

# Permanent Tree Cropping New Bores and Dam Desilting Rebate

Administered by the Queensland Government. Jointly funded by the Queensland and Australian Governments

The Permanent Tree Cropping New Bores and Dam Desilting Rebate is offered by the Australian Government as part of its On-Farm Emergency Water Infrastructure Rebate Scheme and is administered by the Queensland Government (in Queensland). The Permanent Tree Cropping New Bores and Dam Desilting Rebate is jointly funding by the Queensland and Australian Governments.

**The Permanent Tree Cropping New Bores and Dam Desilting Rebate will end on 30 June 2022 or sooner if the funds provided for this rebate are expended.**

**The rebate is up to 25% up to a maximum of \$25,000 for eligible invoices.**

This rebate up until 1 October 2020 was funded by the Australian Government. From 2 October 2020 until 30 June 2022 the rebate is cost shared between the Australian and Queensland Governments with the Queensland Government contribution being funded under the Drought Relief Assistance Scheme (DRAS). Funds contributed by the Queensland Government under DRAS will be subject to the maximum limits per property per financial year for all DRAS eligible subsidies and rebates.

## Eligibility

To apply for this rebate, you must meet the following conditions:

- **You are a primary producer. For the purposes of this scheme, a primary producer is a person or a partner in a partnership, company or trust who spends more than 50 per cent of their labour on, and derives more than 50 per cent of their gross income from, a primary-production enterprise.**
- You are a property owner, share-farmer or lessee in the permanent tree cropping industry (eg tree nuts, citrus, berries, apples or stone fruit, vine crops). Other non-tree horticulture production (such as annual vegetable crop production) is ineligible to receive the rebate.
- Your property was within a State drought-declared area or had a current Individually Droughted Property (IDP) declaration on the date of the tax invoice for the activity.
- The new bore or desilted dam is located on your property and is primarily used (more than 50 per cent) for the supply of water to permanent tree crops on your property.
- If required, you have obtained the relevant regulatory approvals to take water and or interfere with water from relevant government agencies that may be necessary for you to undertake the activities subject to this rebate. For example regulatory approvals from the Department of Regional Development, Manufacturing and Water, for the extraction of water or development of new water infrastructure on your property as may be required under the *Water Act 2000*.
- Your application is received in Brisbane within **six months** of the tax invoice for the dam desilting or new bore<sup>1</sup>

<sup>1</sup> Consideration may be given to applications submitted outside of the standard six month time frame if the application was unable to be submitted due to the closure of the previous iteration of the scheme. Invoices from 11 September 2019 to 31 May 2021 have until 30 November 2021 to be lodged. Applicants with invoices dated from 1 June 2021 onwards have six months from the date of the invoice to lodge their application.

- You have paid the tax invoices relating to this rebate in full.

### Eligible activities

This rebate applies to:

- professional contracting costs associated with the drilling of a new bore or desilting of your dam on your drought declared property
- any reasonable travel costs for the contactors.

### Ineligible activities

The rebate does not apply when:

- the new bore was installed or a dam was desilted before 1 July 2019 or before an area was drought declared
- the new bore or dam desilted is primarily used for other purposes than to supply water for permanent tree crops (for example, to provide water for irrigation to vegetables, livestock or for domestic use)
- extending an existing dam or enlarging a dam beyond its original size
- creating a new dam
- constructing or repairing other dam infrastructure, such as dam banks, drains, earthen retaining walls or breached dam banks.
- maintenance and repair of an existing bore

The rebate does not apply to:

- wages for your employees or your self-assessed labour or machinery costs, such as fuel
- costs or labour associated with establishing a new dam or making dams larger
- invoices from entities related to the applicant (for example, dam desilting undertaken by family members of the applicant or companies/partnerships owned by the applicant or that the applicant has an interest in)
- costs that are excessive or superfluous to requirements
- additional water infrastructure required to equip the bore

For the purpose of this scheme, a dam is a man-made excavation or earthen barrier designed to store water for permanent tree crops. This excludes ponded pasture systems, sand troughs or excavations in natural streams, creeks or rivers.

