

SMALL HOLDING self assessment *tool*



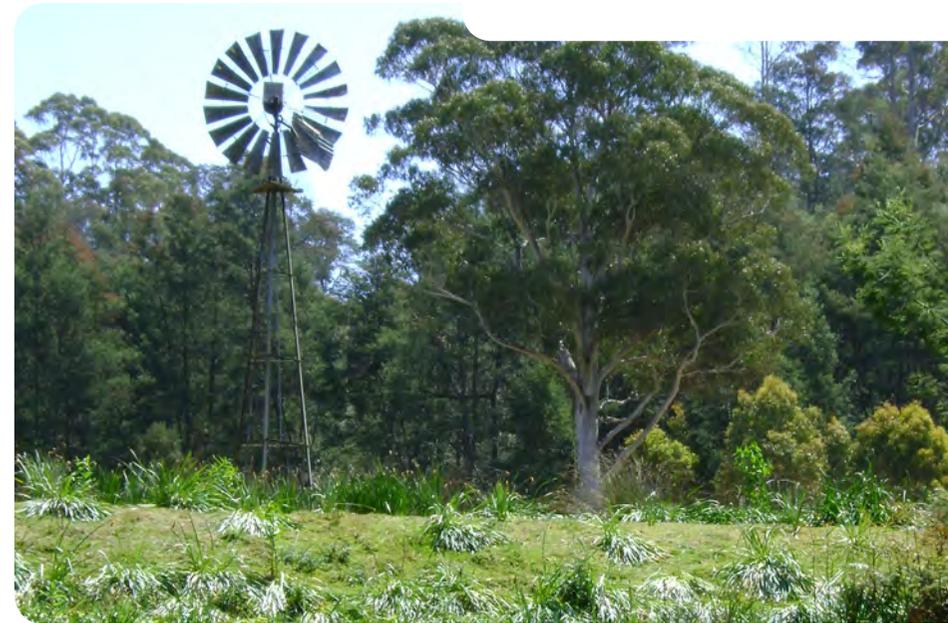
MORE INFORMATION OR ASSISTANCE

If you need any assistance with completing the document or have feedback from using SH SAT please contact NRM North.

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Images courtesy Rob Burnett and NRM North.

INTRODUCTION

WHAT IS THE SMALL HOLDINGS SELF ASSESSMENT TOOL (SH SAT)?

The Small Holdings Self Assessment Tool has been created to provide Small Holding landholders with a voluntary process to review their property management and any environmental impacts (on and outside the property) in a self assessment format.

Please keep in mind that this is not a test, it is a tool for you and only those you wish to share it with.

WHO IS SH SAT FOR AND HOW WILL IT HELP ME?

Using SH SAT will assist any landholder to quickly look at environmental issues of relevance to their property. It is an opportunity to self assess your property management against best practice guides.

The SH SAT process will help you:

- Identify key issues that should be addressed
- Assess whether your practices are meeting legal and regulatory requirements
- Answer the question “are you doing the best you can?”

HOW DO I USE SH SAT?

SH SAT is made up of a series of questions covering a range of property management issues. By working through the questions you will be able to record good management practices already in place and areas where more information or some other action may be required.

At first glance it may look somewhat overwhelming, however a first draft will not take you long to complete. Some areas may not be applicable to you or your property so you can just answer ‘N/A’ (not applicable) and move on.

If you are not sure about the meaning of certain questions or whether they apply to you or your property you can answer ‘NOT SURE’ and record an action to investigate this further.

There is no judgement being made about how many questions you answer ‘Yes’ or ‘No’ to. If you answer something as ‘No’ or ‘Progressing toward’ this may be an area where you want to record an action to be taken on your property, or the need to seek further information. There are suggestions of where you might source this information in the NRM North SH PMP workbook and on the NRM North Small Farm Living website (www.nrmnorth.org.au/smallfarmliving)

Think of and record potential solutions and questions while working through the self-assessment. You may add other risks or limitations that are not in the guide as you think of them.



