

Fencing Biosecure Production Zones and Pest Knockout Grant Program

Grant guidelines

Opening date: 16 December 2022

Closing date and time: 12pm AEDT on 25 January 2023

Funding entity: Local Land Services

Type of grant opportunity: Open competitive

If you have any questions, contact: Project Coordinator, Brian Dohnt
P: (02) 6836 6004 M: 0455 901 258 E: brian.dohnt@lls.nsw.gov.au



Published by Local Land Services

Title: Fencing Biosecure Production Zones and Pest Knockout Grant Program

First published December 2022

ISBN

More information

Western Local Land Services

www.lls.nsw.gov.au

© State of New South Wales through Local Land Services, 2023.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing January 2023. However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of Local Land Services or the user's independent adviser.

Contents

Fencing Biosecure Production Zones and Pest Knockout Grant Program.....	i
Grant guidelines	i
About the Grant Program.....	2
Getting support.....	2
Program purpose and objectives.....	3
Objectives	3
Key dates of Grant Program	4
Program budget.....	4
Available grants	4
Who can receive funding?	5
Who cannot receive funding?	5
How do I register my interest?	6
Stage One – Lodging an Expression of Interest	6
Developing a grant application	7
Stage Two: Developing your grant application	7
What happens if my grant application is successful?	12
Stage Three: Entering a funding deed with Local Land Services	12
Disclosure of grants awarded	15
Compliance with existing State and Commonwealth legislation	15
Government Information (Public Access) Act 2009	16
Complaints	16
Ethical conduct	17
Conflicts of interest.....	17
Confidentiality.....	17
Department rights	18
Intellectual property.....	18
No offer.....	18
Addenda	18
Disclaimer.....	19
Appendix 1: Fencing information	20

About the Grant Program

The Fencing Biosecure Production Zones and Pest Knockout Grant Program (the Grant Program) is a NSW Government initiative, designed to provide support to landholders in the Western Local Land Services region to achieve good biosecurity outcomes and manage pests, diseases and weeds at a landscape scale.

This will be achieved by supporting landholders manage their biosecurity risk through the implementation of biosecurity control measures and management. These include the establishment of biosecure zones through fencing, strategic grazing management, coordinated invasive species control, and improved knowledge and adoption of their general biosecurity duty (GBD).

This program aligns with the NSW Government's broader commitment to ensure that the economy, environment and community are protected from the negative impacts of pests and diseases, weeds and contaminants.

The NSW Government has committed up to \$3.7 million dollars for the delivery of the Grant Program in the Western Local Land Services region until June 2025.

The Grant Program is a targeted, competitive grant opportunity offered over one round of funding opening in December 2022. To ensure your application has the best chance of success, all applicants are encouraged to read the guidelines prior to applying.

Successful grantees will be funded to undertake on-ground activities during the period June 2023 to June 2025. All fencing projects are required to be completed by 10 June 2024. Pest and weed management activities are to be completed by June 2025.

Getting support

Contact Western Local Land Services if you have any questions.

Project Coordinator

Mr Brian Dohnt

Ph (02) 6836 6004

Mb 0455 901 258

Email brian.dohnt@lls.nsw.gov.au or admin.western@lls.nsw.gov.au.

Program purpose and objectives

The livestock production and agricultural industry in the Western region accounts for approximately \$673 million dollars per annum¹. Pest animals, plants and diseases present a biosecurity threat to these industries; therefore, it is critical that these threats are managed to ensure the safety, reputation and biosecurity of Western region's livestock and agricultural industries.

The recent strong seasonal conditions have created a favourable environment for invasive species to flourish, and significant upfront investment is required to control these priority pests and manage future risks to production, the environment and biosecurity. The scale of Western region's holdings creates a considerable financial challenge for landholders to implement appropriate management actions and achieve on-ground outcomes for sustainable land management.

Supporting landholders to protect their primary production industries from biosecurity risk, to improve productivity and to build resilient and healthy landscapes is a priority for Western Local Land Services.

The Grant Program offers expert advice and incentives to landholders to:

- identify, contain, and manage risks posed by pest plants, pest animals and disease to the natural environment and primary industries
- minimise and contain biosecurity risk to ensure market security and access
- raise awareness, and adoption of, shared biosecurity responsibility, innovation and best management practices against pest plants, pest animals and disease
- build capacity in pest plant, pest animal and disease management
- grow farm productivity, sustainability and profitability
- improve and protect soil, water and biodiversity assets.

Objectives

The objectives of the program are to:

- reduce the impact of pest plants, pest animals, and disease on natural resources and agriculture
- reduce the potential impact of biosecurity risk emergencies on communities, environment and the economy
- increase landholder knowledge and adoption of general biosecurity duty and management of pest plants and animals and plant and animal pests and diseases
- reduce the impact of invasive weed species on natural resources and agriculture
- improve agricultural productivity and sustainability
- enable land managers to better manage natural resources.

This project will deliver on the following Western Local Land Services priority programs:

- Boosting Biosecurity Defenses
- Strengthening Western NSW products and marketability position
- Western's Least Wanted - Pest Plants and Animals
- The Pest Group Model
- Growing the Western region
- Biodiversity Matters

Further information about the priority programs is on the Local Land Services website. Strategic plans - Local Land Services (nsw.gov.au).

¹ Regional Output (nsw.gov.au)

Key dates of Grant Program

Below is a list of milestones and dates for the Grant Program.

Table 1. Key milestones and dates

Key milestones	Key dates
Expressions of Interest open	Friday 16 December 2022
Expressions of Interest close	12pm AEDT Wednesday 25 January 2023
Expression of Interest assessment process	30 January – 17 February 2023
Expression of Interest outcome date	Tuesday 21 February 2023
Project planning with appointed case officer	Wednesday 22 February – Tuesday 28 March 2023
Project plan assessment	Week of 17 of April 2023
Application outcome date	Tuesday 2 May 2023
Funding deeds executed with Successful Applicants:	Week of 5 of June 2023 Contracting processes will commence once an applicant has signed and returned their funding deed
Project completion	Projects must commence by June 2023 and are expected to be completed by 10 June 2024.

