legal advice. Contact the AFSA Legal Defence Fund at [legal@afsa.org.au](mailto:legal@afsa.org.au) for tailored advice on land sharing agreements.

## Requirements for a land sharing agreement:

States have differing requirements and regulations when it comes to land sharing agreements. Outlined below, aspects of land sharing agreements are summarised and listed by state in order to assist you with any related issues or questions.

## Improvements to the shared land:

*Blessed are those who plant trees knowing they shall never sit in the shade of their foliage.*

Agroecology-oriented farmers often plant trees whose shade they will never enjoy as they plant for future generations of microbes, plants, animals and farming communities. In land sharing arrangements, it is very likely that the landholders and the land sharers will make improvements to the land, whether through perennial plantings or permanent infrastructure. Depending on a variety of factors including the intent, cost, length of tenure, consent, and which party made the improvement, different philosophies and rules apply to the question of whether financial compensation is payable to the party that improved the land. Ensuring decisions are made collectively and transparently is key to managing expectations about whether any financial reimbursement for improvements is appropriate for either party.

Below are state-based rules regulating land improvements.

	<b>Improvements made by the landsharer</b>	<b>Improvements made by the landholder</b>
VIC	In Victoria, there are no laws that regulate land sharing agreements beyond the law	In Victoria, there are no laws that regulate land sharing agreements beyond the law



	of contracts.	of contracts.
NSW (governed by the <i>Agricultural Tenancies Act 1990</i> )	<p><b>With the consent</b> of the landholder, any improvements to the land can be made by the landsharer. They are to be compensated the fixed amount if specified in the agreement unless it is an unfair price or if there is no specified amount, fair compensation is to be granted. The time limit to give this compensation is the end of the agreement period.</p> <p><b>Without the consent</b> of the landholder, landsharers may only make an improvement if the improvement is:</p> <ul style="list-style-type: none"> <li>● mentioned in Schedule 1; or</li> <li>● a work or thing of a kind prescribed by the regulations; or</li> <li>● first determined by the Tribunal to be suitable and desirable in the circumstances.</li> </ul> <p><u>Schedule 1 improvements:</u></p> <ol style="list-style-type: none"> <li>1. Drainage.</li> <li>2. Making or improvement of necessary roads or bridges.</li> <li>3. Clearing and removal of stumps and logs.</li> <li>4. Destruction or control of pests.</li> <li>5. Destruction of prickly pear and control of weeds on land.</li> <li>6. Making of permanent subdivision fences.</li> <li>7. Laying down of</li> </ol>	<p><b>With the consent</b> of the landsharer, any improvements to the land can be made by the landholder.</p> <p>The landholder is to be compensated the fixed amount if specified in the agreement unless it is an unfair price or if there is no specified amount, fair compensation is to be granted.</p> <p>The compensation can be paid in instalments together with the rent or in any other consideration payable in respect of the tenancy.</p> <p><b>Without the consent</b> of the landsharer, landholders can only make improvements if it is determined by the tribunal to be suitable and desirable in the circumstances.</p> <p>If compensation is determined to be payable by the tribunal, the landsharer must pay fair compensation to the landholder.</p> <p>The compensation can be paid in instalments together with the rent or in any other consideration payable in respect of the tenancy.</p>

	<p>pastures.</p> <p>8. Application to land of fertilisers, liming materials, and trace element products.</p> <p>9. Repairs to buildings other than repairs which the tenant is under an obligation to carry out repairs referred to in item 10</p> <ol style="list-style-type: none"> <li>a. before beginning to carry out the repairs, the tenant gives notice to the owner of the tenant's intention, together with particulars of the repairs, and</li> <li>b. the owner fails to carry out the repairs within a reasonable time after receiving the notice.</li> </ol> <p>10. Repairs to or re-erection of buildings to meet the particular requirements of the <i>Food Act 2003</i> or any other Act.</p> <p>11. Repairs to and the cleaning of silt from wells, bores, dams, reservoirs and ground tanks.</p>	
QLD		
TAS		

	Legal requirements of land sharing agreements	Relevant Legislation
VIC	In Victoria, there are no laws that regulate land sharing agreements beyond the law of contracts.	
NSW	<p><b>In writing:</b></p> <ul style="list-style-type: none"> <li>- Each party has the right to have a written and signed land sharing agreement.</li> <li>- For <b>terminating</b> the agreement, if it is for a fixed term there is no notice required to be given to the other party. If it does not have a fixed date but renews, 6 months is required for termination.</li> </ul>	
QLD		
TAS		

# Grounds For Review

## Memorandum of Information: Grounds for Review

There are many cases in which government decisions go against farmers' interests, particularly for smallholders dealing with the burden of scale inappropriate policies, regulation and legislation. If you're a farmer who is faced with an unfair decision, you are entitled to dispute this under Grounds for Review.

