

Classification of Property as Farm Land for Rating



- The following is the meaning of “Farm Land” as set out in the Valuation of Land Act 1960, Section 2.
- “Farm Land” means any rateable land-
 - (a) that is not less than 2 hectares in area; and
 - (b) that is used primarily for grazing (including agistment), dairying, pig-farming, poultry-farming, fish – farming, tree-farming, beekeeping, viticulture, horticulture, fruit-growing, or the growing of crops of any kind or for any combination of those activities; and
 - (c) that is used by a business –
 - that has a significant and substantial commercial purpose or character; and
 - that seeks to make a profit from its activities on a continuous or repetitive basis from its activities on the land; and
 - that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating
- The following guidelines have been used to understand and meet the terms of “farm land” as mentioned above.
- It is the responsibility of the applicant to prove to Council that the following guidelines have been met.

1. General

“Business”

The activity being carried out on a property must be a business, not a hobby or recreational activity. The activity must be carried out for the purpose of earning an income on an ongoing basis. Have a status of “primary producer” with the Australian Taxation Office

1.2 “Primarily”

Comparison of areas occupied by a residential or commercial use and a farming business is not the only factor. Regard also has to be had to the relative weights of the competing uses.

Where there is a business undertaking which has the characteristics of a business, as defined earlier, and where the dwelling and curtilage have settled a minor area, it is not important how much money is spent in the residential use.

2. Specific business

2.1 Grazing (including agistment)

The running of the business of grazing usually involves the buying and selling of livestock. The starting up of a herd or flock for future breeding purposes may be enough to satisfy the meaning, providing it is clearly shown the final goal is for commercial production.

The Act now provides for agistment, where an occupier takes in stock belonging to someone else and charges a fee in return for care of the stock. The occupier must be running a grazing or agistment business on the property.

2.2 Dairying

Dairy farming is the business of long-term milk production, which is processed (on-site or at a dairy plant) for sale of a dairy product. This business has similar characteristics to grazing (2.1).

2.3 Pig-farming

Pig farming is the raising and breeding of domestic pigs. Pigs are raised mainly as food (e.g. pork, bacon, gammon) and sometimes for their skin.

Collection notice:

East Gippsland Shire Council collects information provided by you in this form assess your eligibility to have your land classified as farm land. East Gippsland Shire Council will only disclose your personal contact information to a third-party where required to do so by law. Information shared in this situation will be in accordance with the requirements of the Privacy and Data Protection Act 2014. If incorrect information or details are provided Council will be unable to assist you with this request. For more information on Council's Privacy Policy, please visit Council's *Privacy Statement* on our website or email feedback@egipps.vic.gov.au if you have any questions. SEP 26

1.2. Poultry farming

Poultry farming is the raising of domesticated birds such as chickens, turkeys, ducks, and geese, for the purpose of farming meat or eggs for food. This business can be carried out profitably on a small property.

1.3. Fish farming

Fish farming involves raising fish commercially in tanks or enclosures, usually for food. It can also include yabbies or tropical fish for pet stores. This business can be carried out on a small property but could involve development of ponds or outlay for tanks.

1.4. Tree farming, Viticulture and Fruit Growing

These activities cannot become profitable for several years until trees or vines mature enough for harvesting or to bear fruit.

It should be noticeable that the land is being prepared for these purposes before an application is submitted. After the application it should also be noticeable that plantings are being maintained and developed for commercial production.

1.5. Beekeeping

This is a use which can be carried out on land which is uncleared, although the characteristics of a business must be satisfied.

1.6. Horticulture or the growing of crops of any kind.

Horticulture is the business of plant cultivation. It includes the cultivation of fruits, vegetables, nuts, seeds, herbs, sprouts, mushrooms, algae, flowers, seaweeds and non-food crops such as grass and ornamental trees and plants.

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- This form needs to be returned by 31 December for assessment in the current rating period.
 - All applications received after this date will be considered for the next rating year only.
 - Applications must be completed fully and meet the following guidelines as set out in the East Gippsland Shire Council 2026/2027 budget document (as listed on Council's website):

Farming land is any land, which is:

- Used primarily for a farming or agricultural business; and
 - Conforming to the definition of "farm land" as specified within the *Valuation of Land Act 1960*; and
 - Conforming to East Gippsland Shire Council guidelines for the classification of property as "farm land"; and
 - The ratepayer has Primary Producer status with the Australian Taxation Office.
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- I wish to apply for the property/ies listed in this application to be considered by Council for classification as farm land for rating.
 - The application will be reviewed using the definition of "Farm Land" in the *Valuation of Land Act 1960*, Section 2 and the guidelines as set out in the East Gippsland Shire Council 2026/27 budget document.
 - Please note successful applications will not be backdated.

