



RURAL FINANCE

THE DISASTER RECOVERY FUNDING ARRANGEMENTS VICTORIAN FLOODS OCTOBER 2022 (AGRN 1037)

Victorian Special Disaster Grants – Primary Producer Flood Recovery Grants

Program Guidelines

1. About the program

- 1.1 The program is jointly funded by the Commonwealth and Victorian Governments under the Disaster Recovery Funding Arrangements in relation to the Victorian Floods which commenced in October 2022 (AGRN 1037) (the “**2022 Victorian Floods**”). The defined disaster area incorporates the local government areas listed on the Rural Finance website or on the Australian Government Disaster Assist website.
- 1.2 The objective is to support clean-up, relief and recovery costs for Primary Producers that have suffered direct loss or damage as a direct result of the 2022 Victorian Floods.
- 1.3 Primary Producers play an integral part in local economies and communities, and this assistance will go towards minimising disruption in the affected areas and assisting with recovery in the affected communities.
- 1.4 The Victorian Primary Producer Flood Recovery Grants, replace the Victorian Primary Producer Clean-Up and Relief Grants.
- 1.5 The program opened for applications on 2 November 2022 and will close on 13 July 2023 at 4:00 pm. All claims must be submitted by 31 May 2024.

2. Available funding

- 2.1 Eligible Primary Producers who have been directly impacted by the 2022 Victorian Floods may apply for up to \$75,000 to undertake relief and recovery actions.
- 2.2 The maximum grant amount available is \$75,000.
 - a. An initial up-front payment of up to \$25,000 (Tier 1) is available. To support an initial claim *evidence of direct damage* is required. For example, the grant will be provided on the basis of photographs, quotations or estimates, advisory reports, or written inventory of lost/damaged assets. You can also provide tax invoices or official receipts for recovery activities carried out.
 - i. For Tier 1 applications, tax invoices and/or receipts are NOT required to be supplied as part of the application. However, applicants must keep *evidence of payment* to verify expenditure of funding on eligible relief and recovery activities.
 - ii. **If you have already applied for and/or received an amount up to \$10,000 under the Victorian Primary Producer Flood Clean-up and Relief Grants, this will be part of the Tier 1 amount.**
 - b. A subsequent amount of up to \$50,000 (Tier 2) is available. To support subsequent claims full *evidence of payment* (tax invoices and official receipts) is required for the funding to be provided



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under Tier 2. This evidence of payment must also include any amounts claimed under the initial (Tier 1) claim if not already provided.

2. You can make up to three claims to support your grant for up to \$75,000. Any additional claims will be considered by Rural Finance on a case by case basis.

3. How funding may be used

3.1 Grants may be provided to help pay for the costs of the relief, clean-up and reinstatement of the Primary Production Enterprise, including:

- a. engaging a tradesperson to conduct a safety inspection of damage to a property, premises or equipment;
- b. hiring and leasing equipment¹, or purchasing materials to clean a property, premises or equipment;
- c. paying additional wages to an existing employee, or employing a person to clean a property, premises or equipment if the cost would not ordinarily have been incurred in the absence of the eligible disaster;
- d. removing and disposing of debris, damaged goods and material, and injured or dead livestock;
- e. repairing a building or repairing or replacing fittings in a building if the repair or replacement is essential for resuming operation of the Primary Production Enterprise. Funding is not available for repairs to a building that is used as a dwelling, unless it is used for carrying on the Primary Production Enterprise, for example staff accommodation;
- f. purchasing, hiring or leasing equipment or materials that are essential for immediately resuming operation of the Primary Production Enterprise, including pumps and generators;
- g. engaging technical or veterinary expertise and undertaking technical analysis such as soil or water sampling, and
- h. any of the following –
 - i. repairing, reconditioning or replacing essential plant or equipment damaged by the eligible disaster;
 - ii. repairing or replacing fencing on a property, other than to the extent the cost may be recovered under other assistance from the Commonwealth or State/Territory;
 - iii. purchasing fodder, other than to the extent the cost may be recovered under other assistance from the Commonwealth or State/Territory;
 - iv. maintaining the health of livestock and poultry;
 - v. replacing the dead livestock;
 - vi. repairing or restoring fields;
 - vii. salvaging damaged crops, grain or feed;
 - i. replacing lost or damaged plants if the replacement is essential for immediately resuming operation of the Primary Production Enterprise.

