



Rural Landholders Grant Guidelines

Objective:

To alleviate the personal and financial distress and assist in the recovery of rural landholders who have suffered direct damage to their assets as a result of a declared natural disaster event but are ineligible for primary producer natural disaster assistance because they do not meet the 50% of income from primary production requirement.

Assistance available

The maximum grant amount available, which may include an up-front grant, is detailed in the natural disaster declaration and shown on the Rural Assistance Authority (RAA) website www.raa.nsw.gov.au.

Application close dates and invoice claim close dates are shown on the RAA website www.raa.nsw.gov.au.

Eligibility criteria

You must be a rural landholder

- a) be normally charged rates under the *Local Land Services Act 2013* and hold property of at least 10 hectares (24.7 acres) in size, or
- b) hold a Class A Aquaculture Permit under the *Fisheries Management Act 1984* authorising aquaculture lease area of at least 1 hectare, and

Note: The RAA will assess the bona fides of your primary production business (see Section 9: Definitions) on a case by case basis if you do not meet these minimum area requirements.

You must have a primary production business

- c) your business must have an Australian Business Number (ABN), and
- d) your business must undertake primary production as verified through the Australian and New Zealand Standard Industrial Classification (ANZSIC) Code subdivisions 01 Agriculture, 02 Aquaculture, 03 Forestry and Logging, 041 Fishing, and
- e) you must not receive the majority of your income from primary production, and
- f) you must earn at least \$20,000 per annum from primary production, and
- g) you must earn no more than \$180,000 from off-farm income, as individuals, directors or shareholders. That is, if there are three people involved in a primary production business, they can each earn up to \$180,000 from income that is not derived from the applying primary production business. The applicant will need to submit one or multiple self-declaration(s), confirming that each individual involved, does not earn more than \$180,000 from off-farm income, and
- h) where your earnings from primary production is less than \$20,000 per annum, you may nonetheless be eligible for a grant if it can be demonstrated that in the ordinary course of business you would meet that requirement, but your earnings from primary production are currently reduced due to seasonal conditions or biosecurity events, and
- i) you must have been engaged in carrying on the primary production business when affected by this event, and
- j) you must intend to re-establish or continue the primary production business, and
- k) you must not have gross off farm assets exceeding \$5,000,000 (excluding funds in a registered superannuation fund), and
- l) your business must not be a public company under the meaning of the Corporations Act 2001 (Cth).

You must be impacted by this event

- m) be in a Local Government Area (LGA) declared as natural disaster and approved for this program, and
- n) be able to demonstrate that you have personally faced costs for clean-up activities, losses or damages beyond the vicinity of your residential dwelling, arising from the declared natural disaster, and
- o) have a record of tax invoices and proof of payments for your clean-up activities, losses or damages OR you have quotations for clean-up activities, losses or damages, and



You must not have already received assistance for the damage you claim

- p) not have received or be entitled to receive, assistance under the Special Disaster Assistance - primary producer grant, or other natural disaster primary producer, small business or not for profit grant, and
- q) not have received or be entitled to receive, a payment under a policy of insurance for the costs being claimed.

Using your grant – eligible activities

You can use your grant for the following items associated with the event:

- a) hire or lease equipment or materials to clean premises, property or equipment
- b) remove and dispose of debris, damaged goods and materials including injured or dead livestock
- c) repair or replace fencing and/or other essential property infrastructure
- d) purchase and transport fodder or feed for livestock
- e) replace livestock
- f) replace lost or damaged plants, salvage crops, repair or restore fields
- g) repair, recondition or replace essential plant or equipment
- h) maintain the health of livestock
- i) pay wages or labour costs of contractors, casuals or temporary staff who are engaged for clean-up and reinstatement activities
- j) pay the costs of additional hours (overtime or extra hours/days) worked by permanent employees to assist with clean-up and reinstatement activities
- k) repair buildings (except dwellings, unless they are used for staff accommodation)
- l) other claims consistent with these guidelines and agreed by the RAA.

Checklist for when you apply

If you have been approved for assistance by the RAA and provided the following documents to us in the past 12 months, you may not need to provide them again.

- personal tax returns of all members of the business
- most recent farm business tax returns
- Local Land Service rates notice
- quotes, estimates, photos, tax invoices (if you have them)
- Have you read the Terms and Conditions that go with these guidelines, from Page 3?

If you have all documentation ready, the application should take approximately 30 minutes for you to complete. We need your documents to make sure these recovery grants only go to genuine primary producers who have been impacted by the event.