### Rebate amount

The rebate is up to 25 per cent of the cost of a private contractor to desilt your dam or drill a new bore and the costs are assessed as reasonable by a DAF officer.<sup>2</sup>

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<sup>2</sup> From 2 October 2020 the 25 per cent rebate will be funded between the Queensland and Australian Governments. This funding arrangement may impact your amount of allowable funding under the Drought Relief Assistance Scheme (DRAS). Please refer to the Minimum and Maximum Payment section of this guideline for further information.

## How to apply

1. Access or download the Permanent Tree Crops New Bores and Dam Desilting Statement form at the DAF website [daf.qld.gov.au](http://daf.qld.gov.au) or contact the Customer Service Centre on 13 25 23. Enquiries with regards to this assistance measure can be made to your local DAF officer by phoning DAF on 13 25 23.
2. Complete the Permanent Tree Crops New Bores and Dam Desilting Statement, include a property map and photos of any dams to be desilted. Also include any written quotes to desilt your dam or drill your bore. Post to your local DAF officer (listed below) or email [droughtdeclarations@daf.qld.gov.au](mailto:droughtdeclarations@daf.qld.gov.au) to be endorsed. Where possible, it is recommended that you obtain an endorsed Statement before expending funds.

<b>Northern Queensland</b> (Aurukun, Burdekin, Burke, Cairns, Carpentaria, Cassowary Coast, Charters Towers, Cloncurry, Cook, Croydon, Doomadgee, Douglas, Etheridge, Flinders, Hinchinbrook, Hope Vale, Kowanyama, Lockhart River, McKinlay, Mapoon, Mareeba, Mornington, Mount Isa, Napranum, Northern Peninsula Area, Palm Island, Pormpuraaw, Richmond, Tablelands, Torres, Torres Strait Island, Townsville, Weipa, Wujal Wujal)	<i>Climate Risk Coordinator            DAF            PO Box 976            Charters Towers Qld 4820</i>
<b>Central Queensland</b> (Banana, Central Highlands, Gladstone, Isaac, Livingstone, Mackay, Rockhampton, Whitsunday, Woorabinda)	<i>Climate Risk Coordinator            DAF            PO Box 6014            Red Hill            Rockhampton Qld 4701</i>
<b>Western Queensland</b> (Barcaldine, Barcoo, Blackall-Tambo, Boulia, Diamantina, Longreach, Winton)	<i>Climate Risk Coordinator            DAF            PO Box 519            Longreach Qld 4730</i>
<b>Southern Queensland</b> (Balonne, Bulloo, Goondiwindi, Maranoa, Murweh, Paroo, Quilpie, Southern Downs, Toowoomba, Western Downs)	<i>Climate Risk Coordinator            DAF            PO Box 102            Toowoomba Qld 4350</i>
<b>South East Queensland</b> (Brisbane, Bundaberg, Cherbourg, Fraser Coast, Gold Coast, Gympie, Ipswich, Lockyer Valley, Logan, Moreton Bay, Noosa, North Burnett, Redland, Scenic Rim, Somerset, South Burnett, Sunshine Coast)	<i>Climate Risk Coordinator            DAF            PO Box 23            Kingaroy Qld 4610</i>

3. Once the activity is completed and your tax invoices have been paid in full, complete the Permanent Tree Cropping New Bores and Dam Desilting Rebate Application Form. Attach all necessary documentation including the endorsed Permanent Tree Crops New Bores and Dam Desilting Statement and all tax invoices and photos of your recently desilted dam or new bore. It is recommended that the photos of your desilted dam or new bore are taken as soon as the activity has been completed and if for dam desilting before the dam is filled with water.
4. Submit your application to DAF for processing by emailing [droughtdeclarations@daf.gov.au](mailto:droughtdeclarations@daf.gov.au) or post to:
 

