



## Rural Landholders Grant Guidelines

Storms and Floods AGRN 1030 (Southern and Central West NSW Floods from 4 August 2022 onwards) and AGRN 1034 (NSW Flooding from 14 September 2022 onwards)

### Purpose:

To provide a timely and proportionate response to minimise the impact of a declared natural disaster event on rural landholders with a primary production business by delivering rapid assistance to support sustained recovery.

### Objective:

To alleviate personal and financial distress and assist in recovery by rural landholders who have suffered direct damage to their assets due to a declared natural disaster event but are ineligible for Special Disaster Assistance primary producer grants.

## Assistance available

Eligible rural landholders impacted by AGRN 1030 and/or 1034 will be limited to a total grant of \$10,000 under one package to cover both events, including an upfront payment of \$3,000. Invoices do not need to be provided at the point of application for the up-front payment.

Eligible local government areas with close dates for applications and claims are listed in **Attachment A**. Full details can also be found on the RAA website at [www.raa.nsw.gov.au](http://www.raa.nsw.gov.au).

**Applications open:** 5 December 2022

**Applications close:** 30 June 2023

**Application outcome:** within 30 days of the application

**Activities complete:** 5 June 2024 (close date for invoice claims)

The Australian and NSW governments contribute 50:50 to this grant program, under the terms of the Disaster Recovery Funding Arrangements (DRFA). The National Emergency Management Agency administers this grant program on behalf of the Australian Government, and Resilience NSW administers this on behalf of the NSW Government. The RAA administers [primary producer](#) grant programs in NSW on behalf of the NSW Reconstruction Authority under the terms of the NSW Disaster Assistance Guidelines (DAG).

## Eligibility criteria

### You must be a rural landholder

- a) 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)
- 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, 05 Forestry, Agriculture and Fishing support services and
- e) you must not be eligible for Special Disaster Assistance (SDA) primary producer grants for this event and
- f) you must earn at least \$20,000 gross income per annum from primary production and
- g) you must earn no more than \$180,000 taxable off-farm income as individuals, directors or shareholders. That is, if three people are involved in a primary production business, they can each earn up to \$180,000 taxable 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 taxable off-farm income and
- h) where your earnings from primary production are less than \$20,000 gross income 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 the bona-fide primary production business 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) and

## You must be impacted by this event

- m) be in a Local Government Area (LGA) for which a natural disaster has been declared 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 quotes 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 another natural disaster primary producer, small business or not-for-profit grant and
- q) not have received, or be entitled to receive, a payment under an insurance policy 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

Personal tax returns of all members of the business

- Most recent farm business tax returns
- Local Government Area (LGA) rates notice or Local Land Services (LLS) notice if in the Unincorporated Far West
- Quotes, estimates, photos, [valid tax invoices](#) and proof of payment (if you have them)
- Read the Terms and Conditions that go with these guidelines from page 4.

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

*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](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.*

*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](http://www.raa.nsw.gov.au).*



## Additional Terms and Conditions

### 1. Exclusions

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- 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

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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

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Application close dates and invoice claim close dates are shown on Page 1 of these guidelines and on the RAA website [www.raa.nsw.gov.au](http://www.raa.nsw.gov.au).

### 4. Assessment and decision-maker

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- 4.1 Applications will be assessed against the eligibility criteria by Assessment Officers on the Assessment Team, who are responsible for routine assessment against the criteria in these guidelines and recommend assessment outcomes.
- 4.2 Program Officers on the Assessment Team ensure the program is administered in accordance with these guidelines and the policy intent and approve grants based on recommendations by Assessment Officers.
- 4.3 The Chief Executive of the RAA is responsible for ensuring the program is administered in accordance with approved criteria and policy intent.
- 4.4 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.
- 4.5 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.
- 4.6 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.
- 4.7 Complete applications will be assessed in order of receipt. Incomplete applications will not enter the assessment queue until all required information is provided.



- 4.8 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.
- 4.9 Applications submitted may be subject to audit by the RAA or its agents in order to determine compliance with scheme guidelines.
- 4.10 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.
- 4.11 You will be expected to provide a range of supporting documentation that may include the latest Local Land Services rates notice, Aquaculture Permit, Local Government Area rate notice or Local Land Services (LLS) notice if in the Unincorporated Far West, tax returns and financial statements for the applying entity.
- 4.12 You may be asked for a copy of your insurance policy.