3.2 Grants cannot be provided to help pay for costs associated with the following:

- a. loss of income as a result of the eligible disaster;
- b. payment of employee salaries that would have ordinarily been incurred by the Primary Production Enterprise had the eligible disaster not occurred;
- c. expansion projects;
- d. where the applicant is entitled to, has received, or has been approved to receive, an amount under a policy of insurance for the relevant costs claimed. The applicant may be eligible for a

¹ Purchasing equipment may be considered eligible on a case-by-case basis if demonstrated to be more cost effective.

grant for the portion of costs that are not covered by their insurance, or for amounts in excess of the value insured; and

- e. where the applicant has received, or has been approved to receive, financial assistance through another government assistance scheme for an item described in section 3.1.

4. Eligibility criteria

4.1 To be eligible for the Primary Producer Flood Recovery Grants, the Primary Producer applicant must:

- a. Be a Primary Producer,
- b. Devote part of their labour to the Primary Production Enterprise;
- c. Derive at least 50 per cent of their gross income from Primary Production in an average year
- d. An applicant may also be eligible for a grant if the applicant derives at least 50 per cent of their total gross income from primary production and value-added products (e.g. wine) made directly from raw produce grown by the applicant
- e. Hold an Australian Business Number (ABN) and have held that ABN at the time of the disaster;
- f. Have a Primary Production Enterprise that is located in the defined disaster area for the eligible disaster and have suffered direct damage as a result of the eligible disaster;
- g. Have been engaged in carrying on the Primary Production Enterprise when affected by the eligible disaster;
- h. Intend to re-establish the Primary Production Enterprise in the same community, region or sector as the defined disaster area for the eligible disaster;
- i. Be primarily responsible for meeting the costs claimed in the applications.

4.2 An applicant may also be eligible for a Primary Producer Flood Recovery Grant if in the opinion of Rural Finance:

- a. based on the demonstrated production potential, the primary production enterprise will derive at least 50 per cent of their gross incomes from the primary production enterprise² within a three-to-eight-year period, taking into account the nature of the industry; or
- b. if the income is less than 50 per cent of their total gross income, the applicant can demonstrate it is a commercial enterprise generating more than \$75,000 gross income from the primary production enterprise in an average year.

4.3 A Primary Producer applicant may also be eligible for a Primary Producer Flood Recovery Grant if both of the following apply:

- a. The applicant's Primary Production Enterprise is located outside the defined disaster area for the eligible disaster but is carried on at least sometime on a regular basis within that area; and
- b. Property, plant or equipment of the Primary Production Enterprise situated in the defined disaster area has been damaged as a result of the 2022 Victorian Floods.

4.4 Where two or more independent and separately owned Primary Producers operate a Primary Production Enterprise from the same property, each Primary Producer may be eligible to receive the maximum amount of grant funding providing each applicant can demonstrate that:

- a. The Primary Production Enterprises are independently owned and separately operated from any other Primary Production Enterprise operated on that property;
- b. Each Primary Producer would be eligible for the grant in their own right (including the requirement that they derive at least 50 per cent of their gross income from the Primary Production Enterprise as provided in clause 5.1);
- c. The Primary Producers are each claiming for different expenses from those claimed by the other Primary Producer operating a Primary Production Enterprise from the same property; and

² For example, this could be because of seasonal conditions, or long lead times for production.

- d. The expenses that each Primary Producer is claiming are essential to the operation of their respective Primary Production Enterprises.

5. Eligible separate businesses

- 5.1 Primary Producers who operate more than one Primary Production Enterprise, for example under a single ABN at separate locations, may apply for assistance for each eligible separate business up to the maximum amount of assistance available for the relevant defined disaster area.
- 5.2 When assessing an application on this basis Rural Finance may consider (but is not limited to):
 - a. the staffing arrangements of the separate business;
 - b. whether the business has its own plant equipment or stock;
 - c. the accounting arrangements of the separate business;
 - d. whether the separate business operates under its own trading name; and
 - e. the commercial viability and autonomy of each business.

