Living Next Door to a Farmer

Promoting good neighbourly relations

E: livingnextdoor@tfga.com.au
W: www.tfga.com.au
Minister’s Foreword

Many people are attracted to Tasmania and our rural areas due to the serenity of country living. A great many Tasmanians both on and off farm, owe their livelihoods to farming, and it is a rich part of our cultural heritage.

Agriculture is a cornerstone of Tasmania’s economy generating close to $1.64 billion at the farm gate in 2018-19 and our government has a plan to increase the farm gate value to $10 billion by 2050.

The sector continues to put food on our tables; it also underpins jobs and prosperity in our rural and regional communities and will be a vital driver of economic recovery and growth over the next decade and beyond.

The resources developed through the Living Next Door to a Farmer Campaign will help those from a non-farming background neighbouring farmland understand essential farming activities and practices as well as the respective responsibilities of farmers and neighbours.

I sincerely thank all the individuals and organisations involved who provided their ideas and feedback into the development of these resources. They will help our farmers – and their neighbours – to continue to develop good neighbourly relations.

Guy Barnett MP
Minister for Primary Industries and Water
Acknowledgement: Reference material for this document has been obtained from various online resources including, but not limited to, Department of Primary Industries, Parks, Water and Environment (DPIPWE); Tasmanian Government legislation; Department of Premier and Cabinet (DPAC); Tasmanian Environmental Legislation; Environment Protection Authority (EPA); Forest Practices Authority (FPA), NRM North, NRM South, local Councils and Tasmanian Farmers & Graziers Association.

Disclaimer: The material contained in this document is based on information available at the time of publication. Readers are reminded this booklet is a guide only and to check for updated information from a reliable source before making any decision. Published 2020.
Introduction

Living in rural Tasmania offers a very desirable lifestyle but there are important factors to understand, recognise and acknowledge when considering moving into, or if already living in, a rural community.

This booklet has been developed to provide you with a snapshot of the resources and website links available to specific legislation, fact sheets and documents to ensure you have access to applicable information on farming practices.

Such as:

Page 4: Community Relationships
Page 5: Biosecurity
Page 6: Cat Management
Page 7: Dog Control
Page 8: Fencing
Page 9: Property Management Planning
Page 10: Property Management
Page 11: Property Management continued
Page 12: Right to Farm
Page 13: Seasonal Farming Practices
Page 14: Stock Management
Page 15: Waterways
Page 16: Weeds Management
Page 17: Glossary

Detailed information is available at www.tfga.com.au/projects
Community Relationships

Life in a rural community can be a very rewarding and beneficial lifestyle once farming activities are understood and acknowledged. If you are planning a move into a rural community, or indeed are already living in a rural location, it would pay to do some investigation in the location before moving. Remember some farming practices are seasonal, so even a roadside inspection may not reveal all aspects of what occurs on a neighbouring farm, especially if you visit out of season. Ask your real estate agent, check with your local council and the surrounding neighbours as to any existing practices you might like to seek more information about, and also if there are any seasonal farming activities you need to know about.

The benefits of having a good relationship with your neighbours, both farming and non-farming are:

- Having an extra set of eyes regarding security, rural theft and possible poaching activities;
- Managing good quality fencing for stock control;
- People bringing money into a rural community;
- Establishing community diversity and forming lifelong friendships.

Keeping good relations between farming and non-farming neighbours will go a long way to preventing or resolving any concerns that may arise, for example:

- Talk to your neighbour if there is an issue of concern e.g. noise & dust;
- Neighbours should work together to tackle weeds, fire hazard reduction and pest management;
- Neighbours should work together to ensure fences are of a suitable standard and condition;
- Pet owners should ensure that their animals do not stray onto commerical farms, particularly if the farm is running livestock;
- Livestock owners should ensure that all stock can be identified;
- Neighbours should alert each other of any suspicious activity i.e. rural theft, poaching etc.
- Always obtain advice from your local council before undertaking any works and to check if an activity may require an approval.

