



Special Disaster Assistance 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)

Primary Producer Grants - Category D Natural Disaster Assistance

Purpose:

To provide a timely and proportionate response to minimise the impact of these events on primary producers by delivering rapid assistance to support sustained recovery.

Objective:

To support you in returning your primary production business back to 'normal' operations as soon as possible.

Assistance available

Eligible primary producers impacted by AGRN 1030 and/or 1034 will be limited to a total grant of \$75,000 under one package to cover both events.

Restrictions apply to applicants who have successfully applied for Special Disaster Assistance primary producer grants under AGRN 1012 and AGRN 1025 – see **Section 2** for details.

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.

Applications open: 18 November 2022

Applications close: 30 June 2023

Activities complete: 8 May 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 [primary producer](#)
- draw at least 50% of your gross income from your [primary production enterprise](#)
- contribute a part of your labour to the [primary production enterprise](#)
- hold an active Australian Business Number (ABN) and have held that ABN at the time of this event
- have a [primary production enterprise](#) located in the [defined area](#) that has suffered [direct damage](#) as a result of this event
- have been engaged in carrying on the [primary production enterprise](#) when affected by this event
- lodge an application by the closing date shown on the RAA [website](#)
- intend to [re-establish or continue](#) the [primary production enterprise](#).



There are clauses relating to [new entrants](#), [seasonal conditions](#), [separate businesses](#) and [value-adding](#) that may impact your eligibility. See full Terms and Conditions from page 4 for details.

Using your grant

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

- a) help pay for the costs of clean up, reinstatement activities and emergency measures associated with the immediate recovery of your [primary production enterprise](#)
- b) hire or lease equipment or materials to clean premises, property or equipment
- c) remove and dispose of debris, damaged goods or materials including injured or dead livestock
- d) repair or replace fencing and/or other essential property infrastructure
- e) purchase and transport fodder or feed for livestock
- f) replace livestock
- g) replace lost or damaged plants, salvage crops, repair or restore fields
- h) repair, recondition or replace essential plant or equipment (physical assets) to return infrastructure to its previous standard or to a standard that improves [future resilience](#)
- i) maintain the health of livestock
- j) pay wages or labour costs of contractors, casuals or temporary staff who are engaged for clean-up and reinstatement activities
- k) pay the costs of additional hours (overtime or extra hours/days) worked by permanent employees to assist with clean-up and reinstatement activities
- l) repair buildings (except dwellings, unless they are used for staff accommodation).

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
- ☐ Latest 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 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](#).



SPECIAL DISASTER GRANT ASSESSMENT PROCESS



1

Application

You must apply for the Special Disaster Grant by submitting an application via the RAA website.

If you are a new customer, you will be asked to provide supporting documentation, however if you have received RAA assistance previously, this may not be required.

You'll need to submit your application by the closing date shown on the RAA website.



2

Assessment

Your application will be assessed and if all program eligibility criteria can be met, the application will be approved.

Approved applicants can access an up-front grant (if available) to assist in immediate recovery.



3

Payment

Once your application is approved, payment of the up-front grant (if available) will be made to your bank account.



4

Claim

To claim above the up-front grant you will need to prove the expenditure of this amount with valid tax invoices.

Then, any grant above the up-front grant will be reimbursed on supply of valid tax invoices.

Claims must be submitted by the closing date shown on the RAA website.

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.



Terms and Conditions

1. About the program

The objective of this assistance measure, made under agreement between the Commonwealth and State governments, is to support the recovery of [primary producers](#) impacted by declared natural disasters.

The program provides a grant to [primary producers](#) to help pay for the costs of clean-up and reinstatement of [primary production enterprises](#) that have suffered [direct damage](#) as a result of the eligible disaster.

Eligible local government areas declared for this natural disaster are listed in **Attachment A**.

