

# TASMANIAN AGRITOURISM TOOLKIT

NAVIGATING THE REGULATORY PROCESS

EAT WELL  
TASMANIA



Image courtesy of Samuel Shelley

# TASMANIAN

## FOREWORD

This toolkit has been designed to support existing and emerging businesses in understanding and navigating the approvals process so that they can enter the Tasmanian agritourism sector.

It provides an overview of the regulatory process that agritourism business are required to engage in as well as more detailed direction regarding specific elements of the regulatory process. It covers typical requirement for an agritourism business but does not address approvals or licences relevant to the agricultural, food processing or manufacturing operation to which the agritourism business relates.

It is important to note that not all approvals or licenses will be required by all agritourism business. Flowcharts that identify the most likely approvals for different types of agritourism businesses are provided at the end of the document and can be useful in navigating this toolkit.

## COVER

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This toolkit has been prepared by the Department of State Growth as a key component of the Agritourism Regulatory Mapping and Reform Project under the Accelerating Agritourism program. The information contained in this toolkit is based on the regulatory requirements for agritourism businesses as of July 2022.

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# Section one: Overview of the regulatory process

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## Introduction

Establishing an agritourism operation in Tasmania means that permits or licences will be required before you start works (if constructing) or begin operating the business.

All up, there are 18 different approvals that might be required across three stages (consents to proceed, construction permits and operational permits). In many cases, whether an approval is required or not will depend on business and site-specific factors such as:

- the scale and nature of the activity
- the location
- whether any new buildings or structures will be required
- which areas the public will be visiting
- whether there is alcohol production or food production on site.

The flowchart below shows all potential approvals required and further down more detail is provided on each approval. Specific flow charts for ten different types of agritourism business are listed in the next column.

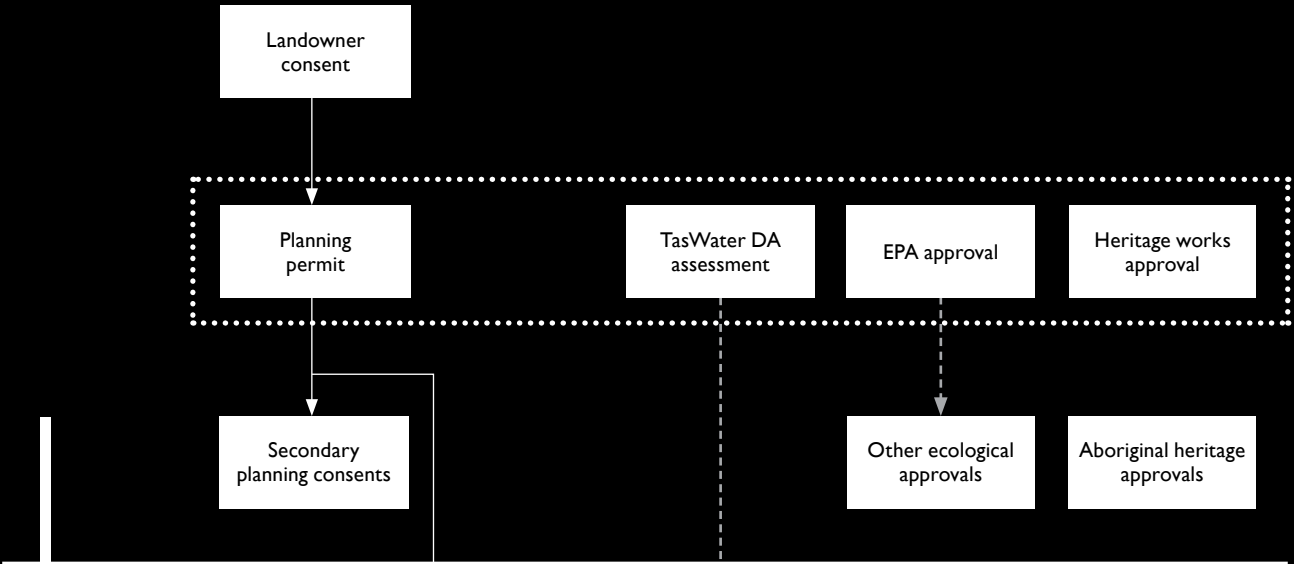
- 1. Farms producing, serving and selling food and alcohol on site (such as cheese and beer).
- 2. Farms producing, serving and selling food and alcohol on site (such as dairy, egg and meat products).
- 3. Distilleries or breweries with a cellar door and sales.
- 4. Seafood businesses offering tours and dining (including alcohol).
- 5. Farms producing, serving and selling fruit and fruit products on site (including cider).
- 6. Medium to large working farms offering onsite accommodation, tours, events and a dining experience (including alcohol).
- 7. Wineries producing, serving and selling wine with a cellar door, offering onsite tours, events and a dining experience.
- 8. Food producers with a garden, foraging or paddock-to-plate, offering a 'do it yourself' or 'make your own' component.
- 9. Farms producing, serving and selling produce on site and offering tastings, tours and/or dining experiences (including flowers and flower products, olives and olive products, and herbs and spices).
- 10. Businesses producing, serving and selling honey on site, and offering tastings, tours and/or a meet-and-greet experience.

There are legislative dependencies between some approvals, which means that you cannot apply for that permit until another permit has been granted (or an exemption issued). For example, a building permit will not be considered by the council until you have a planning permit and all relevant conditions on that planning permit have been satisfied.

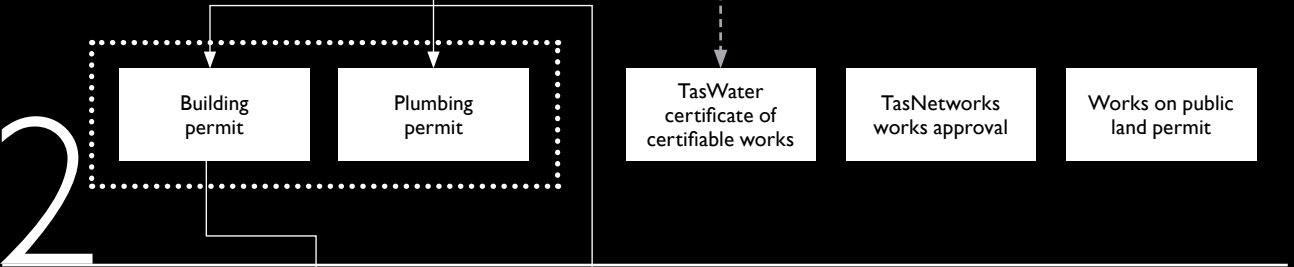
Some approvals have an integrated legislative process, which means they must occur at the same time. For example, if heritage works approvals are required, those approvals are issued through a referral at the planning permit stage.

# POTENTIAL APPROVALS REQUIRED BY AGRITOURISM BUSINESSES IN TASMANIA.

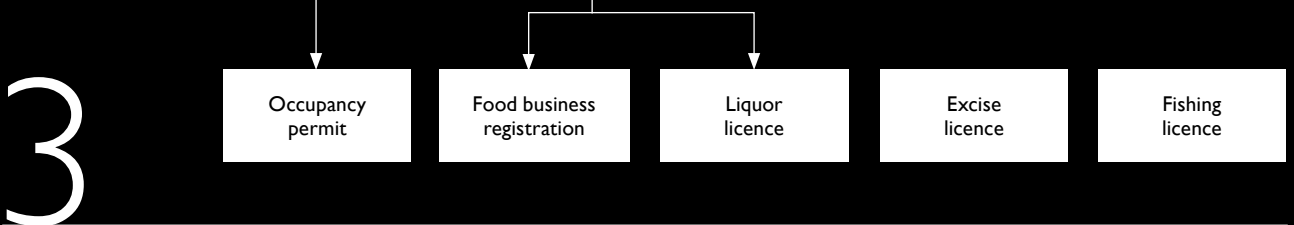
## STAGE ONE: CONSENTS TO PROCEED



## STAGE TWO: CONSTRUCTION AND WORK PERMITS



## STAGE THREE: OPERATIONAL PERMITS



### KEY


- ⋮ Integrated legislative processes
- Legislative dependencies
- → Connected processes



It is important to remember that there are many different regulators you may need to deal with, including:

- the relevant local council
- Department of Climate Change, Energy, the Environment and Water (Australian Government)
- Department of Natural Resources and Environment (including Biosecurity Tasmania)
- Department of State Growth (State Growth)
- Department of Treasury and Finance
- Department of Justice (including Worksafe Tasmania)
- Parks and Wildlife Service Tasmania (PWS)
- Tasmanian Heritage Council (THC)
- Aboriginal Heritage Tasmania (AHT)
- Tasmania Fire Service (TFS)
- Environment Protection Authority Tasmania (EPA)
- TasNetworks
- TasWater
- Australian Taxation Office (ATO)

## Stage one approvals: Consents to proceed

### Planning permit

The most likely early approval required (consent to proceed) for an agritourism business is a planning permit issued by your local council. Whether or not a planning permit is required or can be issued depends on the planning scheme in effect in your local council area. Details of what you can typically do under planning schemes, as well as a planning permit checklist, are provided in  **Section 4** of this toolkit.

During the planning permit stage, you should start thinking about bushfire measures (see  **Section 11**) and requirements for food preparation (see  **Section 10**).

When engaging consultants and technical professionals during this stage, make sure they are suitably licensed and understand what is required at both the planning and building approval stages.

### Landowner consent

Occasionally before you can submit a valid planning permit application, landowner consent must be granted. Landowner consent is required where the proposal includes some components on either Crown land or council land. Typically, this is for:

- new accesses from a public road
- where an infrastructure connection, such as power or a road/driveway, or proposed sign is on public land, or
- where part of the activity will occur on a coastal reserve or past high-water mark.

Where landowner consent is required, you may also need to obtain a separate works permit from the landowner once the planning permit is issued and conditions of approval are known (refer  **Works on public land permit** for further information).



# Heritage approval

If your place is listed on the Tasmanian Heritage Register, you also need approval from the Tasmanian Heritage Council. This is obtained either as an exemption that can be issued ahead of lodging a planning permit application or as part of the planning permit process. You need to keep in mind that most planning schemes also include a local heritage register, which means you may need to deal with both local and state level heritage issues in a single application. You may also need an approval from Aboriginal Heritage Tasmania. The three heritage approval processes are:

- Aboriginal Heritage approvals
- State Heritage approvals
- Local Heritage approvals.

## Aboriginal heritage approvals

Tasmania's Aboriginal cultural heritage is protected through legislation. If you are considering disturbing any land as part of your agritourism proposal, you must consider if there is a risk of impacting sites of Aboriginal heritage significance. Aboriginal Heritage Tasmania's assessment involves an early property search through their property search website to determine if your project will impact on an Aboriginal heritage site. If you do intend to impact a site, you may require a permit issued by the Minister based on advice from the Aboriginal Heritage Council.

More information is available from [www.aboriginalheritage.tas.gov.au/assessment-process](http://www.aboriginalheritage.tas.gov.au/assessment-process)

A property search can be undertaken via [www.aboriginalheritage.tas.gov.au/propertysearch/](http://www.aboriginalheritage.tas.gov.au/propertysearch/)

## State heritage approvals

If your property is listed on the Tasmanian Heritage register it means that your place has been identified as having historic heritage significance at a state level. This means that your development will need approval from the Tasmanian Heritage Council. Your development may be eligible for an exemption in which case you can apply for a Certificate of Exemption. Otherwise, your development will require heritage approval as a component of the development application which you lodge through your local council.

Heritage Tasmania have Heritage Advisors who are available to provide you free pre-application advice regarding your plans and subject to availability, may be able to meet you on site to discuss your proposed development.

More information is available on Heritage Tasmania's website: [www.heritage.tas.gov.au/works-and-development](http://www.heritage.tas.gov.au/works-and-development)

## Local heritage approvals

If your property is listed in your local council's planning scheme, it means that your place has been identified as having local historic heritage significance at a local level. Your local council can provide you information regarding what this means as part of the development application process.

# Environmental approvals

Depending on the nature of your development and agricultural operations, you may need to obtain approvals under various environmental regulations. These include:

- Level 2 approvals under the *Environmental Management and Pollution Control Act 1994*
- approvals through local council or at a Australian Government level for clearance of vegetation.

## EPA approval

EPA approvals are where authorisation under the *Environmental Management and Pollution Control Act 1994* (EMPCA) is required because the business proposed is a scheduled level 2 activity or is 'called in', because it has potential to cause environmental harm.

Scheduled level 2 activities most relevant to agritourism are typically rural processing activities, such as breweries, distilleries, and meat processing. The threshold for EPA assessment of these activities is aimed at large-scale industrial facilities. The level 2 thresholds for food and beverage production are as follows.

- Meat processing – 100 tonnes or more of meat or meat product per year.
- Breweries and distilleries – capacity to consume 100 kL or more of water in an eight hour period.
- Fish processing – 100 tonnes or more of fish product.

- Milk/dairy processing – processing capacity of 3,000 L or more of milk in an eight hour period.
- Produce processing (vegetable/seed/grain/fruit or other agricultural crop) – processing capacity of 50 kg or more per hour.
- All finfish farming.

The typical agritourism processing business in Tasmania does not need EPA approval.

## Other ecological approvals

Where your proposal involves land clearance, approvals relating to ecological values may be triggered. This is not only for the removal of trees but also native grasslands. For example, there are nationally significant tracts of protected grasslands across farming areas in the midlands district and eastern Tasmania.

Most agritourism businesses are unlikely to encounter these requirements. Whether these approvals are required can only be determined after a natural values assessment has been prepared by a suitably qualified ecologist.

If you need to clear or modify any native vegetation, talk to your local council in the first instance.

## TasWater assessment

TasWater assessment will be required if you are intending to be connected to reticulated water and sewerage. If your agritourism business is in a rural area outside a town or settlement, this is unlikely to be required. The first stage of the TasWater assessment is integrated into the planning permit process. You do not need to apply separately, as the local council will refer your planning permit application to TasWater.

TasWater also offer a service enquiry function via an online form. This can be accessed at

**[www.taswater.com.au/building-and-development/development-application-form](http://www.taswater.com.au/building-and-development/development-application-form)**

For more information visit

**[www.taswater.com.au/building-and-development/land-and-property-development](http://www.taswater.com.au/building-and-development/land-and-property-development)**

## Stage two approvals: Construction permits

The most common stage two approvals are building and plumbing permits. These are often required, even if you are repurposing an existing building such as a farm shed. Stage 2 approvals are required once your planning permit (including any secondary planning consents) and your TasWater assessments are complete.

### Building permit

A building permit may be required if you are intending to undertake any building work or repurpose an existing structure.

In Tasmania, building work is classified into risk categories for which there are specific approval requirements. Building permits, while issued by a local council, require private certification. Documentation, including the design documentation, must be prepared by licensed professionals. You must engage either a building designer that has a commercial licence or an architect to draw up your design documentation, and a licensed building surveyor to privately certify the documentation. The licensed building surveyor will ensure appropriate referrals to your local council's environmental health officer and the Tasmania Fire Service.

Many small-scale proponents mistakenly engage building designers with residential experience at the planning permit stage, only to find they are not suitably licensed at the building permit stage.

Often other licensed professionals, such as structural engineers and building services designers, will be required. During and after construction, inspections must be undertaken, and an occupancy permit must be issued before you start your agritourism operation. A certificate of completion will also be required when all work has been completed, to demonstrate that the relevant approvals have been obtained and that the work complies with legislation. The certificate of completion is issued by your local council once:

- the occupancy permit has been issued (if applicable)
- the certificate of final inspection has been provided
- all conditions placed on the work have been met.




This final sign-off process can be a delay for starting to operate your business.