In extenuating circumstances, applications submitted after the deadline may be accepted at the sole discretion of Local Land Services.

Program budget

The NSW Government has allocated a total of \$3.7 million dollars (GST exclusive) over three years commencing in 2022-2023 to deliver the Grant Program.

The Grant Program is published on the Local Land Services website [Home - Local Land Services \(nsw.gov.au\)](https://www.locallandservices.nsw.gov.au) and [Grants and funding | NSW Government](https://www.nsw.gov.au/grants-and-funding).

Available grants

Table 2 below is an indication of the total funding available as grants per project type. Note that this is a competitive grant program, and projects will be allocated funds based on their merit, with consideration of program objectives, project risk, and value for money.

Funding under the Grant Program is limited, which may mean some projects will not be funded. The funding amounts listed are GST-exclusive. Funding amounts, activities, and project standards are subject to change without notice.

Table 2. Total Funding available under the Grant Program

Project type	Funding available
Grants – Fencing Biosecure Zones	\$2,800,000
Grants – Invasive Species Management	\$200,000
Total	\$3,000,000

Who can receive funding?

Funding under the Grant Program is available to landholders including individuals, groups, Aboriginal organisations, non-government organisations, and not-for-profit organisations.

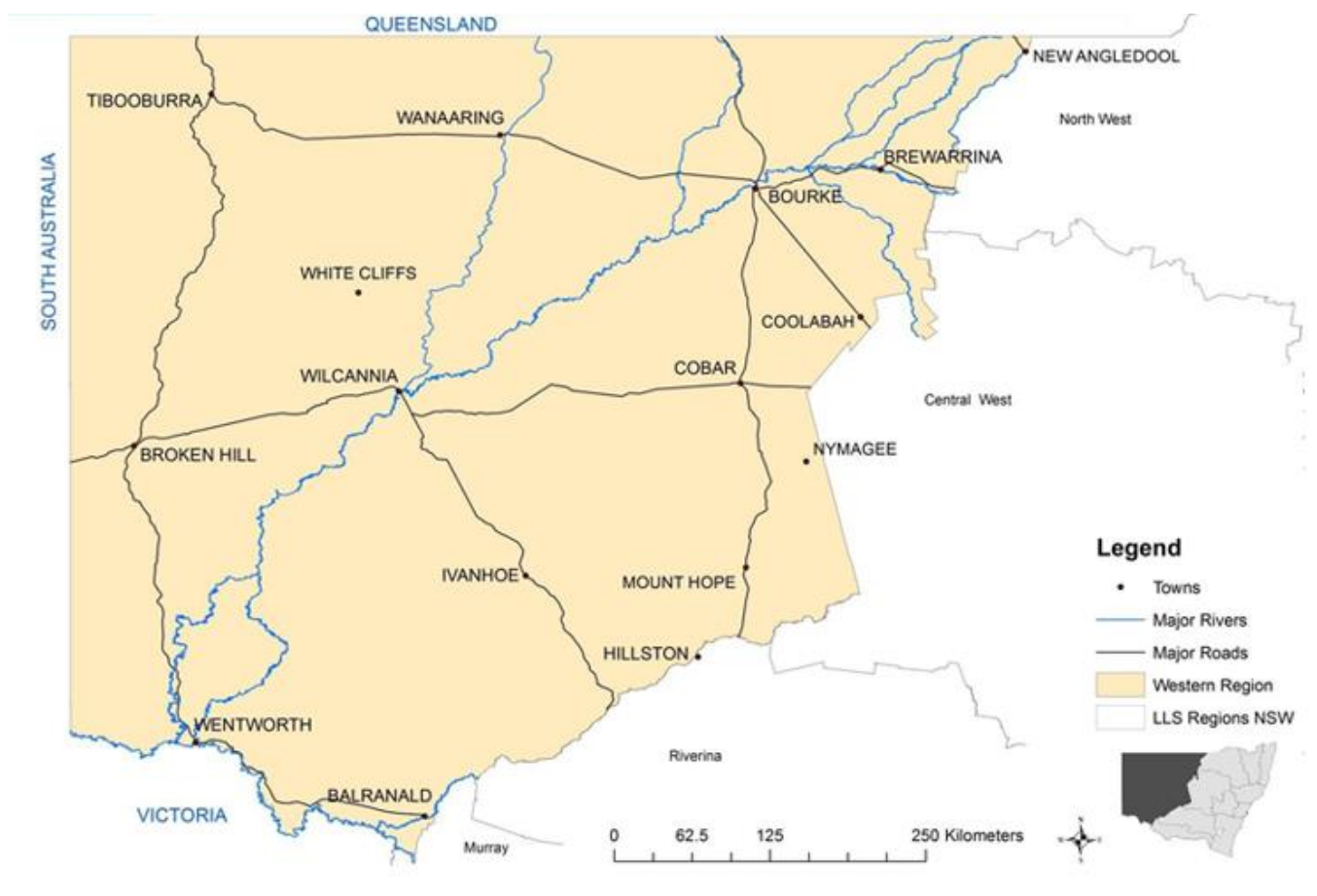
To be considered for funding, you must first meet the eligibility criteria (detailed in the How do I register my interest section on Page 5).

Who cannot receive funding?

You are not eligible for funding if:

- you are not the owner/Western Lands Lessee of the land
- your property is located outside the Western Local Land Services region (See Figure 1)
- you have overdue or non-compliant contracts with Local Land Services
- you have outstanding debt, including rates, owing to Local Land Services.

Figure 1: Map of Western Local Land Services region



How do I register my interest?

