

9 September 2022

# Natural Disaster Transport Subsidy AGRN1012 and AGRN1025

## Program Guidelines

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### Background

A maximum subsidy of \$25,000 can be claimed once by an eligible applicant for each declared natural disaster event AGRN1012 and AGRN1025, regardless of how many parcels of land, and regardless of whether that disaster spans one or two financial years.

The subsidy will be paid for road transport at a rate of 50% of the total amount paid to the carrier or specified costs for an owner driver.

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### Objective

To provide a subsidy on the transport of fodder and/or water to a property, stock to/from agistment and stock to sale or slaughter following a declared natural disaster event.

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### Key Dates

<b>Applications open</b>	See <a href="http://www.raa.nsw.gov.au/disaster-assistance/declarations">www.raa.nsw.gov.au/disaster-assistance/declarations</a> .
<b>Applications close</b>	See <a href="http://www.raa.nsw.gov.au/disaster-assistance/declarations">www.raa.nsw.gov.au/disaster-assistance/declarations</a>
<b>Assessment process</b>	Eligibility assessment
<b>Successful Applicants may submit claims for Eligible Costs until:</b>	See <a href="http://www.raa.nsw.gov.au/disaster-assistance/declarations">www.raa.nsw.gov.au/disaster-assistance/declarations</a>

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### Eligibility Criteria

#### Eligible Applicants

Applicants must be a primary producer, as an individual, partnership, trust or company which:

- Has a right or interest in a farm enterprise (this can include a lessee)
  - Contributes a part of his, her or its labour and capital to the enterprise
  - Derives at least 50 per cent of his, her or its income from the enterprise
  - Has assets that have suffered direct damage by the declared natural disaster event
  - Has an Australian Business Number (ABN)
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- Has a primary production enterprise located within a declared local government area

Primary producers are defined as those that are listed under the Australian New Zealand Standard Industrial Classification 2006 (ANZSIC) 1292.0 (Revision 2.0) Codes 01 (Agriculture), 02 (Aquaculture), 03 (Forestry and Logging), 04 (Fishing, Hunting and Trapping) and 05 (Agriculture, Forestry and Fishing Support Services).

## Ineligible Applicants

Ineligible applicants include:

- Intensive industries such as piggeries, poultry units or feedlots where stock are purchased, fattened and sold; and backgrounding where stock are fattened prior to move into a feedlot

## Eligible Activities and costs

The first movement of stock, fodder or water must be no later than three months from the date on which the disaster is declared, and the last movement of stock, fodder or water must be completed and all claims for transport subsidies must be submitted no later than nine months after the date on which the disaster is declared.

Eligible activities and costs include:

### Transporting of fodder to properties

- The movement of fodder must be to a landholder's property, a travelling stock reserve, leased or agisted property
- Fodder must only be obtained for the feeding of disaster affected stock. The amount transported per claim must only be for a maximum three (3) month feed for the stock on hand, and not for long term storage purposes
- The subsidy is payable for genuine smaller vehicle movements within a property, where the initial vehicle transporting the fodder to the property is too large to transport the fodder to the appropriate storage location on the property. In these situations the owner must sign a statutory declaration to this effect

### Transport of stock to sale, slaughter or to and from agistment

- Subsidy is available for for loaded portions of travel only
- Stock can be transported to agistment up to three months after the declared disaster
- If the owner is forced to move stock off the agistment property, additional claims will be considered on a case by case basis
- The stockowner must have no prior arrangement/agreement or contract to sell or otherwise dispose of the stock to the owner of an agistment property
- Stock consigned to a feedlot on maintenance rations will be assessed on a case by case basis
- The minimum load must be equivalent to 70 dry sheep equivalents (DSE). Loads of less than 70 DSE will be assessed on a case by case basis (eg. transporting bulls)

### Transport of stock drinking water

- The subsidy for the transport of water is only available if water is carted from the nearest practicable source
- The minimum movement is 1,000 litres per movement and only one movement will be subsidised per day

- Water cartage to stock on a travelling stock reserve or agistment property is eligible for subsidy

### Transporting Bees

- Claimants must sign a statutory declaration that the movement of beehives is abnormal to their usual management practices and is entirely as a result of the declared natural disaster event
- Subsidy is available for for loaded portions of travel only
- Bees can be transported up to three months after the declared disaster
- Movement of the hives to a third site will be provided if it can be demonstrated that this movement was not part of the beekeepers usual practices and is as a result of there being a shortage of feed at the second site
- The minimum load when transporting bees must be greater than one tonne.