2. Assistance available

- 2.1 If you **have not** successfully applied for Special Disaster Assistance primary producer grants under AGRN 1012 and AGRN 1025 then the maximum grant amount per affected property (subject to Section 4) is \$75,000, including an upfront payment of \$25,000 without the need to provide invoices at the point of application. The upfront payment will be provided on the basis of quotes or estimates and can be used for small, immediate expenses to support animal welfare, business clean up and re-instatement.
- 2.2 If you **have** successfully applied for Special Disaster Assistance primary producer grants under AGRN 1012 and/or AGRN 1025 then:
 - a. the maximum grant amount per affected property (subject to Section 4) is \$75,000
 - b. the upfront payment of \$25,000 for this program will only be paid after you validate any up-front payment made to you under Special Disaster Assistance primary producer grants for AGRN 1012 and AGRN 1025 by submitting valid tax invoices as well as proof of payment and
 - c. you can claim for eligible expenditure under this program against invoices.
- 2.3 [Definitions](#) such as [valid tax invoices](#) and proof of payment may be required to validate expenditure of the up-front grant at any time and is mandatory if the applicant seeks additional grant payments.
- 2.4 Payments above the value of the up-front grant will require [valid tax invoices](#) at the point at which claims are made.
- 2.5 Should an initial application be less than the maximum grant amount, further applications may be submitted if additional expenditure is required to complete clean-up and reinstatement activities.

3. Eligibility criteria

- 3.1 To be eligible for the grant, you must:
 - a) be a [primary producer](#)
 - b) derive at least 50% of your gross income from the [primary production enterprise](#)
 - c) contribute a part of your labour to the [primary production enterprise](#)
 - d) hold an Australian Business Number (ABN) and have held that ABN at the time of the event
 - e) have a [primary production enterprise](#) located in the defined area for the event that has suffered [direct damage](#) as a result of the event
 - f) have been engaged in carrying on the [primary production enterprise](#) when affected by the event and have lodged an application by the closing date as listed on the RAA [website](#)
 - g) intend to [re-establish or continue](#) the [primary production enterprise](#).
- 3.2 You may also be eligible for a grant if:
 - a) your [primary production enterprise](#) is located outside the defined disaster area for the event:



- i. but is carried on at least sometimes on a regular basis in the area and
 - ii. plant or equipment of the [primary production enterprise](#) situated in the defined disaster area has been damaged or livestock has died as a result of the event
 - b) you derive at least 50% of your total gross income from primary production including value-added products (e.g. wine) made directly from raw produce grown by you.
- 3.3 Where your income from primary production is less than 50% of your total income, you can demonstrate that in the ordinary course of business you would meet that requirement, but:
- a) your production income is currently reduced due to [seasonal conditions](#) or [biosecurity events](#) and/or
 - b) due to long lead times to full production, you expect to earn such an amount of income within a three to eight year period, taking into account the nature of the industry.
- 3.4 Where two or more independent and separately owned and registered [primary producers](#) operate from the same property, each [primary producer](#) may receive a maximum grant to the maximum available providing applicants can demonstrate that:
- a) they are independent and separately owned and registered with their own ABN from the other [primary producer\(s\)](#) on that property
 - b) they are eligible for the grant in their own right (including the requirement that they derive at least 50% of their gross income from the [primary production enterprise](#) per 3.1 b)
 - c) they are claiming for different expenses to the other [primary producer\(s\)](#) who are operating on the same property and
 - d) the expenses that they are claiming are essential to the operation of their [primary production enterprise](#).

4. Eligible separate businesses

- 4.1 Applicants who operate their [primary production enterprise](#) under a single ABN on separate properties in different locations may apply for assistance up to the maximum amount available for the event for each eligible business.
- 4.2 Consideration of eligible separate [primary production enterprises](#) may cover:
- a) the staffing arrangements of the separate [primary production enterprises](#)
 - b) whether the [primary production enterprises](#) have their own plant, equipment or stock
 - c) the accounting arrangements of the separate [primary production enterprises](#)
 - d) whether the separate [primary production enterprises](#) operate under their own trading names
 - e) the commercial scale, viability and autonomy of each [primary production enterprise](#).

5. How grants may be used and evidence required

- 5.1 Grants are provided to help pay for the costs of clean-up, reinstatement activities and emergency measures associated with the immediate recovery of [primary production enterprises](#) that have suffered [direct damage](#) as a result of the event.
- 5.2 Eligible items and activities and the evidence you must provide to claim are shown in the table.
- 5.3 The RAA may require additional or alternative evidence not listed in the table to validate a particular claim.