If the required permits are not obtained this is a breach of *Building Act 2016* (Tas) which has significant consequences. Additionally, if an insurance incident happens on your property, non-compliance with the legislation is often used by underwriters to not cover an incident, even if you have paid-up insurance.

## Plumbing permit

If you are managing any wastewater on your site from processing, food preparation or toilets, a plumbing permit is required.

Plumbing permits do not require private certification but do require a licensed plumbing designer to prepare design documentation for submission to your local council.

The plumbing permit process is done at the same time as the building permit process and has similar requirements for inspections and certificates of completion. Information about onsite wastewater systems for agritourism businesses is outlined in  **Section 13** of this toolkit.

## TasNetworks approval

Generally, TasNetworks approval for an agritourism proposal will only be required if you need an additional electricity connection or a new 3-phase connection.

If this is a requirement, an application will be required and TasNetworks will need to connect the service. If the connection is not a basic connection (which is more likely in rural areas) it can take six months or more for TasNetworks to investigate, design and undertake the work. Regulatory timeframes for the assessment of applications are:

- 30 business days for the assessment stage
- 80 business days for the design stage
- 160 business days for the connection stage

For more information visit [www.tasnetworks.com.au/new-electricity-connections](http://www.tasnetworks.com.au/new-electricity-connections)

## TasWater certificate of certifiable works

If you have triggered TasWater assessment at the planning permit stage (see above) then TasWater will provide any required conditions, including any

trade waste requirements, on your planning permit. These conditions will inform you of TasWater's requirements for your development and advise on the next steps, which will often include applying for a certificate of certifiable works.


## Works on public land permit

Where landowner consent is required, you may also need to obtain a separate works permit from the landowner once the planning permit is issued and conditions of approval are known. The works permit usually has to be submitted and approved before starting works on the public land. This process can therefore be run concurrently with other building and works approvals.

## Stage three approvals: Operational permits

### Food business registration

Agritourism businesses involving the production or sale of food require annual registration with local council. The registration ensures that food is prepared in accordance with the national food safety standards. Proponents should be aware, however, that there are requirements for food preparation areas under the National Construction Code that are considered at the building permit stage. Both are assessed by the environmental health officer at your local council.

When planning what type of food you want to prepare and serve, it is best to engage early with your local council. It is possible to minimise requirements by considering alternatives to building a new kitchen. More information about these options is available under  **Section 10**.

Agritourism businesses should also be aware that if you are operating a business that supplies water to customers or guests from a private water source (such as water tanks) you may be required under the *Public Health Act 1997* to register with your local council as private water supplier. Supplying drinking water from a private source comes with microbiological and non-microbiological risk. To prevent any risk to public health, you must demonstrate compliance with the *Tasmanian Drinking Water Quality Guidelines*.

## Liquor licence

A liquor licence is required if you intend to sell or allow the consumption of alcohol on your premises. This includes cellar doors and restaurants. Liquor licensing ensures that the person holding the licence is fit and proper and that the alcohol is provided responsibly. There are several different liquor licences, and if you want to transfer from one licence type to another, a new application will be required. Once you are licensed, your business can be subject to inspection by a Liquor and Gaming Compliance Inspector or Tasmania Police at any time.

## Excise licence

If you are intending to manufacture or store beer or distilled products for sale, an excise licence is required by the Australian Taxation Office (ATO). Standard reporting to the ATO to calculate excise duty is weekly, but small producers can apply to report monthly. The excise licence is also used as a basis for determining rebates to small producers.

Agritourism businesses should be aware that there are two types of excise licences provided by the ATO. These are a manufacturer licence and a storage licence.

A manufacturer licence will specify the type of excisable alcohol products that can be manufactured, and the location of the premises. The licence will also specify the activities the business can do with those goods.

A storage licence is required to store 'underbond' excisable goods. Excisable goods are underbond if excise duty has not yet been paid. This is commonly required for distilleries and breweries that are storing bulk produce before packaging. The storage facility is known as a 'bond store'.

For producers of wine and cider, there are other regulations and taxation treatment that require consideration. These include the wine equalisation tax which is also administered by the Australian Taxation Office.

## Fishing licence

If you are intending to catch and serve seafood from Tasmanian waters as part of your agritourism experience, other than product from marine farming, you will need a commercial fishing licence. Obtaining a commercial licence is currently difficult unless you have an existing licence.

For more information visit [www.fishing.tas.gov.au/commercial-fishing/commercial-fishing-licences](http://www.fishing.tas.gov.au/commercial-fishing/commercial-fishing-licences)



**TABLE CAPE TULIP FARM**


Image courtesy of Mason Doherty

## Timeframes and costs

The timeframes for obtaining individual permits or licences can vary, depending on the type of agritourism operation proposed and the extent of documentation required. Costs include not only fees to the regulator to process your application, but the cost of preparing documentation required by the regulator.

In addition to basic information about the proposal, some approvals will require detailed technical information to demonstrate that relevant requirements are met. This may require you to engage consultants and technical professionals to prepare documentation and undertake assessments. Preparing this information is often the most costly and lengthy aspect of the approvals process. Businesses may need to engage between five to 30 consultants and technical professionals, which cost between \$20,000 and \$500,000.


Indicative costs for technical documentation and fees are shown below.

PROJECT ELEMENT	INDICATIVE COST
<b>Design documentation</b> (including building design, engineering drawings, building services and plumbing design)	\$20,000 to \$300,000, depending on scale and complexity of development
<b>Private certification</b> (building surveyor)	\$4,000 to \$50,000 depending on scale, complexity and number of referrals
<b>Planning report or technical reports</b> (bushfire hazard management plans, heritage impact assessment, geotechnical assessment, inundation assessments, soil assessments, traffic assessments or other technical reports)	\$3,000 to \$15,000 per report depending on complexity of issues
<b>Council fees</b> (Councils charge fees for many approvals required by agritourism businesses including planning permits, some secondary consents such as minor amendments, building permits, plumbing permits, inspection fees, place of assembly licenses for events, food business registration and food premise licenses).	Determined by individual councils. Each council's fees and charges schedule is usually available on its website. These schedules are updated yearly in accordance as part of each council's budget process. Planning, building and plumbing permit fees are usually based on cost of works.
<b>TasWater</b>	Determined by TasWater through their fee and charges schedule. The fees associated with assessment of development applications and certificate of certifiable works are, as of August 2022, between \$550 to \$1,750 (across both stages). For up-to-date information visit: <a href="https://www.taswater.com.au/building-and-development/fees-charges">https://www.taswater.com.au/building-and-development/fees-charges</a>
<b>TasNetworks</b>	Each project individually costed
<b>Liquor licence</b>	Refer to cost breakdown on  <b>page 62</b> .

As agritourism businesses are often considered 'commercial', the infrastructure and building requirements can be more expensive than that typically required for domestic or agricultural purposes. This includes the standard of access and driveways, wastewater systems, kitchens and food preparation areas.

You should also consider the cost of installing equipment to meet the relevant standards. For example, the cost of commercial onsite wastewater systems that are required for most agritourism businesses can be significantly more than a typical domestic system used for a dwelling.

It is practical to allow at least 12-18 months for obtaining all the permits and licences that you will need. If you are constructing new buildings or refitting existing buildings and undertaking other work, it is likely to be longer, as you will require time for construction and sign-offs before the issue of some permits and licences.

Indicative timeframes for individual approvals are shown below. Keep in mind that some approvals must occur or are capable of occurring concurrently (see the flowchart on  page 7)

APPROVAL	TIMEFRAME
<b>Stage One: Consents to proceed</b>	
Land owner consent	No statutory timeframe. Generally, four to six weeks should be allowed for formal determination.
Planning permit	Permitted application: a statutory timeframe of 28 days with the ability to stop to the clock in the first 14 days through a request for further information.  Discretionary application: a statutory timeframe of 42 days with the ability to stop to the clock in the first 21 days through a request for further information.  Appeal period following issue of a planning permit is 14 days and the permit does not take effect until that period has completed or any planning appeal is resolved.
Heritage works approval	Runs concurrently with planning permit but extends the planning permit timeframe to 49 days. Can be extended at the request of the Tasmanian Heritage Council to 63 days.
TasWater DA assessment	Forms part of planning permit timeframe.
EPA approval	Statutory timeframe of three to 12 months depending on class of assessment. If EPA approval is required it can alter the planning permit statutory timeframe, depending on legislative approval pathway.
Secondary planning consent	Planning authorities have a statutory timeframe of 28 days to assess minor amendment applications and 20 statutory days to review documentation required to satisfy conditions of approval.
Aboriginal heritage approval	No statutory timeframe for assessment of a permit application is required. Generally, three to six months should be allowed for formal determination. Can be run concurrently with the secondary planning consent timeframe.
Other ecological approvals	Statutory timeframes are not across all steps. Allow for one to six months depending on type of assessment. Can be run concurrently with the secondary planning consent timeframe.

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**APPROVAL****TIMEFRAME**

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**Stage Two: construction and works permits**

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<b>Building permit</b>	<p>For permit work, the time required to obtain a building approval has a number of elements.</p> <p>The preparation of design documentation can take months, and potentially over a year for complex projects. The building surveyor may also be involved to provide compliance advice and preliminary assessment during design development.</p> <p>Once the full and final set of design documentation and the certification application is received, the building surveyor has a statutory timeframe of 14 days to carry out their assessment and provide their certification for notifiable work: it is 21 days for permit work. Requests for further information stop the clock.</p> <p>Referrals to reporting agencies have a 14 day statutory timeframe for a response to be provided to the building surveyor.</p> <p>On receiving the building surveyor's certification and a building application, council has seven days to issue a building permit.</p>
<b>Plumbing permit</b>	<p>The time required to obtain a plumbing approval has a number of elements.</p> <p>The preparation of design documentation can take months, and potentially over a year for complex projects.</p> <p>Once the full and final set of design documentation and the plumbing application is received, the council has a 14 day period to carry out its assessment and provide its certification for notifiable work: it is 28 days for permit work and requests for further information stop the clock.</p> <p>Referrals to the Environmental Health Officer have a 14 day timeframe for a response to be provided.</p> <p>These steps are usually run concurrently with the building permit timeframe.</p>
<b>Works on public land permit</b>	<p>No statutory timeframe. Generally, six to eight weeks should be allowed for formal determination. Can occur concurrently with other stage two approvals.</p>
<b>TasNetworks works approval</b>	<p>No statutory timeframe.</p> <p>Basic connection is one and a half to two months for completion from lodgement of application form. Negotiated connection is 4 to 6 months for design and quote (letter of offer) then up to 3 months for works completion.</p> <p>Can occur concurrently with other stage two approvals.</p>
<b>Certificate of certifiable works</b>	<p>Statutory timeframe of 7 to 10 days for a response which may include requesting additional information. Can occur concurrently with other stage two approvals.</p>

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**APPROVAL****TIMEFRAME**

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**Stage Three: operational permits**

Occupancy permit	A statutory timeframe of 21 days for the building surveyor to issue the permit after receiving the design documentation and application, and a Temporary Occupancy Permit can be valid for up to three years.
Food business registration (including private water supplier registration)	No statutory timeframe. Generally, four to six weeks should be allowed for formal determination. Can occur concurrently with other Stage 3 approvals.
Liquor license	No statutory timeframe. Generally, six to eight weeks should be allowed for formal determination.
Excise license	No statutory timeframe. Generally, four to six weeks should be allowed for formal determination.
Fishing license	No statutory timeframe. Generally, six to eight weeks should be allowed for formal determination.

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**RED COW ORGANICS**


Image courtesy of Tasmanian Partner Toolkit



# Getting started

Once you have your agritourism business concept, it can be difficult to know how to get started. If you want to try and self-manage the approval process rather than engage a technical professional to support you, the suggested initial contact points below will be helpful. It is highly recommended that you spend time up front to scope the full range of potential approvals and the likely documentation and technical professionals that you will need.

Keep in mind that sometimes approvals can be avoided, or documentation minimised, through decisions about the scale, nature and intensity of elements within your agritourism business concept or the siting of activities on the land. For example, the planning scheme uses overlays to map specific land hazards and values. This includes for landslide hazard, inundation, erosion, biodiversity, and scenic protection. Siting a building outside an overlay area may avoid the need to prepare a technical report and have council assess the issues.

Engaging with local councils, consultants, and technical professionals early in the process can help to inform decisions to minimise approval requirements. Further information on engaging consultants and technical professionals is provided in  **Section 3**.

A summary of approvals and initial contact points is shown below. In addition to the below regulators, some other regulators are referral agencies in the building approvals process, such as the Tasmania Fire Service.

## COMMON APPROVALS

Planning permits (including secondary planning consents)	Local council
Building permit	Local council or a registered building surveyor
Plumbing permit	Local council
Food business registration (including private water supplier registration)	Local council



<b>Liquor licence</b>	Department of Treasury and Finance (Liquor and Gaming Division) <a href="http://www.treasury.tas.gov.au/liquor-and-gaming/liquor">www.treasury.tas.gov.au/liquor-and-gaming/liquor</a> (03) 6166 4040
<b>OTHER APPROVALS</b>	
<b>Landowner consent and works on public land permits</b>	Check with the local council first. May need to contact State Roads (Department of State Growth) or Property Services (Tasmania Parks and Wildlife Service)
<b>Heritage works approvals</b>	Heritage Tasmania <a href="http://www.heritage.tas.gov.au/works-and-development">www.heritage.tas.gov.au/works-and-development</a> 1300 850 332
<b>Aboriginal heritage approvals</b>	Aboriginal Heritage Tasmania <a href="http://www.aboriginalheritage.tas.gov.au/assessment-process">www.aboriginalheritage.tas.gov.au/assessment-process</a> 1300 487 045
<b>EPA approvals</b>	Environment Protection Authority Tasmania <a href="http://www.epa.tas.gov.au/business-industry/assessment">www.epa.tas.gov.au/business-industry/assessment</a> (03) 6165 4599
<b>Ecological approvals</b>	Department of Natural Resources and Environment, Conservation Branch, <a href="http://www.nre.tas.gov.au/conservation/threatened-species-and-communities">www.nre.tas.gov.au/conservation/threatened-species-and-communities</a> 1300 368 550 (within Tasmania) or (03) 6169 9021
<b>Water and sewerage certificates and connections</b>	TasWater <a href="https://www.taswater.com.au/building-and-development/land-and-property-development">https://www.taswater.com.au/building-and-development/land-and-property-development</a> 13 69 92
<b>Electricity connections including new or upgraded connections</b>	TasNetworks <a href="http://www.tasnetworks.com.au/new-electricity-connections">www.tasnetworks.com.au/new-electricity-connections</a> 1300 137 008
<b>Excise licence</b>	Australian Taxation Office <a href="http://www.ato.gov.au/Business/Excise-on-alcohol/">www.ato.gov.au/Business/Excise-on-alcohol/</a> 13 28 66
<b>Department of Climate Change, Energy, Environment and Water (Commonwealth)</b>	Federal level ecological approvals <a href="http://www.dcceew.gov.au/environment/epbc/referral-and-assessment-process">www.dcceew.gov.au/environment/epbc/referral-and-assessment-process</a> 1800 423 135

# Section two:

## Engaging with the regulators

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There will be many different regulators that you may need to deal with in establishing your agritourism business. The regulator responsible for most approvals will be your local council, although it is worth noting that they did not write most of what they are responsible for administering. More information on approvals and who to contact is provided in [Section 1](#).