Relevant legislation affecting agricultural land is available at www.tfga.com.au/projects
Biosecurity

Biosecurity is the protection of industries, the environment and public well-being, health, amenity and safety from the negative impacts of pests, diseases and weeds. DPIPWE’s Biosecurity Tasmania is responsible for leading the biosecurity effort in Tasmania in partnership with the community and industry.

Anyone who enters a property could carry in weed seeds, pests or diseases. These are all high biosecurity risks, so it is crucial for landholders to manage the entry of people and/or vehicles onto their property. Farmers will often have biosecurity signs at all entrances, which require visitors to phone and obtain permission prior to entering a property, a visitor’s sign-in register, designated parking for vehicles, along with handwash and boot washing facilities on farm. These management procedures are not to be taken lightly and should be strictly followed in accordance with the farming property requirements.

It is important that all landholders, regardless of land size, and visitors on properties be aware of biosecurity risks that can occur and everyone should manage risks appropriately by not spreading possible pests, weeds or pathogens between properties.

Further information is available at:

- Farm Point: https://farmpoint.tas.gov.au/
Cat Management

Responsible ownership of a cat goes beyond just ensuring that you care for and feed your cat. Cat owners have a responsibility to ensure their pet cats don’t kill native wildlife or become a nuisance to others.

- De-sex your cat: A de-sexed cat typically lives longer, and is less territorial. De-sexed cats also make better pets.
- Identify your cat as a pet: Pet cats that are microchipped can be identified from feral and stray cats by vets and cat management facilities. This means they can be quickly and safely returned to you if they get injured or lost.
- Never dump your unwanted kittens or cat (it is against the law): Dumped cats are likely to become feral, prey on wildlife as a food source and contribute to the spread of Toxoplasmosis, a parasitic disease shed in cat faeces that can cause debilitation, miscarriage and congenital birth defects in humans and other animals and deaths in Australian wildlife. Unwanted cats or kittens should be taken to a cat management facility such as RSPCA, Ten Lives Cat Centre, or Just Cats Tasmania.
- Keep your cat from roaming: Pet cats should be kept at home. Cats that are prevented from roaming are protected from being hit by cars and from being injured or catching diseases from interactions with other cats.
- Don’t feed stray cats or kittens: Many stray cats are not de-sexed and feeding them supports breeding, resulting in greater impacts on native wildlife, disease spread, public nuisance and more cats for the feral population.

Further Information is available at:
- Tassie Cat: [https://www.tassiecat.com/](https://www.tassiecat.com/)
Dog Control

There are strict regulations for domestic dog control and you should be aware of the legislation with regards to your domestic animals.

A dog is ‘at large’ if it is in a public place and it is not under the effective control of a person; or without the consent of the occupier, in or on a public place that is occupied or private premises that are occupied.

A farmer also has regulations to consider in relation to the number of working dogs that can be kept on farm.

It is worth noting that any dog found at large on land being used for livestock related activities can be destroyed.

- Never dump your unwanted puppies or dog (it is against the law). Unwanted puppies and dogs should be taken to the RSPCA or animal care centres.

Check with your local council about its policies on registration and control of domestic dogs.

Further information is available at:

- *Dog Control Amendment Act 2017.*
Fencing

Issues around repairing or replacing a shared fence, damage to fences and boundary issues can all contribute to disputes between neighbours. Landholders have a legal obligation to fence their property. Your local council can provide some basic guidelines and minimum fencing requirements. Generally, the cost of a boundary fence between private land is shared equally between both parties. Boundary fences between private land and the Crown are the responsibility of the landholder.

The Boundary Fence Act 1908 consolidates the law in relation to boundary fences in Tasmania, in particular the repair and erection of boundary fences, and provides guidance on the responsibilities of neighbours. The Act does not apply to any unoccupied Crown Lands or Public Reserves, nor is the Crown liable under the authority of this Act to make any contribution towards the erection or repair of any fence between land of any occupier and any Crown lands.

Farmers have a legal responsibility to maintain property boundary fences in good order to ensure that stock do not cause problems for other community members. The Act, in most instances, requires that farmers share costs in relation to fencing.

