

A Guide to Opening a Farm Gate in Towong Shire

Background

Farmers throughout Towong Shire produce a vast array of food and fibre products. Whilst much of the produce is bound for the market, more and more producers are embracing the opportunity to sell their goods through their own farm gate.

There is a growing demand for farm gates from the wider community, driven by an awareness of the environmental and health benefits of purchasing direct from the producer. The demand from both locals and tourists is on the rise and Towong Shire Council supports farm gate development as a response to this demand.

The purpose of this document is assist producers based in the Towong Shire to understand their legal obligations associated with setting up and operating a farm gate.

Getting Started

Planning Permit

Whether you need a planning permit to open a farm gate will partially depend on the zone in which your land is located, whether any overlays apply to your land and/or whether the use is subject to any particular provision.

In each zone, some land uses can be conducted without a permit, some need a permit and others are prohibited. The category into which each use falls directly relates to the primary purpose of the zone.

To find out the zoning for your property, call Council on 02 6071 5100.

Whilst your land zone may deem it unnecessary for you to acquire a planning permit to operate a farm gate, works associated with setting up the operation may do so. Such activities may include earthworks, clearing native vegetation or creating a new access to a major road.

To find out whether a planning permit is required for any aspect of your proposed farm gate, talk to a member of Towong Shire Council's Planning Department on 02 6071 5100.

Registration

If your farm gate operation will be selling food or drinks, you are required to be registered with Council, and renew that registration on an annual basis. A retail food business refers to any individual or business selling food product. All new businesses must ensure they are registered prior to the commencement business. To register your business, contact Towong Shire Council on 02 6071 5100.

Building Permit

You are required by law to obtain a building permit whenever you build a new structure, or extend/modify an existing building.

Council's building services function is provided in conjunction with neighbouring Indigo Shire Council. Regardless of the size of any construction you may be considering for your proposed farmgate, speak to a member of Council's Building Services Department on 1300 365 003 to find out whether a permit is required.

Signage

For any signage (e.g. 'A frames') intended for advertising your farm gate on public land (e.g. roadside), you will need a Council permit. The local laws and permits application form is downloadable from the relevant section of [Council's website](#).

Should your proposed signage be on State land (e.g. adjacent to the Murray Valley Highway), Towong Shire Council will need to seek approval from VicRoads on your behalf.

Food Handling Compliance

In most cases where the produce being sold at a farm gate is in its primary state (e.g. fresh fruit, nuts, vegetables), food handling compliance is not applicable. However, should your produce require processing through a kitchen or similar facility (for example made into jams, chutneys or other products), your farm gate will be deemed

as a food premise. All food premises must be registered and inspected by Council's Environmental Health Officers. In addition, samples are purchased by the officers from time to time and tested by an independent laboratory to ensure compliance with the National Food Standards Code.

If your intended farm gate will be selling processed produce, make an appointment to meet with Towong Shire's Environmental Health Officer on 02 6071 5100.

Other considerations:

State Government Regulations

Depending on the produce you intend selling via your proposed farm gate, the Victorian Government has registers and compliance guidelines to assist you. For example, Bee Keepers need to be registered and comply with the Apiary Code of Practice May 2011.

For more information visit the [Agriculture Victoria](#) website.

Registering with the Australian Tax Office

If your proposed farm gate business is to be run independent of any other business, consider whether you will need to apply for an ABN and/or register for GST. More information can be found on the [Australian Tax Office](#) website.

Public Liability Insurance

Public Liability Insurance will cover your farm gate business against accidental incidences that result in personal injury or damage to property. Incidents covered are circumscribed by individual policies.

For further information, contact Towong Shire Council:

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