Early engagement with all regulators, but particularly your local council, is strongly encouraged, as it will help you scope the full range of approvals and documentation required. It is, however, important to remember a few things when engaging with the regulators:

1. While many approvals and licences are issued through your local council, the internal structure of councils means there are different staff for each approval, and you may need to communicate with several council officers. Don't assume that if one officer has said an approval is not required that it represents a 'whole-of-council' view. Specifically, ask the council officer you are talking to if their advice is relevant to all potential approvals and whether you should also be talking to someone else within council.
2. Information provided by regulators is often given from the regulator's perspective. A regulator will often respond to questions about timeframes with information on statutory timeframes that they have to meet by law, rather than the practical time it actually takes to prepare applications and work through the formal approval process. In addition, sometimes rules and regulations are open to interpretation or discretion. This is where having your own consultant or technical professional can be very helpful, as they can assist you with understanding and interpreting requirements. This may save you time, money and unexpected steps in the process.

3. The regulators will not necessarily help you identify ways to avoid or minimise the approvals or documentation required. Some local councils have an economic development officer who might be able to help you, and some consultants or technical professional can do preliminary work to identify ways to minimise approvals. For example, a planning consultant can help you adopt an approach to manage the amount of expert documentation you may require or to avoid triggering planning scheme requirements that could prevent you from achieving your intended outcome.

Many regulators, particularly local councils, function on limited staffing. This is worsened by a national shortage of qualified and experienced professionals, such as planners, engineers and environmental health officers. In addition, the regulatory burden has increased significantly over the past couple of decades due to additional assessment requirements and increased numbers of applications. Make sure you are well prepared with business concepts and clear and concise questions before you email or have a meeting with regulators. Reading through these materials is a good place to start. Broad ideas that are not well thought through present a risk of receiving a response that is not relevant or does not provide you with a clear direction. Responses may be too vague or too lengthy, or you may not receive a response at all.

# Section three: Engaging consultants and technical professionals

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## Role of the expert

It is highly likely that you will need to engage consultants or technical professionals to help you obtain approvals for your agritourism business. Some approvals cannot be issued without certification by consultants or technical professionals. This is particularly the case with building and plumbing permits.

Even if not required, you may also want to consider engaging a consultant or technical professional to help you with the process. While this may be considered an unnecessary expense, upfront assistance may help minimise costs overall.

If you are project managing the approvals yourself, it can be difficult to know who to talk to or engage for what task. Potentially relevant consultants and technical professionals are listed below.

It is not unusual for businesses to find they've brought someone on board early in the project, only to find out they don't have the necessary certification or experience to help later in the approval process. So time spent up front scoping out the best consultants and technical professionals to help you and your project will be well spent. In

particular, engaging the right building surveyor, who is a very critical part of the building process (see [Section 8](#) of this toolkit), up front is very important as it is very difficult to switch to another building surveyor due to the requirements under the *Building Act 2016* (Tas).

## Engaging an expert

Before engaging a consultant or technical professional to help you with obtaining approvals for your agritourism business, ask them about what similar experience they have. Ideally make sure you are engaging a consultant or technical professional that has a general understanding of agritourism, has experience in commercial work, and works in the council area in which you are located.

If you need a consultant or technical professional to prepare an expert or technical report, to minimise risk of duplication, make sure they understand what is required at both the planning and building approval stages.

Some basic information on the experts you may encounter is below.

<b>Agricultural consultant</b>	Agricultural consultants have training and experience in assessing the capability of agricultural land. Sometimes, particularly for larger scale proposals, an agricultural consultant may be required by the planning scheme to demonstrate that the siting of the agritourism business is best located having regard to the impact on the agricultural use of the land.
<b>Architect</b>	Architects are building designers (see below) who have specific university training. They can also project manage the entire design project. Most building designers in Tasmania who are certified to undertake commercial work, which is what agritourism businesses require, are architects.  Each architect or architectural firm in Tasmania usually has a network of other consultants and technical professionals and building surveyors that they regularly work with and can therefore help identify the best expert to assist you.


<b>Builder</b>	A builder is required to undertake any construction, demolition, alteration, relocation or repair of buildings or structures. Builders are a licensed profession in Tasmania. There are different licences for builders who can undertake commercial work as compared to domestic work. Agritourism businesses require commercial builders.
<b>Building designer</b>	A building designer is a professional who specialises in providing both design and documentation for small to medium scale projects. Most building designers also help their customers to the building approval stage. The customer normally works directly with the builder during the building stage unless an architect is engaged. It is important to recognise that building designers are licensed for one of three classes. You will need to find a building designer who has a limited or restricted licence, not a domestic licence.
<b>Building services designer</b>	A building services designer plans specific services contained within a building project. There are four categories: <ul style="list-style-type: none"> <li>• mechanical services</li> <li>• electrical services</li> <li>• hydraulic services</li> <li>• fire services.</li> </ul>
<b>Building services engineers</b>	Engineers are qualified professionals that cover a broad range of fields. In Tasmania there are three classes of licensed engineers relevant to the approval process: <ul style="list-style-type: none"> <li>• Engineer fire safety.</li> <li>• Engineer building services: building services may include mechanical building services, electrical building services, hydraulic building services, fire safety systems, building acoustics and energy management in buildings.</li> <li>• Engineer civil: civil engineering may include civil, structural, geotechnical, wastewater and environmental engineering.</li> </ul>
<b>Building surveyor</b>	Building surveyors provide independent supervision of buildings and building work throughout the construction process and on completion of construction to ensure that buildings are safe for use. They must be engaged to obtain a building permit.  A building surveyor is engaged by the owner of a property to ensure building work is carried out in accordance with national and state laws.
<b>Environmental consultant</b>	Environmental consultants are qualified professionals that cover a broad range of fields. They include generalists who deal with environmental impact assessment, ecologists who undertake natural values assessments for projects with potential ecological impacts, as well as contamination or soil specialists.
<b>Planning consultant</b>	A planning consultant is a qualified professional who has training and experience to undertaking assessments against a planning scheme (among other things). Compared to council planner, who are regulators that must undertake an independent assessment, consultant planners can help you early in the process to identify the easiest pathway through the approval process by advising on planning implications of siting, design and the nature of the proposed use.
<b>Plumber</b>	Plumbers are licensed professionals in Tasmania. All plumbing work, including installing, altering or maintaining a plumbing installation (i.e. roofing, drainage, pipe work) must be undertaken by a licensed plumber.
<b>Traffic engineer</b>	A traffic engineer is an engineer who, in the context of the approval process, is qualified to determine the traffic and parking demands of a proposed development, including the suitability of access and provision of parking.

## Where to find more information

A register of licensed professionals in Tasmania is maintained by Consumer, Building and Occupational Services in the Department of Justice at [www.cbos.tas.gov.au/topics/licensing-and-registration/search-licensed-occupations/find-a-licensed-tradesperson](http://www.cbos.tas.gov.au/topics/licensing-and-registration/search-licensed-occupations/find-a-licensed-tradesperson)

Further detail of the types of professionals and what they can do in the building industry starts at page 25 of the *Occupational Licensing (Building Services Work) Determination* available at: [www.cbos.tas.gov.au/\\_\\_\\_data/assets/pdf\\_file/0004/644503/Occupational-Licensing-Building-Services-Work-Determination.PDF](http://www.cbos.tas.gov.au/___data/assets/pdf_file/0004/644503/Occupational-Licensing-Building-Services-Work-Determination.PDF)

Unfortunately, most regulators cannot recommend consultants or technical professionals. However, ask around your industry to see who others have used, or ask your local council about similar approvals in their area. If a previous application was brought to a council meeting, it is possible to see who was engaged to undertake the work.

Information about timeframes and costs associated with engaging consultants and technical professionals is available in  **Section I**.



**DEAN SMITH, TUNNEL HILL MUSHROOMS**

Image courtesy of Samuel Shelley

# Section four: Planning permits – what can you do?

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## Planning system basics

The use and development of land across Tasmania is principally managed through the planning system, in accordance with the *Land Use Planning and Approvals Act 1993* (LUPA Act). A planning permit is the permit that authorises the use and development of land.

A planning permit is issued in accordance with the requirements of the applicable planning scheme in the relevant local council area. Currently in Tasmania, local councils are transitioning to the Tasmanian Planning Scheme, which is being implemented as each council's local provisions schedule is approved. It is likely the Scheme will be fully implemented across the State by the end of 2023. Older schemes are referred to as Interim Planning Schemes.

## Understanding the planning scheme

The planning scheme primarily controls use and development of land through zones. Each zone includes a table of use, a suite of use and development standards. Each standard has an 'acceptable solution' and a 'performance criterion'. If you meet the 'acceptable solution' it means that you are automatically taken to comply with the planning scheme. The categories of use and development can fall into under the planning scheme are outlined below.

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### Exempt and no permit required

The exempt and no permit required categories mean that you do not have to apply for a planning permit, although you can seek written confirmation from the local council if that is the case.

Exemptions are specified in the front part of the planning scheme and operate independently of the zoning. For agritourism businesses these categories are unlikely to apply unless you are doing very minor works or modifications.

For no permit required, the use must be identified as such in the relevant zone use table and the application must meet all relevant acceptable solutions.

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### Permitted

A permitted application is one where the use is identified as permitted in the relevant zone use table and it meets the acceptable solution of all relevant standards, including those in the planning scheme codes.

It is possible to be a permitted use but still be a discretionary application if you don't meet the acceptable solution of a standard. For example, food services are permitted in the agriculture zone but may be categorised as discretionary if the acceptable solution for setbacks of buildings from boundaries is not met. Permitted applications must be approved by your local council, but it may impose conditions.

The statutory timeframe for permitted applications is 28 days, excluding any stop clock time to ask for further information.

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<b>Discretionary</b>	<p>A discretionary application is one where either the use is identified as discretionary in the relevant zone Use Table or it relies on a performance criterion in a relevant standard, including those in the planning scheme codes. A discretionary application must be publicly advertised for 14 days and anyone can put in a representation for or against the proposal. The local council can approve (with or without conditions) or refuse a discretionary application and must take into account representations in their decision-making, in so far as they raise relevant planning issues.</p> <p>The statutory timeframe for discretionary applications is 42 days excluding any stop clock time to ask for further information. The local council can, however, ask for an extension of time if they need to report to a council meeting.</p>
<b>Prohibited</b>	<p>A prohibited application is one where the use is not listed in the use table or it does not meet a mandatory requirement in a performance criterion. The local council must refuse a prohibited application.</p>

Most planning applications in Tasmania are discretionary with public notification required. While discretionary applications are subject to third party appeal rights to the Tasmanian Civil and Administrative Appeals Tribunal, only about three to five percent of all planning applications in Tasmania per year are subject to appeal processes.



**TWO METRE TALL BREWERY**

Image courtesy of Moon Cheese Studio



## Defining the use class

Use and development must be categorised into a use class on a best fit basis<sup>1</sup>. The use class is used to determine what category the use or development will fall into under the planning scheme. The most likely use classes relevant to agritourism businesses are outlined below along with their defined meaning under the TPS. It is possible that an agritourism business may include more than one use class. The process for determining if a business includes multiple uses, or is a single primary use with other activities ancillary and subservient, requires the council planner or a planning consultant to do an assessment as it depends on the nature of what is proposed.


<b>Community meeting and entertainment:</b>	means use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, place of worship, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre, community centre and neighbourhood centre.
<b>Food services:</b>	means use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant and takeaway food premises.
<b>General retail and hire:</b>	means use of land for selling goods or services, or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, bottle shop, cellar door sales, commercial art gallery, department store, hairdresser, market, primary produce sales, local shop, shopfront dry cleaner, and supermarket.
<b>Resource processing:</b>	means use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery, brewery, cidery, distillery, and sawmilling.
<b>Tourist operation:</b>	means use of land specifically to attract tourists, other than for accommodation. Examples include a theme park, visitor centre or interpretation centre, wildlife park and zoo.
<b>Visitor accommodation:</b>	means use of land for providing short or medium-term accommodation for persons away from their normal place of residence on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, camping and caravan park, holiday cabin, motel, overnight camping area, residential hotel and serviced apartment complex.

<sup>1</sup> There are some circumstances where uses can be considered ancillary and subservient to a principal use on a site.

## Zoning and use standards

The primary controls for the use and development of land are set out in the zones. The zones include use and development standards specific to each zone. The most applicable zones to agritourism businesses are likely to be:

- under an Interim Planning Scheme, the rural resource and significant agriculture zones
- under the Tasmanian Planning Scheme, the rural and agriculture zones.

Generally, most of the uses described in the table on page 29 are 'discretionary' in the likely applicable zones (identified above), if not 'permitted' in some cases. However, most planning schemes prohibit function centre uses in the community meeting and entertainment use class in the rural and agricultural zones. This can be a significant limitation that business owners within these zones face to holding events such as weddings and corporate functions at their venue (see  **Section 6** of this toolkit).

A discretionary use means that council needs to assess if, based on the scale, intensity and nature, the use is suitable to the location. Also, the application will be one that is publicly exhibited for 14 days and anyone can put in a representation for or against the proposal.

There are use standards in each zone that stipulate specific requirements such as hours of operation, impact on amenity, impact on agricultural production and traffic generation. These use standards are divided into an acceptable solution and performance criteria.

The acceptable solution is the permitted standard. The performance criteria is the discretionary standard. If you have a discretionary use but meet all the permitted use standards, it is more likely that a planning permit will be issued. An example of a permitted standard under the rural zone of the TPS is that hours of operation (for use other than for emergency services, residential, and visitor accommodation) must be between 6.00 am and 9.00 pm. The corresponding discretionary standard is that hours of operation must be reasonable to the requirements of the use and unlikely to cause conflict or interference to another use on adjacent land in the zone. Often technical supporting reports, such as agricultural impact assessments, are required by the local council to support decision making around discretionary planning applications.

## Codes

In addition to the zones, planning schemes include codes which deal with specific issues or values that are not confined spatially by zone boundaries. They do not deal with the principal control of use and development on land. Codes identify areas of land or planning issues which require compliance with additional provisions. For example, the Landslip Code identifies land that is subject to instability.

Codes may alter or limit the operation of a use or development that may otherwise be allowed under the zone. They will detail the specific circumstance in which the limitations apply. This is often by way of an overlay. It is possible to avoid an assessment of some codes by taking these into account when designing your venue.

Codes include standards that apply to use and development in a similar way to the zones. These standards also include an 'acceptable solution' and 'performance criterion'. Sometimes there are exemptions in each code that apply to that code only. These are not exemptions from requiring a planning permit.

## Where to find more information

All planning schemes operating in Tasmania can be found at [www.iplan.tas.gov.au](http://www.iplan.tas.gov.au)

The planning scheme maps are accessible via the Land Information System of Tasmania

[www.maps.thelist.tas.gov.au/listmap/app/list/map](http://www.maps.thelist.tas.gov.au/listmap/app/list/map)

To access the relevant layers, go the right hand side of the screen, click on Add Layer +, then search for planning. The correct layers are as follows:

- Interim Planning Schemes
  - Tasmanian Interim Planning Scheme Zoning
  - Tasmanian Interim Planning Scheme Overlay
- Tasmanian Planning Scheme
  - Tasmanian Planning Scheme – Zones
  - Tasmanian Planning Scheme – Code Overlay
  - Tasmanian Planning Scheme – General Overlay

A guide to the Tasmanian Planning Scheme is available at [www.planningreform.tas.gov.au/\\_\\_data/assets/pdf\\_file/0020/661700/Guide-to-the-State-Planning-Provisions-May-2022.pdf](http://www.planningreform.tas.gov.au/__data/assets/pdf_file/0020/661700/Guide-to-the-State-Planning-Provisions-May-2022.pdf)

# Section five: Planning permit checklist

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If you are proposing a use or development (as defined under the *Land Use Planning and Approvals Act 1993*), then you will need to lodge a planning permit application (commonly referred to as a development application) with your local council. This includes any buildings or works, or any new or varied use.