In this section, we will explain how to proceed with Grounds for Review in each state, including the relevant authorities that will be responsible for handling disputes and final decisions, as well as case studies for common disputes raised by AFSA members.

Some disputes will fall under the remit of state or local government, depending on the issue, so be sure to refer to the state guides below for accurate guidance. In all cases, AFSA members have access to our Legal Defence Fund (LDF), which can help farmers undergo the process of grounds for review in each state and territory. The LDF is supported by a steering committee that consists of both farmers and legal professionals who come together to help small-scale producers overcome common legal challenges and setbacks.

## Victorian Grounds for Review

If you're pursuing Grounds for Review in Victoria, here are the key authorities that will be responsible for reviewing your appeal and handing down the final decision:

Relevant authority	Key issues that can be addressed
<a href="#">Agriculture Victoria</a>	<ul style="list-style-type: none"><li>● Feeding planning and pasture recovering</li><li>● Supply feed and water to livestock</li><li>● Land and farm water management</li><li>● General technical information</li><li>● Other assistance available and grants programs</li></ul>
<a href="#">Victorian Ombudsman</a>	<ul style="list-style-type: none"><li>● Issues or complaints with local councils</li><li>● Fines</li><li>● Human rights breaches</li><li>● Worksafe</li><li>● VicRoads</li></ul>

<p><a href="#">Victorian Civil &amp; Administrative Tribunal (VCAT)</a></p>	<ul style="list-style-type: none"> <li>● Review a planning permit decision made by a responsible authority, including a failure to make a decision</li> <li>● To cancel or amend a permit</li> <li>● Enforce a planning scheme or 173 Agreement</li> <li>● A refusal or failure to extend time for a permit</li> <li>● Declarations</li> <li>● Planning Disputes including disputes under the: <ul style="list-style-type: none"> <li>○ Gambling Regulation Act 2003</li> <li>○ Government Act 1989</li> <li>○ Subdivision Act 1998</li> <li>○ Heritage Act 2017</li> </ul> </li> </ul>
<p>Local Government</p>	

### Case study: Operating a small-scale livestock farm under rural industry and rural living zones

Alice is a small-scale livestock farmer operating in Victoria. She owns a property in a rural area classified as a residential living zone. Alice has been raising pastured livestock, primarily sheep and chickens, for several years on her property. However, recently, she has encountered challenges due to regulatory constraints and complaints from neighbouring residents regarding her farming activities.

#### Challenges faced:

1. **Zoning regulations:** The residential living zone where Alice's farm is situated has specific regulations governing agricultural activities. These regulations may restrict the type and scale of farming operations permitted in such zones, despite the fact that such regulations are usually fit for large-scale industrial farms.
2. **Noise and odour complaints:** Neighbouring residents have lodged concerns about potential noise and odour that may come from having Alice's farm situated near their homes. This has led to tensions within the community and raised concerns about the compatibility of agricultural activities with residential living.
3. **Environmental concerns:** There are concerns about potential environmental impacts of Alice's farming practices, such as soil degradation, water pollution, and biodiversity loss. These concerns have prompted regulatory scrutiny and calls for stricter enforcement of environmental regulations.

### Relevant government and industry authorities involved:

1. **Local council:** The local council is responsible for administering planning regulations and zoning ordinances. They enforce land use policies and may issue permits for agricultural activities within residential zones.
2. **Department of Environment, Land, Water, and Planning (DELWP):** The DELWP is the state government department responsible for overseeing land use planning, environmental management, and natural resource protection. They may be involved in assessing the environmental impact of Alice's farming practices and providing guidance on compliance with environmental regulations.
3. **EPA Victoria:** The Environment Protection Authority (EPA) Victoria is tasked with regulating and monitoring environmental pollution and contamination. They may investigate complaints regarding environmental issues arising from Alice's farm, such as air and water quality concerns.
4. **Australian Food Sovereignty Alliance:** AFSA is a farmer-led organisation representing small-scale producers across Australia. AFSA's Legal Defence Fund has a long track record of working with farmers to overcome common legal challenges related to planning and regulation.

