



## Agriculture Biodiversity Stewardship Package Enhancing Remnant Vegetation Pilot Guidelines

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<b>Enquiries:</b>	<b>If you have any questions, contact the Agriculture Stewardship Team at the Department of Agriculture, Water and the Environment on 1800 329 055 or <a href="mailto:agstewardship@agriculture.gov.au">agstewardship@agriculture.gov.au</a></b> <b>While we will make best endeavours we cannot guarantee answers to questions sent after 20 October 2021.</b>
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### **Acknowledgement of Country**

We acknowledge the Traditional Owners of Country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders past, present and emerging.

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# 1. Agriculture Biodiversity Stewardship Package: Enhancing Remnant Vegetation Pilot processes

## **Enhancing Remnant Vegetation Pilot participants**

If you participate in this pilot, you are offering to provide the Australian Government with biodiversity improvement services on your land over a 10-year period.



## **Look over the pilot documents**

The pilot documents are available at the [department's website](#). These documents provide details of the pilot rules and outline how to participate.



## **Develop a project idea and seek independent professional advice**

Having read through the pilot documents, develop an idea for a proposed project. The projects must protect and enhance the condition of existing native vegetation over 10 years. Once you have developed your project idea, we encourage you to seek appropriate independent professional advice (e.g. from financial and legal advisors and agronomists) before applying.



## **Complete and submit an application**

Applications must be submitted through the [Agriculture Stewardship portal](#). In submitting an application, you will need to map the location of your proposed project using the online mapping tool, specify the management actions you propose to undertake and, where relevant, estimate the costs of the management actions.



## **Eligibility assessment**

We assess applications against the eligibility criteria and exclude ineligible applications.



## **Prioritisation**

We will assess all eligible applications and, on the basis of their modelled costs and biodiversity benefits, determine a priority assessment list. Applications included on the priority assessment list will then be sent to the decision maker, or a delegated official, for approval. Once approved, these prioritised applications will proceed to the next phase of the assessment process. Applications that are not included on the priority assessment list may be reconsidered at a later date, or be deemed unsuccessful.



## **Draft management plan**

We will incorporate your proposed activities into a draft management plan. A copy will be provided to the site assessor.



## **Site assessment**

Applications included on the priority assessment list will be subject to a site assessment. We will pay for the site assessments, and they will be undertaken by government funded assessors through your local Natural Resource Management organisation. The assessors will visit your property and collect information including, but not limited to, the presence of native vegetation, and pests and weeds in your proposed project area.



### **Finalisation and submission of management plan**

We will send you your draft management plan for review. You can accept this management plan and submit to us without making changes, or you can revise certain details and then submit. It will become part of your application and will be considered by the assessment panel.



### **Assessment panel makes recommendations on project selection**

An assessment panel will advise the decision maker on which projects are the best value for money. This will be based on the costs (the payments we would make to you) and benefits (the biodiversity improvement expected). This assessment will be based on information from a range of sources, including the application, data from the site assessment and your final management plan.



### **Offers are approved and notified**

The decision maker approves successful projects and the biodiversity enhancement payment offer. We notify successful applicants of our payment offer for their biodiversity improvement services, and also notify unsuccessful applicants.



### **You consider the offer and the legal terms**

If you are successful, we will provide you with a legal agreement for your project. The agreement will identify the project area and its component parts and require you to implement the management activities detailed in the final management plan. In return for undertaking the management activities and providing the associated biodiversity services, you will receive biodiversity enhancement payments at designated intervals over the term of the agreement.



### **Payments**

When your legal agreement is signed, you will receive payments in accordance with the terms of the agreement. For example, this could be an initial payment for agreed establishment costs (like fencing and revegetation) and payments thereafter for the 'rental' value of your project area, as well as the costs of your prescribed management activities.



### **Ongoing obligations**

Your project must meet the requirements of this pilot, as set out in the legal agreement. There will be ongoing requirements for management, reporting and monitoring.

## 1.1 Introduction

This document explains the Enhancing Remnant Vegetation Pilot (ERV Pilot), part of the Australian Government's Agriculture Biodiversity Stewardship Package (the package). The package is demonstrating market-based approaches for farmers to improve biodiversity on agricultural land.

Farmers can and are already taking steps to build farm resilience, by planting and maintaining vegetation that protect their soils, farm dams and waterways.

This Pilot trials a mechanism for farmers to provide biodiversity services by protecting and enhancing the condition of remnant vegetation on their properties. On-farm vegetation that cannot be cleared under existing state laws could be eligible for assessment and could receive payments if you make biodiversity improvements under this Pilot.

Over time, the aim is to create a credible and sustainable market mechanism that improves biodiversity and creates new income opportunities for farmers.

This document sets out:

- the eligibility and assessment criteria
- how to apply
- how applications are considered
- how we make biodiversity enhancement payment offers
- how applicants are notified and paid
- how projects will be monitored and evaluated
- responsibilities and expectations.

