



2019/20 Cudlee Creek Bushfire –Small Plantation Clean up and Return to Agriculture Subsidy

Guidelines – 2023

Please note the Subsidy will close when funding is fully allocated or 5pm (ACST), 10 May 2024, whichever occurs first.

1. Aim of Program

The South Australian Government in partnership with the Australian Government is providing a subsidy of up to 50 per cent of eligible costs (to a maximum of \$2,000/hectare and up to a maximum amount of \$150,000 per applicant) to eligible applicants who experienced damage to standing plantations (“plantations”) during the 2019/20 bushfires. This funding will support small plantation owners to recoup costs associated with clean up of bushfire impacted plantations where they intend to convert the land to productive agriculture¹.

Applicants should seek independent legal and financial advice concerning the tax consequences of their participation in this program (including advice concerning income tax, capital gains tax and goods and services tax).

2. Assistance available

Assistance is available for eligible applicants to undertake activities that will be completed in affected plantations prior to 1 May 2024.

The subsidy will recognise eligible activity expenditure incurred since **21 December 2019** and

¹ The Program is funded by the Local Economic Recovery Program under joint State and Commonwealth Disaster Funding Arrangements. Local Economic Recovery Projects provide funding assistance to projects that support local and regional economic, environmental, infrastructure and social recovery following the 2019/20 bushfires.

activities must be completed with subsidy funding expended by **1 May 2024**. PIRSA will reimburse payment on evidence of satisfactory completion of all activities within a milestone.

Subsidy limits

- The subsidy will close when the total value of funding requested in applications reaches the limit of allocated funding or at 5pm (ACST) on 10 May 2024, whichever occurs first.
- Approval of applications will be subject to funds being available.
- Only one application can be made to the 2019/20 Cudlee Creek – Small Plantation Clean Up and Return to Agriculture Subsidy per property.
- The maximum amount claimable for eligible activities is **\$2,000/hectare** and up to **\$150,000 per applicant**. Applicants must contribute at least 50% of the total budgeted cost across the project. Co-contributions can be cash or in-kind or a combination thereof. In the budget table, applicants should include all costs for all eligible activities that will be complete by 1 May 2024.

Subsidy arrangements

Arrangement for subsidy payments will depend on the area (size) of the plantation being removed and returned to agriculture. All applicants will need to complete works prior to payment being made. Application assessment timelines and payment arrangements will depend on size of plantation area.

Plantation Size	When to submit an application?	Payment
>0.5 ha- 5 ha	When all activities are complete	A single payment - on approval of application and evidence of completion and expenditure
>5 - 20 ha	As soon as possible – activities do not need to be complete	Up to 2 payments, with payment on provision of evidence of completion and expenditure
>20 ha- <100 ha	As soon as possible – activities do not need to be complete	Up to 3 payments with payment on provision of evidence of completion and expenditure

Applicant eligibility

To apply for this subsidy the following conditions must be met:

- a) The area of standing plantations to be cleaned up and returned to agriculture must have been directly impacted by the 2019/20 Cudlee Creek bushfire (see map in Appendix 1).
- b) The area of bushfire impacted plantation timber must be no less than 0.5 hectare and no greater than 100 hectares.
- c) The applicant was, prior to 21 December 2019, and continues to be a property owner, share-farmer or lessee in respect of the property where the plantation is located.
- d) The applicant is not, and has not been, registered as a public company with the Australian Securities and Investments Commission.
- e) The applicant is a registered corporation, trustee of a trust, sole trader, partnership or private individual.
- f) The applicant has, is or intends to undertake works to return the land to agricultural

production.

- g) The applicant has not received funding from another South Australian / Australian Government program **in respect of the same activities** (including the Emergency Response in Primary Industries Grants).
- h) The applicant is unable to claim the cost of eligible activities from an insurer.
- i) The applicant will not be eligible to apply for funding under the subsidy if it has not met all the terms and conditions of any previous South Australian Government funding, grant or concessional loan agreement entered into by the applicant.

3. Eligible activities

Subsidy funding only applies for areas where plantations have been felled after 21 December 2019 and were directly impacted by the 2019/20 Cudlee Creek fire. If plantations are not yet felled, felling of timber and steps to return the land to agriculture must be completed 1 May 2024.

The plantation area must be planted with non-native species (i.e. Tasmanian blue gum and/or pine trees) or be a planted native woodlot (set aside areas relating to native vegetation clearance are not eligible).