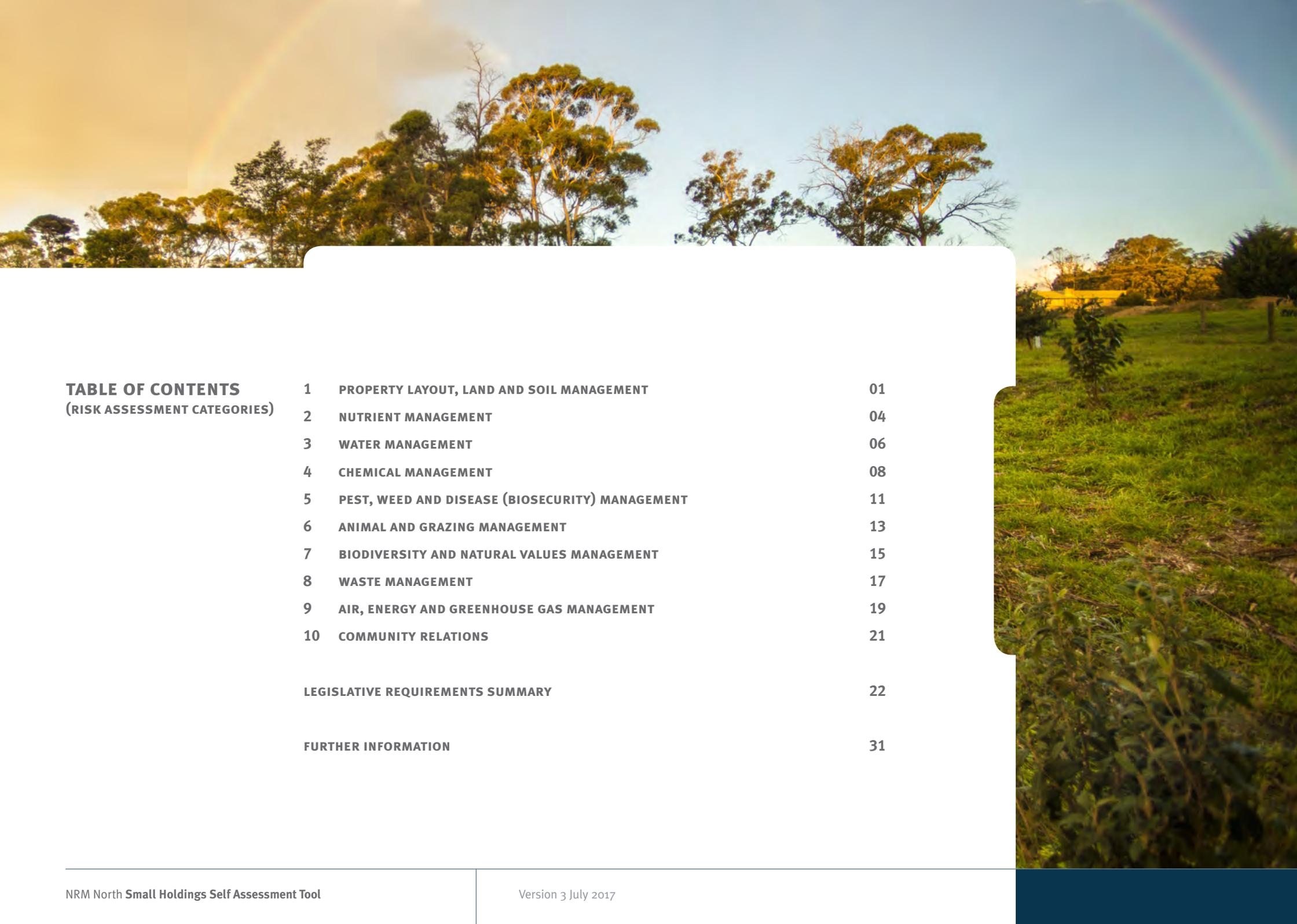


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PROPERTY LAYOUT, LAND AND SOIL MANAGEMENT

1 Property layout, land and soil management	Yes	Working toward	No	Not sure	NA	Action
I have a property map(s) detailing my property layout and proposed improvements.						
My property layout identifies and protects environmentally sensitive areas.						
High use areas such as buildings, roadways, stock yards etc are located away from environmentally sensitive areas and do not create degradation issues (e.g. erosion or contamination).						
I understand the concept of land capability and use the land on my property within its capabilities.						
I know the soil types on my property and have marked them on my property map.						
I understand the capabilities and limitations of the soils on my property and I consider these in my soil management and plant / animal production.						
I minimise mechanical disturbance of the soil and have adopted no till and/or controlled traffic practices where practical.						
Where possible I aim to minimise the time soil is bare/fallow.						
I aim to increase soil organic matter (carbon).						

Environmentally sensitive areas include areas of high natural value such as watercourses, lakes, wetlands, wildlife habitats and areas of remnant native vegetation that may be negatively impacted by land development and use.

Land capability is a classification system which determines how that land can be used without diminishing its long-term potential for sustainable agricultural production.



1 Property layout, land and soil management	Yes	Working toward	No	Not sure	NA	Action
I have identified areas on my property affected by or susceptible to:						
<ul style="list-style-type: none"> poor soil condition (e.g. compaction, quick drying and wetting, surface crusting, poor plant growth) 						
<ul style="list-style-type: none"> erosion (soil loss through wind or water) 						
<ul style="list-style-type: none"> severe seasonal issues such as water logging 						
Remedial actions are taken to repair the above and other issues and minimise further land and soil degradation.						
I am improving wind shelter across my property and existing and proposed shelterbelts are marked on my property map.						
My property layout and land and soil management practices minimise harm to the environment (e.g. wide scale soil erosion, sedimentation of rivers / waterways).*						
My property layout and land and soil management practices minimise nuisance impacts on other people's enjoyment of the environment (e.g. wide scale soil erosion, sedimentation of rivers / waterways).*						

Sedimentation - The accumulation of earthy material (soil and mineral particles) washed into a river or other water body, normally by erosion, which settles on the bottom.

* This legislative question relates to the Environmental Management and Pollution Control Act 1994 (EMPCA)

1 Property layout, land and soil management

Based on my responses to these questions:	Yes	No
I am happy with my current property layout.		
I am happy with my current property map.		
I know I am meeting legal requirements. [†]		
I think I have all the information I need.		
I think I am doing the best I can.		

Date completed: _____

Improve your property layout as part of developing your Property Management Plan.

Complete your property map as part of developing your Property Management Plan.

Read the Legislative Summaries at the end of this document.

Identify information you need and / or actions you want to take.
You can use the Property Action Plan to record this information.

[†] Legal requirements can be complex and are subject to change. Simply completing this checklist may not address all legal requirements. Regularly check with Federal, State and Local authorities for updated requirements.

NUTRIENT MANAGEMENT

2 Nutrient management	Yes	Working toward	No	Not sure	NA	Action
Regular soil tests are conducted on any land used for production (crops, orchards, grazing) and are used to help determine fertiliser / organic soil amendment and liming needs.						
I apply fertilisers / organic soil amendments to meet crop / pasture needs and to balance nutrient losses at rates recommended by a Fertcare [®] accredited supplier or qualified agronomist.						
I avoid application of fertilisers / organic soil amendments, especially nitrate and manure slurries, to wet soils.						
Any fertiliser spreading services used are Fertcare [®] accredited.						
Fertilisers, soil amendments, soil additives (e.g. lime, gypsum), manures and effluent are stored and applied in a manner that minimises losses to waterways and to groundwater through deep drainage/leaching.						
Effluent and manure is managed to maximise on farm re-use.						

Fertcare[®] - a training and accreditation program for agronomy, sales and logistics staff, focussing on the sustainable use of fertilisers.

Groundwater - water that infiltrates the soil and is stored in slowly flowing reservoirs (aquifers); used loosely to refer to any water beneath the land surface.

Effluent - primarily refers to dairy effluent, which includes animal manure and wash down water. It can also include milk whey or other by products applied to land for their nutrient content, or as a soil conditioner.

2 Nutrient management	Yes	Working toward	No	Not sure	NA	Action
Equipment used to apply any soil additives including fertilisers, organic treatments, manures and effluent is well maintained and regularly calibrated (by me or the contractor I am using).						
My nutrient management practices minimise harm to the environment (e.g. nutrient leaching into ground or surface water, fertiliser applied into waterways or other fertiliser sensitive areas). [†]						
My nutrient management practices minimise nuisance impacts on other people's enjoyment of the environment (e.g. contributing to algal blooms and contamination of waterways). [†]						

Based on my responses to these questions:	Yes	No
I know I am meeting legal requirements [#] .		
I think I have all the information I need.		
I think I am doing the best I can.		

