



Queensland

Rural and Regional Adjustment (Regional Drought Resilience Planning Scheme and Another Matter) Amendment Regulation 2024

Subordinate Legislation 2024 No. 143

made under the

Rural and Regional Adjustment Act 1994

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1 Short title

This regulation may be cited as the *Rural and Regional Adjustment (Regional Drought Resilience Planning Scheme and Another Matter) Amendment Regulation 2024*.

2 Regulation amended

This regulation amends the *Rural and Regional Adjustment Regulation 2011*.

3 Amendment of sch 16 (Schemes approved under Act, section 11(4))

(1) Schedule 16—

insert—

11 The scheme mentioned in the document called ‘North Queensland Restocking and On-farm Infrastructure Grants, Northern and Central Queensland Monsoon and Flooding, 20 December 2022–30 April 2023—Guidelines’, published by the authority.

(2) Schedule 16, note, ‘10’—

omit, insert—

11

4 Insertion of new sch 61

After schedule 60—

insert—

Schedule 61 Regional drought resilience planning scheme

section 3(1)

Part 1 Preliminary

1 Objective of scheme

The objective of the scheme is to provide financial assistance, under agreements entered into from time to time between the Commonwealth and the State, to eligible entities to improve drought resilience in relevant regions.

2 Purpose of assistance

The purpose of financial assistance under the scheme is to provide grants to an eligible entity to assist it with paying—

- (a) wages and salaries necessary to amend a draft plan as required by the Commonwealth Minister for drought; or
- (b) in relation to the entity's regional drought resilience plan—
 - (i) wages and salaries necessary to carry out eligible activities identified in the plan; and
 - (ii) other costs associated with carrying out eligible activities identified in the plan.

3 Definitions for schedule

In this schedule—

activity grant see section 4.

applicant means an entity applying for assistance under the scheme.

Commonwealth Minister for drought means the Drought Minister within the meaning of the *Future Drought Fund Act 2019* (Cwlth), section 5.

draft plan, for an eligible entity, see section 5.

drought resilience see the *Future Drought Fund Act 2019* (Cwlth), section 5.

eligible activities see section 6.

eligible entity see section 7.

eligibility notice see section 8.

regional drought resilience plan, for an eligible entity, see section 9.

relevant Commonwealth department means the government department administered by the Commonwealth Minister for drought.

relevant region, in relation to an eligible entity, means a particular area or region of the State identified in the entity's regional drought resilience plan or draft plan.

remuneration grant see section 10.

scheme means the scheme set out in this schedule.

4 Meaning of *activity grant*

An *activity grant* is a grant of financial assistance to an applicant under the scheme for carrying out eligible activities identified in the applicant's regional drought resilience plan.

5 Meaning of *draft plan*

A *draft plan*, for an eligible entity, is a plan about drought resilience in a particular area or region of the State, that—

- (a) was given to the chief executive by the eligible entity before the commencement; and
- (b) that has not been approved, or refused to be approved, by the Commonwealth Minister

for drought as a regional drought resilience plan.

6 Meaning of *eligible activities*

Eligible activities are activities that—

- (a) are identified in a regional drought resilience plan; and
- (b) are designed to improve drought resilience for the relevant region for the plan; and
- (c) are carried out after the plan is published on the relevant Commonwealth department's website; and
- (d) are completed no later than 3 months before the day the scheme closes under section 15.

7 Meaning of *eligible entity*

(1) Each of the following is an *eligible entity*—

- (a) a local government;
- (b) a natural resource management organisation;
- (c) a regional development authority committee;
- (d) a regional organisation of councils.

(2) In this section—

natural resource management organisation means an entity established to manage, protect and preserve the natural resources of a particular area or region of the State.

Examples—

Desert Channels Group, Fitzroy Basin Association

Regional Development Australia Charter means the document of that name made by the Commonwealth Minister responsible for regional

development on 28 July 2023 and published on the website of Regional Development Australia.

regional development authority committee means a committee—

- (a) established by the Commonwealth Government to represent a particular region or area of the State; and
- (b) that operates in accordance with the Regional Development Australian Charter.

regional organisation of councils means an entity established to represent 2 or more local governments within a particular region or area of the State.