The program will be a three-stage application and approval process, involving an initial Expression of Interest (EOI) process, followed by a more detailed application and project planning process, and a final funding deed negotiation and execution.

Stage One – Lodging an Expression of Interest

Expressions of interest open on 16 December 2022 and close at 12pm AEDT on 25 January 2023.

To lodge your expression of interest online or for more information on the program visit www.lls.nsw.gov.au/biosecure-zones.

Eligibility to lodge an Expression of Interest

If you are not the owner of the land (i.e. a manager or custodian), you can submit an EOI on behalf of the owners, however you will need **written** support of all the owners of the land.

To be eligible for grant funding, the landholder must meet each of the following requirements:

- the project is located within the Western Local Land Services region (See Figure 1)
- I am the owner of the land OR I have been given written permission by the owner of the land to apply
- the property is greater than 10,000 hectares in size
- the project area is at least 5,000 hectares in size
- I do not have any outstanding debt with Western Local Land Services, including rates
- I am willing to enter a contractual arrangement with Western Local Land Services for 10 years which is the duration of the project
- I will commit to starting the project within one month of executing the contract
- I will commit to completing fencing by 10 June 2024
- I hold or commit to obtaining a minimum of \$20 million in public liability insurance, prior to executing a funding deed with Western Local Land Services
- I do not have any overdue or non-compliant projects with Western Local Land Services
- I am willing to participate in a coordinated landscape approach to invasive species knockout
- I commit to being an active project participant for the duration of the project
- I am not aware of any covenants or other agreements over the property that would negate/disallow this funding.

If you do not meet these requirements, you will not be eligible.

Assessment of Expression of Interest

The information in the EOI will be reviewed by the assessment panel to determine whether the applicant meets the following criteria:

- the applicant is eligible to apply
- the applicant meets all eligibility criteria
- the proposal fits within the parameters for eligible works
- the application is complete and submitted on time.

The EOI assessment is for the grant process only, so progression to the next stage of the grant process is not an endorsement or approval of the project by Local Land Services.

Notification of your EOI outcome

You will receive a notification from Local Land Services when your EOI has been assessed to inform you about the outcome of your application, and the next steps.

Unsuccessful EOIs will be offered a feedback information session.

Developing a grant application

If your EOI meets the eligibility criteria as set out in these Guidelines, you will progress to Stage 2 and will be contacted by a Local Land Services case officer who will assist you in preparing a detailed grant application and project plan that will be subject to further assessment. Progress to Stage 2 is not an endorsement or approval of the project by Local Land Services.

Your final project plan will provide information on the design, costing, implementation and ongoing management activities that you will undertake (if approved) over the period of your funding deed with Local Land Services (10 years).

Where possible, applicants are encouraged to seek quotes for materials and services from local suppliers.

Stage Two: Developing your grant application

You will be contacted by a Local Land Services case officer who will assist you in developing your grant application and project plan, including maps, budgets, and works plan.

Your case officer will be required to visit the project site to discuss your proposal in person and complete on-ground mapping and assessment. It is expected that you will engage with Local Land Services staff in this process and provide access to your land and any required information in a timely manner.

Please note that the scale of your proposal and the likelihood of the project being completed on time will be taken into consideration during the assessment process. When identifying your project area, you should consider risks including seasonal, time and financial limitations that may impact your ability to complete the works.

What can the grant money be used for?

Funding under the Grant Program is available for on-ground projects that help landholders protect and prepare the Western region's livestock and agricultural industries, the environment, economies and communities from the detrimental impacts of biosecurity risks and invasive species.

The primary component of the Grant Program is exclusion standard fencing. Local Land Services will stipulate a minimum standard exclusion fence design and a set funding ratio.

Further project activities, such as complementary pest control or weed management, must occur within the fenced area. Grant monies can only be spent on eligible expenditure items as specified in your application, Project Plan and the funding deed (contract). Any significant changes found necessary to implement project plans will require a formal contract variation negotiated with the project officer subject to approval by Local Land Services senior management.

Incentive grant monies are offered on a cost-share basis, with cash and/or in-kind contributions from the landholder. A description of eligible activities and information on contribution ratios and amounts are found in Table 3. Further information about project standards, can be found in Appendix 1.

Table 3: Eligible expenditure items under the Grant Program

Grant item	Local Land Services contribution
Exclusion fencing (as per minimum standard design)	Local Land Services will fund up to 30% of the total fence cost*, up to \$8,000** per kilometre. Fence must match Local Land Services minimum standard design or be of an equivalent standard. Supporting evidence (quotes) to be supplied with project plan (2023).
Weed management activities. Eligible activities will be identified in consultation with your Local Land Services Case Officer (Stage 2).	Local Land Services will fund 80% of the total cost of your project. The maximum amount of funding available per project is \$8,000**. This includes any costs associated with labour (including contractors).
Pest management activities. Eligible activities will be identified in consultation with your Local Land Services Case Officer (Stage 2). Broadscale pest management activities will be coordinated by Western Local Land Services.	Local Land Services will fund 80% of the total cost of your project. The maximum amount of funding available per project is \$8,000**. This includes any costs associated with labour (including contractors).

*Total fence cost includes materials, site preparation and labour

**Funding amounts are GST exclusive.

Successful grant applicants are required to keep accurate financial records in respect of your contribution and the Local Land Services contribution of the project costs incurred. These records must be retained for at least 7 years after the Project finishes. Local Land Services may, on 7 days' notice to you, request that you provide evidence of the expenditure associated with your project. Costs need to be incurred within the schedule set by the funding deed.

What will not be funded?

An outline of the types of projects that will not be funded by Local Land Services are shown below in Table 4.

