

VCAT win gives farmer claws for celebration

Yabby dabba do

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A BELLBRAE yabby farmer is a step closer to being able to sell his produce for the dinner table after getting a licence in a tribunal win.

It's been a drawn-out process for Stephen Chara, of Otway Yabbies, who has been to the Victorian Civil and Administrative Tribunal twice in an attempt to have decisions by PrimeSafe overturned.

VCAT ordered he be given a seafood licence, finding PrimeSafe's need for purging or water quality testing "farfical" and noting it could not indicate what testing was required and what standards met.

Mr Chara is cautious to claim victory, having spent "hundreds of hours" representing himself across multiple tribunal hearings.

"We are slowly getting there," he said of his push to sell yabbies in Victoria for consumption, as colleagues do interstate.

Otway Yabbies sells small yabbies for bait, with Melbourne Zoo among its customers.

Mr Chara said allowing them to develop and sell wholesale would be far more lucrative.

"If I grow the yabbies out for human consumption, I could increase my profits by three-fold," he said.

It has been a long fight to get to that point, since the first application was knocked back by PrimeSafe in 2011.

Mr Chara had a moral victory when VCAT overruled PrimeSafe's edict the yabbies were purged before sale, finding it was not needed by any other state or federal body and had no scientific basis.

However, PrimeSafe then cited an insufficient water quality testing regime as reason to refuse the licence last October.

Mr Chara argued the testing regime would cost more than \$50,000 a year to address a risk he claimed did not exist, and was not required in other states.

In handing down his decision, VCAT deputy



LICENCE AT LAST: Stephen Chara and Ruth Shirley, of Otway Yabbies, want to sell their produce for human consumption. Photo: PETER RISTEVSKI

president Mark Dwyer found, even if the Bellbrae firm set a water quality benchmark, PrimeSafe did not have the scientific or technical expertise to evaluate it.

"(Mr Chara) has been forced into a position of shadow-boxing, in trying to meet an unknown water quality standard that PrimeSafe seems incapable

of setting, or being satisfied about," Mr Dwyer said.

"It bears out the Parliamentary Committee concerns about PrimeSafe applying an adversarial and onerous approach to yabby licensing, instead of basing its risk assessment on defensible scientific evidence."

Mr Dwyer compared Otway Yabbies' situation

with that of adjoining business Fast 'n' Fun - operated by Mr Chara's brother Frank - to highlight the "farfical nature of the purging issue".

At Fast 'n' Fun, visitors can catch yabbies in the same dams Otway Yabbies use, and then barbecue and eat them on site or take them away.

"Yet if Mr Chara sought

to sell live yabbies harvested from the same dams to these same recreational fishers or other members of the public, these requirements would apply," Mr Dwyer said.

He ordered PrimeSafe to issue a licence, with various conditions, before August 31.

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