**Grounds for Review:** With the help of AFSA, Alice may seek a review of the regulatory decisions impacting her farming operation on various grounds, including:

1. **Compliance with zoning regulations:** Alice can review the zoning regulations applicable to her property and assess whether her farming activities comply with the permitted land uses outlined in the residential living zone. Considering she is a small-scale farmer, she can build a case for exemptions due to the scale of her business having little to no impact on nearby residents.
2. **Mitigation measures:** Alice may propose mitigation measures to address the noise and odour concerns raised by neighbouring residents, such as implementing soundproofing measures and odour control systems.
3. **Environmental Management Plan:** Alice can develop an environmental management plan outlining the benefits of agroecological farming to mitigate potential environmental impacts usually associated with her farming activities. This may include soil conservation practices, water management strategies, and habitat restoration initiatives.
4. **Community engagement:** Alice can engage with the local community to address their concerns, provide information about the benefits of agroecological farming, and seek feedback on potential solutions to mitigate impacts and promote local food systems.

## New South Wales Grounds for Review

If you're pursuing Grounds for Review in Victoria, here are the key authorities that will be responsible for reviewing your appeal and handing down the final decision:

Relevant authority	Key issues that can be addressed
<a href="#">Department of Primary Industries</a>	<ul style="list-style-type: none"> <li>● Fishing</li> <li>● Hunting</li> <li>● Animals</li> <li>● Livestock</li> <li>● Forestry</li> <li>● Biosecurity and Food Safety,</li> <li>● Climate</li> <li>● Emergency Relief</li> </ul>
<a href="#">NSW Ombudsman</a>	<ul style="list-style-type: none"> <li>● Complaints relating to NSW government departments and agencies, local councils in NSW and community service providers.</li> </ul>
<a href="#">NSW Civil and Administrative Tribunal (NCAT)</a>	<ul style="list-style-type: none"> <li>● Solving tendency and building work disputes</li> <li>● Administrative review of government decisions</li> </ul>
<a href="#">Land and Environment Court of NSW</a>	<ul style="list-style-type: none"> <li>● Appeals against local councils and State Government, particularly development appeals.</li> </ul>

### **NSW Government ‘Right to Farm’ policy**

The NSW Government has developed a statewide approach to deal with issues of ‘right to farm’ which brings together a number of responses including:

#### **Reinforcing rights and responsibilities**

The NSW Government will work with agricultural industries in NSW to support their efforts in establishing and maintaining their best practice and minimise land conflicts.

#### **1. The NSW will establish a baseline and ongoing monitoring and evaluation**

The NSW government has pledged to work with local government and other stakeholders to illuminate and monitor nuisance complaints related to forming local government areas

## 2. Land Use Planning

The NSW Government has pledged to develop a suite of Regional Plans that identify regional priorities for growth, including for primary industries, as well as providing direction on managing land use conflicts. The NSW Government will work closely with Local Council areas to develop best practice land use to address land use conflict issues that commonly arise.

## 3. Current Reviews of Environmental Planning Instruments

The NSW Government regularly reviews planning mechanisms and instruments. NSW aims to deliver a planning policy framework that supports future and current farming practices.

Please see the [New South Wales Right to Farm Policy \(nsw.gov.au\)](https://nsw.gov.au) here.

### Case study: Running a poultry farm in a special water catchment area

John owns and operates a small-scale poultry farm in a special water catchment area in New South Wales (NSW), Australia. His farm is situated within a designated catchment zone that is critical for supplying drinking water to nearby communities. However, John has encountered challenges due to regulatory constraints and concerns regarding the potential environmental impact of his poultry farming activities within this sensitive watershed. Despite the fact that John runs a pastured poultry farm that is underpinned by holistic management practices that carefully considers the protection and restoration of water, he is beholden to the same standards as industrial poultry farms which do pose a real threat to water catchments.