The Boundary Fencing Act (Tas 1908) states: A boundary fence shall, as nearly as may be, be placed on the boundary line. Where any fence is to be erected on land covered with standing bush or scrub, and the required notices have been given, the person erecting the fence shall clear the bush and scrub and remove fallen timber for a width of not less than 2 metres on each side along the entire length of the fence, and may fell any tree standing in the immediate line of the fence, and may fell and remove any tree standing on either side of the fence which in the opinion of the said person may be likely to injure the fence; and the cost of such clearing, felling, and removing shall be added to the cost of the erection of the fence, and be apportioned and recoverable accordingly.

- Boundary Fences Regulations 2018: Access TFGA website / Projects for the link to this information
Property Management Planning

Property Management Planning is useful for properties of any size, not just for commercial farms. A plan for your property can help you achieve your lifestyle goals, while also maintaining environmental values. A plan helps identify the work and costs required to develop and maintain your property. Remember, with proper planning you will often only need to do things once!

Property planning involves assessing all your resources, both natural and built, as well as planning the enterprises or activities you would like to undertake on your land. It is a plan to use the land according to its capacity and to ensure you don’t deplete its natural resources. In fact, good planning will protect and improve these resources.

A property plan also helps you to identify problem areas and risks to your enterprises, such as waterlogged soils, vegetation decline or the risk of flooding.

There are a range of tools that have been developed to assist in property planning and these can be found on the DPIPWE Land Management Information web page. https://dpipwe.tas.gov.au/conservation/conservation-on-private-land/property-management-and-biodiversity-planning/land-management-information

There are also enterprise suitability maps that can help you understand the known soil and climate requirements for a range of crops to a given area. https://dpipwe.tas.gov.au/agriculture/investing-in-irrigation/enterprise-suitability-toolkit

You can also contact your local NRM office in relation to property management planning, courses and/or possible workshops that may be available or for assistance if required.

NRM North:
Phone: (03) 6333 7777
Email: admin@nrmnorth.org.au
https://www.nrmnorth.org.au/

NRM South:
Phone: 6221 6111
Email: admin@nrmsouth.org.au
https://www.nrmsouth.org.au/

Cradle Coast Authority:
Phone: 03 6433 8400
Email: admin@cradlecoast.com
https://www.cradlecoast.com/
Property Management

**Land Clearing** - The controls on land clearing apply to all land in Tasmania, both public and private, but there are some exceptions that do not require landholders to have a forest practices plan to authorise land clearing:

- Small scale clearing (up to 1 ha per property per year) providing landholder consent is given and the land is NOT vulnerable land. Vulnerable land refers to: stream sides and stream side reserves, machinery exclusion zones, land with steep slopes, land within the high and very high soil erodability class, land that consists of or contains a threatened vegetation community or threatened species, land with vulnerable karst soils, or land that contains an area of trees reserved from harvesting or clearing under an expired forest practices plan.
- Clearing to provide a reasonable buffer for existing infrastructure.
- Clearing of native vegetation regrowth.
- Clearing associated with authorised dam works, easements for the construction & maintenance of electricity infrastructure and associated access tracks, construction and maintenance of gas pipelines and public roads.
- Clearing in accordance with a conservation covenant or vegetation management agreement approved by the Forest Practice Authority (FPA).
- Clearing for fire management work that is part of a fire management program approved by the FPA.

Forest Practices Authority: [https://www.fpa.tas.gov.au/](https://www.fpa.tas.gov.au/)

**Burning off** - during a fire permit period you will require approval to light a fire. Check with your local fire station or council for more details on burning off vegetation on your own property. Farmers need to advise neighbours if they are going to undertake burning off activities. [http://www.fire.tas.gov.au](http://www.fire.tas.gov.au)
Property Management continued


Feral animals - Feral animals are one of the biggest threats to biodiversity in Tasmania. Feral animals seriously affect agriculture by damaging crops, preying on livestock, competing for pasture and/or degrading the land by causing soil erosion, water turbidity and the spread of weeds. [https://dpipwe.tas.gov.au/search?k=Feral%20animals](https://dpipwe.tas.gov.au/search?k=Feral%20animals)