## Minimum application requirements

- A completed development application form, which you can obtain from your local council.
- A copy of the relevant land title/s.
- A set of plans drawn to a suitable scale, but generally:
  - a site plan at 1:200
  - floor plans of buildings at 1:100
  - elevations of buildings at 1:100.
- A detailed plain English description of the proposed use, such as hours of operation, employee numbers, visitor numbers.
- Details of any signage.
- Evidence of landowner consent (if you are not the owner of the land).

If the land is privately owned by someone else, a declaration that you have notified the owner that you are making the application will be required. If the application relates either in full or part to public land (for example, the application includes new road access off a public road), you will need to provide the consent of the relevant minister or the council's general manager, whichever is applicable. Who owns the public land may not be immediately apparent and may need to be clarified with either your local council or Property Services in the Tasmania Parks and Wildlife Service. Generally public land falls into the following categories.

- Crown land that is managed by Property Services: this includes reserved land, land/water past high-water mark, and reserved road corridors with no constructed roads.

- Crown land that is managed by the Department of State Growth: this is usually land that forms part of state road corridors.
- Council land: this is usually most public roads and associated road corridors, local parks and some other reserves.

There is also Crown land managed by the Department of Health or the Department of Education, although these locations are unlikely to be used for agritourism businesses.

## Other development application requirements

Depending on what you are proposing, you may be required to provide other supporting information with your application.

Generally, providing supporting information requires specialist technical reports that cover matters such as traffic and parking, stormwater, onsite wastewater, noise or odour, heritage, and natural assets or hazards. Obtaining these reports can add time and cost to your application process. This is why engaging a good professional to assist will be highly beneficial.

More information on engaging consultants and technical professionals is available in [Section 3](#) of this toolkit.

## Assessment timeframe

For most applications, council has up to 42 statutory days to assess and make a decision. Council may request additional information if they need it to inform their assessment. The 42 statutory days will pause until the requested information is provided. See Section 4 of this toolkit for further information.


## Professional assistance

In most instances, first up you will need to engage a licensed building designer or architect to prepare the documentation required for the development application. It is important to engage a professional who is accredited to undertake commercial work, and somebody who has agritourism experience would be beneficial. Ideally you want a designer with sufficient knowledge and experience to ensure the documentation prepared at the planning permit stage sets you up well for the building and plumbing permit stage, including ensuring that any technical professionals engaged are suitably licensed.

In some instances, it is beneficial to also engage a planning consultant. A good planning consultant will help you in the preliminary stages to scope out all the documentation required for the development application, understand the details of the approval pathway, and mitigate risks that an approval will not be issued. They will also understand later approval stages such as the building permit, and therefore they can help you minimise duplication of effort.

It is very beneficial to discuss your proposal with your local council's planning officer before lodging an application.

You can lodge the application yourself, or you can have somebody lodge on your behalf. Any correspondence from the council (such as requests for information) will be to the applicant. More information on engaging with regulators including your local council is available in  **Section 2** of this toolkit.

More information on the types of consultants and technical professionals and engaging them is available in  **Section 3** of this toolkit.


## Discussions with your neighbours

Discussing the application with the neighbouring property owners or occupiers can help address any concerns they have. Dealing with concerns as part of the application may reduce the likelihood of your neighbours putting in a representation against your proposal where the planning scheme requires it to be advertised.

Whether council will tell your neighbours about your proposal will depend on how it is categorised:

- If your proposal is considered exempt or that no permit is required, you will receive written confirmation there is no public notification.
- If your proposal is considered permitted and it complies with all aspects of the planning scheme, you will receive a permit, which may include conditions. There is no public notification.
- If the application invokes discretion under the planning scheme, the council will notify the public of the application by way of letters to the owners and occupiers of adjoining properties, a site notice and a public notice in the local newspaper. Any person can make a representation either for or against your proposal, and the council must take into account any representation received when making its decision. Council may approve or refuse a discretionary application.

## Planning application costs

Each local council charges fees based on its own fee schedule. It is important to recognise, however, that in addition to the cost of a planning permit application, you will also need to pay for the cost of preparing documentation, including expert technical reports. This can often be underestimated. More information on costs is available in  **Section 1** of this toolkit.



**ANA PIMENTA, CATTLE FARMER**

Image courtesy of Alastair Bett

# Section six: Holding events and functions


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Before hosting an event or function, it is important to first discuss it with your local council to find out what approvals may be required.

## Planning

Occasional or one-off events generally do not require planning approval. However, if you would like to hold events or functions regularly, or on an ongoing basis, this may require you to obtain a planning permit. You should, however, keep in mind that a standalone event or function centre falls within a use class that may be prohibited in some rural areas or is otherwise discretionary within some rural areas.

It is possible to consider this use, either as a standalone activity or as an ancillary part of a cafe or restaurant (food services use class) component of an agritourism business, where it is possible your application will need to address a range of issues under the planning scheme. Depending on the provisions that apply to your local area, this may include hours of operation, noise, lighting, or traffic movements, which may require specialist reports.

Contact your council's planning officer to discuss whether planning approval is required for your event. More information on planning permits and use classes is available in  **Section 4** of this toolkit.

## Place of assembly

Regardless of whether planning approval is required, an event that has more than 1,000 people outside and runs for more than two hours will require a place of assembly licence from your council. This could include one-off or occasional festivals, markets or sporting events.

The place of assembly licence will ensure that the function or event has suitable facilities, such as toilets, for its patrons.

Contact your council's environmental health officer to discuss requirements.

## Temporary buildings

If your event requires the short-term use of buildings or structures, a building surveyor will need to assess the structure and issue a temporary occupancy licence.

This could include marquees, stages or tiered seating. It also includes the temporary use of buildings for a different use from what was intended. For example, a festival in a warehouse would require a temporary occupancy permit.

Building surveyors operate privately and are able to issue a temporary occupancy permit. If your building surveyor issues a temporary occupancy licence, they will notify your local council.



## Food businesses

If your event or function is serving food, you will need to discuss with your local council the requirement to obtain approval for the sale of food. If the business does not normally sell food, or an existing food business registration is limited in scope and not applicable to the proposed event, you will need to obtain food business registration under the *Food Act 2003* relevant to the event. There are different options for this depending upon the nature of the event/function being held and could include:

- seeking temporary food business registration for the event/function
- potentially re-applying to upgrade an existing food business registration (for agritourism activities that are already registered as food businesses under the *Food Act 2003*)
- utilising a mobile food business such as a food van to cater for the event/function.

In addition to mobile food businesses, there are other alternatives to building a new kitchen. More information about these options is available under [Section 10](#).

## Liquor Licence

Depending on the nature of your event, if the event intends to sell or have the consumption of liquor on site, you may need to obtain a liquor licence. If you have a caterer that has their own exemption or licence, this may be adequate for your event.



**COOKING ABALONE ON A CAMPFIRE**

Image courtesy of Moon Cheese Studio



# Section seven: Building Classes for agritourism business

The building class of a building is defined by the National Construction Code according to the purpose it is designed, constructed or adapted for. It reflects the intended use of the building, and therefore the risk associated with that use and the features that need to be installed to manage that risk. For example, buildings providing accommodation for people, where occupants will be sleeping, require specific features not required for a production facility, and vice versa.

Depending on the building class classification, buildings will be required to implement specific requirements including:

- structural adequacy
- fire safety (including bushfire protection if it is in a bushfire-prone area)
- safe movement
- access for people with a disability
- weatherproofing
- sanitary facilities
- light and ventilation
- condensation management
- energy efficiency.

The table below provides the Building Classes for selected types of agritourism projects.

BUILDING PURPOSE	BUILDING CLASS
Distillery/winery	Class 8 (production) <sup>2</sup>
Butchery/dairy	Class 8 (production) <sup>3</sup>
Cellar door	Class 6 (sale of goods)
Cafe/restaurant	Class 6 (sale of goods)
Visitor accommodation	Class 1b (max 12 guests) Class 1b (four or more cabins) Class 3 (more than 12 guests)
Events space	Class 9b

All Building Classes under the National Construction Code are provided below for comparison.

BUILDING CLASS	BUILDING PURPOSE
Class 1a	Dwelling, detached or terrace/townhouse
Class 1b	Guesthouse, boarding house, visitor accommodation
Class 2	Apartment building, flats
Class 3	Hotel, motel, boarding school
Class 4	Dwelling within a commercial building
Class 5	Office, consulting rooms
Class 6	Shop, restaurant, hairdresser etc. for sale of goods or supply of services
Class 7a	Carpark
Class 7b	Storage or wholesale display
Class 8	Production, manufacture, processing, assembling, cleaning, repairing, etc. facility
Class 9a	Healthcare building
Class 9b	Public assembly building, e.g. convention centre, hall, night club, school, stadium
Class 9c	Residential care building
Class 10a	Non-habitable building, e.g. garage, carport, shed
Class 10b	Structure, e.g. fence, retaining wall, swimming pool
Class 10c	Private bushfire shelter

<sup>2</sup> This assumes no public access to the production area.

<sup>3</sup> This assumes no public access to the production area.

# Section eight: Building process overview

The building process is relatively lengthy and can be complex, particularly if you have no prior experience of the regulatory process. Broadly, the building process involves the initial planning and design process through to completion of the build, including permission to occupy the building for its intended use. The process can, however, be divided into the major steps described below (with other internal activities also provided to demonstrate what happens).

The relevant participants at each point are also shown.

STEP	OWNER	DESIGNER	BUILDING SURVEYOR	COUNCIL	BUILDER/PLUMBER
1	Engage designer				
		Prepare planning drawings			
2	Obtain site reports (bushfire, soil, inundation, wastewater, etc.)				If applicable, consider wastewater systems now because depending on your local council area, this may be required as part of the planning permit or plumbing permit assessment. More information is available in  Section 13.
3		Lodge planning application with council			
4				Planning permit issued	
5	Engage consultants (structural + services engineers, energy assessors, etc.)				
		Prepare construction drawings			
		Obtain consultant certificates			

STEP	OWNER	DESIGNER	BUILDING SURVEYOR	COUNCIL	BUILDER/ PLUMBER
6		Lodge building certification application with building surveyor (BS)			
			Refer to Environmental Health Officer (EHO) or Tas Fire Service (TFS)		
7			Issue Certificate of Likely Compliance		
8		Lodge building + plumbing permit applications with council		Assess certified project documentation	
9				Issue Building + Plumbing permits	
10					Issue building Start Work Notice to BS + plumbing Start Work Notice to council
11			Issue building Start Work Authorisation	Issue plumbing Start Work Authorisation	
					Notify BS at mandatory stages
			Review structural inspections		
			Conduct construction inspections	Conduct plumbing inspections	
					Provide construction documentation to BS
			Refer to EHO or TFS		
12			Conduct occupancy + final building inspections	Conduct final plumbing inspection	
13			Issue Occupancy Permit		
14	Commence operations		Issue Certificate of Final Inspection		
15				Issue Certificate of Completion	

Other consultants and technical professionals may be required during design development (Steps 2-5) (e.g. planning consultants, fire engineers) but are generally engaged by the owner, often with advice from the designer.



#### HILL FARM PRESERVES MUSTARD LABELLING

Image courtesy of Moon Cheese Studio



# Section nine: Occupancy permits

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An occupancy permit is a statutory document issued by a building surveyor, certifying that the building is suitable to be occupied and used. Use of the building cannot begin until this has been issued.

All building classes other than Class 10 buildings are considered habitable buildings or workspaces and require an occupancy permit. Information about building classes is available in **Section 7**.

This means you cannot start your agritourism operation until an occupancy permit is granted.

When construction is nearing completion, your building surveyor must conduct an occupancy inspection and collect relevant construction documentation to confirm the building is suitable to be used by occupants. This may include the following:

- Form 50 *Environmental Health Officer Occupancy Report*. Issued following inspection by the EHO to confirm the features required for a food premises have been installed.
- Form 49 *Chief Officer Occupancy Report*. Issued following an inspection by the TFS to determine that features required for their operations are in place.
- A bushfire evacuation plan approved by the TFS if the building is in a bushfire-prone area.
- Documentation from the licensed structural engineer confirming their structural inspections carried out during construction.
- Inspection and documentation from any other specialists that the building surveyor may have specified in their conditions of construction.
- Third-party documentation from various trades (e.g. glazing, electrical, waterproofing, mechanical ventilation, etc.) confirming their installations have been carried out in accordance with the relevant codes and standards.

- Documentation confirming the commissioning or installation of specific fire safety features has been carried out in accordance with the relevant codes and standards (e.g. emergency lighting and exit signs).
- Documentation confirming the materials that have been installed and that they have appropriate fire hazard properties.
- As-constructed drawings if there have been minor changes from the approved drawings during building work (major changes must be discussed with the building surveyor before proceeding and may require amended certification and permits).

The building surveyor's own inspection will assess numerous building elements as well. If some items are non-compliant or unfinished, the building surveyor will not be able to issue an occupancy permit and may need to conduct another inspection when these items are addressed.

The builder is responsible for pulling the construction documentation together and providing it to the building surveyor. It can be very difficult and time-consuming trying to do this without the builder, as they will be the one with all the detail of what has been constructed and how.

It can take some time to gather this documentation, so allow time for this wrap-up activity before scheduling the start of business operations. The following things are among those that can hold up an occupancy permit:

- Requesting an occupancy inspection before the building work is complete. If building features are not yet installed or operational, the building surveyor will not be able to issue the Occupancy Permit until these are completed, and will often need to conduct another inspection.

- Not having all the construction documentation required for occupancy. The building surveyor will let you know what is specifically required, and the Occupancy Permit cannot be issued until all this documentation has been:
  - provided to the building surveyor, and
  - confirmed by the building surveyor as being acceptable.
- Submitting construction documentation that is not acceptable. This can occur if material substitutions have occurred during construction and the substitute materials cannot be demonstrated to be suitable for use.
- Construction varying from the approved documentation. Such departures, if they haven't already been approved by the building surveyor, may require new, as-constructed drawings to be prepared, and may also require additional inspection by the structural engineer or other consultant.



**STEFANO LUBIANA WINES**

Image courtesy of Moon Cheese Studio





**EAT WELL TASMANIA**

Image courtesy of Samuel Shelley



# Section ten: Requirements for food premises

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## Food business registration

The proprietor of a food business is required to apply to the local council for registration under the *Food Act 2003* (Tas). The council will classify the business in accordance with the Food Business Risk-Classification System based on food types and food handling activities. The classification of a business also provides the Environmental Health Officer (EHO) with guidance on how frequently the premises should be inspected. In some cases, the business may fall into the 'notify' category and not require ongoing annual registration.

Most councils charge a fee to notify and to register. Fees and charges are listed on the individual council websites.

## Kitchen fit-out

### New builds

The process for undertaking a new build of a food premises, which is defined as 'a business, enterprise or activity that involves the handling of food for sale or the sale of food', requires compliance with the *National Construction Code 2019 Volume One Amendment 1 Tas Part HI02 Food Premises* (Tas Part HI02).

Tas Part HI02 details the performance requirements for the design and construction of a food premises. Tas HI02.1 details the deemed-to-satisfy provisions, or how the performance requirements can be achieved.

You must engage an accredited designer to draw up plans that demonstrate compliance with Tas Part HI02 and associated Australian standards. Tas Part HI02 is located free of charge at [www.ncc.abcb.gov.au](http://www.ncc.abcb.gov.au), but the Australian standards must be purchased. It is imperative that the designer refers to both Tas Part HI02 and the Australian Standards and references these design requirements on the plans.

The plans must be submitted by a building surveyor to the local council for an EHO to assess. The plans can't be submitted until the building surveyor has certified the application, however to prevent delay to the assessment process it is ideal to start planning early. You can do this by speaking with the EHO before starting the design process to ensure your design ideas will be compliant with Tas Part HI02. You can start planning even earlier but be aware the EHO will need some detail about your intended plans before they can advise you. It may be possible to tailor your food product to minimise requirements.



