

**AGRN1044 - Ex – Tropical Cyclone Ellie and Associated
Flooding in WA**

Category D

Freight Assistance Program Guideline - Public

11 April 2023

Table of Contents

1. Purpose of Assistance	3
1.1 Purpose of Assistance	3
1.2 Background.....	3
1.3 Eligible Applicants.....	3
1.4 Administrative Arrangements	4
2. Outcomes and Objectives	4
3. Eligibility Criteria	4
3.1 Application requirements.....	5
3.2 Eligible activities	6
3.3 Ineligible activities	6
3.4 Eligible costs.....	6
3.5 Ineligible costs	7
3.6 Exceptional Cases	7
4. Timeframes.....	7
4.1 Timeframes for Grant Applicants.....	7

1. Purpose of Assistance

1.1 Purpose of Assistance

The purpose of the Commonwealth and Western Australian Governments' jointly funded Freight Assistance Program (the program) is to reduce the additional financial burden associated with exceptional freight costs for businesses impacted by Ex-Tropical Cyclone Ellie (DRFA AGRN1044). This event caused unprecedented and significant damage to essential public assets across the Kimberley region of Western Australia, including road and bridge infrastructure on Highway 1. This program will assist in mitigating the resulting direct economic and social impacts to Kimberley industries and communities.

The program will operate until a suitable road connection is re-established enabling normal freight routes to resume. In the event that road connections are not suitable for all classes of vehicles, the program may remain open on a limited basis.

1.2 Background

Ex-TC Ellie was proclaimed an eligible disaster event under the joint Commonwealth-State Disaster Recovery Funding Arrangements (DRFA) on 5 January 2023.

This program is funded under the Commonwealth-State Disaster Recovery Funding Arrangements (DRFA). The State will amend the guidelines if and when required in consultation with the National Emergency Management Agency (NEMA) to ensure the intent of the program is maintained and unforeseen issues are addressed in a timely manner.

1.3 Eligible Applicants

Established businesses located in, or delivering to or from, the four (4) DRFA activated Local Government Areas (LGA) that have been impacted by the event may be eligible for assistance.

- Shire of Broome
- Shire of Derby-West Kimberley
- Shire of Halls Creek
- Shire of Wyndham-East Kimberley

Any additional LGAs that are subsequently declared under this event may also be considered for eligibility, pending a separate request to the Prime Minister from the Premier of Western Australia.

Applications will be accepted from:

- Transport operators: those businesses transporting freight to/from the affected communities. Approved funds will be paid directly to the transport operator, who should ensure those savings are passed on to their customer(s), reducing their charges by the equivalent amount of assistance received under this program.
- Businesses: eligible entities that have commissioned the transportation of goods in to or out of the affected communities where the transport operator is not intending to claim assistance under this program for the freight costs.

1.4 Administrative Arrangements

This program will be managed by the Department of Primary Industries and Regional Development (DPIRD) as the delivery agency. DPIRD is responsible for assessing applicant eligibility and paying approved funds to applicants that demonstrate eligibility criteria has been met.

The Department of Fire and Emergency Services (DFES) DRFAWA Team (the administering agency) is responsible for overall administration of the program in accordance with the established guidelines developed in consultation with NEMA.

For DRFAWA audit and assurance purposes, all parties are required to keep appropriate evidence and documentation to allow approved funding to be reconciled to eligible costs and activities under the DRFA for a period of at least 2 years after the program closes.

The Program will be jointly announced by the State and Commonwealth, in accordance with DRFA public acknowledgement requirements.

2. Outcomes and Objectives

The program aims to provide financial assistance to reduce the impact of increased freight costs to and/or from the Kimberley region due to destruction of the Fitzroy River bridge and subsequent closure of Highway 1 (the Great Northern Highway).

The anticipated outcomes and objectives of the program are described below.

Outcome 1: Businesses and industries in the local economy continue to operate and trade.

Objectives:

- Key regional industries are supported financially to ensure they remain operational
- Business confidence supports continued business operations and employment in the region
- Businesses and industries can adapt to new operational conditions

Outcome 2: Community members can meet their material and service needs

Objectives:

- Households have access to goods and services at pre-disaster levels
- Vulnerable people are not disadvantaged by the impact of the disaster in terms of their ability to access goods and services

3. Eligibility Criteria

To be eligible for assistance, the following criteria must be met:

Transport Operator applicants:

- The freight transportation must be to or from one of the LGAs subject to the proclamation for the declared event.
- The freight must be directly related to the commercial activities of a business operating in the proclaimed LGAs, i.e.: import of a business input or delivery of a business output.
- The increase in freight costs must be a direct result of additional road kilometres travelled and/or alternative transport mode required due to the road and bridge damage caused by the declared event.
- The freight transportation must have occurred between 1 January 2023 and the date at which road access is restored.
- A full grant must not have already been paid to a business under this program for the freight of the goods.
- The transport operator must have a current ABN and be registered for GST.