6. Assessment and Approval Process

- 6.1 The program will be administered by Rural Finance on behalf of the Victorian Government. All assessments of applications and payments will be managed in accordance with these Guidelines.
- 6.2 To apply for the Primary Producer Flood Recovery Grants an application form must be completed and lodged. The application form can be obtained from the Rural Finance website: www.ruralfinance.com.au
- 6.3 Applications will be assessed against the eligibility criteria and must be submitted by the closing date.
- 6.4 Rural Finance 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 Rural Finance refusing your application.
- 6.5 Rural Finance reserves the right to refuse an application where eligibility criteria are not met, or where the applicant does not or cannot provide sufficient information for Rural Finance to assess whether eligibility criteria have been met.
- 6.6 Applications submitted may be subject to audit by Rural Finance or its agents in order to determine whether the application and information provided was in compliance with scheme guidelines.
- 6.7 Complete applications will be assessed in order of receipt. Incomplete applications will not enter the assessment queue until all required information is provided.
- 6.8 Applicants will be expected to provide documentation, as indicated by these Guidelines, to demonstrate the eligibility criterion have been met. This may include documents:
 - Evidencing local government area(s) the Primary Producer conducts the Primary Production Enterprise in,
 - Registration of the entity and businesses, relevant property details, banking and financial information relating to the Primary Production Enterprise, and
 - Information relating to any loss or damage incurred by the Primary Producer during the 2022 Victorian Floods.
- 6.9 Payment of grant funding will be made into the bank account operated by the Primary Producer for the purpose of the Primary Production Enterprise, as specified in the application.
- 6.10 GST is excluded from the grant payment.
- 6.11 Where an applicant is approved for funding of \$25,000 or under (Tier 1) and does not seek further payment under Tier 2, Rural Finance may request the applicant provide *evidence of payment* within 12 months of receiving the Tier 1 grant for reconciliation, acquittal and transparency purposes.
- 6.12 In exceptional circumstances, consideration may be given to applicants who do not meet the eligibility criteria outlined in section 4, upon agreement between Rural Finance, Agriculture Victoria, other relevant Victorian Government Departments, and the National Emergency Management Agency (NEMA). The

applicant will be responsible for providing sufficient reasons or evidence for being considered as an exceptional case. The decision of Rural Finance, Agriculture Victoria, other relevant Victorian Government Department or NEMA will be final.

6.13 Applicants who receive this grant are not eligible for the Victorian Rural Landholder Grant

7. Definitions

Defined disaster area means:

- **2022 Victorian Floods** events which commenced in October 2022 and occurred in the local government areas listed on the Rural Finance website or on the Australian Government Disaster Assist website <https://www.disasterassist.gov.au/Pages/disasters/current-disasters/Victoria/victoria-floods-06102022.aspx>
- **2022 Victorian Flood Area** is a local government area impacted by the 2022 Victorian Floods identified under the Disaster Recovery Funding Arrangements.

Direct loss or damage means a direct and material impact of the 2022 Victorian Floods on the property, business assets, plant, equipment, produce or livestock used for the purposes of the Primary Production carried on by the Primary Producer.

Eligible separate business: An eligible separate business means a commercial entity that would be a commercially viable and autonomous business if other businesses operated by the Primary Production Enterprise ceased to operate.

Evidence of direct damage is the information applicants must provide at the point of application demonstrating the direct damage associated with the *eligible disaster*. This may include:

- a. Photographs clearly showing **damage to the property with a brief explanation of what they are showing contained in the title or name; or**
- b. Information that demonstrates the financial impact of the damage, such as quotations, damage assessments, **advisory reports, invoices or receipts. This information must include the name, address, date and ABN (if applicable) of the entity that has issued the quote, assessment, invoice or receipt with information clearly identifying the work required.**

In circumstances where direct disaster related damage is unable to be photographed or other information (such as receipts) are not available, Rural Finance may request other evidence to assess and determine claims. The appropriateness of this information will be considered and Rural Finance may request the applicant provide further information to inform itself of an applicant's eligibility.

Evidence of payment means:

- a. tax invoice(s) showing full details of the goods or services provided. The goods and services described on each invoice must be clearly identifiable having been paid by the applicant and being related to damage from the eligible disaster; and
- b. evidence of payment for these tax invoices. A copy must be provided of an applicant's bank transfer(s) and/or bank statement(s) with any relevant official receipt(s) from suppliers or contractors.