Agricultural activities that generate noise including bird scarers, frost fans and irrigation pumps - It is not always possible to avoid noise that can affect neighbours in rural areas. The general approach to noise in residential areas is that there are 'permissible hours of use' for certain types of equipment [https://epa.tas.gov.au/epa/noise/residential-noise-and-hours-of-use](https://epa.tas.gov.au/epa/noise/residential-noise-and-hours-of-use). This is not the case for activities for primary industry. Under the Environmental Management and Pollution Control Act 1994 (Tas) Section 53, ‘noise that is emitted from or by a primary industry activity’, certain activities do not constitute a nuisance, within the meaning of the Primary Industries Activities Protection Act 1995 (Tas) if the activity is being carried out properly and not negligently. It is not always possible to avoid noise when carrying out normal agricultural activities. Farmers are encouraged to consider wherever possible how to minimise noise impacts on neighbours. Check with your local Council on its policy relating to noise impacts. [https://www.lgat.tas.gov.au/tasmanian-councils/local-government-links](https://www.lgat.tas.gov.au/tasmanian-councils/local-government-links)

Living with Wildlife - Living on the land is unique and living with wildlife can mean that occasionally landholders can come into conflict with animals such as wallabies and possums. Discover solutions and advice on how to live with wildlife: [https://dpipwe.tas.gov.au/wildlife-management](https://dpipwe.tas.gov.au/wildlife-management)
Right to Farm

People considering a move to a rural area should be aware of and understand that rural land is often used for primary production and normal farming activities can have impacts on neighbours.

The concept of a ‘right to farm’ mainly relates to farmers being able to undertake their lawful agricultural activities without non-farming neighbours and community land users trying to stop farming activities.

A farming business is often a 24/7, 365-day job. Activities never stop and a farming property can be a very busy environment, especially during peak seasonal harvesting. Where there are dry conditions, both farm vehicles and livestock may create more noise and dust around the surrounding properties to a farm. The best way to manage these issues is to talk to the farmer to resolve the situation and to develop a plan that would suit everyone involved before a dispute occurs.

The Primary Industry Activities Protection Act 1995 represents a legislative approach to protect the right of farmers to conduct their farming activities. The Act protects persons engaged in primary industry by limiting the operations of the common law of nuisance in respect of certain activities that are incidental to efficient and commercially viable primary production.

Seasonal Farming Practices

Water is one of the most precious natural resources in Tasmania and Tasmanian catchments support a variety of biodiversity and threatened species as well as industries.

In 1999 water legislation was amended to provide greater protection to waterways, water bodies, wetlands, and groundwater, as well as to protect a farmer’s need to irrigate. The majority of crop irrigation in Tasmania is sourced from streams, waterways, bores and dams.

Irrigation and the spraying of crops is a seasonal farming activity, often with intense production at specific times throughout the year and can happen day or night depending on the harvesting season. This activity can affect noise and traffic around a farming property. Where an irrigation spray affects a public road, warning signs should be seen on the property boundary fences advising of irrigation spraying onto a public road.


The Australian Pesticides & Veterinary Medicines Authority (APVMA) is the regulating body for farm compliance with regards to chemical use and storage. Farmers, small landowners and hobby farmers should always store chemicals in accordance with the relevant Australian Standards. Farmers do need to ensure that spray drift or run-off from pesticides do not enter adjoining properties.
Stock Management

A farmer moving stock, dealing with effluent and getting vehicles on and off their property can be challenging tasks. Understanding and acknowledging these activities can play an important role in how farming activities can be managed without conflict or disputes.

A farmer is responsible for removing any mess that is made by livestock on public roads. Manure on a paved surface can create slippery conditions, is inconvenient to other motorists, and may erode bitumen surfaces.


Under the *Roads and Jetties Act 1935* it states the following:

51. Laying down timber, &c., on roads: No person shall –
   a. Lay down or cause to be laid down or deposited any timber, stone, hay, straw, dung, lime, soil, ashes, or other like matter or thing, or any rubbish upon any road;
   b. Fell, cut, bark, or remove any tree on or at the side of any road; or

Waterways

The landscape of Tasmanian properties often come with a mix of elements. Riparian bush, pasture, native grasslands and water courses all influence on what you may need to do to maintain or improve your property.