**DINNER TABLE, TIMBRE**

Image courtesy of Moon Cheese Studio

## Fit-out of existing structure

The fit-out of an existing structure as a food business will require planning approval and confirmation from a building surveyor that changing the class of the building is possible. If it is possible to fit out an existing structure as a food premises, the same process applies as for a new build.

## Alternatives to building a new kitchen

### Food vans

Subject to planning requirements, an alternative to building a new kitchen or fitting out an existing structure is to locate a food van onsite. Food vans must comply with the *Australia New Zealand Food Standards Code*, in particular *Food Safety Standards 3.2.3* in regard to the fit-out of the van. The Department of Health has produced a document titled *Guidelines for Mobile Food Businesses*. This document summarises the fit-out and operational requirements for mobile food businesses and is located at [www.health.tas.gov.au/publications/guidelines-mobile-food-businesses](http://www.health.tas.gov.au/publications/guidelines-mobile-food-businesses)

### Home-based food businesses

If your business will be small scale, or you would like to trial products before investing in a new kitchen, consider applying to the local council to operate your food business from a domestic kitchen. Under the *Food Act 2003*, a registered food business can utilise a domestic kitchen on a case by case basis depending on the risk of the food handling practices and suitability of the premises.

A domestic kitchen is required to comply with the *Australia New Zealand Food Standards Code*, which is outcome based. Therefore, there is no legal requirement to upgrade a domestic kitchen to comply with the *National Construction Code Tas Part H102*, or a 'commercial' standard. Minor upgrades may be all that is necessary to make your kitchen appropriate for the activities to be undertaken and to permit registration. Another alternative is to tailor products to suit your existing kitchen.

Businesses have the option of taking an alternative approach that allows food service businesses to be established in alternative settings, focusing on the risk management approach rather than the design

and construction of the kitchen.

In areas where the home-based kitchen is connected to an onsite wastewater system, you may be required to provide a statement to the local council from a suitably qualified person. This statement must demonstrate that the existing wastewater system can accommodate the wastewater loading generated from the business activities.

### Restricted menu

Restricting the menu to selling pre-packaged products made off site in a registered food business is another alternative to building a kitchen. As long as the products are kept under appropriate temperature control and not removed from the packaging by the seller, only minimal structural requirements would be necessary.

### Private water supply

If your business supplies water to customers or guests from a private water source (other than from TasWater) you may be required under the *Public Health Act 1997* to register with your local council as private water supplier. Supplying drinking water from a private source comes with microbiological and non-microbiological risk, causing illnesses from organisms such as *E.coli*, giardia and salmonella. In order to prevent any risk to public health, you must demonstrate compliance with the *Tasmanian Drinking Water Quality Guidelines*.

Under certain circumstances you may be granted an exemption from registering as a private water supplier. If you are registered as a food business, and you do not supply water to accommodation facilities, providing council are aware of your intent to supply drinking water as part of the food business, an exemption may be given. In this case, conditions relating to the supply of a private water source may be included on your food business registration.

The registration of a private water supplier is renewable annually, and most councils will charge a fee. In order to determine the registration requirements for your business please contact your local council for further details.

A fact sheet can be accessed at <https://www.health.tas.gov.au/publications/private-water-supplier-brochure>.

# Section eleven: Fire protection for agritourism businesses

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Fire regulations cover two aspects, those associated with bushfire protection, and those associated with the fire safety protection of the building and its occupants.

## Bushfire protection

Almost 98 per cent of Tasmania is in a bushfire prone area. If the premises is in a bushfire prone area and will be one of the types of buildings requiring bushfire protection, then a bushfire hazard assessment will need to be carried out by an accredited bushfire assessor. You can find bushfire assessors on the Tasmania Fire Service website [www.fire.tas.gov.au/Show?pagelD=colBushfirePractitionerSearch](http://www.fire.tas.gov.au/Show?pagelD=colBushfirePractitionerSearch)

The bushfire hazard practitioner will visit your site, determine your 'bushfire attack level' rating (BAL-rating), and prepare a bushfire hazard management plan to maintain this BAL-rating over time.

A building that is in a bushfire-prone area will need bushfire measures under the following circumstances.

1. It includes a subdivision, or it is a hazardous or vulnerable use as defined in the *Bushfire Prone Areas Code* under the local planning scheme. Agritourism businesses are only likely to be a hazardous use where storage of chemicals, including flammable liquids, occurs in 'manifest' quantities under the *Work Health and Safety Regulations 2012* (Tas). The most likely agritourism business to fall into this category would be a distillery.
2. It is providing accommodation for people (a Class 1b, 2, or 3 building).
3. It is a production facility (a Class 8 building).
4. It is an event space for people to gather (a Class 9 building).

If your building falls under circumstance 1, the bushfire management issues will be dealt with as part of your planning permit assessment. If your building falls under any of the other circumstances, bushfire management issues are part of your building permit assessment. In both cases, however, any vegetation clearance required to protect the building from bushfire must be assessed at the planning permit stage. It is therefore best to think about these requirements before you submit for planning approval.

Additionally, these buildings will need:

- a firefighting water supply
- property access to assist firefighting personnel
- an approved bushfire emergency plan.

Accommodation buildings (Class 1b, 2 and 3 buildings) will also need to be of bushfire-resistant construction to the BAL-rating established for the site. This means consideration will need to be given to:

- the design and construction of floors and subfloor walls
- the materials selected for cladding and exposed framing
- the type of glass used in windows and doors and whether it is toughened to withstand radiant heat
- roof design and construction
- any gaps in the building fabric, all of which must be less than 2mm in aperture.



## Building fire protection

Most buildings constructed for agritourism purposes will be of Class 1b, 2, 3, 6, 8 or 9b and will require fire safety features to be installed. These features will generally include:

- fire-resistant construction where the building is within three metres of a property boundary
- consideration of some building elements being non-combustible (i.e. not flammable)
- interior linings (such as wall and floor linings) to have specific fire hazard properties so they don't substantially contribute to the development of fire and smoke

- fire hydrants and fire hose reels if the building's floor area is greater than 500 m<sup>2</sup>
- portable fire extinguishers
- smoke detectors and alarms
- emergency lighting
- evacuation plan
- exit signs.

If you are a distillery or brewery, there will be additional fire safety requirements, particularly if there are public areas in proximity to production areas. This may include fire separation between production areas and food services areas, high standards of building construction or sprinkler suppression systems.



### KILLARA DISTILLERY

Image courtesy of Moon Cheese Studio

# Section twelve: Accessibility requirements for agritourism businesses

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Accessibility for people with a disability is required for all spaces open to or available for public or employee use. This includes visitor accommodation, event spaces, cellar doors, cafes, shops, etc. All agritourism businesses offering an experience need to make the experience accessible. Accessibility issues are considered as part of the building permit process.

Accessibility features are required to make a premises equitable for all users, including the one in five Australians who report having a disability. If these features are not provided, the owner is exposing themselves to a claim of discrimination under the *Disability Discrimination Act 1992* (Cth). You can avoid this by incorporating the accessibility features required by the National Construction Code into the design and construction of the building.

Accessibility features are not restricted to wheelchair-users but include a range of disabilities such as vision impairment, hard of hearing, ambulant injuries, etc. And such features can also assist those without a disability who are young, old, tired, distracted, etc.

Accessibility features will generally include the following.

- An accessible carparking space and an accessible path to the building's main entrance. This may affect differences in height along the path, the type of flooring used, and the presence of grates.
- Braille and tactile signage at sanitary facilities and exit doors.
- Tactile ground surface indicators (or 'tactiles') at stairways and ramps to alert vision-impaired people of the hazard.
- Visual indicators on glass panels that could be mistaken for doorways.
- Stairs with opaque risers and contrasting strips along their nosings.
- Wider doorways with circulation spaces on both sides, and fitted with doors with D-handles or level handles.
- An accessible toilet, with more circulation space and grab rails.

The Australian Human Rights Commission has an excellent overview of some of these measures that clearly illustrates their intended function and how they should be installed at [humanrights.gov.au/our-work/employers/access-all-improving-accessibility-consumers-disability](https://humanrights.gov.au/our-work/employers/access-all-improving-accessibility-consumers-disability)





**BEEKEEPING, TASMANIAN HONEY CO**

Image courtesy of Moon Cheese Studio

# Section thirteen: Wastewater systems for agritourism businesses

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Agritourism businesses in areas that do not have access to a reticulated sewerage system (sewer main) are required to ensure that the wastewater generated from business activities is maintained and treated on site. Generally, most rural areas do not have a reticulated sewerage system.

A suitably qualified person, must be engaged to prepare a report that examines the various aspects of a site in relation to sewage collection, treatment and onsite disposal to ensure adequate management over time. In most circumstances this is undertaken as part of the plumbing permit process, although some Interim Planning Schemes require an assessment at the planning permit stage.

The assessment is undertaken in accordance with *AS/NZS 1547 On-site domestic wastewater management*, reviewing all relevant constraints and the risks to public health and the environment potentially posed by an onsite sewage system.

While AS/NZS 1547 only applies to domestic wastewater management, the guidance for site and soil evaluation is also relevant to non-residential development. However, it is essential that the suitably qualified person is accredited to design commercial wastewater systems. Make sure you check before you engage your wastewater professional that they are accredited to design commercial wastewater systems.

In some cases, if there is an existing wastewater system on site, a wastewater designer may be able to provide a statement to council to demonstrate that the existing wastewater system will be adequate for the additional wastewater loading. If the existing system is functioning satisfactorily but is undersized, an upgrade may be a suitable alternative to installing a new system.

It is important when designing a wastewater system to forecast anticipated visitor growth. The wastewater system will be sized for daily customer numbers or a specific volume of wastewater per day. If visitor numbers increase significantly, you will need to upgrade the wastewater system accordingly.

Depending on the outcome of the site and soil evaluation report, your designer will recommend a system such as, but not limited to, a septic tank or an aerated wastewater treatment system (AWTS). A plumbing permit from the local council is required for any design and connection of an onsite wastewater management system. All wastewater systems require routine maintenance; however, systems such as an AWTS require quarterly or half yearly maintenance by a qualified service agent.

For further information on the wastewater requirements for your business contact your local council EHO.

# Section fourteen:Liquor licensing

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If you intend to sell alcohol for consumption on or off your premises, a liquor licence or permit is required. In Tasmania, licences are issued through the Department of Treasury and Finance (Liquor and Gaming Branch). Licensing is to ensure that the person who holds the liquor licence is a 'fit and proper person' in the eyes of the Commissioner for Licensing and that alcohol is served responsibly.

Under the *Liquor Licensing Act 1990* determining the correct permit or licence is not always simple. When you are ready to start the process, contact the Liquor and Gaming Branch to talk through the proposed business operation in detail to ensure that the permit or licence you apply for is suitable.

Under the liquor licensing system, there are options to license the entire property, rather than just parts of it. There are also options that allow, within reason, for consumption of alcohol outside of the licenced premises on other parts of the property. The suitable permit or licence that you should apply for will be based on a range of factors and will need to take into account all of the circumstances.

## Timing of your application

Applicants should wait until they have the planning permit for the business operation before applying for a liquor licence or permit. Submitting an application before you have a planning permit may mean there is insufficient information available to assess the application, which could cause delays.

The planning permit must authorise the use of land for an activity that, as part of its operation, would reasonably require a liquor licence. Such uses in the agritourism sector include cellar doors, restaurants, cafes, function centres or visitor accommodation.

A copy of the planning permit authorising the use of the land, and endorsed documentation that goes with the planning permit, is usually required to be submitted as part of the liquor licence application.

Once you have planning approval, contact the Liquor and Gaming Branch team to talk through your business proposal and what permit or licence is best suited to you. Contact details for the Liquor and Gaming Branch along with other useful contacts are available in **Section 1**.

## Types of liquor licence

Agritourism operators should think carefully about their plans to sell alcohol, as well as the areas they want to designate for alcohol consumption or sale. Varying licence conditions once a licence has been approved is not straightforward and a variation may trigger a requirement for a different licence type. There are two kinds of authorities:

- **Liquor permits.** A liquor permit is issued for a specific period of time and is usually for an ongoing purpose. For instance, you might want a permit to operate at a one-off event, or you might want a permit for several months to operate for one season of trade. Different types of liquor permit include out-of-hours permits, on permits (onsite sale), and off permits (for offsite sale).
- **Liquor licences.** Liquor licences are for ongoing business activities, such as a cellar door trading 3 days a week all year round. There are five types of liquor licence, but two that are likely to be relevant to agritourism businesses:
  - **Special licence.** A special licence authorises the sale of liquor on the licensed premises between specified times and is subject to specific limitations or restrictions, such as the types of liquor that can be sold or the means by which liquor sales take place. This licence is usually issued to authorise the sale of liquor at cafes, restaurants, function centres, visitor accommodation, wineries or tourist attractions.



Image courtesy of Moon Cheese Studio

- **General licence.** A general licence authorises the sale of liquor on the licensed premises between 5 am and midnight daily, for consumption on or off the premises.

In addition to granting a permit or licence, the Commissioner can attach any conditions they see fit.

## Assessment of your application

It is important to understand that for the Commissioner and the Liquor and Gaming Branch, assessing applications is not about saying 'no' to an applicant, but about discharging their duties under the legislation to promote the safe sale and consumption of alcohol. To do this, they must be satisfied that:

- you have applied for the correct permit or licence
- granting a permit or licence is in the best interests of the community
- the applicant is considered a fit and proper person.

When you contact the Liquor and Gaming Branch to talk through the proposed business operation, provide as much information as possible about when you want to operate, how and what you would like to serve on site, and what you would like to sell off site, so that they can give you the correct advice.

## Assessment timeframes

If your application is submitted with all the relevant information the Commissioner needs to make an assessment, you can expect a decision to be made within six to eight weeks.

If the Commissioner or the Liquor and Gaming Branch need further information, the timeframe may vary, as there is no prescribed timeframe.

Also note that, once an assessment has been made, the application must be advertised for two weeks to allow input from the public. If any negative representations are submitted, the Commissioner will need time to consider and respond, which may add extra time to the process.

## Licence costs

The costs for liquor licences and permits from 1 July 2022 to 30 June 2023 are outlined below. Costs change each financial year.

LIQUOR LICENCES	MINIMUM	MAXIMUM
Application fee	\$170.00	\$1,360.00
Grant fee	\$340.00	\$340.00
Transfer fee	\$170.00	\$680.00
Annual fee	\$442.00	\$952.00
LIQUOR PERMITS		
Less than 7 days	\$68.00	\$85.00
Up to 30 days		\$187.00
Up to 12 months	\$144.50	\$340.00
Out of hours permit	See website	See website

## Where to find more information

For more information about liquor licensing in Tasmania, visit the Liquor and Gaming Branch website: [www.treasury.tas.gov.au/liquor-and-gaming/liquor](http://www.treasury.tas.gov.au/liquor-and-gaming/liquor)

To speak with a Liquor and Gaming Branch team member, call **(03) 6166 4040**.