How to apply and claim

You'll need to complete an online application and submit any claims by the closing dates shown on the [website](#).

The minimum for each claim is \$250

If you need assistance with submitting your application, please contact us:

Phone: 1800 678 593

Email: 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.

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

Please don't self-assess your eligibility for this grant. If you have any questions regarding your eligibility please contact the RAA on free call 1800 678 593 or visit www.raa.nsw.gov.au.

Additional Terms and Conditions

1. Exclusions

- 1.1 You will not be eligible for a grant or part of a grant if:
- you have received or are eligible to receive financial assistance for costs associated with the items described in Section 4 from another government assistance scheme
 - you are entitled to receive a payment under an insurance policy for costs directly associated with items and activities you claim. You will be eligible for a grant for the portion of costs that are not covered by your insurance, or for amounts in excess of the value insured
 - you have already applied for this grant in relation to the same property.
- 1.2 The following costs are ineligible:
- damage to residential properties or dwellings
 - damage that is covered by insurance
 - Own labour (including existing staff and own equipment).
 - expansion projects, or areas that were not in active production at the time of the event. However, this does not prevent investing to improve future resilience through the use of more durable materials or design
 - loss of income.

2. Application and claiming process

Refer to the RAA website to complete an online application. Include quotes, estimates or invoices where available. It is not mandatory to complete all expenditure before applying for a grant.

3. Period for claiming

Application close dates and invoice claim close dates are shown on the RAA website www.raa.nsw.gov.au.

4. Assessment

- Applications will be assessed against the eligibility criteria.
- The 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 the RAA refusing your application.
- The 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 the RAA or its agents in order to determine compliance with scheme guidelines.



- 4.8 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.
- 4.9 You will be expected to provide a range of supporting documentation that may include the latest Local Land Services rates notice, Aquaculture Permit, Local Council rate notice; Tax Returns and Financial Statement for the applying entity.
- 4.10 You may be asked for a copy of your insurance policy.

5. Important information

- 5.1 These guidelines are correct at the time of publishing.
- 5.2 The 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.
- 5.3 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:
 - a) did not meet the eligibility criteria
 - b) received an over-payment of the grant (whether of the up-front grant or of an additional grant payment) or
 - c) spent any part of the grant on costs which were not eligible items or activities.

6. Fraudulent claims

- 6.1 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 the NSW Police Force or the NSW Independent Commission Against Corruption (ICAC).
- 6.2 By signing the claim form, you are declaring that the information provided in the application form and supporting documentation is true and accurate.
- 6.3 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.
- 6.4 The RAA responds to fraud by:
 - audit and site validation of applications and claims that are of concern
 - referral to the NSW Police Force or ICAC of suspected fraud
 - recovery of any assistance provided under a fraudulent application.
- 6.5 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.

7. 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.

8. Submitting your application

Please apply online at: <https://www.raa.nsw.gov.au/disaster-assistance/storm-and-flood-programs>

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

Phone: 1800 678 593

Email: 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.

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.

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.

9. 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.

Future resilience – focuses on the replacement of infrastructure including fencing and roads where the intention of the replacement is to improve resilience to future natural disaster events through the use of more durable materials or design. The intention is to encourage responsible infrastructure replacement rather than business expansion.

Bona fide primary production business

- meets the definition of a primary producer under the heading **You must have a primary production business** in these guidelines
- is in the opinion of the RAA a business that:
 - has a significant commercial purpose or character
 - has more than a mere intention to engage in primary production
 - has an intention to make a profit or a genuine belief that a profit will be made
 - has repetition and regularity in the activity
 - is the same kind and carried on in a similar way to that of similar primary production businesses
 - is organised in a business-like manner.

Re-establish or continue business – when considering this clause, the following will be taken into consideration:

- a) A business that is on the market at the time of the event can only claim for permanent capital infrastructure.
- b) A business that is put on the market after the event, may only claim for permanent capital infrastructure from the point the business is put on the market, and may not access any further grants from the point of exchange of contracts.
- c) A new owner that purchases the business after the event, will not be eligible for assistance. The owner at the time of the floods is the applicant that may apply and be considered for eligibility.

Seasonal conditions – A year or years where the primary production business has not been adversely affected (financially) by drought, natural disasters or biosecurity events (like pest and disease). In reviewing past years, the objective is to determine whether there has been any one year in up to the past five years when the primary production business has achieved more than 50% of its gross income from primary production.

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.