Table 4: Ineligible activities and projects

Grant item
Fencing that does not meet the fencing standards (See Appendix 1)
Activities outside the Western Local Land Services region (See Figure 1)
Research and development projects
Water infrastructure
Costs incurred in the preparation of a grant application or related documentation
Cost of fencing lane ways, roadway enclosures or similar
Activities that have been completed or commenced prior to signing of your funding deed (Contract)
Activities previously funded through other Commonwealth or State Government programs and investment
Activities related to labour, operational, maintenance, monitoring, and reporting costs post project completion.

In exceptional circumstances, Local Land Services reserve the right to recommend funding for projects that may not fully meet the eligibility criteria but add strategic value to the project, or transfer your application to another funding program if deemed appropriate.

Grant funding principles

The following provides an overview of the Grant Program funding principles. For further information contact your Local Land Services case officer.

- Western Local Land Services will only consider contributing funds to fencing activities where the fencing:
 - Is constructed with the primary objective of excluding and controlling the movement of pest animals and managing total grazing pressure by domestic and native animals. Exclusion fencing must form an enclosure or complement existing total grazing pressure standard fencing.
 - Involves construction of fencing to improve agricultural productivity and soil health through best practice grazing management.
 - Is constructed to best-practice specifications to the minimum standard required to effectively manage grazing pressure and with considerations for minimising wildlife impact.
- Projects that involve multiple properties working together to establish exclusion fencing and create a biosecure zone will be assessed favourably in any competitive selection process. This type of project will require neighbours working together and to each have a management plan that compliments one another. Contracts will be with individual legal entities. Note that the area of enclosure must be demonstrated and that all land managers who make up the total area must apply individually.
- Local Land Services may seek to target landholders who are identified as being of strategic value to this Grant Program.
- Private versus public benefit will be considered in a merit-based assessment (Stage 2). Activities that lead to improvements at a landscape or industry scale may be given priority over activities leading to improvement at a property or local scale.

- Local Land Services will only fund weed and pest animal management activities that result in strategic eradication, containment, or protection of high-priority natural or agricultural assets where those activities are not the legal responsibility of a landowner, unless the works are strategically targeted by Local Land Services to address landscape-scale risk. Refer to the *Western Regional Strategic Weed Management Plan (2017-2022)* and the *Western Regional Strategic Pest Animal Management Plan (2018-2023)* for regional priorities.
- Local Land Services requires a minimum of 70% cash or in-kind contribution towards fencing projects. Project applications that maximise cash and in-kind contributions from other sources will be assessed favourably in any competitive selection process. A cash contribution is the actual money that an individual, group or organisation provides to the project. Cash contributions should be recorded as entries into a bank account. In-kind contributions are goods, services, equipment loans or labour that others provide to the project.
- Local Land Services will not fund the purchase of capital items, assets, or equipment such as vehicles, computers, software, printers, office furniture, tractors, chainsaws etc.
- Local Land Services will not fund the repair or replacement of existing access roads and tracks, existing water supply infrastructure and any other enterprise-related infrastructure (e.g. shed roof) that is deemed to be routine property maintenance and management.
- Local Land Services will only consider funding activities on unoccupied lands (absentee landowner) if:
 - the property is at a key strategic site and the works have the potential to benefit natural resource condition or agricultural productivity at a larger scale than the individual property involved
 - the landowner demonstrates clear commitment and ability to implement the project activities and maintain project outcomes.

Assessment of grant applications

Grant applications, including individual property project plans and project costs, will be moderated and reviewed by an assessment panel convened by Local Land Services to ensure consistency in assessment. Each grant application will be assessed on its merit and compared to other eligible applications before a recommendation is made in writing to the decision maker.

Applicants may be contacted during this step to clarify the information provided in their application. Local Land Services will notify applicants if additional information and supporting material are required and the timeframes in which it is required.

The assessment panel will consist of senior representatives from Local Land Services and other representatives, for example, from another related agency such as the Department of Planning and Environment, Crown Lands, Environment and Heritage Group, or Department of Primary Industries. An independent landholder representative from a Local Land Services advisory group may also be included in the assessment process.

The assessment panel may recommend a lesser amount of funding for an application or defer a recommendation pending further information.

The assessment panel may take other factors into consideration when recommending an application for funding including, but not limited to, the total amount of funding available, the geographical distribution of projects across regional NSW, suitability of a project for other government funding opportunities, and alignment with existing NSW Government policies and strategies.

In accordance with the NSW Government Grants Administration Guide (2022), a probity plan has been developed to guide the delivery of this program.

Assessment criteria

Grant applications and project plans will be competitively assessed and ranked on merit, with the highest-ranked applicants given the first offer of participation. Funding is limited so you are not guaranteed a grant even if you meet all the eligibility and assessment criteria.

Local Land Services reserves the right to refuse to fund projects, or components of projects which provide insufficient biosecurity or invasive species management benefit for their cost. Assessment of biosecurity and invasive species benefit is at the sole discretion of Local Land Services.

Your submitted application and project plan will be assessed against the criteria listed in Table 5.

Table 5: Project assessment criteria

Criterion	Description
Project design	Type of fencing, fence layout, landscape benefit (e.g. adjoining projects).
Value for money	Budget and scope reviewed to ensure good use of public funds by prioritising cost-effective projects.
Project risk	Ability to deliver the fencing project by 10 June 2024. Risk of project incompleteness, risk of the project not achieving intended outcomes.
Invasive pest management	Presence of pest species and regional significance, the willingness of the applicant to engage in pest management group or activities.
Invasive weed management	Presence of invasive weed species and regional significance.
Environmental	Presence of Threatened Species, Ecological Communities, Riparian, Aboriginal Cultural Heritage.
Grazing management	Total grazing pressure management, production outcomes.

Decision making

The decision maker for the Grant Program funding is dependent on the value of the funding deed. The decision maker, or delegate, is set by the *Local Land Services Act 2013* Instrument of Delegation (Local Land Services Fund) 2022.

The decision maker will review the availability of grant funds and the assessment panel's recommendation before deciding which grant applications to approve. The decision maker may take other factors into account that may make an application ineligible for funding, including issues that could cause reputational or other risks to the NSW Government.

