

Rural and Regional Adjustment (Primary Producer Flood Management Grants Scheme) Amendment Regulation 2023

Explanatory Notes for SL 2023 No. 160

made under the

Rural and Regional Adjustment Act 1994

General Outline

Short title

Rural and Regional Adjustment (Primary Producer Flood Management Grants Scheme) Amendment Regulation 2022

Authorising law

Sections 10, 11 and 44 of the *Rural and Regional Adjustment Act 1994* (the Act)

Policy objectives and the reasons for them

The *Rural and Regional Adjustment (Primary Producer Flood Management Grants Scheme) Amendment Regulation 2022* introduces a new schedule 54: Primary Producer Flood Management Grants Scheme a scheme of financial assistance for primary producers impacted by eligible disasters in late 2021-early 2022.

On 18 May 2022, the Australian Government agreed to a suite of measures under the joint Commonwealth State Disaster Recovery Funding Arrangements (DRFA) to provide additional support for the recovery from the disaster events impacting on southern Queensland during late 2021-early 2022. One of these measures was the Industry Recovery and Resilience Officer (IRRO) program which provides funding for industry-based recovery officers who assist impacted producers access disaster assistance and assist them improve resilience.

The Primary Producer Flood Management Grants program subject to this regulatory amendment is a subcomponent of the IRRO program. It will provide a rebate of up to \$7,500 excluding GST to primary producers in an eligible disaster impacted area on eligible professional advice that improve their flood and high rainfall risk management such as flood planning and related activities.

Applicants under this scheme can seek a rebate for eligible activities already undertaken since the announcement of the assistance on 18 May 2022. In each instance the applicant will need to provide the Queensland Rural and Industry Development Authority (QRIDA) with the endorsement of the IRRO that the professional advice activity is eligible (the activity will, in the view of the IRRO improve the resilience to flooding and high rainfall of the applicant) and accompany the application with a copy of the flood management plan for the primary production enterprise.

In summary, the principal eligible criteria of the program are:

- The applicant is a primary production enterprise
- That operates in a disaster eligible area (one of the areas activated for primary producer DRFA assistance for the eligible disasters of late 2021-early 2022 namely:
 - DRFA event-Central, Southern and Western Queensland Rainfall and Flooding, 10 November - 3 December 2021;
 - DRFA event-Ex-Tropical Cyclone Seth, 29 December 2021 - 10 January 2022;
 - DRFA event-South East Queensland Rainfall and Flooding, 22 February – 5 April 2022;
 - DRFA event-Southern Queensland Flooding, 6 - 20 May 2022.
- That has conducted and paid for eligible professional advice that will improve the resilience to flooding and high rainfall of the primary production enterprise (the applicant must provide a written statement from an IRRO confirming that the advice will do so). Examples of eligible professional advice includes accountancy advice, agronomic advice, financial planning, flood mapping, geotechnical surveying, soil mapping and assessment.
- The applicant provides a copy of their flood management plan to the QRIDA.
- This activity is conducted in the eligible period 18 May 2022 to 31 March 2024 (or an earlier date if available assistance funds are exhausted) or a date no later than 24 December 2024 if the Minister for Agricultural Industry Development and Fisheries decides to extend the closing date for the scheme.

The Primary Producer Flood Management Grants program subject to this regulatory amendment is a subcomponent of the IRRO program. It will provide a grant of up to \$7,500 excluding GST to primary producers in an eligible disaster impacted area for activities that improve their flood and high rainfall risk management such as flood planning and related activities.

Achievement of policy objectives

The amendment regulation will achieve its objective of allowing QRIDA to administer a DRFA scheme of financial assistance to improve the disaster resilience of primary producers.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the policy objectives of the Act. The Act establishes QRIDA primarily to administer assistance schemes that foster the development of a more productive and sustainable rural and regional sector in Queensland including schemes offered by the Australian Government.

QRIDA may also administer approved assistance schemes to assist primary producers, small business and other sectors during periods of temporary difficulty, or to otherwise benefit the Queensland economy.

Inconsistency with policy objectives of other legislation

This amendment regulation is not inconsistent with the policy objectives of any other legislation.

Benefits and costs of implementation

The disaster scheme subject to this regulatory amendment is funded through the DRFA with expenditure cost shared 50/50 between Queensland and the Australian Government. The IRRO program is nominally allocated \$2.5 million funding under the DRFA so the cost to Queensland should all funds be spent is \$1.25 million. The benefit of this scheme is that those producers who undertake activities supported by the grant should be better prepared for flooding and high rainfall risks in future.

Consistency with fundamental legislative principles

The amendment regulation has been drafted with regard to, and is consistent with, the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

The Queensland Government closely consulted with the IRRO service delivery providers Queensland Farmers Federation and Burnett Mary Regional Group and the Queensland Reconstruction Authority in the development of the guidelines for the program subject to this regulatory amendment.