#### Challenges Faced:

1. **Water Quality concerns:** Given the special status of the water catchment area, there are heightened concerns about potential contamination of the water supply due to runoff or leaching of pollutants from John's poultry farm. Any adverse impact on water quality could have serious public health implications for downstream communities.
2. **Environmental protection:** The water catchment area is ecologically sensitive, supporting diverse flora and fauna. There are concerns about the potential impact of John's poultry farming activities on local biodiversity, including habitat degradation, water pollution, and the introduction of invasive species.
3. **Regulatory compliance:** John must navigate a complex regulatory framework governing land use and environmental protection within the special water catchment area. Compliance with regulations related to water quality, land management, and



pollution control is essential but may pose challenges for his small-scale operation.

**Relevant Government authorities Involved:**

1. **NSW Department of Planning, Industry and Environment (DPIE):** The DPIE is responsible for overseeing land use planning, environmental management, and water resources in NSW. They play a key role in regulating activities within special water catchment areas to protect water quality and environmental integrity.
2. **Local council:** The local council administers planning regulations and zoning ordinances within its jurisdiction. They may issue permits and approvals for agricultural activities in special water catchment areas, subject to compliance with relevant environmental regulations.
3. **NSW Environmental Protection Authority (EPA):** The EPA is responsible for regulating and monitoring environmental pollution and contamination in NSW. They may conduct inspections, investigate complaints, and enforce regulations to ensure compliance with water quality standards and pollution control measures.
4. **NSW Department of Primary Industries (DPI):** The DPI provides guidance and support to farmers on sustainable agricultural practices, animal welfare, and biosecurity. They may offer assistance to John in implementing best management practices to minimise the environmental impact of his poultry farming operation.
5. **Australian Food Sovereignty Alliance:** AFSA is a farmer-led organisation representing small-scale producers across Australia. AFSA's Legal Defence Fund has a long track-record of working with farmers to overcome common legal challenges related to planning and regulation.

**Grounds for Review:** John may seek a review of regulatory decisions impacting his poultry farm on various grounds, including:

1. **Water Quality monitoring:** John can review the water quality monitoring data for the catchment area to assess the potential impact of his farming activities on water quality. He may propose additional monitoring measures or mitigation strategies to minimise the risk of contamination.
2. **Best management practices:** John can demonstrate his commitment to environmental stewardship by implementing best management practices for agroecological poultry farming, such as proper waste management, nutrient cycling, and erosion control measures.
3. **Environmental Impact Assessment:** John can conduct an environmental impact assessment to evaluate the potential environmental effects of his poultry farming operation on the water catchment area. This assessment can help identify potential risks and inform the development of mitigation measures to address any adverse impacts.
4. **Community engagement:** John can engage with local stakeholders, including neighbouring landowners, environmental groups, and government agencies, to address their concerns, solicit feedback, and explore opportunities for collaboration in protecting the integrity of the water catchment area.

## Queensland Grounds for Review

If you're pursuing Grounds for Review in Queensland, here are the key authorities that will be responsible for reviewing your appeal and handing down the final decision:

Relevant authority	Key issues that can be addressed
<a href="#">Queensland Ombudsman</a>	<ul style="list-style-type: none"> <li>• Complaints relating to Queensland state government departments or agencies, including local councils</li> </ul>
<a href="#">Queensland Civil and Administrative Tribunal (QCAT)</a>	<ul style="list-style-type: none"> <li>• Administrative decisions</li> <li>• Anti-discrimination</li> <li>• Building disputes</li> <li>• Consumer disputes</li> <li>• Debt disputes</li> <li>• Minor civil disputes</li> <li>• Occupational regulation</li> <li>• Other civil disputes</li> <li>• Residential tenancy disputes</li> <li>• Retail shop leases</li> <li>• Tree disputes</li> </ul>
Local councils	<ul style="list-style-type: none"> <li>• Solving tenancy and building work disputes</li> <li>• Administrative review of government decisions</li> </ul>

### Case study: Dealing with unfair restrictions due to a salmonella outbreak

Jane is a small-scale farmer based in regional Queensland. She operates a family-owned pastured poultry farm specialising in free-range eggs. Recently, a salmonella outbreak was traced back to eggs sold by her farm, leading to significant health concerns among

consumers and prompting regulatory actions by government authorities.

