

This assistance is funded by the Australian Government and administered by the NSW Government through agreement between the parties.

## 1. About this assistance

- 1.1 The objective of this assistance, made by agreement between the Commonwealth and relevant State Governments under category D of the Disaster Recovery Funding Arrangements (DRFA), is to support wine grape producers who have suffered crop loss from smoke taint caused by the Black Summer 2019-20 bushfires, and who are located outside of Disaster Recovery Funding Arrangement Category C disaster declared areas (for the 2019/20 bushfires). \*See note below for a list of Local Government Areas that can be considered for this assistance.
- 1.2 The Australian Government has made financial assistance received under this scheme non-assessable, non-exempt income.
- 1.3 Applications for assistance will be open until 15 December 2020.

## 2. Available funding

- 2.1 The grant amount is for up to \$10,000 (GST does not apply) per eligible business.
- 2.2 Applicants are required to provide a dollar-for-dollar co-contribution to the value of the grant they apply for.
- 2.3 Eligible co-contributions can include any combination of:
  - a) cash-on-hand;
  - b) commercial loans or government concessional loans; or
  - c) eligible expenses already incurred since 31 August 2019. *Refer Section 3 for more information about eligible expenses.* To be clear, the co-contribution can be for different items to the grant as long as the co-contribution is an eligible expense.
- 2.4 Ineligible matching co-contributions include other government or non-government grant programs, including funding from state and territory programs.

## 3. How funding may be used

- 3.1 Eligible activities and expenses do not need to be directly related to smoke taint. Grants are provided to support eligible wine grape producers to recover from the bushfires and rebuild resilient businesses.
- 3.2 Eligible activities may include, but are not limited to, any of the following:
  - a) meeting ongoing business costs, including (but not limited to) utilities, salaries and rent;
  - b) seeking financial advice to support the recovery or future plans of the business;
  - c) adjusting the business to be viable in the changed local context following the bushfires;
  - d) developing, promoting or extending the business reach through marketing and communications activities; or
  - e) improvements to make the business more resilient to future disasters.
- 3.3 Repairing damage to residential properties is not an eligible activity, and grants will not be permitted to be used for damage or activities covered under existing insurance policies or other state or Commonwealth grants.

## 4. Eligibility criteria

- 4.1 To be eligible for the grant, the applicant must:
  - a) be a wine grape producer (see definition at section 9);
  - b) hold an Australian Business Number (ABN) and have held that ABN at the time of the eligible disaster;
  - c) be located in New South Wales.
  - d) be located outside of the Local Government Areas (LGAs) eligible for the Emergency Bushfire Response in Primary Industries (EBRPI) or Small Business Bushfire Support grants (see list of LGAs at note\* below).
  - e) demonstrate the 2020 vintage of wine grape harvest was tainted by smoke from the 2019-20 bushfires and be able to provide evidence to support that claim; and
  - f) have suffered a decline in revenue or grapes harvested of 40% or more in a relevant three-month period (compared to a relevant three-month period in the previous year) since 31 August 2019. *Note: In the case of revenue, applicants are not required to demonstrate that this was caused by bushfire or smoke taint.*

4.2 Applicants will not be eligible for a grant, or part of a grant, if:

- a) the applicant has received, or has been approved to receive, financial assistance for costs associated with the items set out under section 3 from another Australian Government assistance scheme. However, the applicant may be eligible for a grant for costs that are not covered by the other scheme; or
- b) the applicant is entitled to receive a payment under an insurance policy for costs directly associated with an item set out at 3, however the applicant may be eligible for a grant for costs that are not covered by their insurance, or for amounts in excess of the value insured; or
- c) another party to the primary production enterprise, (e.g. a party to the same business holding a separate ABN number), has already applied for a grant under this program.

## 5. Evidence of impact

5.1 Claims for grants must include evidence of/that:

- a) the applicant is a wine grape producer. This may include, but is not limited to, sales invoices or grape research levy return documents.
- b) there is crop loss from smoke taint. This can be demonstrated through a combination of smoke taint tests by an appropriately recognised laboratory, small-lot fermentation, or other documentary evidence.  
  
More information about smoke taint tests, appropriate laboratories and assessing damage from smoke taint can be found at [www.wineaustralia.com/fireandsmokeassessment](http://www.wineaustralia.com/fireandsmokeassessment).
- c) there has been a decline in revenue or sales or grapes harvested of at least 40% in a relevant three-month period (compared to a relevant three-month period in the previous year) since 31 August 2019. Supporting evidence may include (but is not limited to) bank statements, business activity statements, operating statements from financial management information systems, levy returns.
- d) location of the wine grape business. This may include, but is not limited to, for example, rates notice or lease agreement and also that the business meets the small business criteria FTE (e.g. payroll reports) and business turnover.

5.2 Applicants will certify in writing that they meet the eligibility criteria. Supporting documentation may be submitted along with the application, however where evidence is not readily available the application may still be considered.