Funding is only available for works directly associated with felling timber and returning the land to agricultural production undertaken from 21 December 2019 to 1 May 2024. Eligible activities include:

- Felling, pushing, raking, piling and removal of timber.
- Removal and / or alternative uses of the timber including biochar – to assist in returning the land to agriculture.
- Management activities including, management activities including but not limited to removal, spraying and control of plantation/woodlot seedlings and stumps
- but not limited to removal, spraying and control of blue gum wildlings, pine tree seedlings and stumps.
- Technical advice relating to
 - removal and / or control removal or control of plantation /woodlot seedlings.
 - Agronomy advice to convert area to agriculture
- Activities related to returning the land to agriculture including but not limited to:
 - land leveling (this includes all costs required to prepare land for seeding including ploughing); and/or
 - seeding of pasture or crop (can include fertiliser, seed, lime and seeding costs); including cartage to property and/or
 - costs of spraying to managing weeds
 - Internal fencing; and/or
 - Water infrastructure (troughs, dams, piping); and/or
 - Installation or repair of internal fencing directly associated with returning the area to agricultural productivity.
- Where external contractors are not practical, available or are cost prohibitive to conduct works, reasonable own labour costs (with supporting explanation) will be considered on a case-by-case basis for the 50% subsidy. Alternatively, these can be included as a co-

contribution. Own labour should be calculated at \$30/hour (ex GST). Where funding is being sought for own labour, applicants must complete a labour log, clearly identifying timing, activities undertaken and estimated hours.

- Funding is only available to undertake activities within the plantation footprint that were impacted by the Cudlee Creek bushfire.
- As part of the submitted application, applicants will need to confirm that they have sought appropriate technical advice regarding conversion of the plantation area to agricultural production including preparation of land for seeding, pasture and/or livestock.

4. Ineligible activities

Subsidy funding is not available for:

- Activities in areas of plantations not directly impacted by the 2019/20 Cudlee Creek bushfire.
- Activities not associated with removal of pine and blue gum plantations (for example removal of native trees).
- Activities on land owned, leased or managed by a public company listed on the Australian Stock Exchange at any time since 21 December 2019.
- Activities related to replanting felled areas with plantation timber or replanting the area with native vegetation to expand areas of native plant and animal habitat.
- Repair to or replacement of farming infrastructure (sheds, boundary fencing etc.).
- Repair of damage to residential properties.
- Costs associated with compliance with any statutory or other legal obligations.
- Loss of income associated with the plantation.
- Costs associated with preparation of this application.
- Funding support for managerial or administration time to support project implementation (can be recognised as an in-kind contribution to the project).
- Technical advice for ongoing farm management of livestock or cropping enterprise.
- Any costs that have been or can be funded under another South Australian or Commonwealth government program (including funding provided through a concessional loan scheme).
- Costs associated with purchase of livestock and / or cropping machinery.
- Costs of repairs or other activity that has been or can be claimed under an applicable insurance policy (Applicants may be eligible for funding to cover the insurance gap).
- Any activity not completed by 1 May 2024.
- Any activity relating to clearance of a set aside area required under the Native Vegetation Act.

5. Co-contribution requirements

Applicants must contribute at least 50% of the total budgeted cost of eligible activities. Co-contributions can be cash or in-kind or a combination thereof.

5.1 Eligible co-contributions include the GST exclusive value of:

- a) In-kind contributions which may include but not be limited to goods, own or voluntary labour associated with clean up of the plantation and wildling control, including use of machinery to undertake eligible activities; and/or
- b) purchase of machinery to clear felled timber; and/or
- c) installation of internal fencing associated with returning land to agriculture; and/or
- d) funding received from insurance claims and applied to eligible activities; and/or
- e) expenses already incurred on eligible activities since 21 December 2019, including by third party providers.

5.2 Ineligible matching co-contributions include funding provided under other government or non-government grant programs.

6. Applications

Applications will be reviewed against the criteria outlined in these Guidelines. Applicants should carefully consider activities against the eligibility criteria set out in the Guidelines before submitting an application.

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

As part of the application assessment process, PIRSA may seek further information or seek to clarify information provided in applications. Any requests for additional information or to clarify information provided in an application should be responded to in a timely manner as any delay will extend the timeframe for assessment of the application.

Applicants are required to warrant that the information provided in the application form is true and correct in every particular.

Approved applications may be subject to audit to determine compliance with Guidelines.