Read the Legislative Summaries at the end of this document.

Identify information you need and / or actions you want to take. You can use the Property Action Plan to record this information.

Date completed: _____

[†] This legislative question relates to the Environmental Management and Pollution Control Act 1994 (EMPCA)

[#] Legal requirements can be complex and are subject to change. Simply completing this checklist may not address all legal requirements. Regularly check with Federal, State and Local authorities for updated requirements.

WATER MANAGEMENT

3 Water management	Yes	Working toward	No	Not sure	NA	Action
Waterways are protected from farming and general property use activities with well vegetated buffers.						
I restrict stock access to waterways and provide good quality and adequate quantity of reticulated water in troughs for stock water.						
Property and house hold effluent run-off is managed to protect waterways and to maximise on property re-use (including grey water and septic where appropriate).						
I am clear of my property water requirements (i.e. expected volume to meet all household, stock and irrigated crops / pasture needs).						
I have enough licensed water to meet my property water needs.*						
I am aware of and have taken account of potential water losses (e.g. evaporation).						
Stock and irrigation water quality is inspected regularly and steps are taken to avoid negative effects of poor quality water on soils and livestock.						
I use soil moisture testing tools / methods to decide when and how much irrigation water to apply.						
I have a means of measuring the volume of water applied via irrigation.*						

*This legislative question relates to holding a water licence and allocation under the Water Management Act 1999 or an irrigation right under the Irrigation Clauses Act 1973.

3 Water management	Yes	Working toward	No	Not sure	NA	Action
My irrigation system is designed and monitored to maximise the efficiency of water and energy use.						
My water management practices minimise harm to the environment (e.g. wide scale soil erosion, rising watertable and associated salinity risks). [†]						
My water management practices minimise nuisance impacts on other people's enjoyment of the environment (e.g. sedimentation of rivers / streams, algal blooms and contamination of waterways). [†]						

Watertable - The level below which soil or rock is saturated with water.

Based on my responses to these questions:	Yes	No
I know I am meeting legal requirements. [#]		
I think I have all the information I need.		
I think I am doing the best I can.		

Read the Legislative Summaries at the end of this document.

Identify information you need and / or actions you want to take. You can use the Property Action Plan to record this information.

Date completed: _____

[†] This legislative question relates to the Environmental Management and Pollution Control Act 1994 (EMPCA)

[#] Legal requirements can be complex and are subject to change. Simply completing this checklist may not address all legal requirements. Regularly check with Federal, State and Local authorities for updated requirements.

CHEMICAL MANAGEMENT

4 Chemical management	Yes	Working toward	No	Not sure	NA	Action
Agricultural chemicals are only applied in response to pest and disease pressure or a justifiable preventive program and are applied in a timely manner.						
I consider alternatives or 'softer' options to agricultural chemicals, such as organic approaches and Integrated Pest Management (IPM) .						
I only apply agricultural chemicals that are registered or permitted and I use them in accordance with label directions.*						
I only apply veterinary chemicals that are registered or permitted and I use them in accordance with label directions or vet prescription.						
I consider the potential impact of spray drift as part of property management planning and farm development.						
Spray application equipment is maintained to reduce the risk of spray drift and calibrated at least annually.*						
Veterinary chemicals are only applied in response to illness, infestation (e.g. lice) or as part of a strategic preventive program (e.g. worming).						

Integrated Pest Management – the use of a combination of different control methods to manage pests in a safe, economic and sustainable way.

* This legislative question relates to the Agricultural and Veterinary Chemicals (Control of Use) Act 1995.



4 Chemical management	Yes	Working toward	No	Not sure	NA	Action
I store and use all products in a manner that minimises the potential for environmental harm. [†]						
People involved with applying or supervising application of products are appropriately trained and at least one person has completed a recognised Chemical Users Course.						
I only use spray contractors that hold a current Commercial Operator Licence.						
Spray contractors are provided with clear instructions, including: [†]						
<ul style="list-style-type: none"> • paddock location and area 						
<ul style="list-style-type: none"> • product / active ingredient name and application rate 						
<ul style="list-style-type: none"> • water source to use / water quality and potential impacts / remedial actions 						
<ul style="list-style-type: none"> • any 'no spray zones' (e.g. no aerial application within 100m of residence) 						
Up to date records are maintained of agricultural and veterinary chemical applications. [#]						

[†] This legislative question relates to the Agricultural and Veterinary Chemicals (Control of Use) Act 1995 and the Work Health and Safety Act 2012.

[#] This legislative question relates to the Code of Practice for Ground Spraying, which is empowered by the Agricultural and Veterinary Chemicals (Control of Use) Act 1995.

4 Chemical management	Yes	Working toward	No	Not sure	NA	Action
Surplus agricultural and veterinary chemicals and empty chemical containers are disposed of appropriately and according to legal requirements. [^]						
My chemical management practices minimise harm to the environment (e.g. chemicals entering ground or surface water, soil contamination, off target application). [^]						
My chemical management practices minimise nuisance impacts on other people's enjoyment of the environment (e.g. off-target application, damaging flora and fauna). [^]						

Based on my responses to these questions:	Yes	No
I know I am meeting legal requirements. [£]		
I think I have all the information I need.		
I think I am doing the best I can.		

Read the Legislative Summaries at the end of this document.
 Obtain copies of 'Code of Practice for Ground Spraying', 'On Farm Pesticide Storage' and 'Guidelines for managing left over spray mixes, rinsings and washings from agricultural spraying'

Identify information you need and / or actions you want to take. You can use the Property Action Plan to record this information.

Date completed: _____

[^] This legislative question relates to the Environmental Management and Pollution Control Act 1994 (EMPCA)

[£] Legal requirements can be complex and are subject to change. Simply completing this checklist may not address all legal requirements. Regularly check with Federal, State and Local authorities for updated requirements.

PEST, WEED AND DISEASE (BIOSECURITY) MANAGEMENT

5 Pest, weed and disease (biosecurity) management	Yes	Working toward	No	Not sure	NA	Action
I have a biosecurity action plan based on a biosecurity audit I conducted for my property.						
My property is regularly monitored for pests, weeds and diseases and any outbreaks are recorded on my property map.						
I am aware of and can identify declared (legislated) environmental weeds.*						
I am aware of, can identify and actively manage weeds, pests and diseases which may impact my property and/or the environment.						
I am aware of requirements to control foxes and rabbits.						
Pest animals and weeds are managed in accordance with legislative requirements.†						
I am aware of actions to be taken if I notice an unusual pest, disease or weed.‡						
I research and implement best practice management techniques for different weed, pest and disease species.						