5.3 Applications are subject to audits. *See Terms and Conditions*

5.4 Applicants will not be required to prove the decline in revenue is related to the bushfires; the Australian Government acknowledges the impossibility of separating the cumulative effects of the bushfires and COVID-19.

## 6. Exceptional circumstances

6.1 Applicants may be assessed for exceptional circumstances eligibility where they do not explicitly meet the eligibility criteria outlined at section 5.1 but have been significantly impacted by the eligible disaster. Exceptional circumstances eligibility can be assessed by the Rural Assistance Authority (RAA). The NBRA will moderate these exceptional circumstance approvals across states to ensure national consistency.

## 7. Eligible separate businesses

7.1 Applicants who operate more than one wine grape production business under a single ABN may apply for assistance for each eligible separate business for the impact of smoke taint for the declared period.

7.2 To determine eligible separate businesses, the following can be considered:

- a) the staffing arrangement of the separate business;
- b) whether the separate business has its own plant, equipment or stock;
- c) the accounting and insurance arrangements of the separate business;
- d) whether the separate business operates under their own trading name; and
- e) the commercial viability and autonomy of each business.

## 8. Terms and conditions

### 8.1 Successful applicants will be required to:

- a) provide any additional information required by the RAA to assess an application, including assessment of losses arising from the disaster event; and
- b) agree to subsequent audits under the scheme including permission for on-farm access to confirm that grant and co-contribution funding provided have been expended on approved purposes.

8.2 Applicants must retain all tax invoices, official receipts, bank statements, quotations or other similar records for assistance received under the scheme until 5 years after the closing day for applications for the eligible disaster.

8.3 Goods or services being funded under the scheme should be purchased from properly accredited or qualified suppliers or contractors.

8.4 Applicants must consent to the Commonwealth or RAA conducting an audit of documentation used to support an application to verify information provided.

8.5 If information in the application is found to be untrue or misleading, the matter may be referred to NSW law enforcement authorities and penalties may apply.

## 9. Definitions

**Disaster period** means 31 August 2019 onwards.

**Disaster Recovery Funding Arrangements** means the funding arrangements as agreed between the Commonwealth and the State for providing financial assistance to communities affected by an *eligible disaster* (available on the Australian Government Disaster Assist Website).

**Eligible disaster** means bushfire and/or smoke.

**Eligible separate business** means a separate *wine grape production business* owned by the same *wine grape production business* owner that would be a commercially viable and autonomous business if the other separate businesses ceased to operate.

**Revenue** means all gross income (before tax) from everyday business activities, including sales made over the internet, income from sales (cash and electronic) and foreign income. Gross income doesn't include goods and services tax (GST).



**Wine grape producer** means, an individual or organisation that:

- a) holds an Australian Business Number (ABN); and
- b) is the first owner of wine grapes immediately after harvest and immediately before delivery to a processing establishment, or the person who grows the wine grapes and is the proprietor of the processing establishment; and/or
- c) is a Grape Research Levy payer.

## 10. Important information

- a) Guidelines are correct at the time of publishing.
- b) The RAA reserves the right to amend, alter or change these guidelines, and it is the responsibility of the applicant to ensure that they check the relevant website prior to application.
- c) The guidelines that apply to your application will be the guidelines that are current at the time your application is received by RAA.
- d) While RAA has taken all care in preparing these guidelines, RAA will not be liable for any errors, omissions or variation to information in these guidelines or for not advising an applicant of any errors, omissions or variations to information in these guidelines.

## 11. Assessment

- a) Applications will be assessed against the eligibility criteria. 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.
- b) Failure to provide such information may result in RAA refusing your application.
- c) Applications submitted may be subject to audit by RAA or its agents in order to determine compliance with scheme guidelines.

## 12. Applications

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Applications for assistance under the program must be made on RAA's application form and be accompanied by the documentation stated in the application form.

Complete applications will be assessed in order of receipt. Incomplete applications will not enter the assessment queue until all required information is provided.

Applicants should note that past financial assistance under this program or any other program is not a reliable indicator of eligibility for future financial assistance under this program.

Before applying for financial assistance under this program or making decisions, applicants should seek advice from their legal, business or financial advisers to understand any impacts of taking up this assistance.

Applications must be submitted online.

Language services (interpreting and translating) are available by contacting Multicultural NSW on

1300 651 500 or by visiting  
[languageservices@multicultural.nsw.gov.au](mailto:languageservices@multicultural.nsw.gov.au)

- \* Note – Wine Grape Growers in the following LGAs can apply but will need to meet eligibility criteria as detailed in these guidelines, to be approved for access assistance.
- \* Yass Valley, Cabonne, Cowra, Junee, Temora, Hilltops, Newcastle, Maitland, Dungog, Orange, Blayney, Hay, Carrathool, Griffith, Leeton, Narrandera, Lachlan, Bland, Lockhart, Federation, Murrumbidgee, Edward River