8 Meaning of *eligibility notice*

- (1) An ***eligibility notice*** is a written notice stating the matters mentioned in subsection (2) that is given by the chief executive to an eligible entity for the purposes of enabling the entity apply for assistance under the scheme in relation to the entity's regional drought resilience plan or draft plan.
- (2) The notice must state—
 - (a) if the notice relates to a regional drought resilience plan—
 - (i) that the Commonwealth Minister for drought has approved the eligible entity's draft plan as a regional drought resilience plan; and
 - (ii) the eligible activities identified in the plan in relation to which the entity may apply for assistance under the scheme; and
 - (iii) the amount of financial assistance the chief executive recommends may be

granted by the authority in relation to stated wages, salary or fees to carry out the eligible activities; or

- (b) if the notice relates to a draft plan—
 - (i) that the Commonwealth Minister for drought requires the plan to be amended before it may be approved as a regional drought resilience plan; and
 - (ii) the amount of financial assistance the chief executive recommends may be granted by the authority in relation to stated wages, salary or fees to amend the draft plan in accordance with the Commonwealth Minister for drought's requirements.

9 Meaning of *regional drought resilience plan*

A *regional drought resilience plan*, for an eligible entity, is a plan about drought resilience for a stated relevant region, to which the entity is a party, that is—

- (a) approved by the Commonwealth Minister for drought under the program known as the Future Drought Fund Regional Drought Resilience Planning Program administered by the relevant Commonwealth department; and
- (b) published on the relevant Commonwealth department's website.

10 Meaning of *remuneration grant*

A *remuneration grant* is a grant of financial assistance to an applicant under the scheme for wages, salary or fees the entity pays a person employed or otherwise engaged to assist the applicant—

- (a) for a draft plan—to make amendments to the draft plan as required by the Commonwealth Minister for drought before the plan is approved as a regional drought resilience plan; or
- (b) for a regional drought resilience plan—to carry out eligible activities identified in the plan.

Part 2 General provisions for scheme

11 Nature of assistance

- (1) The nature of the financial assistance that may be given to an applicant under the scheme is—
 - (a) an activity grant; or
 - (b) a remuneration grant.
- (2) An applicant may apply for both an activity grant and a remuneration grant.
- (3) Also, an applicant who applies for a remuneration grant for a draft plan may also apply for a remuneration grant for the regional drought resilience plan.

12 Amount of assistance

- (1) The maximum amount of the financial assistance available under the scheme is—
 - (a) for an activity grant—\$300,000 (exclusive of GST); or
 - (b) for a remuneration grant—\$150,000 (exclusive of GST).
- (2) In deciding the amount of financial assistance to be granted to an applicant under the scheme, the

authority must have regard to the recommended amount stated by the chief executive in the eligibility notice given to the applicant.

13 Eligibility criteria—activity grants

- (1) An applicant is eligible to receive an activity grant under the scheme if the authority is satisfied—
 - (a) the applicant is an eligible entity; and
 - (b) the applicant is a party to a regional drought resilience plan; and
 - (c) activities identified in the plan are eligible activities; and
 - (d) the chief executive has given the applicant an eligibility notice.
- (2) However, the applicant is not eligible to receive an activity grant for administration costs that are not related to—
 - (a) making the application for assistance; or
 - (b) the carrying out of the eligible activities identified in the regional drought resilience plan.
- (3) Also, an applicant is not eligible to receive an activity grant if an activity grant has already been approved in relation to the regional drought resilience plan.