* This legislative question relates to the Weed Management Act 1999 and also pests, weeds and diseases of quarantine concern.

† This legislative question relates to the Vermin Control Act 2000, the Environment Protection and Biodiversity Conservation Act 1999, the Threatened Species Protection Act 1995, the Nature Conservation Act 2002 with its Wildlife (General) Regulations 2010, the Firearms Act 1996 and the 1080 Code of Practice.

‡ This legislative question relates to the Plant Quarantine Act 1997.

5 Pest, weed and disease (biosecurity) management	Yes	Working toward	No	Not sure	NA	Action
Hygiene practices have been implemented to reduce the spread of pests, weeds and disease onto, within and off the property and all people associated with the property are aware of these.						
I ensure that purchased feed (e.g. hay or grain) is free from unwanted weeds, soil and pests.						
I feed out purchased feed in the same area and monitor it regularly for weed growth and pests.						
I am aware of the import requirements for any equipment, materials or livestock arriving on my property from interstate. [^]						
My pest, weed and disease management practices minimise potential impact on surrounding properties and the environment.						

Based on my responses to these questions:	Yes	No
I know I am meeting legal requirements. [£]		
I think I have all the information I need.		
I think I am doing the best I can.		

Read the Legislative Summaries at the end of this document.

Identify information you need and / or actions you want to take. You can use the Property Action Plan to record this information.

Date completed: _____

[^] This legislative question relates to the Plant Quarantine Act 1997.

[£] Legal requirements can be complex and are subject to change. Simply completing this checklist may not address all legal requirements. Regularly check with Federal, State and Local authorities for updated requirements.

ANIMAL AND GRAZING MANAGEMENT



6 Animal and grazing management	Yes	Working toward	No	Not sure	NA	Action
I have a good understanding of best practice husbandry requirements for all livestock types on my property.						
I undertake feed budgeting to ensure I have adequate feed on farm for my stock.						
I rotationally graze my pastures and allow adequate rest time for pastures to re-grow before re-grazing.						
Manure levels in pastures and yards are managed to protect against nutrient excesses, contamination to waterways and groundwater and to maximise on farm re-use.						
I manage animal manure and grazing regimes in my pastures to minimise worm contamination of stock.						
I have a drought management plan prepared for my property to protect land from overgrazing and ensure animal welfare standards are maintained.						
I maintain my boundary fences and gates to prevent straying animals.						
I have adequate shade and shelter on my property to protect animals from heat or cold stress.						
I manage animals to ensure adequate nutrition and prevent disease e.g. drenching, vaccination.						
I report cases of unusual sickness or death of stock to a vet or a government officer.						



6 Animal and grazing management	Yes	Working toward	No	Not sure	NA	Action
I assess animal health status of stock prior to purchase and inspect them upon arrival.						
I isolate newly purchased livestock in a holding paddock which is regularly checked for new pests and weeds.						
I do not feed banned products to stock e.g. meat and bone meal.						
Animal housing and handling facilities (e.g. sheds and yards) are designed to minimise stress and the risk of injury or disease.						
Animal management procedures (e.g. drenching, shearing) are carried out by skilled and competent people and minimise stress caused to animals.						
My animal and grazing management practices minimise harm to the environment (e.g. nutrients entering ground or surface water, soil contamination and erosion, damage to native vegetation).*						
My animal and grazing management practices minimise nuisance impacts on other people's enjoyment of the environment (e.g. straying animals, excessive smell and noise).*						

Based on my responses to these questions:	Yes	No
I know I am meeting legal requirements.†		
I think I have all the information I need.		
I think I am doing the best I can.		

Read the Legislative Summaries at the end of this document.

Identify information you need and / or actions you want to take. You can use the Property Action Plan to record this information.

Date completed: _____

* This legislative question relates to the Environmental Management and Pollution Control Act 1994 (EMPCA)

† Legal requirements can be complex and are subject to change. Simply completing this checklist may not address all legal requirements. Regularly check with Federal, State and Local authorities for updated requirements.

BIODIVERSITY AND NATURAL VALUES MANAGEMENT

7 Biodiversity and natural values management	Yes	Working toward	No	Not sure	NA	Action
My property layout and land use adequately protects areas of remnant native vegetation.						
I know the native vegetation types or communities on my property, or the main trees and plants present; they are identified on my property map.						
I know the condition of any remnant native vegetation, and any issues impacting its condition or recovery.						
Any stock grazing in areas of native vegetation is controlled and appropriate for the vegetation type and condition.						
Riparian areas, lakes, wetlands and soaks are protected and buffered in my property layout and land use.						
There are areas of the property where I am planning/undertaking revegetation or regeneration of native flora, and these are marked on my property map.						
There are areas of the property where I am actively encouraging native fauna.						
I have considered the potential for enhancing wildlife and vegetation corridors on my property, including windbreaks which act as corridors.						
Native browsing animals are managed in accordance with legislation and where appropriate a Game Management Plan has been established.*						

* This legislative question relates to the Vermin Control Act 2000, the Environment Protection and Biodiversity Conservation Act 1999, the Threatened Species Protection Act 1995, the Nature Conservation Act 2002 and its Wildlife (General) Regulations 2010, the Firearms Act 1996 and the 1080 Code of Practice.

7 Biodiversity and natural values management	Yes	Working toward	No	Not sure	NA	Action
Native vegetation is managed in accordance with legislation and where appropriate a vegetation management plan has been established. [†]						
I am aware of any threatened species present on my property, and my obligations under the Threatened Species Protection Act. [#]						
I am aware of the Forest Practices Act and conditions under which a Forest Practices Plan is required [^] , including restrictions on clearing threatened vegetation communities and threatened species habitat.						
My property management practices protect and promote native biodiversity .						

Biodiversity - the variety of life on our planet, measurable as the variety within species, between species, and the variety of ecosystems.

Based on my responses to these questions:	Yes	No
I know I am meeting legal requirements. [£]		
I think I have all the information I need.		
I think I am doing the best I can.		

Read the Legislative Summaries at the end of this document.

Identify information you need and / or actions you want to take. You can use the Property Action Plan to record this information.

