



Special Disaster Assistance Guidelines

Storms and Floods (27 June 2022 onwards) AGRN 1025 Primary Producer Grants - Category D Natural Disaster Assistance

Objective:

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

Assistance available

The maximum grant available is \$75,000 including an up-front payment of \$25,000.

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

Eligibility criteria

You must:

- a) be a [primary producer](#);
- b) draw at least 50% of your gross income from your [primary production enterprise](#)
- c) contribute a part of your labour to the primary production enterprise
- d) hold an active Australian Business Number (ABN) and have held that ABN at the time of this event;
- e) have a [primary production enterprise](#) located in the [defined area](#) that has *suffered [direct damage](#)* as a result of this event;
- f) have been engaged in carrying on the [primary production enterprise](#) when affected by this event;
- g) lodge an application by the closing date shown on the RAA website: see link.
- h) 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 3 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

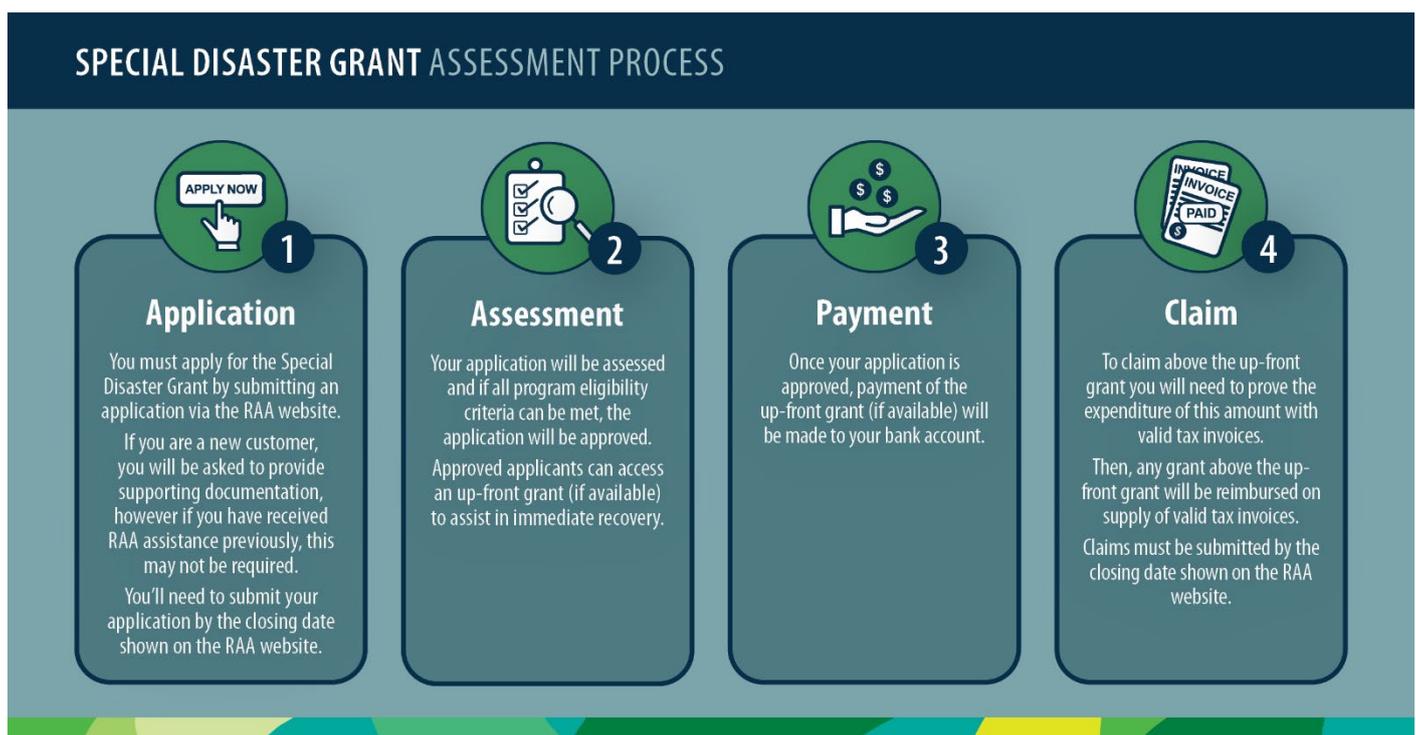
If you have been approved for assistance by the RAA and provided the following documents to us in the past 12 months, you may not need to provide them again.

- Personal tax returns of all members of the business
- Latest farm business tax returns
- Local 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](#).