14 Eligibility criteria—remuneration grants

- (1) An applicant is eligible to receive a remuneration grant under the scheme if the authority is satisfied of the following matters—
 - (a) the applicant is an eligible entity;
 - (b) if the application relates to a draft plan—the Commonwealth Minister for drought requires the applicant to amend the plan

- before the plan is approved as a regional drought resilience plan;
- (c) if the application relates to a regional drought resilience plan—activities identified in the plan are eligible activities;
 - (d) the chief executive has given the applicant an eligibility notice.
- (2) However, the applicant is not eligible to receive an remuneration grant in relation to a draft plan for wages, salary or fees paid by the applicant, or an eligible entity identified in the plan, before the commencement.
- (3) Also, an applicant is not eligible for a remuneration grant—
- (a) if the application relates to a draft plan—if a remuneration grant has already been approved in relation to the plan; or
 - (b) if the application relates to a regional drought resilience plan—if a remuneration grant has already been approved in relation to the plan.

15 Operation of scheme

- (1) The scheme opens on the day stated on the authority's website as the day on or after which an application for assistance under the scheme may be made.
- (2) The scheme closes on 30 June 2025 (the *closing day*).
- (3) However, the Minister may, by notice (an *extension notice*) published on the authority's website, extend the closing day to a stated day that is not later than 30 June 2026.
- (4) The Minister may publish the extension notice only if the Minister is satisfied entities need more

time in which to apply for assistance under the scheme.

- (5) The Minister must table a copy of the extension notice in the Legislative Assembly within 14 days after the day the extension notice is published.

16 Requirements for applications

- (1) An application for assistance under the scheme must—
 - (a) be made using the form approved by the authority; and
 - (b) if the application is for an activity grant—state the eligible activities the subject of the application; and
 - (c) be accompanied by—
 - (i) the applicant’s eligibility notice; and
 - (ii) the other documents stated in the form; and
 - (d) be given to the authority before the end of the closing day under section 15.
- (2) Also, if more than 1 eligible entity is identified in a regional drought resilience plan as a party to the plan, the application must evidence the consent of each eligible entity identified in the plan to the making of the application.
- (3) If the authority asks the applicant to provide further information to decide the application, the applicant must provide the information.

17 Deciding applications

- (1) The authority must consider, and decide to approve or refuse to approve, each application for assistance under the scheme that complies with section 16.

- (2) In deciding the application, the authority must—
 - (a) for an application relating to a regional drought resilience plan—have regard to the recommendation stated in the eligibility notice given to the applicant by the chief executive; and
 - (b) be satisfied that the draft plan or regional drought resilience plan the subject of the application will improve drought resilience in the relevant region.
- (3) The authority must refuse to approve an application if the funds for the scheme are not sufficient to pay for the assistance.
- (4) If the authority refuses to approve an application, the authority must give the applicant written notice of the decision.

18 Conditions of assistance—general

The payment of financial assistance to an applicant under the scheme is subject to the following conditions—

- (a) before receiving the assistance, the applicant must enter into a written agreement with the authority that sets out the terms on which the assistance is provided;
- (b) the applicant must comply with the terms of the agreement mentioned in paragraph (a);
- (c) if requested by the authority, the applicant must give the authority a report (the *report*) about how the financial assistance is enabling the entity—
 - (i) for assistance relating to a draft plan—to amend the draft plan as required by the Commonwealth Minister for drought: or

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- (ii) for assistance relating to a regional drought resilience plan—to carry out eligible activities under the plan;
- (d) the applicant gives consent to the authority to share the report or information included in the report with—
 - (i) the chief executive; and
 - (ii) the Commonwealth Minister for drought.

19 Additional conditions of assistance—keeping records

The payment to an eligible entity of a grant of financial assistance under the scheme is also subject to the following conditions—

- (a) the applicant must keep all tax invoices for payments made by the applicant for which the applicant receives assistance under the scheme until the day that is 1 year after the day scheme closes under section 15;
- (b) the applicant consents to the authority conducting an audit of the records mentioned in paragraph (a) to verify that assistance given to the applicant under the scheme is used in accordance with the application for assistance.

ENDNOTES

- 1 Made by the Governor in Council on 8 August 2024.
- 2 Notified on the Queensland legislation website on 9 August 2024.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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