Date completed: _____

[†] This legislative question relates to the Threatened Species Protection Act 1995, the Forest Practices Act 1985, the Environment Protection and Biodiversity Conservation Act 1999 and the Nature Conservation Act 2002 and its Wildlife (General) Regulations 2010.

[#] This legislative question relates to the Threatened Species Protection Act 1995.

[^] This legislative question relates to the Forest Practices Code 2015 (see Forest Practices Act 1985)

[£] Legal requirements can be complex and are subject to change. Simply completing this checklist may not address all legal requirements. Regularly check with Federal, State and Local authorities for updated requirements.

WASTE MANAGEMENT



8 Waste management	Yes	Working toward	No	Not sure	NA	Action
Wastes generated on the property are reused or recycled where possible.						
Wastes generated by household activities are reused or recycled where possible.						
I appropriately dispose of wastes that cannot be reused or recycled.						
Septic tanks and other types of household effluent treatment and disposal systems are managed to ensure that effluent does not contaminate disposal areas, water sources or run off farm.						
Controlled wastes (including chemical containers, oils and other items that can cause harm to the environment or human health) are disposed of in accordance with legal requirements.*						
Dead stock are disposed of according to relevant legislation or advice from relevant authorities.*						

Wastes – farm wastes can include inert materials (such as metal, rubble and glass), persistent materials (such as timber, packaging, plastics and tyres), biodegradable materials (such as paper, cardboard, vegetative waste) and toxic materials (such as oil, batteries, pesticides and treated timber).

* This legislative question relates to the Environmental Management and Pollution Control Act 1994 (EMPCA)

8 Waste management

Based on my responses to these questions:	Yes	No
I know I am meeting legal requirements. [†]		
I think I have all the information I need.		
I think I am doing the best I can.		

Read the Legislative Summaries at the end of this document.

Identify information you need and / or actions you want to take. You can use the Property Action Plan to record this information.

Date completed: _____

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AIR, ENERGY AND GREENHOUSE GAS MANAGEMENT

9 Air, energy and greenhouse gas management	Yes	Working toward	No	Not sure	NA	Action
Property activities that potentially generate harmful or offensive odour, dust, smoke and noise emissions have been identified.						
Property practices have, where possible, been modified to minimise the production of these emissions.						
I avoid burning plant waste materials and crop residues after harvest and retain or compost them where practical. If they need burning, I wait until they are dry.						
I only burn dry wood for heating.						
I am aware of the major greenhouse gases associated with farming operations and try to minimise or avoid them.						
I am aware of the management strategies that can reduce greenhouse gas emissions from livestock and livestock waste.						
Where possible, I am implementing these management strategies.						
I consider energy efficiency when selecting new equipment, machinery and vehicles.						

Greenhouse gases - Gases that trap the heat of the sun in the Earth's atmosphere, producing the greenhouse effect. The two major greenhouse gases are water vapour and carbon dioxide. Other greenhouse gases include methane, ozone, chlorofluorocarbons, and nitrous oxide.

9 Air, energy and greenhouse gas management	Yes	Working toward	No	Not sure	NA	Action
Machinery and equipment is regularly maintained to maximise energy use efficiency.						
I am aware of the contribution fossil fuels make to greenhouse gas emissions and regularly monitor fuel and oil consumption in my activities.						
Where possible, I use non fossil fuels and energy sources.						
I actively minimise the energy requirements for lighting, heating and cooling in household and other property buildings.						
I have investigated options for renewable energy sources on my property (e.g. solar, wind, mini hydro).						
My air and energy management practices minimise harm to the environment (e.g. generation of greenhouse gases, dust, smoke, spray drift).*						
My air and energy management practices minimise nuisance impacts on other people's enjoyment of the environment (e.g. generation of noise, dust, smoke and spray drift).*						

Based on my responses to these questions:	Yes	No
I know I am meeting legal requirements.†		
I think I have all the information I need.		
I think I am doing the best I can.		

Read the Legislative Summaries at the end of this document.

Identify information you need and / or actions you want to take. You can use the Property Action Plan to record this information.

Date completed: _____

* This legislative question relates to the Environmental Management and Pollution Control Act 1994 (EMPCA)

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COMMUNITY RELATIONS



10 Community relations	Yes	Working toward	No	Not sure	NA	Action
I advise my immediate neighbours of agricultural activities, including those carried out by contractors that may affect them, such as agricultural spraying, irrigation spray drift, noise associated with irrigation, bird deterrents or harvesting and burning.						
I am aware of the NRM priorities set for my region and of the assistance my local NRM and Landcare staff can provide.						

Based on my responses to these questions:	Yes	No
I know I am meeting legal requirements.*		
I think I have all the information I need.		
I think I am doing the best I can.		

Read the Legislative Summaries at the end of this document.

Identify information you need and / or actions you want to take. You can use the Property Action Plan to record this information.

Date completed: _____

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LEGISLATIVE REQUIREMENTS SUMMARY

Information below is a guide to the laws affecting Tasmanian landholders, with a focus on the areas of biodiversity, soil and water management. It is based on information provided through the FarmSAT (Tasmanian Quality Assured) program.

Landholders will have to seek current legal advice on specific matters relating to activities on their property as required.

A more detailed coverage and interpretation of environmental legislation in Tasmania (with links to other websites covering legislation and guidelines) can be found in 'Tasmanian Environmental Legislation: A Practical Guide for Farmers' on the TFGA website (www.tfga.com.au/policies/projects/) or in the Environmental Defenders Office (EDO) Environmental Law Handbook (www.edohandbook.org).

Disclaimer: The following is only a guide to the environmental laws affecting landholders. Last reviewed in 2017. The general area is quite complex and is governed by numerous Acts and Regulations, some of which are very detailed. In addition, changes are made on a regular basis to the legislation. The precise effect in a given situation will require expert advice and this should be sought from an appropriate professional or the relevant Government agency. Contact Department of Primary Industries, Parks, Water and Environment (DPIPWE) on 1300 368 550.



PROPERTY DEVELOPMENT LEGISLATION IN TASMANIA

Tasmania's Resource Management and Planning System (RMPS) is an integrated system of laws, policies and procedures. The aim of the RMPS is to achieve sustainable outcomes for the use and development of the State's natural and physical resources.