Only one application per property can be made.

7. Supporting Evidence

For applicants seeking funding for areas of at least 0.5 hectares and up to 5 hectares:

- copies of invoices and evidence of payment. This evidence must be for the subsidy funding sought as well as the applicant's co-contribution.

For applicants seeking funding for areas of at least 5 hectares and less than 25 hectares:

- Letters from financial institutions **OR** a letter from an accountant confirming applicant ability to make cash contribution (documents should include the value and nature of the commitment and any conditions relating to this commitment and be signed by the authorised representative), **OR**
- Other evidence that demonstrates applicant ability to meet cash contribution requirements as supported by the Program.

- For expenses yet to be incurred provide own estimates² or quotes for services to be rendered.^{3,4}

For applicants seeking funding for areas of at least 25 hectares and less than 100 hectares:

- Copies of your two most recent financial statements, including profit and loss, balance sheets and notes; **OR**
- Copies of commercial/concessional loan agreements with a letter from the lender confirming that the loan is for plantations directly impacted by the Cudlee Creek fire and is for the removal of plantations and conversion of land to agriculture; **OR**
- Copies of your two most recent tax returns.
- For expenses yet to be incurred provide own estimates⁵ or quotes for services to be rendered.^{6,7}

For all applications:

- evidence of in-kind contribution
 - i. For in-kind contributions, estimates that include an explanation of how the in-kind contribution has been calculated are acceptable.
- Own labour should be calculated at \$30/hour (ex GST). Where funding is being sought for own labour, applicants must complete a labour log, clearly identifying timing, activities undertaken and estimated hours.
- A copy of your latest **council rates notice** or other evidence of land ownership for the land on which the plantation is located. Alternatively, if the property is leased or share-farmed, please attach a copy of the current lease or share-farming agreement.
- A map of your property that identifies the plantation area demonstrating that it was impacted by the 2019/20 Cudlee Creek bushfire. The map should include a scale and clearly identify plantation area and area impacted by the 2019/20 bushfire.
- Any approvals that may be required to complete activities.
- For Applicants that do not hold an ABN, you will be required to complete a declaration to avoid withholding tax. Statement by Supplier Forms are available on the PIRSA website. Further information is available at: [Statement by a supplier not quoting an ABN | Australian Taxation Office \(ato.gov.au\)](https://www.ato.gov.au/Statement-by-a-supplier-not-quoting-an-ABN)

² Estimates not supported by quotes can be provided at the applicant's own risk – any under estimation of project activity costs will be borne by the applicant.

³ Once your application is approved and to enable payment you must supply evidence of expenditure. This must include full details of the goods or services supplied, clearly identifiable as eligible costs and must include the GST exclusive cost of these goods or services. Evidence must also include the Applicant's and supplier's business name, address and ABN

⁴ Any quotes or invoices provided to support an application, or requests for payment of subsidy funds should reflect current market prices for the goods or services being purchased. Any in-kind contributions must be reasonable and calculated using current market rates.

⁵ Estimates not supported by quotes can be provided at the applicant's own risk – any under estimation of project activity costs will be borne by the applicant.

⁶ Once your application is approved and to enable payment you must supply evidence of expenditure. This must include full details of the goods or services supplied, clearly identifiable as eligible costs and must include the GST exclusive cost of these goods or services. Evidence must also include the Applicant's and supplier's business name, address and ABN

⁷ Any quotes or invoices provided to support an application, or requests for payment of subsidy funds should reflect current market prices for the goods or services being purchased. Any in-kind contributions must be reasonable and calculated using current market rates.

8. Contracting conditions

Successful applicants will be required to enter into an agreement with the Government of South Australia to receive financial assistance. Applicants are encouraged to seek their own independent legal, accounting and taxation advice prior to entering into the agreement.

Successful applicants will be expected to meet all terms and conditions of the agreement, including governance and reporting requirements. Applicants must comply with all Australian and State legislation, regulations, and applicable codes in the delivery of the subsidised activity.

The agreement will outline all the conditions of the provision of funding and will be subject to the Government's Contract Disclosure policy (see: <http://dpc.sa.gov.au/documents/rendition/B17980>).

For Applicants that are not registered for GST, payments will be not be grossed up (i.e payments will be made ex GST).