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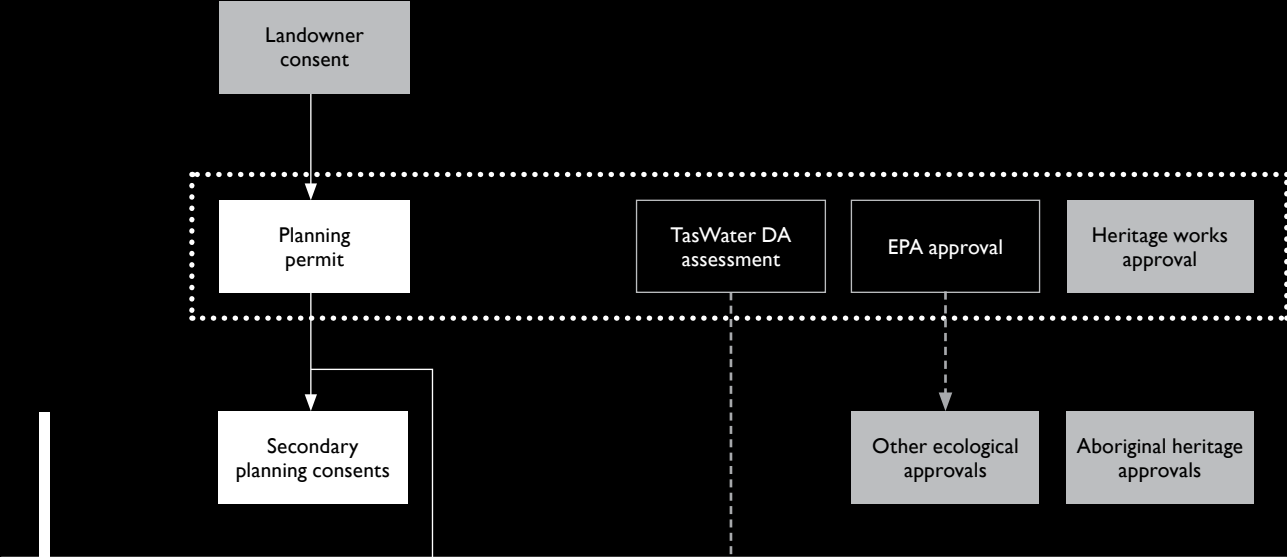
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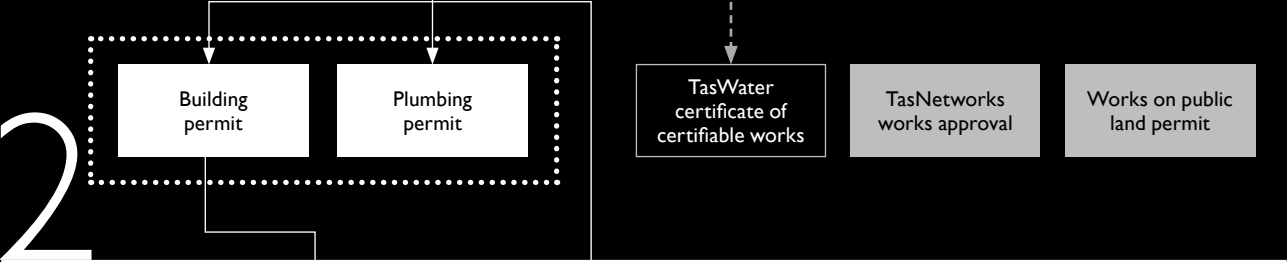
**TASMANIAN**

I. FARMS PRODUCING, SERVING, AND SELLING, FOOD AND ALCOHOL ON SITE (SUCH AS CHEESE AND BEER).

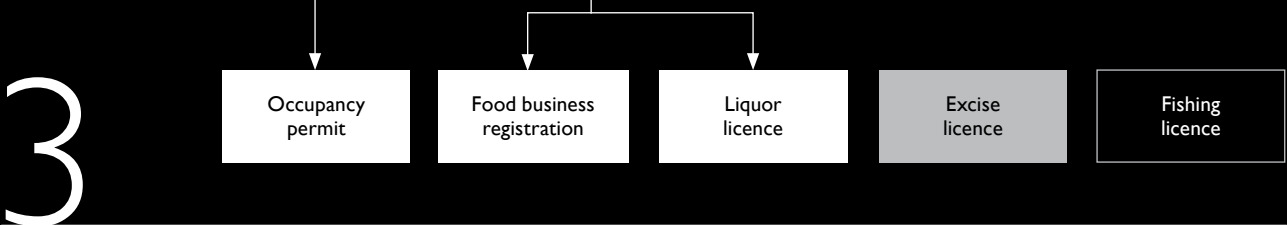
STAGE ONE: CONSENTS TO PROCEED



STAGE TWO: CONSTRUCTION AND WORK PERMITS



STAGE THREE: OPERATIONAL PERMITS

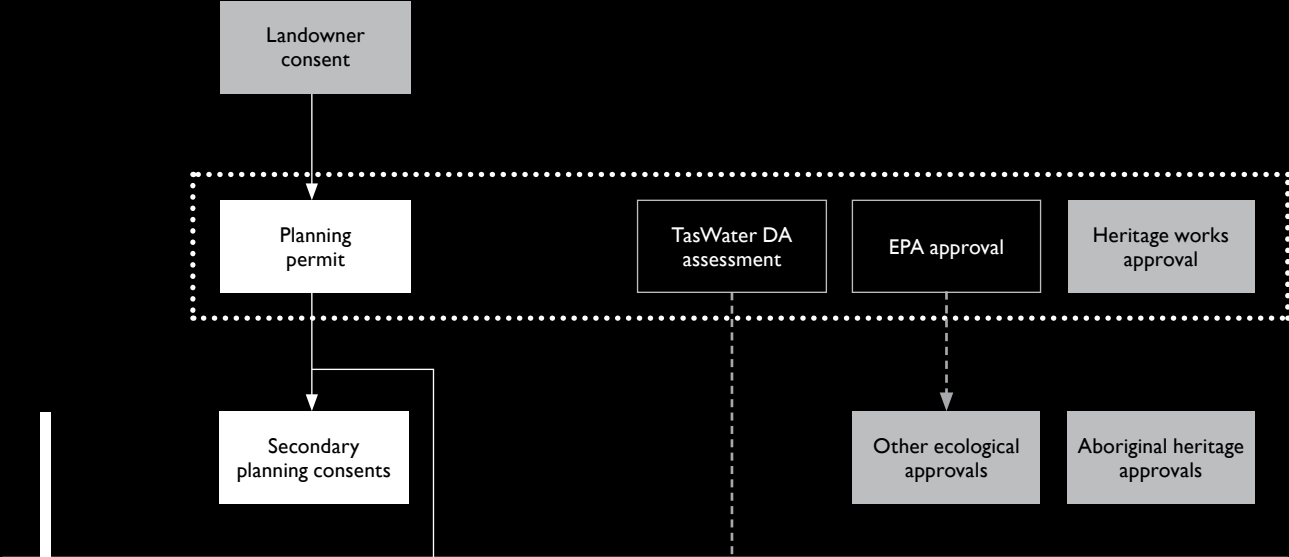


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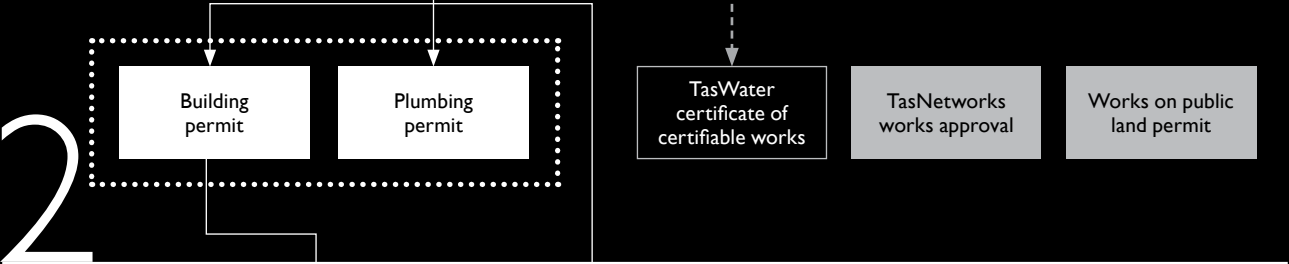
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- Legislative dependencies
- Connected processes
- Will or likely to be required
- May be required
- Will not or unlikely to be required

2. FARMS PRODUCING, SERVING, AND SELLING, FOOD AND ALCOHOL ON SITE (SUCH AS DAIRY, EGG AND MEAT PRODUCTS).

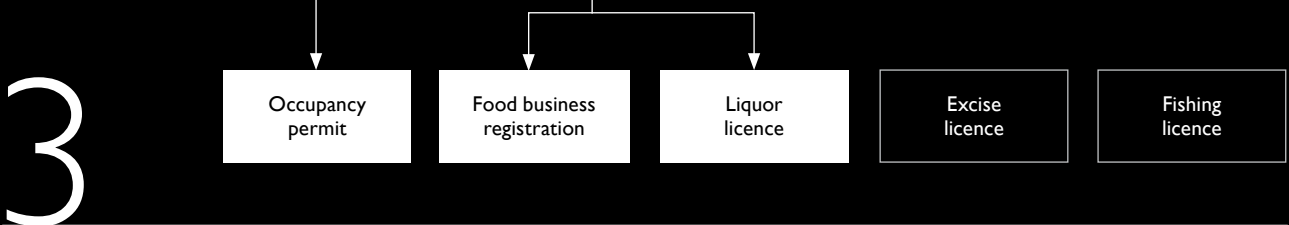
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STAGE THREE: OPERATIONAL PERMITS



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- → Connected processes

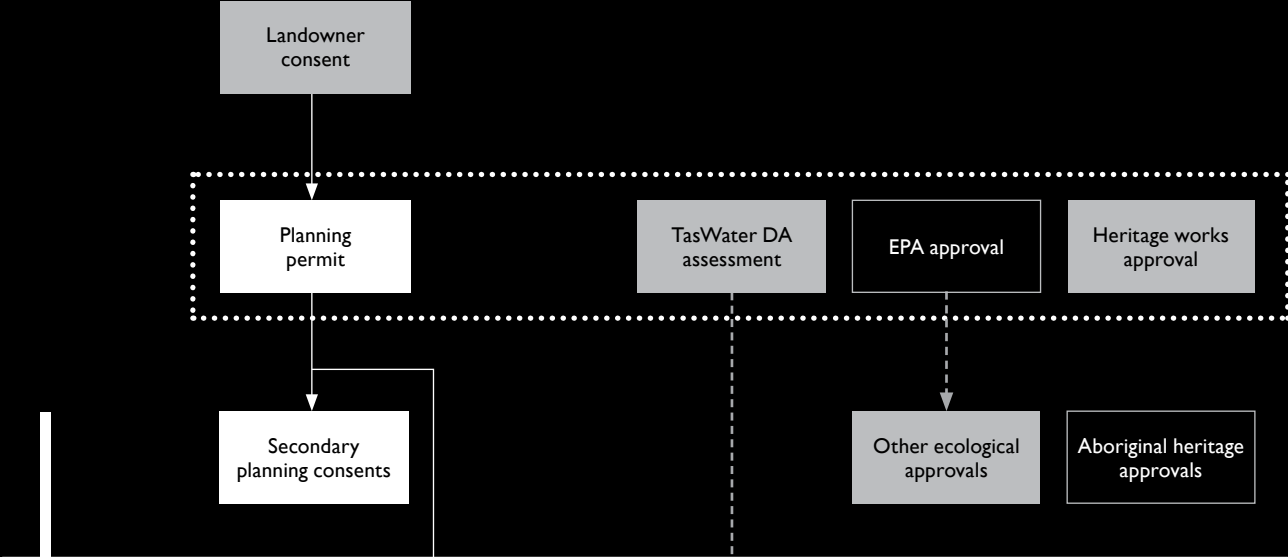
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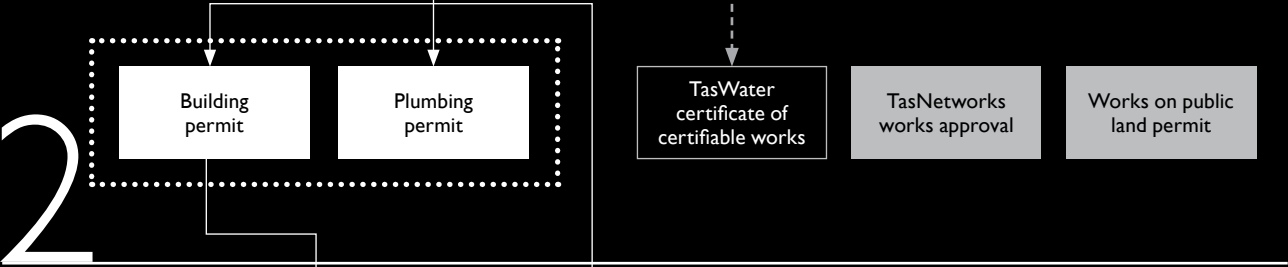
□ Will not or unlikely to be required

3. DISTILLERIES OR BREWERIES  
WITH A CELLAR DOOR AND SALES.

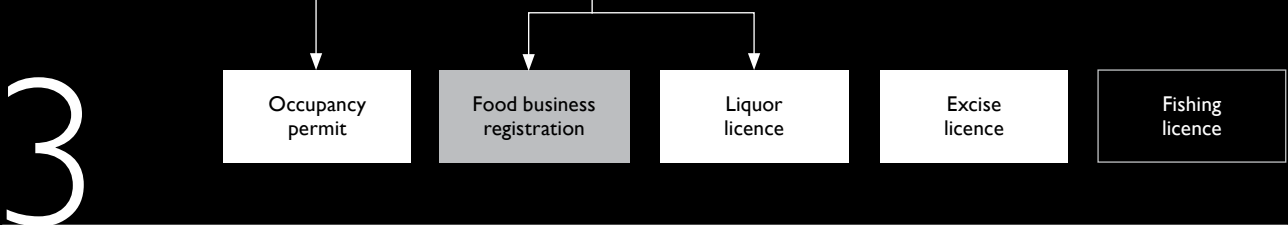
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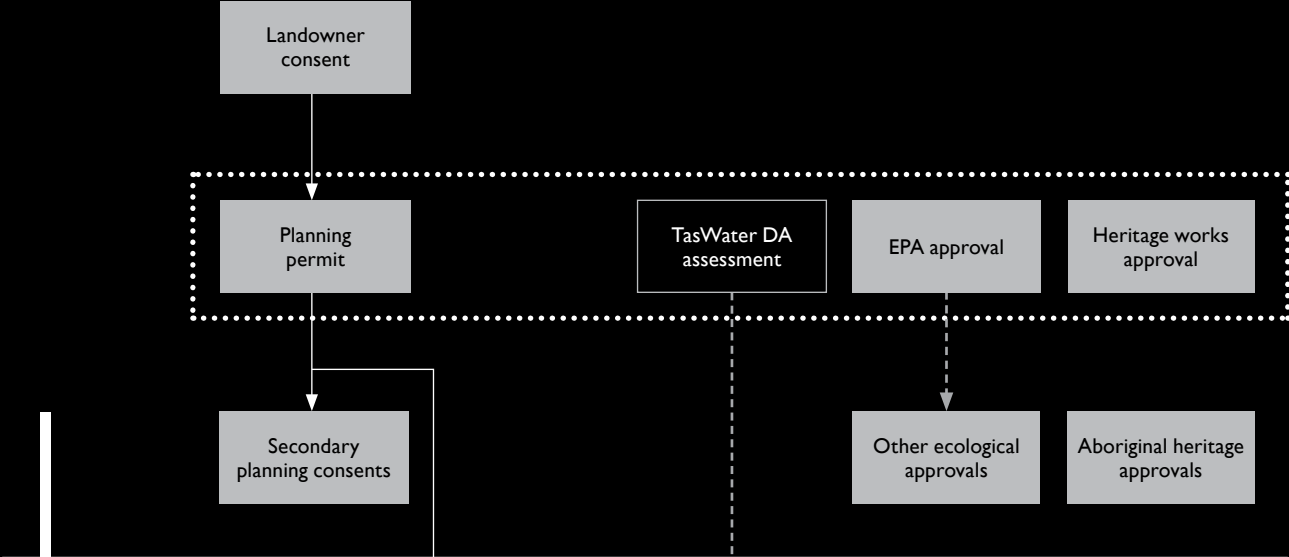


