

VALLEY RISING INCORPORATED

Producer Eligibility Policy

Version 1.2 - drafted by Jessica Whittemore-Tulloch, with contributions from Allanna Wells, Alisdair Tulloch, and David MacDougal.

Version 1.2 amendments: clause 5.7 restructured for clarity, ownership threshold tightened from "wholly owned" to "controlled," public-versus-private asymmetry removed; new clause 5.8 production volume threshold added.

1. Purpose

This policy sets out the criteria by which producers are assessed as eligible to participate as vendors at Valley Rising events. It gives effect to the Objects set out in the Association's Constitution and ensures that every producer poured or exhibited at Valley Rising has a genuine, substantive connection to the Hunter region, not merely a marketing one.

2. Scope

This policy applies to:

- (a) all applications to pour beverages or exhibit products at any Valley Rising event, including flagship, satellite, and On The Road events;
- (b) all sponsorships and partnerships involving the representation of beverage producers at Valley Rising; and
- (c) any use of the Valley Rising brand to endorse or promote a producer's products.

3. Guiding principle

Valley Rising champions producers who are genuinely of the Hunter and operating at an emerging or boutique scale. Eligibility rests on substantive local production, structural independence from established retail platforms, and scale appropriate to the spirit of the collective. This policy is designed to be firm on principle and flexible on application, recognising that emerging producers take many forms.

4. Geographic scope

The geographic scope of this policy is the Hunter Valley or Hunter Region, meaning the local government areas (LGAs) of Singleton, Cessnock, Maitland, Muswellbrook, Newcastle, Lake Macquarie, Port Stephens, and Dungog.

This scope mirrors the definition of "Hunter Valley Producer" in clause 1 of the Association's Constitution and must be kept in sync with any future amendment to that definition.

References elsewhere in this policy to "the geographic scope" mean the scope adopted under this clause.

5. Category-specific eligibility

5.1 Wine

Wine producers must:

- (a) hold and maintain all valid licenses, permits, and regulatory approvals required by law for their specific operations, including but not limited to relevant liquor licenses and food safety registrations;
- (b) produce wine/s compliant with the Hunter Valley Geographical Indication under the Wine Australia Label Integrity Program, meaning at least 85% of grapes are grown within the Hunter Valley GI;
- (c) meet the independence tests at clauses 5.7 and 5.8; and
- (d) show a minimum of 50% Hunter Valley GI wines at any Valley Rising event, with a maximum of two (2) non-compliant wines.

5.2 Beer

Breweries must:

- (a) hold and maintain all valid licenses, permits, and regulatory approvals required by law for their specific operations, including but not limited to relevant liquor licenses and food safety registrations;
- (b) have their brewing operations, including mashing, boiling, fermentation, conditioning, and packaging, undertaken within the geographic scope at clause 4;
- (c) operate from licensed premises within the geographic scope; and
- (d) meet the independence tests at clauses 5.7 and 5.8.

It is acknowledged that most beer inputs (hops, specialty malts) are commodities commonly sourced from outside the region. Ingredient origin is not an eligibility criterion for beer; production location is.

5.3 Spirits

Distilleries must:

- (a) hold and maintain all valid licenses, permits, and regulatory approvals required by law for their specific operations, including but not limited to relevant liquor licenses and food safety registrations;
- (b) distil and bottle their products within the geographic scope at clause 4;
- (c) operate from licensed premises within the geographic scope; and
- (d) meet the independence tests at clauses 5.7 and 5.8.

Botanicals, base grains, molasses, and other inputs may be sourced from outside the region. Distillation location is the eligibility criterion.

5.4 Cider, mead, and fermented beverages

Producers must:

- (a) hold and maintain all valid licenses, permits, and regulatory approvals required by law for their specific operations, including but not limited to relevant liquor licenses and food safety registrations;

(b) ferment and package their products within the geographic scope at clause 4; and

(c) meet the independence tests at clauses 5.7 and 5.8.

Preference may be given, but is not required, to producers using regionally sourced fruit, honey, or other primary inputs.

5.5 Non-alcoholic beverages

Producers must:

(a) hold and maintain all valid licenses, permits, and regulatory approvals required by law for their specific operations, including but not limited to relevant liquor licenses and food safety registrations;

(b) produce, brew, ferment, or blend their products within the geographic scope at clause 4;

(c) operate from premises within the geographic scope; and

(d) meet the independence tests at clauses 5.7 and 5.8.

5.6 Food vendors

Food vendors are considered separately from beverage producers and may be selected on the basis of either operation within the geographic scope, or demonstrable alignment with Valley Rising's values (local sourcing, small-scale operation, independence). Food vendor selection sits at the committee's discretion.

Food vendors must hold and maintain all valid licenses, permits, and regulatory approvals required by law for their specific operations, including but not limited to relevant liquor licenses and food safety registrations.

5.7 Independence test - structural

For the purposes of this policy, a producer is "independent" where all of the following apply:

(a) the producer is not owned or controlled by a beverage group; and

(b) the producer is not owned by, controlled by, or operating under the same corporate group as an entity that owns, leases, or operates a permanent cellar door or dedicated retail premises for the primary purpose of showcasing and selling its products directly to consumers.

Definitions for this clause

"Controlled" means holding more than 50 per cent of issued capital, voting rights, or board representation, or otherwise having effective control of strategic and operational decisions, whether directly or through one or more intermediaries.

"Beverage group" means any corporate group, whether publicly listed or privately held, that owns or operates two or more separate beverage-producing businesses.

"Permanent" means continuously available to the public on an ongoing basis. "Dedicated retail premises" includes any branded shopfront, tasting room, or similar space primarily used for the producer's own product sales.