The RMPS is supported by a suite of legislation including the principal planning act, the Land Use Planning and Approvals Act (LUPAA) 1993, along with the State Policies and Projects Act (SPPA) 1993 and the Environmental Management and Pollution Control Act (EMPCA) 1994.

Planning schemes are statutory instruments that regulate the use, development, protection or conservation of land throughout Tasmania. The Tasmanian Government is introducing a Tasmanian Planning Scheme, including consistent statewide provisions. Local councils, in their role as planning authorities under LUPAA, will remain responsible for determining where particular provisions apply in their municipalities and for controlling most of the day to day development decisions.

In general, local councils are responsible for the following planning activities:

- The regulation of land use and development within the municipal area
- Manage pollution control at a local level
- Assess 'Level 1' developments



Local Council Planning Schemes

There are currently 30 planning schemes in Tasmania. The Tasmanian Government is introducing a Tasmanian Planning Scheme, which sets out the sort of development allowable in particular zones, and the standards it must reach. Local Provisions Schedules in the Scheme will set out which zones apply to each property in the municipality.

The Tasmanian Planning Scheme will require that land use and development is consistent with the physical capability of the land so that the potential for environmental degradation is minimised.

How does the State Policy on the Protection of Agricultural Land affect planning schemes?

The State Policy on the Protection of Agricultural Land, otherwise known as the PAL Policy came into effect in October 2000. The purpose of the Policy is to foster sustainable agriculture in Tasmania by ensuring the continued productive capacity of the State's agricultural land resource. The Policy applies to all agricultural land in Tasmania and has different requirements for dealing with prime and non-prime agricultural land. The Policy is required to be implemented through planning schemes to adequately provide for the protection of agricultural land within municipal areas.

Property Development Permit Applications

If you are planning a new development activity for your property, you should first contact your local council and ask them if your intended activity requires planning approval or licence to operate. If so you will need to complete and lodge an application with your local council.

Some examples of the types of activities which you may need approval for include:

- Subdivision of land.
- Intensification of the use of the land e.g. feedlots.
- Development on land.
- Any activity that will increase the output of pollutants, including noise or otherwise adversely impact upon neighbours, for example dairy operations.
- Change of use of land or existing buildings (e.g. residence becomes an office).
- Alterations to existing use or works.
- Building work including internal alterations, additions and demolition.
- Plumbing work including connection to sewer or drains, and septic tank installation.
- Erecting new signage on your property.
- Food or personal service activities, for example meat works.
- Any activity which is to be undertaken within the Coastal Zone (i.e. State waters and land to a distance of 1km from the high water mark)
- Any activity that may affect critical habitat or a species listed as threatened.
- Any works relating to wells or dams or involve water use (DPIPWE approval).
- Mining, quarrying, prospecting or exploration for minerals.
- Anything that may have an effect on Aboriginal objects or areas of cultural heritage significance.
- Forestry operations.

The list is not exhaustive. If you are unsure whether your proposal requires planning permission you should contact your local council planning section.



LAND AND SOIL MANAGEMENT

At this stage there is no specific Tasmanian legislation governing soil conservation on farmland.

Environmental Management and Pollution Control Act 1994 (EMPCA)

This Act, administered by the Environment Protection Authority, regulates all activities that have the potential to cause environmental harm, including farming. The implementation of the Act for farm operations is normally the responsibility of local council Environmental Health Officers (EHOs). To achieve the EMPCA objective of minimizing environmental harm, management practices that cause soil erosion and other forms of degradation should be avoided. This approach will also assist in meeting the water quality objectives for inland waters set under the State Policy on Water Quality Management 1997.

NUTRIENT MANAGEMENT

State Policy on Water Quality Management 1997

This Policy identifies runoff from agricultural land as a potential diffuse source of pollution in Tasmanian inland waters. This Policy requires the development of guidelines to be followed by farmers to minimise the impact of agricultural runoff, as a means of complying with the Environmental Management and Pollution Control Act 1994 (EMPCA). Soil Management. A Guide for Tasmanian Farmers has been produced to provide information that can assist producers to meet their environmental obligations under this policy.

WATER MANAGEMENT

Water Management Act 1999

This Act, administered by the Water Management and Assessments Branch of the Department of Primary Industries, Parks, Water and Environment (DPIPWE), regulates the collection, storage and utilisation of water from watercourses in Tasmania. This includes the granting of water licences, which are property rights, separated from land titles, that can be mortgaged or traded. The Act also provides for the development of Water Management Plans, applications for dam permits and creation of water districts.

Water Management Plans provide for the sustainable development and management of a water resource or series of linked water resources. Water Management Plans specify a time period within which all licensed water users taking water directly from the watercourse will be required to install water meters.

You must comply with the requirements of your water licences. Review your licence conditions and contact your Regional Water Management Officer to check your obligations.

If you are planning to modify or construct a storage dam you may require approval from the Department of Primary Industries, Parks, Water and Environment (DPIPWE). Check with your Regional Water Management Officer.

Irrigation Clauses Act 1973

This Act provides for the operation of irrigation schemes by water entities. It also provides for the issue of 'irrigation rights' to properties wishing to access water from an irrigation scheme.