Eligible items and activities	Evidence you must provide to claim
a) The costs of clean-up, reinstatement activities and emergency measures associated with the immediate recovery of your primary production enterprise.	Valid tax invoice and proof of payment.
b) Hiring or leasing equipment or materials to clean premises, property or equipment.	Lease agreement, valid tax invoice and proof of payment.
c) Removing and disposing of debris, damaged goods and materials, including injured or dead livestock.	Valid tax invoice and proof of payment.
d) Repairing or replacing fencing and/or other essential property infrastructure.	Valid tax invoice and proof of payment.
e) Purchasing and transporting fodder or feed for livestock.	Valid tax invoice and proof of payment.
f) Replacing livestock (including oyster spat).	<p>Evidence may include:</p> <ul style="list-style-type: none"> • NLIS tag numbers • LLS land and stock return • A letter from a veterinarian if animals are euthanised • A livestock schedule from your accountant • Valid tax invoices as evidence of purchase of oyster stock • Evidence of a history of wild oyster spat catching.
g) Replacing lost or damaged plants, salvaging crops, repairing or restoring fields.	<p>Evidence must include:</p> <ul style="list-style-type: none"> • Details of when the original crop was planted and how much has been damaged (ha) and • Proof of input costs originally outlaid through valid tax invoices and proof of payment and • A schedule of costs to reinstate the crop stating when work is to be undertaken.
h) Repair, recondition or replace essential plant or equipment (physical assets) to return infrastructure to its previous standard or to a standard that improves future resilience .	Valid tax invoice and proof of payment and evidence that plant and equipment were damaged beyond repair to claim replacement.
i) Maintaining the health of livestock.	Valid tax invoice and proof of payment.
j) Pay wages or labour costs of contractors, casuals or temporary staff who are engaged for clean-up and reinstatement activities.	For full-time employees - PAYG statement with YTD and salary details (for example, standard hours per week). The payslip would also need to note any overtime worked which may be reimbursed under this expense.
k) Pay the costs of additional hours (overtime or extra hours/days) worked by permanent employees to assist with clean-up and reinstatement activities.	For casual staff, evidence of the number of average hours they were working before the event and evidence of hours over and above are evidenced by PAYG slips.
l) Repairing buildings (except dwellings, unless they are used for staff accommodation).	Valid tax invoice and proof of payment.

Note: If stock loss cannot be verified the RAA will process claims for other eligible items first.



6. Exclusions

- 6.1 You will not be eligible for a grant, or part of a grant, if:
- a) you have received, or have been approved to receive, financial assistance for costs associated with the items described in section 5 from another government assistance scheme under the same ABN
 - b) you have already applied for the same event in relation to the same property.
- 6.2 The following costs are ineligible:
- a) Damage to dwellings.
 - b) Damages that are covered by insurance noting you may 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.
 - c) 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.
 - d) Loss of income.

7. Application and claiming process

You should refer to the RAA [website](#) and complete an online application. You should include quotes, estimates or invoices at that point, where available. You are not required to complete all expenditure before applying for a grant however invoices for all completed work will be required prior to payment of any grant amount over the up-front amount and up to the maximum grant available.

8. Period for claiming

- 8.1 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.

9. Assessment

- 9.1 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.
- 9.2 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.
- 9.3 The Chief Executive of the RAA is responsible for ensuring the program is administered in accordance with approved criteria and policy intent.
- 9.4 The 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](#).
- 9.5 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.
- 9.6 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.
- 9.7 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.
- 9.8 Complete applications will be assessed in order of receipt. Incomplete applications will not enter the assessment queue until all required information is provided.



- 9.9 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.
- 9.10 Applications submitted may be subject to audit by the RAA or its agents in order to determine compliance with scheme guidelines.
- 9.11 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.
- 9.12 You will be expected to provide a range of supporting documentation, including the latest Local Government rate notice or Local Land Services (LLS) notice if in the Unincorporated Far West, the 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.

10. Important information

- 10.1 These guidelines are correct at the time of publishing.
- 10.2 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.
- 10.3 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:
- 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 that were not eligible items or activities.
- 10.4 Note that additional important information is contained in the program [Frequently Asked Questions](#) (FAQs) and applicants are advised to familiarise themselves with the [FAQs](#).
- 10.5 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.

11. Fraudulent claims

- 11.1 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).
- 11.2 By signing the claim form, you are declaring that the information provided in the application form and supporting documentation is true and accurate.
- 11.3 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.
- 11.4 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
- 11.5 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.



12. 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.

13. Submitting your application

Please apply online at: www.raa.nsw.gov.au/disaster-assistance/storm-and-flood-programs/sdg-aug-sep-2022

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.