### Owner drivers

- Owner driver claims over 100 kms require a copy of log book entries to be submitted with the claim
- An owner driver, payment will be provided according to the km rate table below. A copy of the registration certificate for the vehicle used for transport, must be provided with the claim. Rates for owner drivers are based on commercial transport costs, but are calculated not to include the cost of the applicant’s time, labour or margin for profit

Gross vehicle mass (T) and/ or Gross combined vehicle mass (T)	Amount per kilometre
< 2.5	\$1.50
< 4.5	\$2.10
< 6.5	\$2.70
< 8.5	\$3.00
< 10.5	\$3.30
< 12.5	\$3.50
< 14.5	\$3.80
< 15.5	\$3.97
< 22.5	\$4.50
< 27.5	\$5.10
< 42.5	\$6.00
> 42.5	\$7.50

### Ineligible Costs

Ineligible costs include:

- Applications or claims for the the transport of fodder weighing less than one (1) tonne
- Claims for labour, fixed costs or profit if you use your own transport to move stock to agistment
- Claims for the movement of stock that are not fit to travel. Stock owners must always comply with the provisions of the *Prevention of Cruelty to Animals Act 1979*
- Claims for the transport of water for irrigation

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## Application, Assessment and Claims

### Applications

All applications must be completed using the manual or on-line application form provided at [www.raa.nsw.gov.au/grants/natural-disaster-transport-subsidy](http://www.raa.nsw.gov.au/grants/natural-disaster-transport-subsidy)

If you need assistance with submitting your application, please contact us per below.

Phone: 1800 678 593

Email: [rural.assist@raa.nsw.gov.au](mailto:rural.assist@raa.nsw.gov.au)

If you have difficulty understanding these guidelines or completing the application form you should seek the assistance of your rural/financial counsellor, business advisor, accountant or a trusted family member/friend.

If you need assistance with interpreting or translating, please contact Multicultural NSW on 1300 651 500 or email [languageservices@multicultural.nsw.gov.au](mailto:languageservices@multicultural.nsw.gov.au).

Applications received after the advertised application closing date cannot be accepted.

If you have any questions regarding your eligibility for the program, please contact the RAA on free call 1800 678 593 or visit [www.raa.nsw.gov.au](http://www.raa.nsw.gov.au).

Please call your nearest Rural Financial Counsellor on 1800 319 458 (Southern and Central NSW) or 1800 344 090 (Northern NSW) if you are in financial difficulty.

### Assessment

- Applications will be assessed against the eligibility criteria
- RAA may take into account your credit position and the status of any existing loans to help verify your intention to re-establish or continue the primary production enterprise
- RAA reserves the right to request further information from you or from any business or individual you have engaged, to assist in assessing your application and to verify any information provided in your application. Failure to provide such information may result in RAA refusing your application
- RAA reserves the right to refuse an application where eligibility criteria are not met, or where you do not or cannot provide sufficient information for the RAA to determine if eligibility criteria have been met
- The RAA can put an application on hold where the applicant is under investigation or has been charged in relation to the fraudulent receipt of grants under this or other RAA programs
- Complete applications will be assessed in order of receipt. Incomplete applications will not enter the assessment queue until all required information is provided
- Applicants should note that past financial assistance under this program or any other program is not a reliable indicator of eligibility for future financial assistance under this program
- Applications submitted may be subject to audit by RAA or its agents in order to determine compliance with scheme guidelines
- Before applying for financial assistance under this program, you should seek advice from your legal, business or financial advisers about the tax implications of this financial assistance
- You will be expected to provide a range of supporting documentation, including the latest local council rate notice, latest available Tax Return and Financial Statement for your farm

business and complete copies of personal Tax Returns for each member of the farm business

## Claims

- The costs of transportation must be paid prior to lodging a claim for the subsidy
- The amount paid is the GST exclusive amount
- Claims for assistance under the program must be made on RAA's claim form and be accompanied by the documentation requested in the claim form
- Complete claims will be assessed in order of receipt. Incomplete claims will not enter the assessment queue until all required information is provided
- If an ABN is not supplied, the subsidy will be reduced by an amount equivalent to the highest tax rate, which is subsequently forwarded to the Australian Taxation Office