The decision maker's decision is final in all matters, including:

- the approval of the grant
- the grant funding amount to be awarded, and
- the terms and conditions of the grant.

There is no appeal mechanism for decisions to approve or not approve a grant.

Notification of your application outcomes

You will receive notification in writing from Local Land Services when your grant application and project plan have been assessed to inform you about the outcome of your application, and the next steps. Sometimes, the assessment panel may require changes to your proposed project, and these will be discussed with you.

Unsuccessful grant applicants will be offered a feedback information session.

For probity reasons, to treat all applicants fairly and equally, it is not possible to give you information about the status of individual applications during the assessment process.

Eligibility list

If your application is considered eligible, your project will be placed on an eligibility list ranked on your assessment score. Projects from the eligibility list will be funded according to rank until funds run out. Consequently, projects may be eligible but unfunded.

What happens if my grant application is successful?

Stage Three: Entering a funding deed with Local Land Services

Successful applicants will be required to enter a funding deed with Local Land Services for a period of 10 years. The funding deed sets out the maximum grant amount to be paid, co contributions, project deliverables, and conditions of your funding. The funding deed also stipulates milestone payments, monitoring, reporting, and evaluation requirements for the duration of the funding deed. The funding deed requires you to maintain your project site and associated infrastructure and works over a 10-year period.

Local Land Services makes no binding funding commitment to an applicant unless and until both parties sign a funding deed.

Successful applicants must not make financial commitments for funded activities until funding deeds have been executed by both parties.

Grants will be paid via milestone achievements as set out in the funding deed. Timing and requirements will vary at Local Land Services' discretion.

You will have 20 business days from the date of a written offer to sign and return the funding deed. The funding deed is not considered to be executed until both parties have signed the agreement. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the funding deed within this time. Under certain circumstances, we may extend this period.

Important terms and conditions

Local Land Services typically receives far more applications than it can support. Applicants are not guaranteed funding even if the application is of high merit. Further, even if an application is successful, it may not be funded to the full amount requested.

All fencing projects must demonstrate they can commence within one month of the execution of the funding deed and be completed by 10 June 2024.

Applicants must hold all relevant insurances, including a minimum \$20 million Public Liability Insurance, and provide Local Land Services with a Certificate of Currency when requested.

Requests for variations or changes to the project will only be considered in limited circumstances and must be made in writing.

Any information submitted by an applicant may be used for promotional material prepared by the Local Land Services.

Local Land Services may choose to publicly announce funding for individual applications. It may also use the information provided in the grant to develop case studies.

Western Local Land Services reserves the right to undertake an audit of grant funding within a period of seven years from the signing of the funding deed.

Applicants must advise Western Local Land Services of any changes to their legal status or of changes or delays to their project.

Maintenance

All funded activities will require maintenance to ensure the outcomes are maintained. All activities must be regularly maintained for at least 10 years.

It is a requirement that grant recipients maintain the condition of the project site to at least pre-project level in addition to any management activities proposed in the approved project plan. For example, weed and pest animal control should be maintained to at least the pre-project level and/or that required by relevant legislation regardless of whether it is a proposed management action or not.

Monitoring

All on-ground projects funded by Local Land Services will be required to undertake annual photo point monitoring. Photo monitoring reports are to be submitted annually to Local Land Services to maintain compliance with contractual agreement. A guideline for photo monitoring will be made available by your case officer and they will discuss photo point monitoring requirements with you during the development of your project plan.

Reporting and evaluation

The successful applicant will be required to provide project implementation feedback and evaluation upon the completion of on-ground works and at five- and ten-year intervals. This information is used by Local Land Services to determine the extent to which their projects have contributed to the objective of the Grant Program and evaluate and improve project design, services, and delivery.

Aboriginal Cultural Heritage

It is a mandatory requirement for any successfully funded project to undertake an Aboriginal Cultural Heritage assessment before the commencement of any works that cause soil disturbance. It is the responsibility of Local Land Services and the landholder to ensure due diligence takes place with respect to Aboriginal Cultural Heritage values. If the application is successful, and soil disturbance will occur, a cultural heritage assessment will be arranged by your Local Land Services case officer.

Aboriginal Cultural Heritage surveys will be conducted at no cost to the landholder.

The outcome of this assessment will be used to design works, with the clear intent to protect sites of spiritual significance and Cultural Heritage. A detailed report will also be provided to the project proponent.

Projects involving boundary fences

It is anticipated that a proportion of eligible projects will include upgrades to boundary fencing. Landholders/lessees are required by the *Crown Lands Management Act 2016 - NSW* to have a stock proof boundary fence suitable to the enterprise (e.g. dorpers, cattle etc.). Both sides of the boundary fence are required to be cleared to ensure long-term fence maintenance. Applicants must discuss with relevant neighbours any proposed boundary fencing works and agree on a fence standard and financial contribution (if any).

How will you be paid?

Payment of funds is attached to contract milestones. If you are offered a funding deed and accept it, the milestone payments will generally be paid in three instalments:

1. An initial payment of 50% of Local Land Services funds (as identified in your project budget), paid to you following the signing of the funding deed.
2. A progress 25% payment paid to you following a site inspection.
3. The remaining 25% will be paid upon successful completion of the on-ground works and a project evaluation report. Your project will require a final inspection by a Local Land Services officer.

Payment will be made within 2 months of receipt of a signed Australian Tax Office compliant tax invoice on completion of agreed milestones.

All awarded grants will be GST-exclusive. If the applicant is registered for GST, this will be applied on top of the agreed grant value when payment is made. Grants are assessable income for taxation purposes unless exempted by taxation law. It is recommended that applicants seek independent professional advice about taxation obligations or seek assistance from the Australian Taxation Office. Local Land Services does not provide advice on individual taxation circumstances.