If the property has watercourses running through it or access to neighbouring dams, the rights to access this water or use it to fill property dams may not automatically pass with purchase of the property title. Ensure you clearly understand, consider your legal responsibilities and have documented what passes with the property and ensure transfer of water licences are part of the agreement of purchase.

Waterways support a variety of biodiversity and threatened species as well as industries. For properties within catchments, rivers are often the property boundary and neighbours should work together to ensure that the river and adjacent land remains free from weeds, excluded from stock and that native riparian vegetation is maintained or enhanced.

For more information on water licences and managing water go to: https://dpipwe.tas.gov.au/water/a-guide-to-water-in-tasmania

Understanding how to manage the landscape of your property can be daunting, but a bit of research and contacting your local Natural Resource Management (NRM) or Landcare group can set you on a path that may avoid costly mistakes. Local council contacts are also useful in identifying what programs may be running in your area to assist you in your land management.

The Forest Practices Act 1985 and the Forest Practices Regulations 2017 prohibit forest clearing on defined ‘vulnerable land’, such as stream-side reserves and threatened wetland communities. Streamside reserves vary from 10 metres from the streambanks for a Class 4 stream to 40 metres for a Class 1 river.

A planning permit is required before commencement of any use of development which, under the provisions of a planning scheme, requires planning approval.

Weed Management

Currently there are a large number of declared weeds in Tasmania, some of which pose a significant risk to agriculture and native biodiversity.

Keeping weeds under control, both on farm and in a neighbouring property is paramount to the cessation of a weed infestation. Further information is available at: https://dpipwe.tas.gov.au/invasive-species/weeds/weeds-index

One of the most common ways weeds are spread is via mobile machinery, feed imported from other properties, equipment and vehicles. These include cars, 2-wheel motorbikes, quad bikes, tractors and implements (including slashers and cultivators), earthmoving machinery, harvesting equipment, trucks and boats. Landowners, contractors, drivers, etc may, through routine daily activities, inadvertently spread weeds into clean areas.

Good weed prevention practices include:
• Ensuring all vehicles, boots and machinery are clean when entering your property.
• If obtaining the history of livestock feed is not possible, ensure feed is dispersed in a contained area that is easy to monitor and control should an outbreak occur.

Glossary

Agricultural spraying
Means the spraying, spreading or dispersing of an agricultural chemical product whether by hand or from any machine or piece of equipment, and includes aerial spraying

Aircraft
Means any machine, other than a hovercraft, that can derive support in the atmosphere from the reaction of the air but does not include a machine operated by remote control

Biodiversity
The variety of plant and animal life in the world or in a particular habitat, a high level of which is usually considered to be important and desirable.

Crown Lands
Land which is vested in the Crown, and which is not contracted to be granted in fee simple; and includes land granted in fee simple which has revested in the Crown by way of purchase or otherwise.

Effluent
Collectively, urine and dung are called excreta. This excreta is typically mixed with wash water produced by cleaning yards; with wash water, chemicals and residual milk from cleaning equipment; with waste feed or bedding material; and occasionally with rainwater. The resulting liquid is usually referred to as effluent (or dairy shed effluent or wastewater).
Karst soil
Terrain usually characterized by barren, rocky ground, caves, sinkholes, underground rivers, and the absence of surface streams and lakes. It results from the excavating effects of underground water on massive soluble limestone.

Landholder
A person who owns land, especially one who either makes their living from it or rents it out to others.

Primary Producer
An individual, partnership, trust or company operating a primary production business if they undertake: plant or animal cultivation (or both) fishing or pearling (or both) tree farming or felling (or both)

Riparian
A riparian zone or riparian area is the interface between land and a river or stream. Plant habitats and communities along the river margins and banks are called riparian vegetation

Turbidity
The quality of being cloudy, opaque, or thick with suspended matter
For more information

www.tfga.com.au