8.1 For Applications seeking funding for areas of at least 0.5 ha and up to 5 ha

Payment of the subsidy will be made following an assessment of the application, including applicant eligibility, receipt of evidence of expenditure incurred based on evidence of payment such as receipts, and photographs. GST expenses incurred by the Applicant will be excluded for the purposes of the rebate calculation. A completed and correctly executed application form will constitute a formal agreement with the Minister of Primary Industries and Regional Development.

8.2 For Applications seeking funding for areas of more than 5 ha.

Subsidy payments will be made on a reimbursement basis upon achievement of milestones set out in the agreement and presentation of paid invoices for approved project expenditure, including evidence of eligible applicant co-contributions. Payments will be made after a milestone is accepted as completed by Department of Primary Industries and Regions (PIRSA).

Milestone evidence must include full details of the goods or services supplied, clearly identifiable as eligible costs and must include the GST exclusive cost of these goods or services. Evidence of expenditure must include a valid tax invoice and related receipt with the applicant's and supplier's business names, addresses and ABNs.

Verification of milestone completion may be undertaken via physical inspections by PIRSA officers. Successful applicants will be required to keep a record of any in-kind contributions and give permission for on-farm access to confirm that subsidy and co-contribution funding provided have been expended on approved purposes.

Any quotes or invoices provided to support an application, or requests for payment of subsidy funds should reflect current market prices for the goods or services being purchased. Any in-kind contributions must be reasonable and calculated using current market rates.

Goods or services being funded under the subsidy are required to be purchased from properly accredited or qualified suppliers or contractors. Any under estimation of project activity costs will be borne by the applicant.

Final payments will be made on receipt of a final report evidencing project completion to the satisfaction of the Minister for Primary Industries and Regional Development.

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

9. Other Conditions

Applications must be submitted on the official application form which will be available at:

https://www.pir.sa.gov.au/funding_and_support/funding/bushfire_recovery_program/local_economic_recovery/small_plantation_cleanup_agriculture_subsidy/

Applicants must consent to the Commonwealth or administering agency (Department of Primary Industries and Regions) conducting an audit of documentation used to support an application to verify information provided.

The following conditions will be expected of financial assistance recipients:

- Complete the project as stated in the application.
- Meet all key milestones and obligations as defined in the agreement.
Acknowledge the contribution of the Commonwealth and the State Government on any promotional material and provide opportunities for the Commonwealth Minister for Emergency Management together with the Minister for Primary Industries and Regional Development or a representative to take part in any formal project milestones and launches.

If information in the application is found to be untrue or misleading, the matter may be referred to law enforcement authorities of the South Australian government and penalties may apply.

Applicants are required to:

- Consent to a PIRSA officer or delegate, if required, undertaking an inspection of the property and auditing records to verify the claim; and conducting an inspection and/or audit after the subsidy has been paid to verify the monies have been utilised for the intended purpose.

Where to submit the application?

Applications can be submitted by email or post. Completed applications (including supporting documentation) can be sent to:

Email: PIRSA.GrantsEnquiries@sa.gov.au

Post: 2019/20 Cudlee Creek Bushfire – Small Plantation Clean Up and
Return to Agriculture Subsidy
PIRSA – Industry and Regional Development
GPO Box 1671
ADELAIDE SA 5001

Closing Date

The subsidy will close when funding is fully allocated or 5pm (ACST), 10 May 2024, whichever occurs first. Late applications will not be accepted.

10. Assessment and Payment Processes

PIRSA reserves the right to request further information from you to assist with the assessment of your application or to verify any information provided in your application.

The Minister (or Delegate) will make the final decision on approval of all applications.

Successful Applicants will enter into a legally binding agreement with the Minister that commits the Applicant to timber plantation clean up and return to agriculture (as per the application).

Applicants should understand their legal rights and obligations under this Program. Before applying for financial assistance under this subsidy or making any decision to accept a subsidy, applicants should seek advice from their legal, business, and financial advisers to determine their eligibility for and the terms of the financial assistance.

11. Glossary

Plantation: an area in which non native trees have been planted in a systematic manner, with the intention of harvesting for commercial purposes.

Woodlot: an area in which native trees have been planted in systematic manner with the specific intention of harvesting for seed production or firewood purposes.

More information

Enquiries to clarify content of these guidelines including eligibility are welcome. Applicants should contact:

Rebecca McCall

ph: 8429 3820

Email: PIRSA.GrantsEnquiries@sa.gov.au

Attachment 1: 19/20 Cudlee Creek Bushfire Map