**Issue:**

Following the salmonella outbreak, the Queensland Department of Agriculture and Fisheries (QDAF) imposed stringent restrictions on Jane's farm. These restrictions include a temporary closure of the farm, suspension of egg sales, and mandatory disinfection and biosecurity measures. Jane believes that the restrictions are overly harsh and wishes to appeal them.

**Grounds for Review:**

1. **Scale-appropriate regulation:** Jane argues that the imposed restrictions are disproportionate to the scale of the outbreak and the specific circumstances of her farm. Her farm is small-scale and primarily supplies local markets, unlike larger commercial operations. She asserts that a targeted approach focusing on affected batches of eggs and enhanced biosecurity measures would be more appropriate than a blanket closure.
2. **Mitigating factors:** Jane contends that her farm has a history of compliance with biosecurity standards and has never had a food safety incident prior to this outbreak. She highlights the immediate steps taken to cooperate with health authorities, recall affected products, and implement enhanced hygiene measures. She believes these factors should be considered in mitigating the severity of the imposed restrictions.
3. **Economic impact:** The closure and suspension of sales have significant economic implications for Jane's farm, which relies heavily on seasonal revenue from egg sales. She argues that the imposed restrictions jeopardise the livelihood of her family and employees and could lead to long-term financial hardship.

Government authorities involved:

1. **Queensland Department of Agriculture and Fisheries (QDAF):** Responsible for overseeing agriculture, fisheries, and biosecurity in Queensland. QDAF issued the initial restrictions on Jane's farm following the salmonella outbreak.
2. **Queensland Health (QH):** Responsible for public health and disease control in Queensland. QH conducted investigations into the salmonella outbreak and collaborated with QDAF on regulatory actions.
3. **Biosecurity Queensland:** A division of QDAF that focuses on preventing, responding to, and managing biosecurity risks to agriculture, fisheries, and the environment. Involved in assessing biosecurity measures implemented by Jane's farm.
4. **Queensland Civil and Administrative Tribunal (QCAT):** If Jane decides to appeal the imposed restrictions, she may apply to QCAT, which handles various administrative matters and appeals in Queensland. QCAT would review the case based on evidence and arguments presented by both parties.



## Tasmania Grounds for Review

If you're pursuing Grounds for Review in Victoria, here are the key authorities that will be responsible for reviewing your appeal and handing down the final decision:

Relevant authority	Key issues that can be addressed
<a href="#">Department of Natural Resources and Environment Tasmania</a>	<ul style="list-style-type: none"> <li>● Farm safety issues</li> <li>● Workplace health and safety</li> </ul>
<a href="#">Tasmanian Civil and Administrative Tribunal (TASCAT)</a>	<ul style="list-style-type: none"> <li>● Appealing a planning decision that has been made by State Government or local council.</li> </ul>
<a href="#">Department of Justice Tasmania</a>	<ul style="list-style-type: none"> <li>● Legal aid</li> <li>● Legal advice</li> </ul>
<a href="#">Department of Premier and Cabinet Tasmania</a> and local councils	<ul style="list-style-type: none"> <li>● Assess applications for development under their planning scheme</li> <li>● Act on: <ul style="list-style-type: none"> <li>○ breaches of the planning scheme</li> <li>○ breaches of permits issued by the council</li> </ul> </li> </ul>

### Case study: Navigating the planning system as a small-scale dairy farmer

Small-scale dairy farmers in Tasmania face numerous challenges stemming from evolving planning laws and regulations that impact their ability to operate efficiently and sustainably. This case study explores common challenges encountered by these farmers and outlines steps for grounds for review, including relevant government authorities involved in

decision-making processes.

#### **Common challenges:**

1. **Zoning restrictions:** Many small-scale dairy farms in Tasmania operate within rural or agricultural zones designated for farming activities. However, changes in zoning regulations or updates to local planning schemes may impose new restrictions or requirements that affect farming practices.
2. **Environmental compliance:** Increasing emphasis on environmental sustainability and conservation can lead to stricter regulations concerning waste management, water usage, and land management practices. Compliance with these regulations may require costly upgrades or modifications for small-scale farmers.
3. **Infrastructure development:** Proposed expansions or improvements to existing infrastructure, such as milking parlors or storage facilities, often require planning approvals that can be delayed or denied due to zoning conflicts or environmental concerns.
4. **Community engagement:** Local community opinions and concerns about noise, traffic, odor, and visual impacts from dairy farming operations can influence planning decisions, creating additional challenges for farmers seeking approvals.