## 5. Important information

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- 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 that were not eligible items or activities.
- 5.4 Note that additional important information is contained in the program [Frequently Asked Questions](#) (FAQs) and applicants are advised to familiarise themselves with the [FAQs](#).
- 5.5 Note that the Goods and Services Tax (GST) is not included in the payment of claims regardless of whether the applicant is registered for GST. For example, for a \$10,000 invoice that includes GST, the RAA would pay \$9,090. That is, the \$10,000 total amount less \$910 GST. Please consult with your accountant or financial advisor for further advice.

## 6. Fraudulent claims

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- 6.1 The RAA takes fraud and corruption seriously. Suspected fraud will be assessed and investigated as appropriate, which may require the 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 declare 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

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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

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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](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.

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**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.**

## 9. Definitions

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**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
  - intends 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.



## Attachment A

Eligible Local Government Areas for AGRN <u>1030</u> Category D assistance	Eligible Local Government Areas for AGRN <u>1034</u> Category D assistance
<b>Note:</b> Initial declaration from 18 October 2022.	<b>Note:</b> Initial declaration from 18 October 2022.
<ol style="list-style-type: none"> <li>1. Albury</li> <li>2. Bland</li> <li>3. Cabonne</li> <li>4. Carrathool</li> <li>5. Cootamundra-Gundagai</li> <li>6. Dubbo Regional</li> <li>7. Forbes</li> <li>8. Gilgandra</li> <li>9. Goulburn Mulwaree</li> <li>10. Griffith</li> <li>11. Gunnedah</li> <li>12. Hilltop</li> <li>13. Junee</li> <li>14. Leeton</li> <li>15. Liverpool Plains</li> <li>16. Moree Plains</li> <li>17. Murrumbidgee</li> <li>18. Narrandera</li> <li>19. Narromine</li> <li>20. Queanbeyan-Palerang</li> <li>21. Snowy Monaro</li> <li>22. Snowy Valleys</li> <li>23. Temora</li> <li>24. Wagga Wagga</li> <li>25. Warren</li> <li>26. Warrumbungle</li> <li>27. Weddin</li> <li>28. Yass Valley</li> </ol>	<ol style="list-style-type: none"> <li>1. Albury</li> <li>2. Balranald</li> <li>3. Bathurst</li> <li>4. Bega Valley</li> <li>5. Berrigan</li> <li>6. Bland</li> <li>7. Blayney</li> <li>8. Bogan</li> <li>9. Bourke</li> <li>10. Brewarrina</li> <li>11. Cabonne</li> <li>12. Carrathool</li> <li>13. Central Coast</li> <li>14. Central Darling</li> <li>15. Cobar</li> <li>16. Coolamon</li> <li>17. Coonamble</li> <li>18. Cootamundra-Gundagai</li> <li>19. Cowra</li> <li>20. Dubbo Regional</li> <li>21. Edward River</li> <li>22. Eurobodalla</li> <li>23. Federation</li> <li>24. Forbes</li> <li>25. Gilgandra</li> <li>26. Glen Innes Severn</li> <li>27. Goulburn Mulwaree</li> <li>28. Greater Hume</li> <li>29. Griffith</li> <li>30. Gunnedah</li> <li>31. Gwydir</li> <li>32. Hawkesbury</li> <li>33. Hay</li> <li>34. Hilltops</li> <li>35. Inverell</li> <li>36. Junee</li> <li>37. Kyogle</li> <li>38. Lachlan</li> <li>39. Leeton</li> <li>40. Lismore</li> </ol>





Eligible Local Government Areas for AGRN <u>1030</u> Category D assistance	Eligible Local Government Areas for AGRN <u>1034</u> Category D assistance
	<ul style="list-style-type: none"><li>41. Lithgow</li><li>42. Liverpool Plains</li><li>43. Lockhart</li><li>44. Mid-Western</li><li>45. Moree Plains</li><li>46. Murray River</li><li>47. Murrumbidgee</li><li>48. Muswellbrook</li><li>49. Nambucca Valley</li><li>50. Narrabri</li><li>51. Narrandera</li><li>52. Narromine</li><li>53. Oberon</li><li>54. Orange Regional</li><li>55. Parkes</li><li>56. Queanbeyan-Palerang</li><li>57. Richmond Valley</li><li>58. Shellharbour</li><li>59. Shoalhaven</li><li>60. Snowy Monaro</li><li>61. Snowy Valleys</li><li>62. Tamworth</li><li>63. Temora</li><li>64. Unincorporated Area</li><li>65. Upper Hunter</li><li>66. Upper Lachlan</li><li>67. Uralla</li><li>68. Wagga Wagga</li><li>69. Walcha</li><li>70. Walgett</li><li>71. Warren</li><li>72. Warrumbungle</li><li>73. Weddin</li><li>74. Wentworth</li><li>75. Yass Valley</li></ul>