Permanent Tree Cropping Water Rebate  
 Drought Policy and Response  
 Department of Agriculture and Fisheries  
 Level 12  
 GPO Box 46  
 Brisbane Qld 4001

You may submit more than one application to ensure that your tax invoices are received in Brisbane within six months of the tax invoice date for the desilting. **All tax invoices must have been paid in full.**

If at any time during the application process you need assistance completing the forms or you are unsure of your eligibility requirements you are encouraged to contact the Customer Service Centre on 13 25 23 or email DAF at [droughtdeclarations@daf.qld.gov.au](mailto:droughtdeclarations@daf.qld.gov.au).

## Supporting documents

DAF is unable to process your rebate application without copies of all corresponding tax invoices that relate to your claim. Please include copies of all tax invoices with your application. Please also supply photographs showing the new bore or desilted dam as soon as the activity has been completed. Remember to keep a copy of the application for yourself, as tax invoices and photos will not be returned to you.

## Minimum and maximum payments

**For the purposes of this scheme, all properties or land parcels included under a single Property Identification Code (PIC) are considered to be one property.** This scheme does not allow the splitting of partnerships, properties or land parcels to access more than the prescribed maximum amount.

The minimum payment for each application is \$25. No payment will be made for any claims under this amount.

The maximum amount that can be obtained is up to 25 percent of eligible tax invoices, to a maximum of \$25,000 for any combination of any payments for the Australian Government On-Farm Emergency Water Infrastructure Rebate (EWIR) top up, any payments for Dam Desilting Rebate for Graziers and any payments for the Permanent Horticulture Tree Crops – New Bores and Dam Desilting Rebate in each of the financial years 2020-21 or 2021-22, or sooner should Australian Government funds be exhausted.

Between 1 April 2020 until 1 October 2020, the Permanent Horticulture Tree Crops – New Bores and Dam Desilting Rebate will be paid by the Australian Government at up to 25 percent of eligible tax invoices, to a maximum of \$25,000 for any combination of any payments for the Australian Government On-Farm Emergency Water Infrastructure Rebate (EWIR) top up, any payments for Dam Desilting Rebate for Graziers and any payments for the Permanent Horticulture Tree Crops – New Bores and Dam Desilting Rebate for the financial year 2020-21.

From 2 October 2020 until 30 June 2022, or earlier should the Australian Government funds be exhausted, the Permanent Horticulture Tree Crops – New Bores and Dam Desilting Rebate is jointly funded between the Australian and Queensland Governments.

From 2 October 2020, the Australian Government rebate consists of up to 12.5 per cent of the eligible tax invoices to a maximum of \$12,500 per Property Identification Code (PIC) per financial year for any combination of any payments for the Australian Government On-Farm Emergency Water Infrastructure Rebate (EWIR) top up, any payments for Dam Desilting Rebate for Graziers and any payments for the Permanent Horticulture Tree Crops – New Bores and Dam Desilting Rebate.

The Queensland Government rebate consists of up to 12.5 percent of the eligible tax invoices to a maximum of \$12,500 for the Dam Desilting Rebate for Graziers and the Permanent Horticulture Tree Crops – New Bores and Dam Desilting Rebate. The Queensland Government rebate is funded under the Drought Relief Assistance Scheme (DRAS) and is thus also subject to the maximum amount that can be claimed from DRAS per financial year.

The maximum level of financial assistance available under DRAS is initially \$20,000 per Property Identification Code (PIC), per financial year.

The initial \$20,000 limit for DRAS may be extended to \$30,000 per property per financial year if a Drought Management Plan (DMP) for your property is endorsed by a DAF officer. Once a DMP is endorsed, the \$30,000 ceiling applies to the entirety of the current financial year and subsequent financial years. When a property with an endorsed DMP is in its third or subsequent year of being drought declared, the maximum allowable limit per financial year increases from \$30,000 to \$40,000. When a property with an endorsed DMP is in its sixth and subsequent year of being drought declared, the maximum allowable limit per financial year increases to \$50,000.