Business applicants:

- Business is located / operating within one of four DRFAWA activated LGAs.
- The normal freight route of the business for the goods must have been directly impacted by the event.
- Business must have been established and operational at the time of the event (28 December 2022) and have incurred the expense on or after 1 January 2023.
- The freight must be directly related to the commercial activities of the business, i.e., import of a business input or delivery of a business output.
- Business is unable to claim increased freight costs under their own insurance or any other funding / assistance mechanisms.
- A full claim has not been paid to a transport operator under this program for the freight of the goods.
- Business must have a current ABN and be registered for GST.
- The freight transportation must have occurred between 1 January 2023 and the date at which road access is restored.

3.1 Application requirements

Eligible businesses will apply for this program through DPIRD's online grants management system.

Applicants are required to supply key information such as (but not limited to):

- journey origin and destination
- journey routes pre-flood and post-flood
- type of goods received or sent
- proof of delivery and freight charges (e.g., invoices, consignment notes and/or manifests).
- general business details.

The basis for granting the assistance is the difference in pre-flood and post-flood costs of freight based on the shortest or lowest-cost route available at the time.

The increase in freight costs must be a direct result of additional road kilometres travelled and/or alternative transport requirements due to the road and bridge damage caused by the event.

Applicants must provide details and satisfactory evidence of the cost of the pre-flood journey (through Fitzroy Crossing) and the cost of the post-flood journey (by alternative route of mode of transport).

The approved funds are paid as a reimbursement once the freight is delivered and evidence is provided that the invoice has been paid.

Applications are subject to random audits to detect fraudulent and unscrupulous behaviour or claims. Mitigation measures may include:

- Applications cross-referenced with data from the emergency resupply grant scheme that operated between 1 January and 28 February 2023.
- Evidence submitted used to highlight duplicate applications where both transport operator and business are claiming for the same journey.

3.2 Eligible activities

The following transportation into / out of a LGA included in the proclamation is eligible:

- retail, construction, mechanical, agricultural, horticultural, mining and other supplies and products required to ensure the ongoing operation of businesses.
- business exports, including but not limited to livestock, agricultural produce, natural resources, extracted materials and manufactured goods.

3.3 Ineligible activities

- Tourist movements in and out of the region and any other activities which the State does not consider directly related to the intent of the program are ineligible.

3.4 Eligible costs

Eligible costs may include:

- Costs for moving freight compared with pre-flooding transportation costs (including freight costs for the movement of goods due to the relocation of staff to and from the Kimberley, where those relocation costs are covered by the business).
- Difference in costs may include additional costs caused by heavy vehicles having to travel longer distances via SA and the NT, or the use of barges, planes (fixed wing and helicopter), or other equipment.
- Alternative freight routes, including different starting/finishing locations than utilised in pre-flood transport, are eligible, though grants will be based on the lowest cost route available.
- Additional costs incurred for associated items such as (but not necessarily limited to) traffic management, traffic escort, intrastate / interstate movement permits may be considered for eligibility subject to suitable evidence being submitted with the application.

3.5 Ineligible costs

- Costs associated with freight that cannot be aligned to an eligible freight charge (as stipulated in Section 3.4)
- All additional freight costs that are not a direct result of the event
- Costs for additional travel incurred not relating to freight movement
- Costs associated with preparation of applications to the program
- Costs that are reimbursable under other funding initiatives / programs that the delivery agency considers has similar intent to this program
- Costs that are met by an insurance claim
- Legal costs
- In-kind costs / contributions of own labour
- Duplication of existing initiatives
- Costs that are disproportionate or unreasonable upon review by DRFAWA

These costs are examples only and are not intended to cover all circumstances. If there is any doubt about the eligibility of costs please contact DRFAWA.

3.6 Exceptional Cases

Program eligibility may be broadened in consultation between the State and NEMA to consider exceptional circumstances that are not currently supported by these Guidelines. In these circumstances, the application may be considered on a case-by-case basis in consultation with key delivery agencies including but not limited to the DPIRD and the Department of Transport (DoT).

4. Timeframes

4.1 Timeframes for Grant Applicants

Applications to the program should be made as soon as practicable after the freight has been delivered and invoice paid and within 2 months of a suitable road connection being re-established if possible. The Program will remain open to submit applications until 31 December 2023.

DFES will determine if the Program will be reopened from 1 January 2024. This will be dependant whether a suitable road connection is available.

DPIRD aims to assess and provide payment for approved applications within 10 business days of receiving sufficient evidence of additional freight costs to support an assessment.