14. Definitions

Biosecurity event: An agricultural plague, disease or pest event.

Defined area: A Local Government Area (LGA) that has been declared a *Natural Disaster* for the event.

Direct damage relates to physical damage that occurred as a result of the event. This means immediate damage caused by floodwaters 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 damaged during the floods or while flood waters remain high would be covered. But a boat damaged during the recovery process, after floodwaters 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.

Evidence can also consist of photographic evidence of damage incurred, including details of:

- Who took the photograph(s)
- Where the photograph(s) was taken
- The date on which the photograph was taken
- An explanation of the damage that the photograph intends to show.
- Insurance details including proof of insurance, and potentially pay out figures when audit is undertaken.

Future resilience focusses on 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.

Natural Disaster: One or a combination of the following rapid onset events: bushfire, earthquake, flood, storm, cyclone, storm surge, landslide, tsunami, meteorite strike, or tornado.



Primary producer means a sole trader who spends a part of their labour on and derives the majority of their total gross income from a primary production enterprise.

In relation to a partnership, company or trust that carries on a primary production enterprise, the partners in the partnership, shareholders in the company or beneficiaries of the trust who spend a part of their labour on, and derive the majority of their total gross income from, the primary production enterprise.

Primary production enterprise:

- is carried on by a primary producer and involves primary production, as defined by the ANZSIC Code for Agriculture, Forestry & Fishing, but excludes activities from the ANZSIC Code that involve animals that are not bred for farm work, food or fibre; hunting and trapping activities; or agriculture, forestry and fishing support services and
- is registered for tax purposes in Australia with an Australian Business Number (ABN) and
- is not a public company under the meaning of the *Corporations Act 2001* (Cth) and
- is in the opinion of the RAA a bona fide primary production enterprise 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 enterprises
 - 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 enterprise 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 enterprise 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 C assistance	Eligible Local Government Areas for AGRN <u>1034</u> Category C assistance
Note: Initial declaration from 18 October 2022.	Note: Initial declaration from 18 October 2022.
<ol style="list-style-type: none"> 1. Albury 2. Bland 3. Cabonne 4. Carrathool 5. Cootamundra-Gundagai 6. Dubbo Regional 7. Forbes 8. Gilgandra 9. Goulburn Mulwaree 10. Griffith 11. Gunnedah 12. Hilltop 13. Junee 14. Leeton 15. Liverpool Plains 16. Moree Plains 17. Murrumbidgee 18. Narrandera 19. Narromine 20. Queanbeyan-Palerang 21. Snowy Monaro 22. Snowy Valleys 23. Temora 24. Wagga Wagga 25. Warren 26. Warrumbungle 27. Weddin 28. Yass Valley 	<ol style="list-style-type: none"> 1. Albury 2. Balranald 3. Bathurst 4. Bega Valley 5. Berrigan 6. Bland 7. Blayney 8. Bogan 9. Bourke 10. Brewarrina 11. Cabonne 12. Carrathool 13. Central Coast 14. Central Darling 15. Cobar 16. Coolamon 17. Coonamble 18. Cootamundra-Gundagai 19. Cowra 20. Dubbo Regional 21. Edward River 22. Eurobodalla 23. Federation 24. Forbes 25. Gilgandra 26. Glen Innes Severn 27. Goulburn Mulwaree 28. Greater Hume 29. Griffith 30. Gunnedah 31. Gwydir 32. Hawkesbury 33. Hay 34. Hilltops 35. Inverell 36. Junee 37. Kyogle 38. Lachlan 39. Leeton 40. Lismore



- | | |
|--|---|
| | <ul style="list-style-type: none">41. Lithgow42. Liverpool Plains43. Lockhart44. Mid-Western45. Moree Plains46. Murray River47. Murrumbidgee48. Muswellbrook49. Nambucca Valley50. Narrabri51. Narrandera52. Narromine53. Oberon54. Orange55. Parkes56. Queanbeyan-Palerang57. Richmond Valley58. Shellharbour59. Shoalhaven60. Snowy Monaro61. Snowy Valleys62. Tamworth63. Temora64. Unincorporated Area65. Upper Hunter66. Upper Lachlan67. Uralla68. Wagga Wagga69. Walcha70. Walgett71. Warren72. Warrumbungle73. Weddin74. Wentworth75. Yass Valley |
|--|---|