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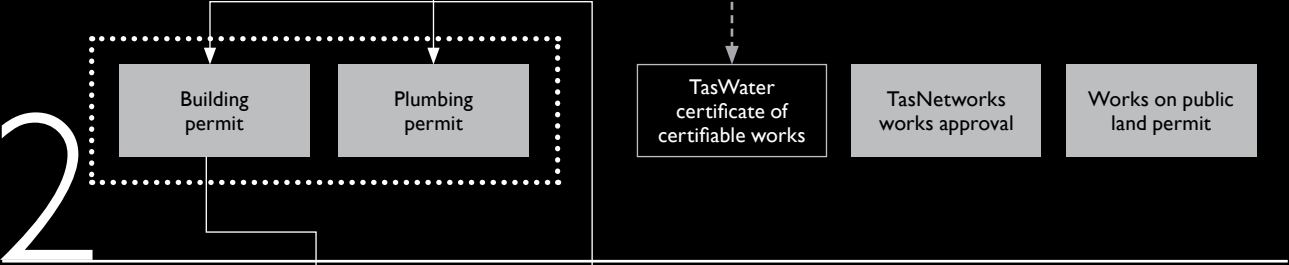
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- Legislative dependencies
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- May be required
- Will not or unlikely to be required

4. SEAFOOD BUSINESSES OFFERING TOURS AND DINING (INCLUDING ALCOHOL).

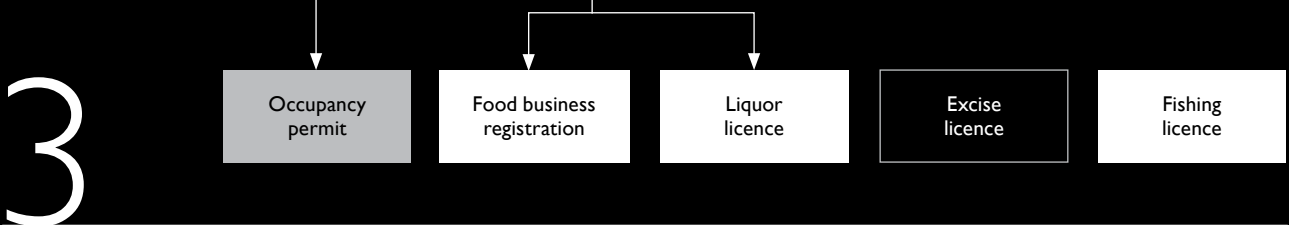
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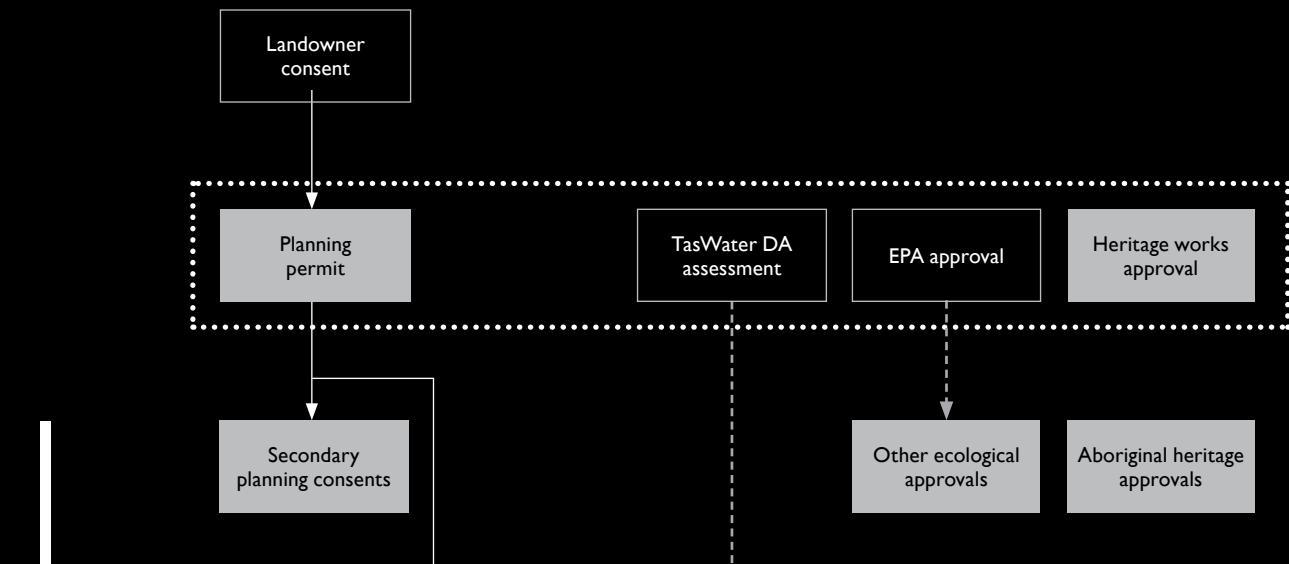


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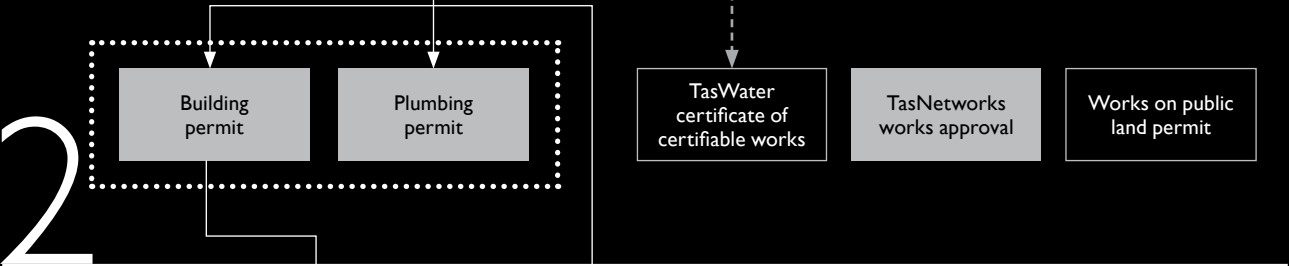
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- Legislative dependencies
- Connected processes
- Will or likely to be required
- May be required
- Will not or unlikely to be required

5. FARMS PRODUCING, SERVING AND SELLING FRUIT AND FRUIT PRODUCTS ON SITE (INCLUDING CIDER).

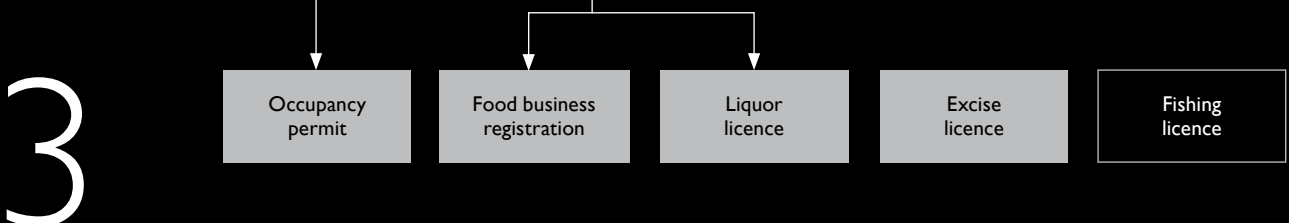
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STAGE THREE: OPERATIONAL PERMITS



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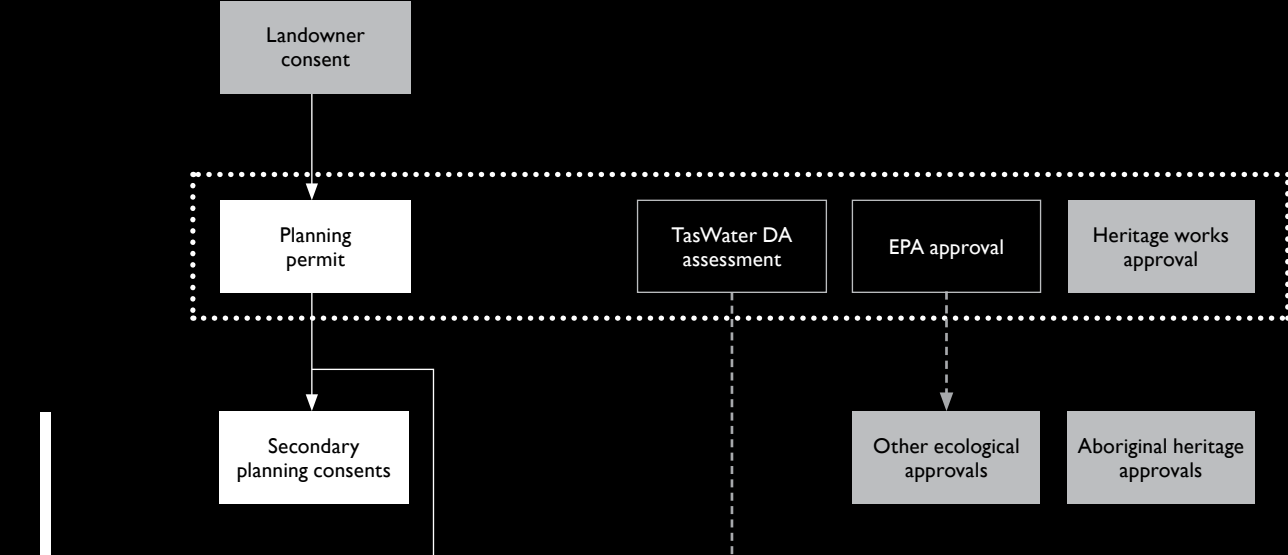
■ May be required

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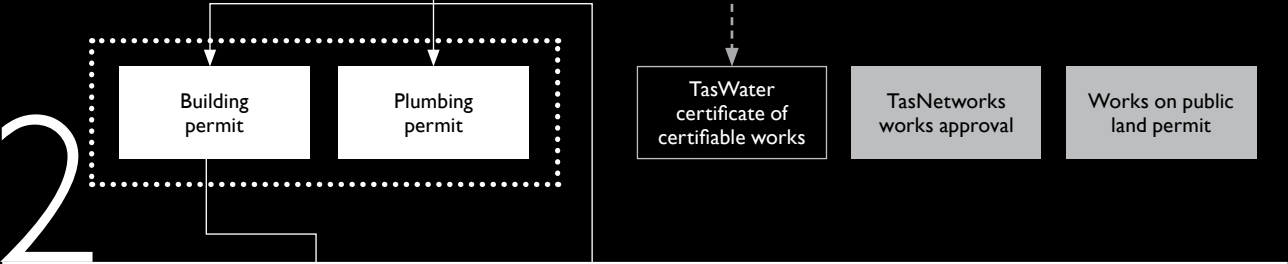


6. MEDIUM TO LARGE WORKING FARMS OFFERING  
ONSITE ACCOMMODATION, TOURS, EVENTS AND  
A DINING EXPERIENCE (INCLUDING ALCOHOL).

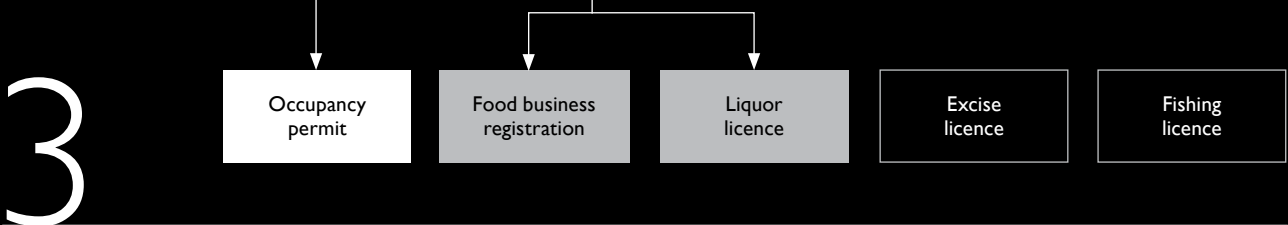
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CONSTRUCTION  
AND WORK PERMITS



STAGE THREE: OPERATIONAL PERMITS

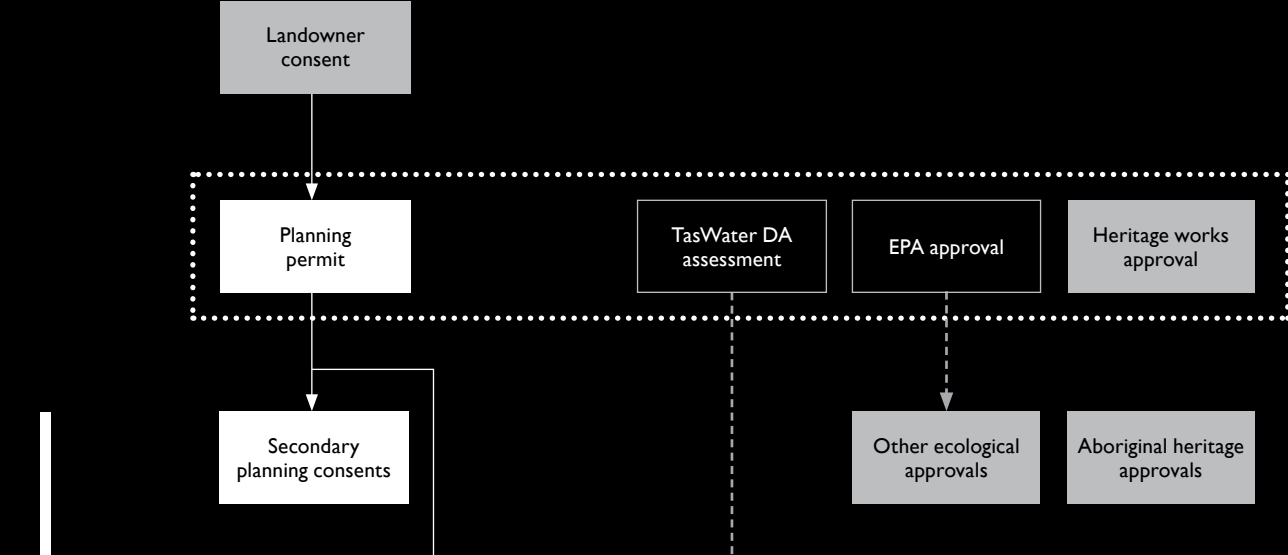


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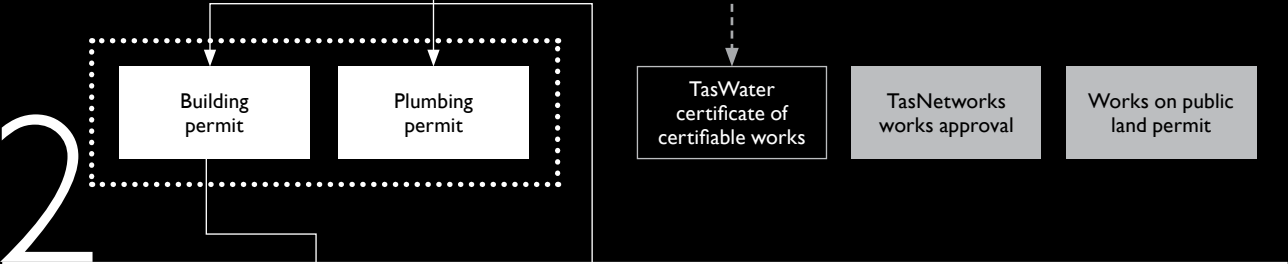
- ⋮ Integrated legislative processes
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- May be required
- Will not or unlikely to be required

7. WINERIES PRODUCING, SERVING AND SELLING WINE WITH A CELLAR DOOR, OFFERING ONSITE TOURS, EVENTS AND A DINING EXPERIENCE.