Substance over form

The assessment focuses on practical effect, not legal structure alone. A producer that effectively controls a retail space through branding, staffing, or exclusive use may be deemed to operate a DTC venue even where the lease is held by another entity.

Permitted sales channels

A producer may still qualify as independent where its products are available through third-party venues, including other producers' cellar doors, hospitality venues, retail outlets, and independent bottle shops, provided the producer does not maintain an exclusive, permanent, or ongoing physical presence under its own operational control within those venues.

Temporary or event-based activations (markets, festivals, pop-ups) do not constitute a permanent DTC venue and do not affect independence status.

Committee discretion

The Committee retains discretion to determine eligibility in complex or ambiguous cases, having regard to the spirit and objectives of this policy.

5.8 Independence test - scale

In addition to the structural test in clause 5.7, a producer is eligible under this policy only where the producer's total annual production does not exceed 50,000 bottles (or equivalent volume) per financial year, measured at the producer brand business level.

Measurement of annual production

For the purposes of this clause, "annual production" is measured by reference to:

- (a) bottles of finished product packaged for sale in the preceding financial year;
- (b) litres of finished product packaged for sale in the preceding financial year; or
- (c) equivalent measures for non-bottled formats, including kegs, cans, and casks.

Evidence of annual production may be drawn from the producer's vintage declaration, brewing or distillation records, or a statutory declaration.

Committee discretion on scale

The Committee may, in exceptional circumstances, admit a producer whose annual production marginally exceeds the brand business threshold in subclause (a) where the producer is otherwise emerging, owner-operated, and aligned with the spirit and objectives of this policy. Any such discretion must be:

- (i) consistent with the Objects of the Association;
- (ii) recorded in writing with reasons;
- (iii) reported at the next general meeting; and
- (iv) reviewed and renewed annually on application.

Review of thresholds

The brand business and group thresholds in subclauses (a) and (b) may be reviewed and varied by resolution of the committee from time to time, with any change recorded in the Changes log and reported at the next general meeting.

6. Contract production

Many emerging producers begin life using contract arrangements, contract brewing, contract distilling, gypsy brewing, or co-packing, before having their own production capacity. Valley Rising supports this pathway, with conditions.

Contract production is eligible under this policy where all of the following are met:

- (a) the brand-owning business is based within the geographic scope at clause 4;
- (b) the contract production partner is also based within the geographic scope and carries out the substantive production there; and
- (c) the brand-owning business is responsible for the recipe, product development, and quality control of the products offered.

Contract production involving substantive work outside the geographic scope is not eligible, even where the brand-owner has local headquarters or local marketing, because the products themselves are not of the Hunter.

7. Emerging producer preference

In addition to the criteria above, Valley Rising exists to platform emerging producers in particular. In assessing applications, the committee may give preference to producers:

- (a) operating without a permanent cellar door or at small production volumes;
- (b) that have not previously exhibited at major commercial wine shows or trade fairs;
- (c) that are owner-operated or family-run; and
- (d) that otherwise reflect the indie, community character of Valley Rising.

8. Application and evidence

Applicants must submit:

- (a) the completed Valley Rising vendor application form;
- (b) evidence of current producer's licence or equivalent regulatory compliance;
- (c) for wine: evidence of Hunter Valley GI compliance (vintage declaration, LIP records, or statutory declaration);
- (d) for beer, spirits, cider, mead, and non-alcoholic beverages: evidence of the production address and a brief description of production processes undertaken there;
- (e) for contract production: written evidence of the contract relationship, including the contractor's address and the nature of production undertaken;
- (f) evidence of ownership structure sufficient to demonstrate compliance with clause 5.7;

- (g) evidence of annual production volume sufficient to demonstrate compliance with clause 5.8 (vintage declaration, brewing or distillation records, or a statutory declaration); and
- (h) any other evidence the committee reasonably requests.

The committee may accept a statutory declaration in place of documentary evidence where it is satisfied that this is reasonable in the circumstances.

9. Assessment process

- (a) Applications are assessed by the committee or by a sub-committee appointed for that purpose.
- (b) Any committee member with a material interest in an application (for example, a family member's producer applying) must declare that interest and recuse themselves from the assessment, in accordance with the Constitution's conflicts of interest clause.
- (c) Decisions are made by majority vote of the assessing committee or sub-committee.
- (d) Applicants are notified of the outcome in writing, with reasons if declined.

10. Edge cases and committee discretion

Where an application does not fit neatly within the criteria above, the committee may exercise discretion to approve or decline the application, provided the decision is:

- (a) consistent with the Objects of the Association;
- (b) recorded in writing with reasons; and
- (c) reported at the next general meeting.

This discretion is intended for genuine edge cases, not to become the norm. The integrity of the policy depends on consistent application.

11. Appeals

An applicant whose application is declined may appeal in writing to either Co-Chair within 28 days of the decision. The appeal will be considered by the committee (excluding, where practicable, any members who participated in the original decision) and the committee's decision on appeal is final.

12. Policy review

This policy will be reviewed by the committee annually, and in any event before the first event of each calendar year, to ensure it continues to reflect the Association's objects and the realities of the producer community. Material changes will be reported to members at the next general meeting and recorded in the Changes log.

13. Relationship to the Constitution

This policy operates under and is subordinate to the Association's Constitution. Where any inconsistency arises, the Constitution prevails. Terms used in this policy have the same meaning as in the Constitution unless otherwise defined.

Adoption

Adopted by resolution of the committee on: _____

Signed (Co-Chair): _____ Signed (Co-Chair): _____

Signed (Secretary): _____ *Updated 6/2026 - Version 1.2*