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## Terms and Conditions

### Important information

- These guidelines are correct at the time of publishing
- RAA reserves the right to amend, alter or change these guidelines at any time, and it is your responsibility to ensure that they check the relevant website prior to application
- Without limiting any rights, the RAA (or another NSW agency) in its sole discretion may recover funds from the applicant, and determine that a debt is due, if evidence indicates that the applicant:
  - Did not meet the eligibility criteria
  - Received an over-payment of the grant (whether of the up-front grant or of an additional grant payment) or
  - Spent any part of the grant on costs which were not eligible items or activities

### Fraudulent claims

- The RAA takes fraud and corruption seriously. Suspected fraud will be assessed and investigated as appropriate, which may require involvement of external parties such as NSW Police or the NSW Independent Commission Against Corruption (ICAC)
- By signing the claim form, you are declaring that the information provided in the application form and supporting documentation is true and accurate
- Providing inaccurate, untrue or misleading information may be a breach of the Rural Assistance Act 1989 or criminal law for which serious penalties may apply
- The RAA responds to fraud by
  - Audit and site validation of applications and claims that are of concern
  - Referral to NSW Police or ICAC of suspected fraud
  - Recovery of any assistance provided under a fraudulent application
- An application approval, or payment of a claim against an approved grant, may be delayed where:
  - Assistance previously provided by this or any other related NSW government grant program cannot be validated or

- The outcome of relevant legal or validation actions may impact the decision to grant further assistance

## Evaluation

The RAA is committed to providing excellent service that responds to your needs through well targeted programs. For that reason, the RAA evaluates its programs. This includes surveys at various points of your application, approval and completion. The RAA may also contact you to ask about your experience of the assistance you received. The RAA will always treat the responses you provide as confidential and use the information only for the purposes it was collected.

## Government Information (Public Access) Act

Applicants should be aware information submitted in applications and all related correspondence, attachments and other documents may be made publicly available under the Government Information (Public Access) Act 2009 (NSW). Information that is deemed to be commercially sensitive will be withheld.

The Government Information (Public Access) Act 2009 (NSW) makes government information accessible to the public by:

- Requiring government agencies to make certain sorts of information freely available
- Encouraging government agencies to release as much other information as possible
- Giving the public an enforceable right to make access applications for government information
- Restricting access to information only when there is an overriding public interest against disclosure

## Complaints

Any concerns about the Natural Disaster Transport Subsidy program should be submitted in writing to [rural.assist@raa.nsw.gov.au](mailto:rural.assist@raa.nsw.gov.au)

If you do not agree with the way the Department has handled the issue, you may wish to contact the NSW Ombudsman via [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

## Disclaimer

The Department does not guarantee or warrant, and accepts no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of any material contained in this publication. Information in this publication is provided as general information only and is not intended as a substitute for advice from a qualified professional.

The Department recommends that users exercise care and use their own skill and judgment in using information from this publication and that users carefully evaluate the accuracy, currency, completeness, and relevance of such information. Users should take steps to independently verify the information in this publication and, where appropriate, seek professional advice.

Funding assistance provided through the Program is subject to funds being available. The Department reserves the right to make changes to the Program to ensure it meets the objectives outlined in these guidelines and provides equitable funding support to applicants.

In extenuating circumstances, applications submitted after the deadline may be accepted at the sole discretion of the Department.

These guidelines are subject to change at any time at the sole discretion of the Department.

## Definitions

**Direct damage** relates to physical damage that occurred as a result of the event. This means immediate damage caused by flood-waters at the time of the floods. The hazard can remain so long as flood waters remain. There is a distinction however, between clean-up activities that cause damage in themselves, and damage that occurs as a direct result of the floods. For example, a boat that is damaged during the floods or while flood waters remain high, would be covered. But a boat that is damaged during the recovery process, after flood-waters have receded, would not be covered.

**Defined disaster area** for an eligible disaster means the area that the appropriate Minister has declared for the purpose of activating the Disaster Recovery Funding Arrangements. These are shown on the RAA's website.

**Valid tax invoice** means a paid invoice including the name, address and ABN (if applicable) of the entity that issued the invoice and a description of each item to which the invoice relates which is clearly identifiable as being related to approved expenditure for the applicant. The RAA can ask for proof of payment of the invoice.

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