#### **Steps for Grounds for Review:**

1. **Legal compliance:**
  - **Grounds for Review:** Review whether new regulations or changes in planning laws are applied correctly and fairly.
  - **Relevant authorities:** Local Council (Planning Authority), Tasmanian Planning Commission (TPC), Department of Primary Industries, Parks, Water and Environment (DPIPWE).
2. **Procedural fairness:**
  - **Grounds for Review:** Ensure proper procedures were followed during the planning application process, including adequate consultation and notification.
  - **Relevant Authorities:** Local Council (Planning Authority), Tasmanian Planning Commission (TPC).
3. **Environmental impact:**
  - **Grounds for review:** Assess the accuracy and adequacy of environmental impact assessments (EIAs) conducted for proposed developments.
  - **Relevant Authorities:** Tasmanian Environmental Protection Authority (EPA), Department of Primary Industries, Parks, Water and Environment (DPIPWE).
4. **Community considerations:**
  - **Grounds for review:** Evaluate how well community concerns were addressed and considered in the decision-making process.
  - **Relevant authorities:** Local Council (Planning Authority), Tasmanian Planning Commission (TPC).

#### **Relevant Government Authorities Involved in Decision-Making:**

1. **Local council (Planning Authority):**
  - Responsible for assessing and deciding on planning applications, enforcing

local planning schemes, and considering community impacts.

2. **Tasmanian Planning Commission (TPC):**

- Provides oversight and handles appeals related to planning decisions made by local councils, ensuring consistency with statewide planning policies.

3. **Tasmanian Environmental Protection Authority (EPA):**

- Oversees environmental impact assessments (EIAs) and provides recommendations on sustainable practices, pollution prevention, and compliance with environmental regulations.

4. **Department of Primary Industries, Parks, Water and Environment (DPIPWE):**

- Offers guidance on agricultural practices, land use planning, and environmental management relevant to dairy farming operations.





## Additional Resources

### **Mediation**

The power of Mediation should not be overlooked as an alternative dispute resolution mechanism in the context of farming and agricultural disputes. Depending on the appointed mediator's costs, and any pre-agreed mediation terms and conditions as to who pays the costs, a Mediation can be a cost effective tool that can save time and money in the event of a dispute where the parties are attempting to avoid court or tribunal litigation and are unable to resolve the dispute themselves or via representatives . Mediation in simplest terms is assisted negotiation. A mediator is an impartial third party who, if suitably qualified and experienced, works with both parties and their representatives to help them reach an agreement to resolve a dispute. Mediation is built upon the premise of impartiality and confidentiality. It is common for a Court and Tribunals such as VCAT to use mechanisms akin to Mediation prior to the submission of formal legal proceedings. As a result, mediation may be an effective tool in creating a “without prejudice” forum for the parties in dispute to try to reach a settlement agreement.

Mediation can be undertaken by appointing an accredited mediator (often a retired judge, barrister, or other suitably qualified practitioner). The Australian Mediator and Dispute Resolution Accreditation Standards (**AMDRAS**) manages a register of nationally accredited mediators. AMDRAS mediators are accredited under the national system and meet the minimum practice and approval standards. It is recommended that the parties contact AMDRAS or their state/territory law society to mutually appoint a suitable mediator or qualified alternative dispute resolution practitioner.

Readers should note that particular industries are required to engage in prescribed alternative dispute resolution processes. For example, members of Grain Trade Australia and industry participants should use the specialised arbitration process.

It is highly recommended that in all cases before commencing a dispute, that parties obtain legal advice, to determine their options and rights.

### **Australia Food Sovereignty Alliance ( AFSA)**

AFSA is commonly tasked with advising farmers on how best to solve legal issues in dispute or the best avenues for this process to occur. As a result, if you are unsure on which organisational body may best meet your needs. Please do not hesitate to reach out to AFSA directly and we can point you in the right direction. Over the years, AFSA has provided assistance and guidance on a large array of farming and agricultural related issues spanning

across a significant number of practice areas. However, if we believe your issue would be best suited to a legal practitioner we can assist you in finding legal representation.