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 Government, 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 The maximum grant amount per affected property (subject to Section 4) is \$75,000.
- 2.2 An up-front grant, if included in the declaration, will be provided to eligible, approved applicants, without the need to provide invoices at the point of application. This grant 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
- 2.3 **Evidence:** eg [valid tax invoices](#) 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; and
 - 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 per cent of your total gross income from primary production including value-added products (eg wine) made directly from raw produce grown by you.



- 3.3 Where your income from primary production is less than 50 per cent of your total income, you can demonstrate that in the ordinary course of business you would meet that requirement, but:
- your production income is currently reduced due to [seasonal conditions](#) or [biosecurity events](#); and/or
 - 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 producers](#) may receive a maximum grant to the maximum available providing applicants can demonstrate that:
- they are independent and separately owned and registered with their own ABN from the other [primary producer](#)(s) on that property
 - 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);
 - they are claiming for different expenses to the other [primary producer](#)(s) who are operating on the same property; and
 - 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:
- the staffing arrangements of the separate [primary production enterprises](#);
 - whether the [primary production enterprises](#) have their own plant, equipment or stock;
 - the accounting arrangements of the separate [primary production enterprises](#);
 - whether the separate [primary production enterprises](#) operate under their own trading names;
 - the commercial scale, viability and autonomy of each [primary production enterprises](#).

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, 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).	Evidence may include: <ul style="list-style-type: none"> • NLIS Tags numbers, • LLS land and stock return, • letter from a veterinarian if animals are euthanised, • livestock schedule from your accountant • 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.	Evidence must include: <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 <i>future resilience</i> .	Valid tax invoice and proof of payment and evidence that plant and equipment was 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 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 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. For casual staff evidence of the number of average hours they were working prior to the event and evidence of hours over and above 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:
- 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.
 - you have already applied for the same event in relation to the same property.
- 6.2 The following costs are ineligible:
- Damage to dwellings.
 - 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.
 - 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.

7. Application and claiming process

- 7.1 You should refer to the Rural Assistance Authority (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.
- 7.2 RAA recognises that you may have been impacted by a number of declared disaster events over the past 12 months and that allocating a claim (ie an invoice) to any one of these events may be difficult. In these circumstances, the RAA will use its discretion to allocate the invoice to the most relevant event based on the information provided. Where it is uncertain, or the damage has been compounded from multiple events, we will preferentially allocate a claim to the oldest event for which the applicant has an approved grant. Eligible events for this clause include:
- AGRN 1025 - NSW Storms and Floods 27 June 2022 onwards
 - AGRN 1012 - NSW Storms and Floods 22 February 2022 onwards
 - AGRN 1001 – Southern NSW Storms and Floods 5 January 2022 onwards
 - AGRN 996 – Lithgow Storm 11 January 2022
 - AGRN 987 – NSW Severe Weather and Flooding 9 November 2021 onwards
 - AGRN 960 – NSW Severe Weather and Flooding in February and March 2021 onwards

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.
- 9.2 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](#).
- 9.3 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.
- 9.4 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.
- 9.5 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.
- 9.6 Complete applications will be assessed in order of receipt. Incomplete applications will not enter the assessment queue until all required information is provided.
- 9.7 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.
- 9.8 Applications submitted may be subject to audit by RAA or its agents in order to determine compliance with scheme guidelines.
- 9.9 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.
- 9.10 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.

10. Important information

- 10.1 These guidelines are correct at the time of publishing.
- 10.2 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:
 - 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.

11. Fraudulent claims

- 11.1 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 NSW Police 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 NSW Police 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/sdg-november-2021

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 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.

Evidence can also consist of:

- a) Photographic evidence of damage incurred may also be sought, 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 is intending 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.
- 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).
- is in the opinion of the RAA is 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 1025 Category D assistance

Initial declaration from 12 July 2022: Applications close 12 January 2023 and claims close 12 July 2023

1. Blacktown
2. Blue Mountains
3. Camden
4. Canterbury Bankstown
5. Campbelltown
6. Central Coast
7. Cessnock
8. Fairfield
9. Georges River
10. Hawkesbury
11. Hornsby
12. Kiama
13. Lithgow
14. Liverpool
15. Northern Beaches
16. Penrith
17. Shellharbour
18. Shoalhaven
19. Sutherland
20. The Hills
21. Wingecarribee
22. Wollondilly
23. Wollongong
24. Bayside
25. Dungog
26. Lake Macquarie
27. Maitland
28. Singleton
29. Upper Lachlan
30. Cumberland
31. Mid Coast
32. Muswellbrook
33. Nambucca
34. Newcastle
35. Port Stephens
36. Randwick
37. Warren