Unspent funds

If the situation arises where a grant recipient's project is completed and there are unspent funds remaining from the grant allocation, Local Land Services may require the grant recipient to return the unspent funds. If the grant recipient requests to use the funds to extend the scope of the project, Local Land Services may assess that request if it aligns with the objectives of the grant program. Local Land Services may require the grant recipient to provide supporting information such as revised economic or social impact data.

Disclosure of grants awarded

Effective disclosure and publishing of grants information are essential for transparency and public accountability.

Reliable and timely information on grant decisions supports public confidence in the quality and integrity of grants administration.

Local Land Services must ensure that information on the decisions made in relation to grants awarded under the Grant Program are published no later than 45 calendar days after the grant agreement takes effect. The information requirements include:

- program name and function
- program delivery location
- funding amount
- program term
- number of applicants
- number of recipients
- source agencies
- decision-maker.

Compliance with existing State and Commonwealth legislation

Proposed activities must abide by all relevant Commonwealth and NSW legislation and regulations. You must ensure that your project has all necessary approvals, licenses, permits, consents, etc. and that your project complies with all relevant legislation including, but not restricted to those listed in Table 6.

Table 6: Example of relevant State and Federal legislation (note: this is not a comprehensive list)

Legislation	How is it relevant?	More information
<i>Biodiversity Conservation Act 2016 Act 2016 - NSW</i>	Clearing or disturbance of native vegetation	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2016-064
<i>Biodiversity Conservation Act 2016 - NSW</i>	Protection of threatened species and endangered ecological communities when installing infrastructure	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2016-063
<i>Crown Land Management Act 2016 - NSW</i>	Western Lands Lease conditions Boundary fencing conditions	https://legislation.nsw.gov.au/view/html/inforce/current/act-2016-058
<i>Dividing Fences Act 1991 No 72</i>	This topic gives you information about the law on dividing fences	Dividing Fences Act 1991 No 72 - NSW Legislation
<i>Environment Protection and Biodiversity Conservation Act 1999 - Federal</i>	Protection of flora, fauna, ecological communities and heritage places	https://www.legislation.gov.au/Details/C2021C00182

<i>Environmental Planning and Assessment Amendment Act 2017 - NSW</i>	Impact of project proposal on threatened species and/or ecological communities	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2017-060
<i>Local Land Services Act 2013 - NSW</i>	Project proposals must be located within the Local Land Services Western Region	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2013-051
<i>Local Land Services Amendment Act 2016 no 64 and Land Management Native Vegetation Code 2018</i>	Clearing or disturbance of native vegetation	Land Management (Native Vegetation) Code 2018 - NSW Legislation
<i>National Parks and Wildlife Act 1974 - NSW</i>	Protection of Cultural Heritage sites. There is a nil impact on known Aboriginal or historical heritage sites	https://www.legislation.nsw.gov.au/view/whole/html/inforce/current/act-1974-080
<i>Prevention of Cruelty to Animals Act 1979 - NSW</i>	Infrastructure and activities must be compliant with codes	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1979-200
<i>Work Health and Safety Act 2011</i>	Safe work method statements and reporting	https://www.legislation.gov.au/Details/C2018C00293
<i>Water Management Act 2000 - NSW</i>	Impact of the project on streams, the flow of water, and complying with any Floodplain management plans	https://legislation.nsw.gov.au/view/html/inforce/current/act-2000-092

Government Information (Public Access) Act 2009

Applicants should be aware that information submitted in applications and all related correspondence, attachments and other documents may be made publicly available under the *Government Information (Public Access) Act 2009 (NSW)*. Information that is deemed to be commercially sensitive will be withheld.

The *Government Information (Public Access) Act 2009 (NSW)* makes government information accessible to the public by:

- requiring government agencies to make certain sorts of information freely available
- encouraging government agencies to release as much other information as possible
- giving the public an enforceable right to make access applications for government information
- restricting access to information only when there is an overriding public interest against disclosure.

Complaints

Any concerns about the Grant Program or individual applications should be submitted in writing to the Manager of Natural Resources and Agriculture Services via email to:

silvana.keating@lls.nsw.gov.au. If you do not agree with the way Local Land Services handled the issue, you may wish to contact the NSW Ombudsman via <https://ombo.nsw.gov.au>.

Ethical conduct

Applicants must not participate in any anti-competitive conduct.

It is a condition of the grant program application process that no gifts, benefits or hospitality are to be made to any Department/Agency employee at any time. Any inducement in contravention of this condition may result in an applicant's proposal not being considered.

Conflicts of interest

Non-professional relationships such as immediate family relationships, close friendships or business relationships with Local Land Services staff or board members may be perceived as a conflict of interest. All applicants will be required to complete a brief checklist in their EOI form which will identify any such conflicts. Should a conflict be identified, a Conflict of Interest Declaration will be provided to the applicant to complete.

The Conflict of Interest will be assessed by Local Land Services, to determine the best approach to managing a real or perceived conflict of interest.

Where a conflict of interest detrimental to the assessment process is identified, mitigation measures must be put in place, or an individual may be asked not to participate in the application, assessment or delivery stage of the process.

If you are concerned that a perceived conflict of interest may impact on your application, please contact the project coordinator via email to: brian.dohnt@lls.nsw.gov.au or by calling your regional Local Land Services office on 1300 795 299.

Confidentiality

Funding decisions and assessment outcomes must be kept confidential until announced by the NSW Government. Successful applicants will be required to provide a confidentiality undertaking. This means they must keep the outcome of the application process confidential until the NSW Government makes a public announcement.

Upon entering into a funding deed, details about the funding deed may be made publicly available (subject to information which Local Land Services deems to be commercial in confidence).

The applicant agrees not to disclose any confidential information pertaining to the grant program application or funding deed without prior written consent of Local Land Services.