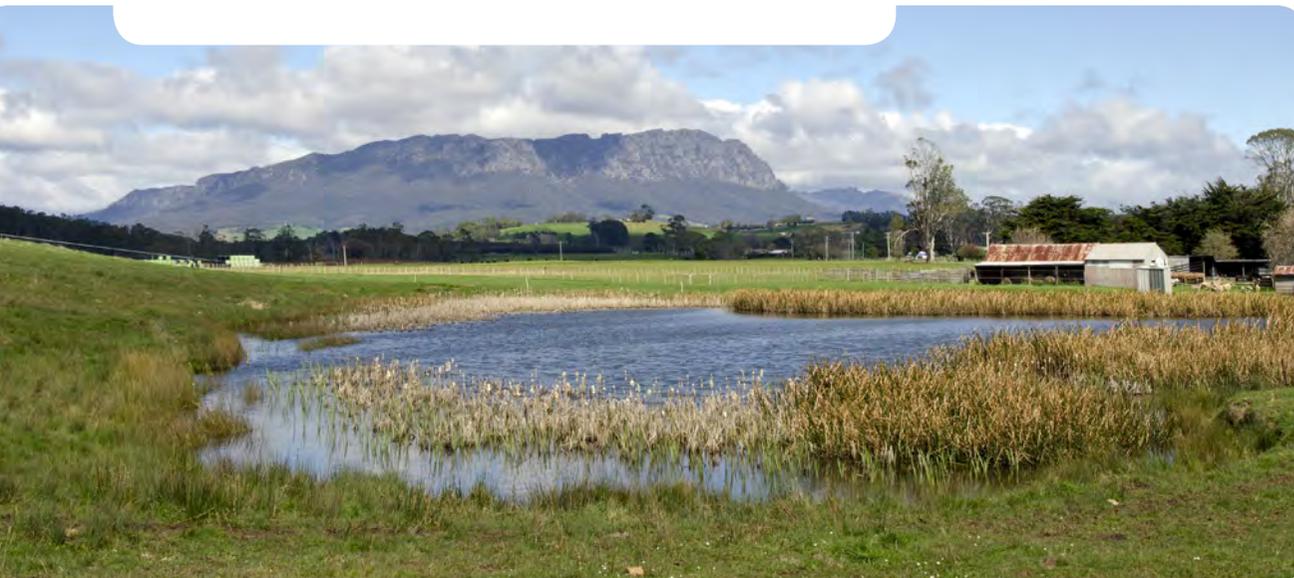
A water entity managing an irrigation scheme under the Irrigation Clauses Act 1973 may require the holder of an irrigation right to install a water meter.

CHEMICAL MANAGEMENT

Agricultural and Veterinary Chemicals (Control of Use) Act 1995

This legislation and associated Regulations cover the use of chemicals in agriculture. Any of the following practices is a breach of the Act:

- Use of an agricultural or veterinary chemical which is not registered
- Use at a higher rate or more frequently than the maximum specified on the label for that application
- Use contrary to any mandatory label restriction
- Use of a chemical which causes off-target damage
- Application of a chemical using defective spray equipment
- Failing to observe the withholding period for that application
- The Australian Pesticides and Veterinary Medicine Authority (APVMA) is responsible for the registration of agricultural and veterinary products.
- A landowner can apply to the Registrar of Chemical Products for a permit authorising use of a chemical at higher volumes or otherwise contrary to label directions.



Work Health and Safety Act 2012

This legislation is administered by WorkSafe Tasmania and imposes a general duty of care on farmers to ensure the health and safety of workers, contractors or visitors is not put at risk. This duty will generally be met if farm chemicals are stored and handled in accordance with Australian Standard AS 2507-1998. The Poisons Act 1971 is administered by the Department of Health and Human Services (DHHS) and governs the supply and use of some veterinary chemicals and poisons.

Environmental Management and Pollution Control Act 1994 (EMPCA)

Chemicals can cause environmental harm to land, water or the atmosphere if spills or leaks occur, or if they are not used correctly. These Acts are administered by the Environment Protection Authority (EPA) and by Environmental Health Officers (EHOs) in local councils. Proper storage with containment facilities are the best protection against harming the environment. If chemicals are accidentally released the EPA should be immediately informed via the incident reporting number 1800 005 171.

Australian Standards

Many of these are relevant to the storage and handling of chemicals and are quoted by Regulations. Other standards cover the design and testing of Personal Protective Equipment (PPE). Only PPE meeting Australian Standards should be used.



PEST AND WEED MANAGEMENT

For pests, weeds and diseases of quarantine concern refer to:
www.agriculture.gov.au/pests-diseases-weeds

Weed Management Act 1999

This Act requires the development of a management plan for all declared weeds. The plans, which are prepared in consultation with councils, industry and community groups, describe the legal prohibition of the introduction, sale and distribution of declared weeds in Tasmania. They also outline measures for their early detection, control and eradication where relevant. In areas of limited distribution eradication is the management objective, whilst in areas where weeds are widespread containment is the primary focus.

These weed management plans provide guidance and direction to land owners, weed inspectors and other weed stakeholders as to what is expected in terms of management requirements for that plant. Currently (2017) there are 144 plants listed as declared in Tasmania. Contact Department of Primary Industries, Parks, Water and Environment (DPIPWE) or local government.

Plant Quarantine Act 1997

This Act protects Tasmania's agriculture and environment from the threat of introduced pests and diseases of plants, including weeds. Biosecurity Tasmania maintains the Plant Biosecurity Manual that describes the conditions with which all importers must comply when bringing plants or plant products into the State. This information is also available through the interactive Tasmanian Biosecurity Import Requirements Database (TBIRD), available on the DPIPWE website.'

Vermin Control Act 2000

This Act defines certain animals as 'vermin' and may require landowners to control them. Only foxes and rabbits are presently 'declared'.

Animal Welfare

Under Australia's constitutional arrangements, state and territory governments are responsible for animal welfare arrangements within their jurisdictions. The states and territories set and enforce animal welfare standards through animal welfare or prevention of cruelty to animals legislation. In Tasmania, the Animal Welfare Act 1993 applies.

For Australia's livestock industries the Australian Animal Welfare Standards and Guidelines for the Land Transport of Livestock establish an agreed set of principles and practices for transport by road and rail. In Tasmania, compliance with the Standards is required by regulation. Tasmania has also adopted compulsory animal welfare standards for pigs and domestic poultry, with significant fines imposed if standards are not met. In particular, the use of sow stalls is prohibited other than in very limited circumstances.

Where standards have not been legislated, Model Codes of Practice exist for the welfare of farm animals including cattle, farmed buffalo, ostriches, farmed emus, farmed rabbits, camel, deer, goat and sheep. These Codes are intended as a guide for all people responsible for the care and management of farmed animals.

The Codes aim to set an industry standard by defining acceptable animal management practices in situations, which vary from extensive grazing to close confinement and housing. Whatever the form of husbandry, owners and managers have a responsibility for the health, welfare and considerate treatment of the animals under their control so that stress to the animals is minimised. A series of general Australian Animal Welfare Standards and Guidelines for livestock and poultry are being developed by Animal Health Australia, and are expected to replace current Codes.

The basic needs of animals for adequate food, water, air, shelter, comfort and freedom to move and express normal behaviour patterns are considered in the codes of practice, irrespective of the type of husbandry practiced.

Model Codes of Practice can be downloaded at: <http://www.agriculture.gov.au/animal/welfare/standards-guidelines>



Tasmanian legislation

A program of random inspections of intensive piggery and poultry premises has been implemented, in conjunction with the Royal Society for the Prevention of Cruelty to Animals (RSPCA), to ensure that producers are complying with animal welfare standards. This program will be extended to other livestock industries as animal welfare standards are developed.