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Applicant details:

First name:		Surname:	
Business trading name: (if applicable)			
Type of business:			
Postal address:			
			Postcode:
Contact number:			
Email address:			
☐ Owner		☐ Occupier/Ratepayer	
Owners name: (if you're not the owner)			
Occupiers name: (if you're not the occupier)			
If you have a lease to occupy this property, please attach proof			

Property Details: List property details that you wish to apply for the farm land classification. If you have more than 3 properties please attach an extra sheet with other properties.

Property 1:

Address:		
		Postcode:
Assessment number:		Area Hectares:
☐ Freehold	☐ Leasehold	☐ Other: (e.g. licence)

Property 2:

Address:		
		Postcode:
Assessment number:		Area Hectares:
☐ Freehold	☐ Leasehold	☐ Other: (e.g. licence)

Property 3:

Address:		
		Postcode:
Assessment number:		Area Hectares:
☐ Freehold	☐ Leasehold	☐ Other: (e.g. licence)

Total number of hectares:
Area of property used for the Farming Operation (Hectares or %):

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List any other land that is used as part of the farming business

Address:
Assessment number/s:
Total Hectares:

Farming Business Records:

Is your property located in a Farming Zone?	☐ Yes	☐ No
Do you have a permit to operate a farming business on the land?	☐ Yes	☐ No
Do you meet Primary Producer status under the Australian Taxation Office requirements for Primary Production?	☐ Yes	☐ No
Please provide confirmation from you accountant that you declare income in your annual tax return from primary production activities from all properties in your application. Without this information Council cannot confirm your eligibility and your application will not be assessed. Have you provided confirmation from your accountant?	☐ Yes	☐ No
Is the farming business registered for GST?	☐ Yes	☐ No
What is your Australian Business Number (ABN) that is associated with the farming business?		

If you have answered 'No' to any of the above you do not meet the criteria for Council's Farm Rate

Improvements:

Fencing – please describe type/s of fencing, number of paddocks and/or yards:		
Are boundaries securely fenced?	☐ Yes	☐ No
What type of water supply is at the property or properties?		

What type of pasture is on the property or properties? (list the type, areas and any recent improvements)

Dwellings and/or buildings:

Type:	Size:	Construction age and condition:	Occupants:

Supporting Information:

This information is important to show that the business has a significant commercial purpose.

Business or Industry: (Refer point 2 of guidelines)	Acres or Hectares:	Production Statistics Last 2 Financial Years: (e.g. number of head or cases of fruit sold)	
		2024/25	2025/26

Number of stock or hectares/acres planted at present on property or properties:

Agistment Details:

Number of livestock	2024/25 fees	Number of livestock	2025/26 fees

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Other Information:

Any more information to support your application (if you have not shown financials above please provide details to show that the farming business is of a substantial commercial purpose and seeks to make an income from the land):

Signature: _____ Date: ____/____/____

Office use only:	
CS Stamp:	IM Stamp:

Contact Council

-  **Phone:** 03 5153 9500
-  **Email:** feedback@egipps.vic.gov.au
-  **Website:** eastgippsland.vic.gov.au
-  **Mail:** PO Box 1618, Bairnsdale VIC 3875

Customer Service Centres:

- **Bairnsdale:** 273 Main Street
- **Lakes Entrance:** 18 Mechanics Street
- **Mallacoota:** 70 Maurice Avenue
- **Omeo:** 179 Day Avenue
- **Orbost:** 1 Ruskin Street
- **Paynesville:** 55 Esplanade

Statutory Declaration

You must complete this statutory declaration and sign in front of an approved person under section 107A of the Evidence Act 2008 [Vic].

I,
Name _____

of, home
address _____

In the State of Victoria, agree that:

The information provided within this application for classification of my property as a farm enterprise is correct at the time of filling in and that this information is available for review if needed

Signature: _____

Witness (Approved Person)
Name: _____

Witness (Approved Person) Signature: _____ Date: _____
_____/_____/_____

You **must** sign in front of an approved person.

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