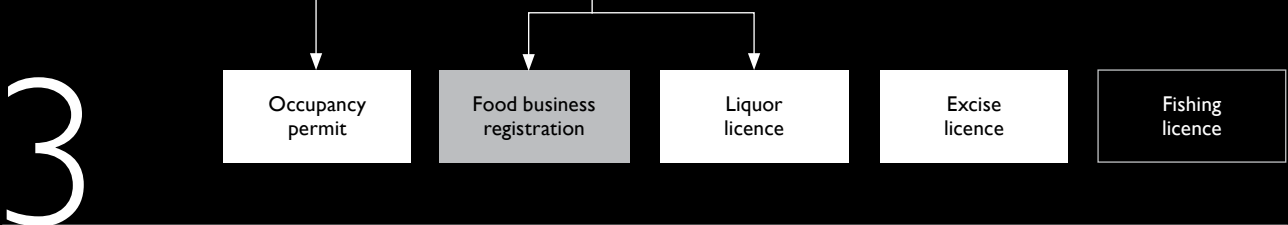
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STAGE TWO: CONSTRUCTION AND WORK PERMITS



STAGE THREE: OPERATIONAL PERMITS

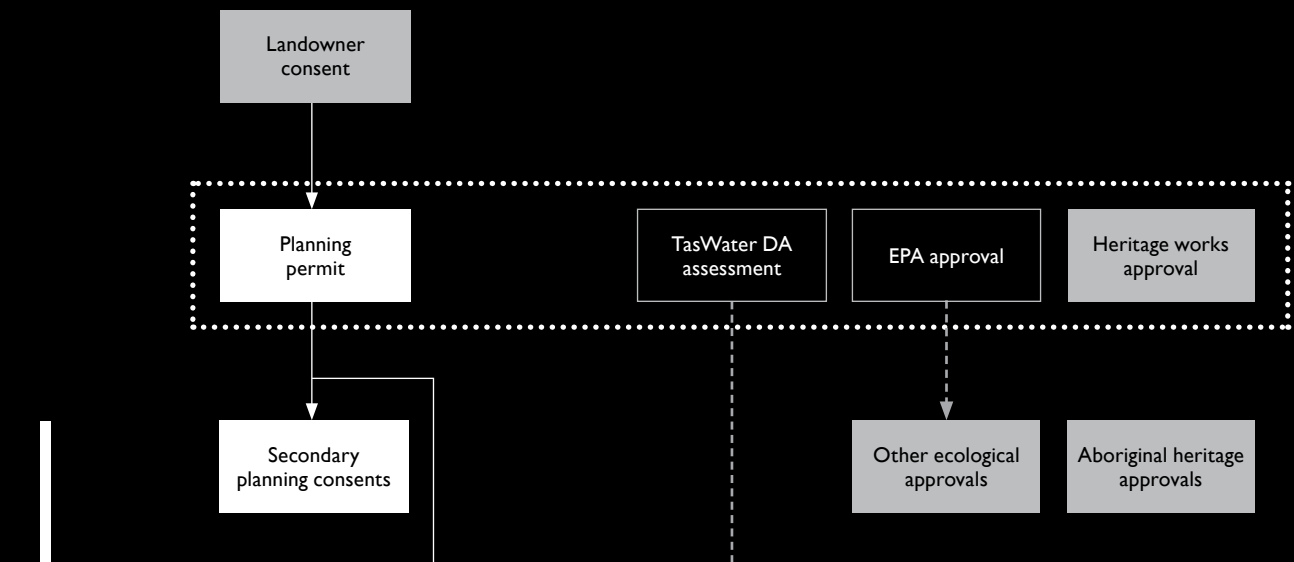


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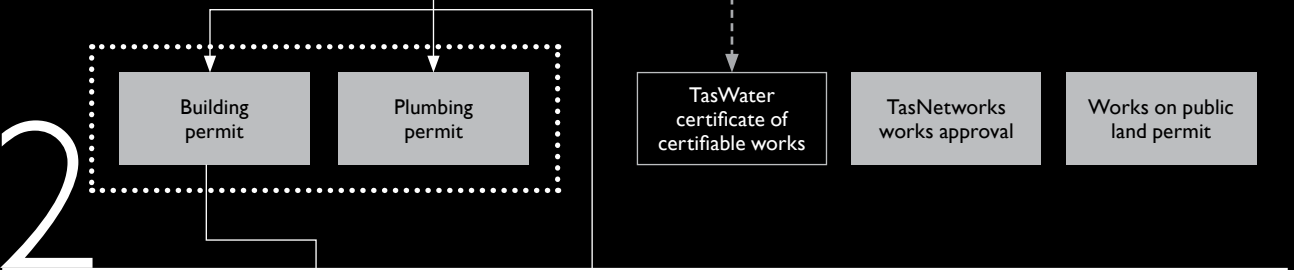
- Integrated legislative processes
- Legislative dependencies
- Connected processes
- Will or likely to be required
- May be required
- Will not or unlikely to be required

8. FOOD PRODUCERS WITH A GARDEN, FORAGING  
OR PADDOCK-TO-PLATE OFFERING A ‘DO IT  
YOURSELF’ OR ‘MAKE YOUR OWN’ COMPONENT.

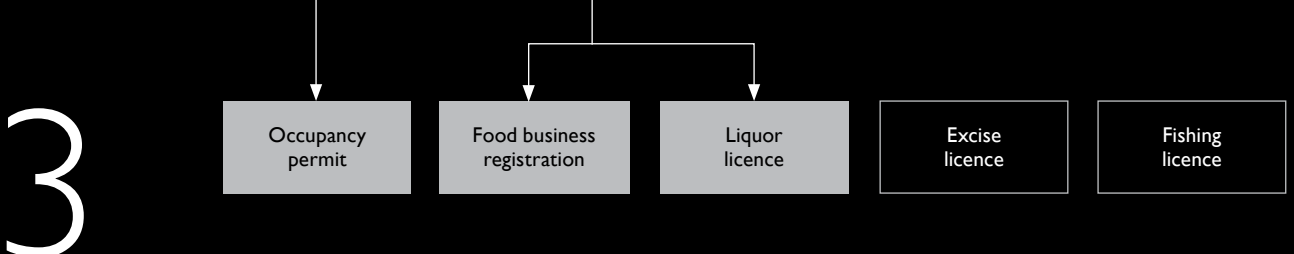
STAGE ONE: CONSENTS TO PROCEED



STAGE TWO: CONSTRUCTION AND WORK PERMITS



STAGE THREE: OPERATIONAL PERMITS

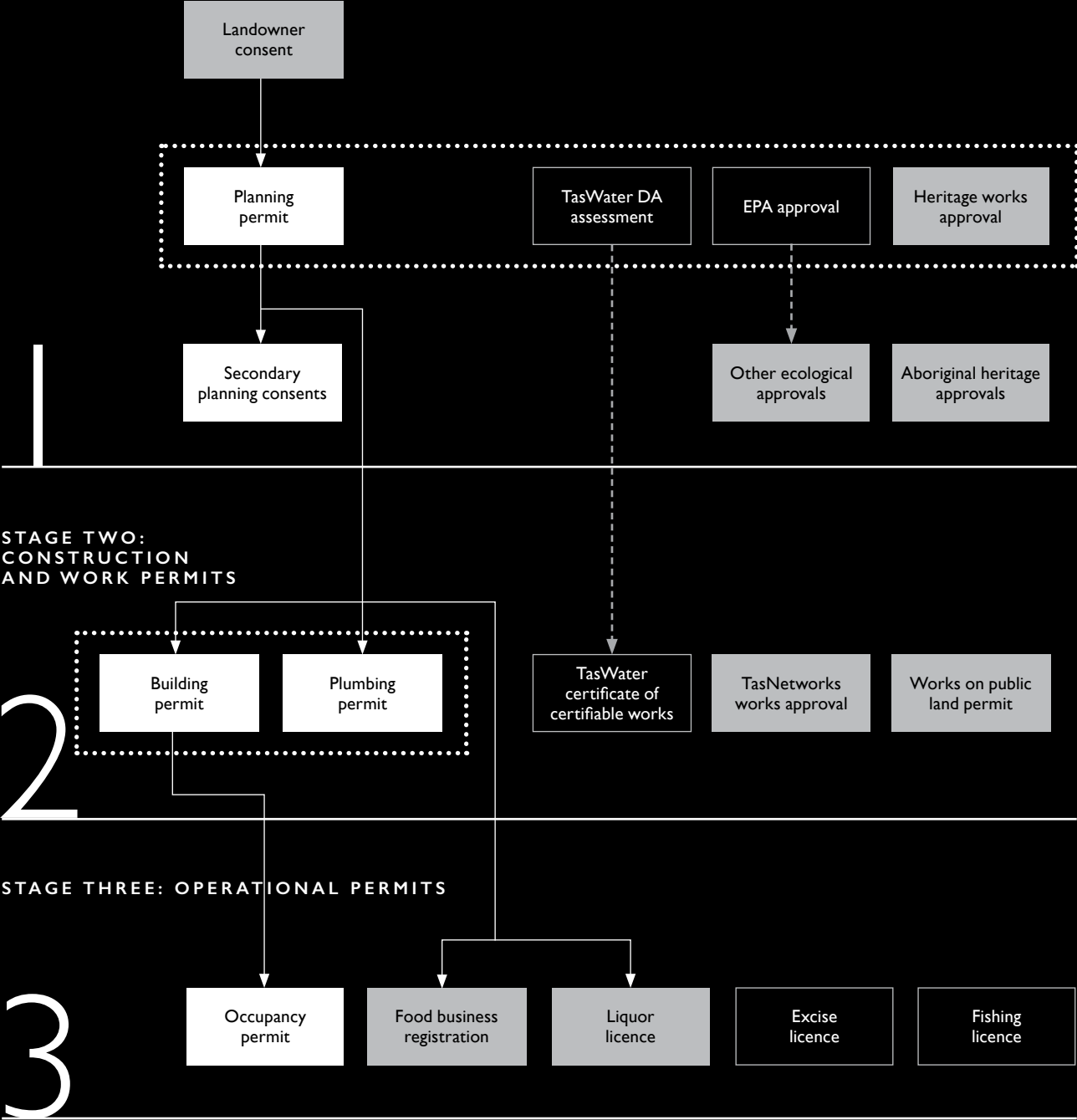


KEY

- ⋯ Integrated legislative processes
- Legislative dependencies
- - - Connected processes
- Will or likely to be required
- May be required
- Will not or unlikely to be required

9. FARMS PRODUCING, SERVING AND SELLING PRODUCE ON SITE AND OFFERING TASTINGS, TOURS AND/OR DINING EXPERIENCES (INCLUDING FLOWERS AND FLOWER PRODUCTS, OLIVES AND OLIVE PRODUCTS, AND HERBS AND SPICES).

STAGE ONE: CONSENTS TO PROCEED

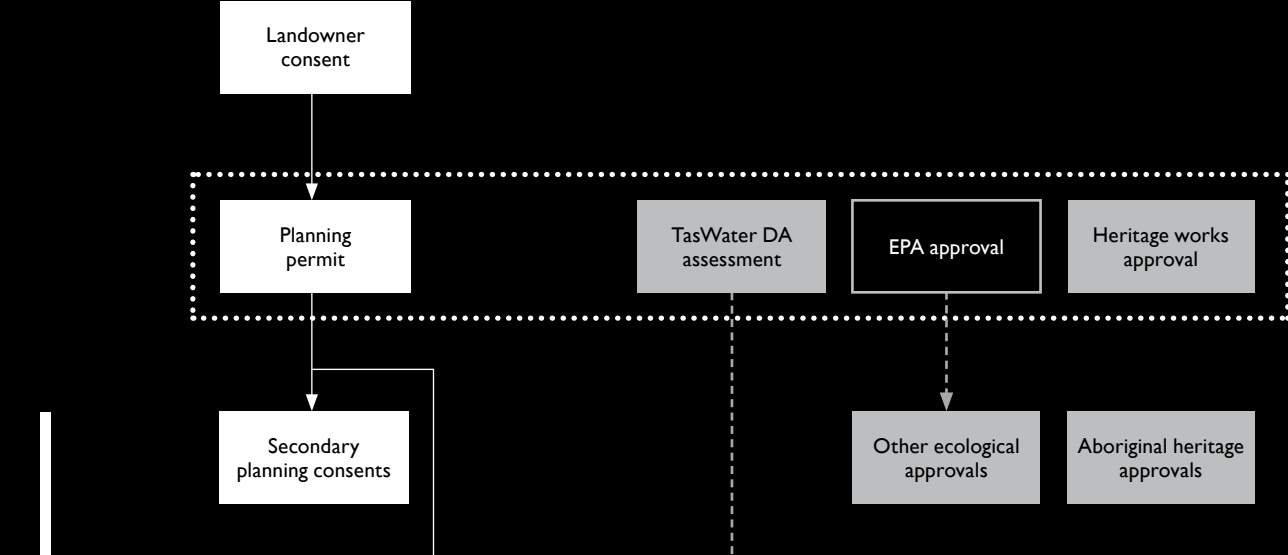


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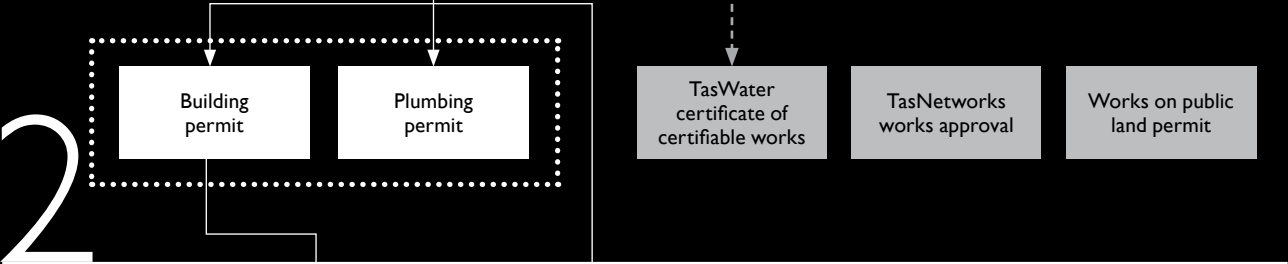
- ⋯ Integrated legislative processes
- Legislative dependencies
- → Connected processes
- Will or likely to be required
- May be required
- Will not or unlikely to be required

10. BUSINESSES PRODUCING, SERVING AND SELLING HONEY ON SITE, AND OFFERING TASTINGS, TOURS AND/OR A MEET-AND-GREET EXPERIENCE.

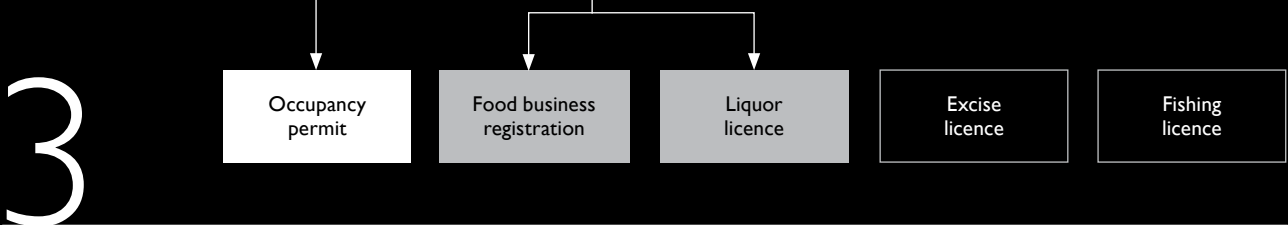
STAGE ONE: CONSENTS TO PROCEED



STAGE TWO: CONSTRUCTION AND WORK PERMITS



STAGE THREE: OPERATIONAL PERMITS



KEY

- Integrated legislative processes
- Legislative dependencies
- Connected processes
- Will or likely to be required
- May be required
- Will not or unlikely to be required