BIODIVERSITY

Nature Conservation Act 2002

This Act addresses the conservation and protection of the flora, fauna and geological diversity of the State. Various types of reserved land can be declared under the Act, including voluntary conservation covenants on private land. It also sets up the Wildlife Regulations as below.

Wildlife (General) Regulations 2010

The Wildlife Regulations define the status of animal species (mainly native, but also introduced) as protected, partly protected, restricted, specially protected and domestic. There are specific licence and/or permit conditions that regulate the taking, keeping or trading of animal species within these categories.

It further defines the licence, permit and policing system that regulates hunting and wildlife displays. Deer farming is subject to specific regulations, Wildlife (Deer Farming) Regulations 2010.

Broadly, many of the animals that farmers may consider pests because they are eating crops, pastures or trees are protected to some extent: e.g. various wallabies, deer, brush-tailed possums and swan. This means that permits are needed by individual hunters to kill these animals. There are also authorities that allow a farmer to permit another person to hunt on their property.

Commercial hunting (i.e. to sell the product) requires a licence or permit. In some cases an animal tagging system applies to specific types of commercial and non-commercial hunting.

Forest Practices Act 1985

All clearing, harvesting and regeneration of areas of forest greater than 1ha in area or 100 tonnes per year require a certified Forest Practices Plan under the Forest Practices Act 1985. A Forest Practices Plan may also be required for harvesting areas less than 1 ha or less than 100 tonnes if the area is classed as Vulnerable Land (which includes streamside areas, threatened species habitat, threatened forest communities, steep slopes and highly erodible and vulnerable soils). Forest harvesting may also require development approval under some local government planning schemes under the Land Use Planning and Approvals Act 1993. A Forest Practices Plan may not be approved if it does not satisfy the conditions set out in the Forest Practices Code 2015, for instance if the activity is likely to have adverse impacts on soil and water quality.

The Code provides a practical set of guidelines and standards for the protection of environmental values during forest operations, in particular: soils, water quality and flow, geomorphology, flora, fauna, genetic resources, visual landscape, and cultural heritage must be considered at the planning stage.

Threatened Species Protection Act 1995

This Act lists more than 600 species of plant and animal that are threatened in Tasmania. Threatened species are classified into three levels in Tasmania to reflect their risk of extinction. These are endangered, vulnerable or rare. Listing Statements are required by legislation for all listed species. They are brief, A4 size documents providing distributional and biological data, recovery program information, actions carried out, actions required and illustrations. These can be obtained from the Department of Primary Industries, Parks, Water and Environment (DPIPWE) website.

Landowners require a threatened species permit to take a threatened species. 'Take' means to kill, injure, catch, damage, destroy or collect a threatened species.

Application forms for permits are also available from the Department of Primary Industries, Parks, Water and Environment (DPIPWE) website.

Environment Protection and Biodiversity Conservation Act 1999 (Federal Act) (EPBC)

The EPBC Act requires any person planning to take an action that has, will have or is likely to have a significant impact on a matter of national environmental significance to refer the proposal to the Federal Environment Minister. These actions are called "controlled actions".

Matters of national environmental significance under the EPBC Act include: Wetlands of international importance (Ramsar wetlands); Listed threatened species and ecological communities (including grassland communities in Tasmania's midlands) and Listed migratory species.

The Federal Minister will assess a referred proposal and decide whether or not it is a "controlled action". If it is not a controlled action, no approval is required. If it is a controlled action, the Minister will determine whether or not (and on what conditions) to approve the activity.

Firearms Act 1996

This Act controls the possession, licensing, registration, acquisition, storage and conveyance of firearms. Refer to the Police for information.



WASTE MANAGEMENT

Environmental Management and Pollution Control Act 1994 (EMPCA)

The burning of industrial wastes, including silage plastics, is prohibited.

Under no circumstances should you dispose of household garbage, unwanted chemicals, waste oils or lubricants on your property – these wastes should be disposed of at facilities licensed to receive the wastes, such as local council landfill for household wastes.

Milk must not be discharged into watercourses.

Before disposing of any items on the property, check with the local council as to their requirements.

Only burn dry wastes in accordance with local council by-laws. It is an offence to burn painted, treated or contaminated wood, or used tyres. These materials should be disposed of at a registered waste facility.

The owner of the premises must ensure that the carcass of any animal on or in the premises is buried, burned or otherwise suitably disposed of within a reasonable time after the carcass has been discovered.



AIR AND ENERGY MANAGEMENT

At this stage there are no laws governing greenhouse gas emissions from farming operations. However, a range of programs exist to reward farming practices that avoid or reduce emissions or capture and store carbon. For more information, go to <http://www.environment.gov.au/climate-change/emissions-reduction-fund/methods>

COMMUNITY RELATIONS

Primary Industry Activities Protection Act 1995

This Act identifies the circumstances under which a primary industry activity constitutes a nuisance. In general, agricultural activities are protected by this Act provided they are:

- Carried out on land that has historically been used for primary production and
- Regarded as usual for that type of primary production and
- Are not being carried out improperly or negligently.

It should be noted that this Act does not negate the need to comply with other acts or legal requirements.

CULTURAL HERITAGE

As a landholder, you must take all reasonable and practical steps to prevent harm to areas of historical cultural heritage on your property, including Indigenous culturally significant areas.

If your property is entered in the Tasmanian Heritage Register, you must have the approval of the Heritage Council before you start any works (development) on your property that could affect the historic cultural heritage significance of the place unless some form of exemption has been granted or some other form of agreement is in place.

The key Tasmanian legislation relating to cultural heritage protection is the Historic Cultural Heritage Act 1995.

The key Tasmanian legislation relating to Tasmanian Aboriginal heritage and culture is the Aboriginal Relics Act 1975. Aboriginal heritage matters are managed by Aboriginal Heritage Tasmania, within DPIPW. Landowners must immediately report any discovery of Aboriginal heritage on their property, and seek approval for any works likely to disturb Aboriginal heritage places.



FURTHER INFORMATION

FURTHER INFORMATION AND RESOURCES

For more information about NRM North's Small Farm Living program, visit our website:

www.nrmnorth.org.au/smallfarmliving



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Dorset

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