Department rights

Local Land Services may, in its absolute discretion, and without limiting any other right which Local Land Services may have, do all or any of the following at any time without giving notice or reasons:

- require additional information from an applicant
- change any of the requirements of these Guidelines
- alter or vary any process, procedure or timing related to the grant opportunity, including any process, procedure or timing regarding the consideration or the evaluation of any proposal or all applications
- suspend or terminate the grant opportunity
- negotiate with one or more preferred applicants without prior notice to any other applicant
- terminate any negotiations being conducted with any applicant
- readvertise for new applicants
- consider any non-conforming application
- terminate further participation in the grant opportunity by any applicant for any reason (including if Local Land Services reasonably considers an application to contain any false or misleading claims or statements)
- not proceed with any funding deed, or
- proceed with a funding deed in ways not contemplated in these Guidelines.

Intellectual property

All intellectual property rights in these Guidelines remain the property of Local Land Services. Applicants are permitted to use these Guidelines for the purpose of preparing an application only. Applicants must not use these Guidelines, or any information contained in these Guidelines for any other purpose.

Applications submitted in response to these Guidelines remain the property of the applicant, unless otherwise agreed between the applicant and Local Land Services. The applicant agrees that Local Land Services may make copies and reproduce applications for any purpose related to the grant opportunity. In addition, Local Land Services will retain (electronic and hard) copies of all applications.

No offer

These Guidelines are not an offer, recommendation or invitation by Local Land Services in respect of any contract or commitment and, subject to a funding deed being fully executed by the parties to it, nothing in these Guidelines will form the basis of any contract or commitment.

Addenda

Local Land Services may, in its absolute discretion, issue an addendum to these Guidelines. In each case, an addendum becomes part of these Guidelines.

Disclaimer

Local Land Services does not guarantee or warrant and accepts no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of any material contained in this publication. Information in this publication is provided as general information only and is not intended as a substitute for advice from a qualified professional.

Local Land Services recommends that users exercise care and use their own skill and judgment in using information from this publication and that users carefully evaluate the accuracy, currency, completeness, and relevance of such information. Users should take steps to independently verify the information in this publication and, where appropriate, seek professional advice.

These Guidelines are subject to change at any time at the sole discretion of Local Land Services.

© State of New South Wales. The information contained in this publication is based on knowledge and understanding at the time of writing December 2022. However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of Local Land Services or the user's independent adviser

Appendix 1: Fencing information

Projects linking across more than one property

The intent of Fencing Biosecure Production Zones and Pest Knockout Grant Program is to fund enclosed areas for improved groundcover outcomes, disease control and pest plant and animal control. This may entail 2 (or more) properties fencing their perimeter to secure a 'landscape scale' outcome. This type of project will require neighbours working together and each to have a management plan that compliments one another. Contracts will be with individual legal entities. Local Land Services funding contribution for fencing activities Incentive grant monies are offered on a cost-share basis, with cash and/or in-kind contributions from the landholder.

Local Land Services will fund up to 30% of the total fence cost*, up to \$8,000** per kilometre. Local Land Services obtained quotes from fencing suppliers across the Western region to determine the total fence cost for this program.

Fence must match Local Land Services minimum standard design or be of an equivalent standard. Supporting evidence (quotes) to be supplied with project plan (2023).

Minimum standards for some infrastructure

Below are the standard fence designs for the Fencing Biosecure Production Zones and Pest Knockout Grant Program and the maximum amount per kilometre Local Land Services will contribute. Applicants can select the fence most appropriate to their operation and the level to which it is required (i.e. new or upgrade). Materials will still need to be specified in the final application with quotes.

If electric fencing is your choice, quotes for energizers and perhaps solar will be required and added to your budget.

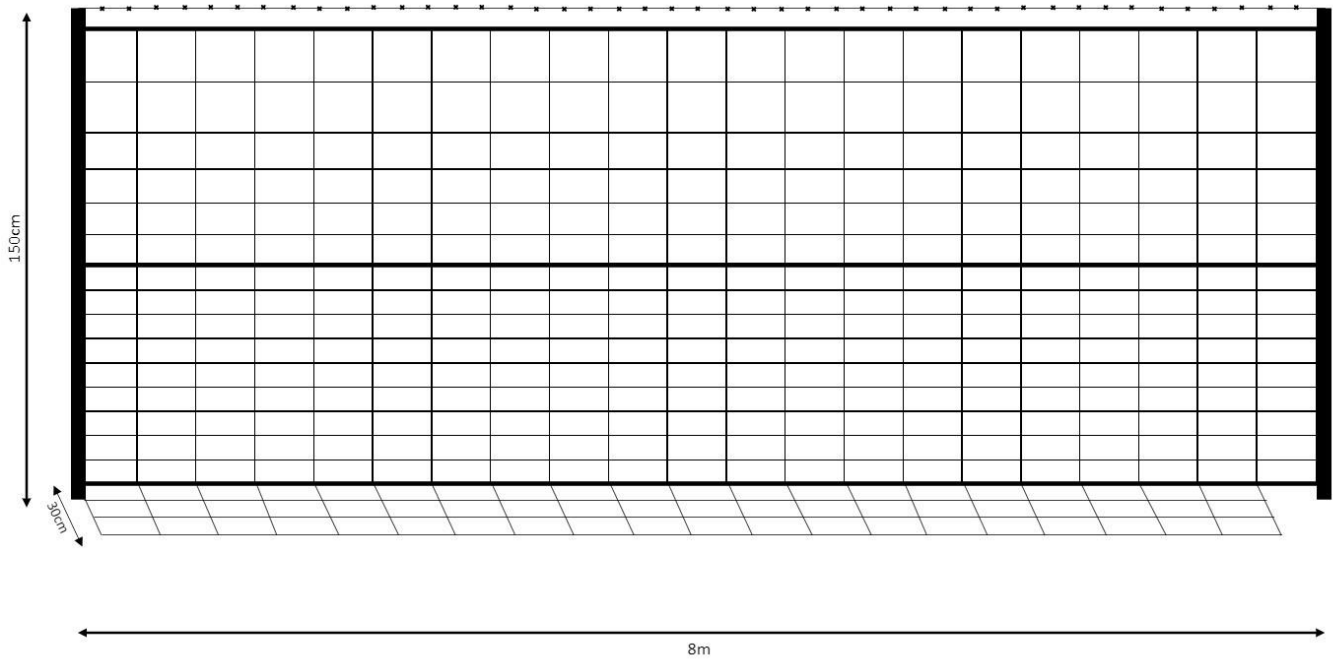
Below is an example of the minimum standard fence design eligible for this project. Please note that manufacturers' specifications for fence materials may recommend variation to this design.