Payment for both the Australian Government and Queensland Government components of this rebate is conditional on funding being available from the Australian Government.

Where you have received a payment that you are not eligible to receive, DAF reserves the right to pursue reimbursement which may include reclaiming funds from any future eligible DRAS applications that you submit.

### **Processing times**

DAF aims to process 90 per cent of correctly submitted claims within 21 working days. Incomplete claims or claims that do not clearly meet the eligibility requirements may take longer. Please ensure you meet the eligibility criteria and that you have provided all of the required information to help DAF process the claim quickly.

### **Payment method**

DAF's default and preferred method of payment is direct electronic transfer into your bank account; however, you may request payment by cheque. You can indicate on your form which method you would prefer.

### **Assessment**

Applications will be assessed against the eligibility criteria. DAF reserves the right to request further information from you, or any business or individual you have engaged, to help assess your application and to verify information provided in your application including that invoices have been paid. Failure to provide such information may result in DAF refusing your application. DAF also reserves the right to refuse an application, at its discretion, for any reason or for no reason, irrespective of whether the eligibility criteria have been met.

DAF may consult with members of your local drought committee, other agencies of the Queensland Government to assist in assessing your claim.

Applications submitted may be subject to audit by DAF, the Australian Government or their agents in order to determine compliance with scheme guidelines.

### **Fraudulent applications**

You are declaring the information provided in the application form and supporting documentation is true and accurate by signing the application form. Providing inaccurate, untrue or misleading information may be a breach of criminal law for which serious penalties may apply. If information provided in an application or supporting documentation is found to be inaccurate, untrue or misleading, legal action may be taken against you, including action to recover the rebate.

## Appeal and review process

If you are unable to arrange for a contractor to desilt your dam or to drill your bore within the six months after the endorsement date on your Permanent Tree Cropping New Bore and Dam Desilting Statement, you may request an extension by contacting the DAF officer who endorsed the statement.

If you are unsuccessful in obtaining an endorsed Statement or disagree with the conditions of your Statement, you may request a review of the decision by lodging a request with DAF. Your application will either be reviewed by the State Climate Risk Coordinator or by the Director, Land Management. If you are not satisfied with the subsequent review of your Statement, then you may appeal the decision by writing to the Queensland Minister for Agricultural Industry Development and Fisheries.

If you are declined assistance because your claim was received by DAF outside of the eligible time limit, you can request a reconsideration by writing to the Queensland Minister for Agricultural Industry Development and Fisheries and outlining the reasons why your application was late. Payment of a declined claim may be approved at the Minister's discretion, if the Minister considers that there are extenuating circumstances that contributed to the late submission.

If you are declined assistance because DAF officers believe you do not meet the eligibility criteria (for example, DAF officers believe you do not qualify as a 'primary producer'), you may request a reconsideration by writing to the Queensland Minister for Agricultural Industry Development and Fisheries and outlining the reasons why you believe you are eligible and include any additional supporting evidence. Payment of a declined claim may be approved at the Minister's discretion, if the Minister considers that the evidence provided by you demonstrates that you meet the eligibility criteria.

## Producer responsibilities

While this scheme is to help you to manage your property it does not discharge you from your legal responsibilities under relevant water legislation.

## Guidelines

These guidelines are correct at the time of publishing. DAF reserves the right to amend, alter or change these guidelines at any time, and it is the responsibility of the applicant to ensure that they check the relevant website frequently. The guidelines that apply to your application will be the guidelines that are current at the time your application is received by DAF.

While DAF has taken all care in preparing these guidelines, DAF will not be liable in any way 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.

DAF may provide information regarding your application to the Australian Government if requested by the Australian Government.

DAF or the Australian Government may amend, cancel or suspend this scheme at any time without notice.