Primary Producer means:

- a. a sole trader who -
 1. spends part of their labour on a Primary Production Enterprise; and
 2. either –
 - i. derives at least 50 per cent of their gross income from the Primary Production Enterprise; or
 - ii. in the opinion of Rural Finance, based on the demonstrated production potential of the Primary Production Enterprise, will eventually derive³ at least 50 per cent of

³ For example, this could be because of seasonal conditions, or long lead times for production.

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their gross incomes from the Primary Production Enterprise or is a commercial enterprise generating more than \$75,000 gross income from the Primary Production Enterprise.

- b. in relation to a partnership, private 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 –
 1. spends part of their labour on a Primary Production Enterprise; and
 2. either –
 - i. derive at least 50 per cent of their gross income from the Primary Production Enterprise; or
 - ii. in the opinion of Rural Finance, based on the demonstrated production potential of the Primary Production Enterprise, will eventually derive at least 50 per cent of their gross incomes from the Primary Production Enterprise; or is a commercial enterprise generating more than \$75,000 gross income from the Primary Production Enterprise.

Primary Production Enterprise means:

- a. a business that is carried on by a primary producer and involves primary production, as listed under the Australian New Zealand Standard Industrial Classification 2006 (ANZSIC) 1292.0 Codes 01-05, including the agricultural, apicultural, aqua-cultural, commercial wild-catch fishing, forestry, grazing and horticultural industries; as well as horse agistment, horse breeding, stud farm operation and horse training, and
- b. for which an entity holds an Australian Business Number (ABN).

Reinstatement means the carrying out of activities that are necessary to help the Primary Production Enterprise to continue/resume normal trading or production as soon as possible following an eligible disaster.

8. Other matters

- 8.1 Grants under this program may result in financial, taxation, legal or other implications for the Primary Producer. It is strongly recommended applicants seek independent financial advice in regard to these possible impacts. Applicants may also seek advice from the Australian Tax Office on 1800 806 218 if they have further questions about their individual situation.

9. Fraudulent claims

- 9.1 By signing the application form, you are declaring that the information provided in the application form and supporting documentation is true, accurate and not misleading about a material fact.
- 9.2 Providing inaccurate, untrue, or misleading information may result in an offence being committed and serious penalties may apply.
- 9.3 If any information provided in an application or supporting documentation is found to be inaccurate, untrue, or misleading, legal action may be taken against the applicant, including action to recover the funds.

10. Privacy Statement

Any personal information provided by the applicant in an application will be collected by Bendigo and Adelaide Bank Ltd (using the brand name of Rural Finance) on behalf of the Department of Jobs, Precincts and Regions (DJPR) for the purposes of assessing eligibility for this grant, ensuring compliance with other 2022 Victorian Floods programs and, if applicable, administering reimbursement. Rural Finance may contact you. DJPR and Rural Finance will be auditing and monitoring applications and may contact you for clarification, program review and evaluation.

DJPR completes a range of eligibility assessments that may include data matching to clarify the accuracy and quality of your supplied information. The data matching can include ABN reference numbers, personal

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information such as data of birth or drivers licence number or any proof of identity information supplied as part of this application. We compare eligibility with active grant programs run by the department or our partners. This is part of our auditing and monitoring purposes.

If there is an intention to include personal information about third parties in the application, please ensure they are aware of and consent to the contents of this privacy statement. In the assessment of the application, it may be necessary to share personal information with State and Commonwealth Government departments and agencies.

Any personal information collected, held, managed, used, disclosed or transferred will be held in accordance with the *Privacy and Data Protection Act 2014* (Vic) and other applicable laws.

Rural Finance is committed to protecting the privacy of personal information. Enquiries about access to personal information, or for other concerns regarding the privacy of personal information, can be emailed to Rural Finance at admin@ruralfinance.com.au. Rural Finance's privacy policy is also available by emailing admin@ruralfinance.com.au.

11. Disclaimer

This publication may be of assistance to you but Rural Finance, the Commonwealth and Victorian Government and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

Rural Finance, the Commonwealth and Victorian Government reserve the right in their absolute discretion to amend the guidelines without notice or discontinuing the program.

12. Further information

The completed application form and any attachments are to be forwarded to:

Rural Finance
PO Box 1313
Bendigo Central 3552 or admin@ruralfinance.com.au

If you require further information please contact Rural Finance on 1800 260 425 or via email at admin@ruralfinance.com.au