Further information will be made available through your Local Land Services case officer.

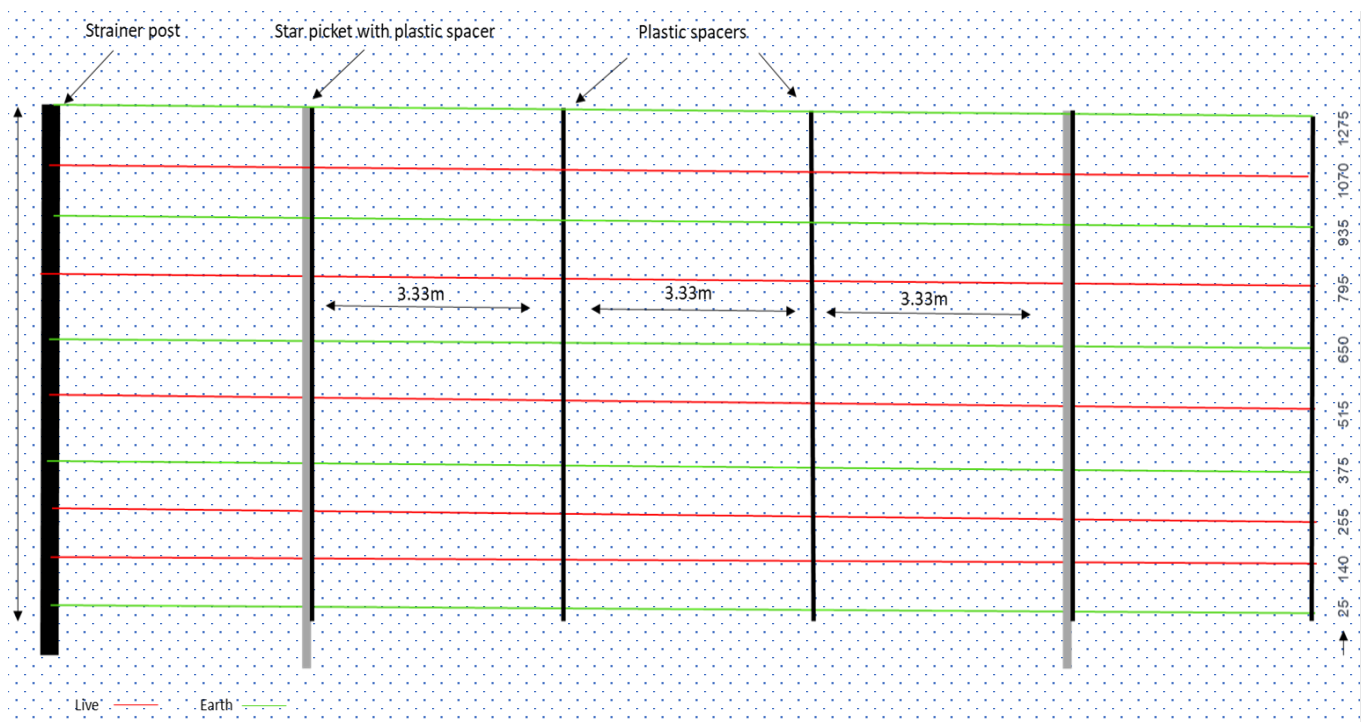
Prefabricated mesh 15/150/15 with barbed wire on top

Minimum standard description / makers specification:

- Prefabricated mesh (15/150/15) with apron
- 2.5mm high tensile top, belly and bottom plain wire supports (clipped)
- 1.57mm top barbed wire
- 235cm Star Pickets @ 8M spacing.



Electric fence design



Upgrade fence

An existing fence can be upgraded to an exclusion fence provided it is a relatively new fence or of solid construction. For example, an 80/90/30 prefabricated mesh fence could have an apron added to the bottom plus by increasing the height to 1.5m with post extenders or adding dummy posts plus, adding additional prefabricated mesh. Similarly, a 1.2m electric fence could have post extenders with more wires added. The cost sharing ratio will be subject to negotiation.

End assemblies and floodway fencing

It is anticipated most fencing will be on landholder boundaries therefore long straight lines will be erected. This will limit the amount of end assemblies and gates required thus reducing the overall cost. If you need to follow a land system and use excessive amounts of end assemblies, talk to your case officer about this at the application stage.

Some fences may need to go through gullies or drainage lines requiring flood design fences, again, speak with your case officer at the application stage.

Exact details on materials to be used

It is required that all materials to be used in the proposal be specified. This includes, for instance, the brand, style and diameter of fencing wire. **If during the final inspection it is found that materials have been used that are not of the same standard as those listed in the application, the final payment may be withheld, and applicants may be ineligible for future funding.** The material inventory should assist in developing the project application. Material specifications will form part of the assessment and proof of materials used (invoices) will be required for final inspection.

Terminology

New Fence: New fencing including end assemblies. If you have been funded for fencing with Local Land Services or former Catchment Management Authority in the last ten years, you may be able to upgrade the fence to an exclusion style but will not be funded to replace it. Consideration of land type must be addressed.

Upgrade fence: Upgrade of existing internal or boundary fencing to exclusion fence standard.