We have worked in close partnership with the Australian National University to develop the ERV Pilot.

## 2. About the grant program

Under the ERV Pilot remnant vegetation is defined as:

*uncleared native vegetation or regrowth native vegetation that, with appropriate management, could achieve the structure and composition of the original native vegetation community over at least two decades. For the avoidance of doubt, remnant vegetation includes natural features such as rock outcrops and wetlands.*

The ERV pilot has 5 core elements:

1. **Participation:** Participating farmers must commit to protecting and enhancing the condition of existing remnant vegetation on the project area. Revegetation can be undertaken as part of an ERV project, but only on up to 20% of the total project area, and the revegetation must enhance the condition of remnant vegetation that is included within the project.
2. **10-year agreements:** Participating farmers will enter into 10-year agreements with the Australian Government to protect and enhance specific areas of remnant vegetation ('remnant management areas') and any revegetation ('revegetation areas').
3. **Active management:** The agreements will require participating farmers to undertake one or more prescribed management activities in each remnant management area and revegetation area. The eligible management activities are grouped under five headings: enhanced grazing control; enhanced weed control; enhanced pest control; infill planting; and revegetation (see ERV Management Protocols for further details). These activities will be included in a management plan based on the project application.



4. **Monitoring, reporting and verification:** In addition to the management activities, participating farmers will be required to:
  - assist in monitoring and reporting on the condition of the vegetation in their remnant vegetation areas and revegetation areas;
  - report on the timing, intensity and cost of the management activities they undertake; and
  - periodically grant site assessors access to their properties to gather information on the condition of the vegetation and biodiversity in the project areas.

This information will be used for compliance purposes and to improve the scientific understanding of the different management activities and future market-based conservation programs.

5. **Payments to farmers:** In return, farmers will receive payments for biodiversity enhancement over the 10-year project period.

## 2.1 About the Enhancing Remnant Vegetation Pilot grant opportunity

The objective of the ERV Pilot is to increase the levels of information, knowledge and experience on the use of market mechanisms to increase on-farm biodiversity stewardship, and includes:

- trialling cost-effective ways of engaging and rewarding farmers for providing biodiversity services across Australia's intensive agriculture zone
- trialling cost-effective ways of assessing the biodiversity benefits associated with different management activities and revegetation practices

The intended outcomes of the pilot are:

- an increase in the provision of farm-related biodiversity services through the development of a market-based approach to biodiversity payments
- an increase in confidence about the use of market-based mechanisms to support on-farm biodiversity stewardship
- measurable improvements in the condition of biodiversity in participating Natural Resource Management (NRM) regions.

## 3. Grant amount and grant period

The total funding available for projects under the ERV Pilot component of the Agriculture Biodiversity Stewardship Package is up to \$36 million over 10 years from 2021-22 to 2031-32.

### 3.1 Grants available

Successful applicants will receive biodiversity enhancement payments over the 10-year project period.

These payments will have two components.

- An **annual 'rental' component** that represents a 'rental' payment for using the land for conservation purposes. For the avoidance of doubt, the Australian Government will not lease or take any other legal proprietary interest in the project area.
  - The 'rental' component will be calculated based on the estimated market value of the land comprising the project area (i.e. both the remnant management areas and any revegetation areas). It will be paid annually and will increase by 3.5% per annum over the 10-year project period to reflect likely increases in land values.

- At the time of submitting the application, applicants can nominate a lower amount than their estimated 'rental' payment to increase their chances of a successful application.
- A **management activity component** that is designed to cover the cost of the additional management activities proposed to enhance the condition of the vegetation for biodiversity. The management activity component will be calculated based on the estimated cost of the applicant's proposed management activities.
  - This will be done using cost estimates submitted by applicants. However, the amounts payable will be capped for each relevant cost component. If an estimate submitted by an applicant exceeds the relevant cap, the cap price will be used for making the payment offer. The cap prices will not be published to help us test the use of a market-based approach to on-farm biodiversity improvements.
  - Table 1 on page 14 provides a summary of the pricing approach for each category of management activity. The management activity component will largely be paid in equal annual instalments. However, proponents may receive a larger initial payment where there are significant establishment cost items (e.g. fencing, revegetation, and infill plantings).
- The precise amounts of 'rental' and 'management activity' components will vary for each project, depending on the activities proposed and the 'rent' value of the land being used.

### 3.2 Project period

ERV Pilot projects will operate and be funded for 10 years.

Successful applicants who enter into an ERV Pilot agreement can withdraw from the program at any time. However, if an applicant withdraws:

- they will cease receiving biodiversity enhancement payments from the date of their withdrawal; and
- they will need to repay a portion of the payments they have received for management activities. This portion will be determined by the department.

## 4. Eligibility criteria

Eligibility criteria apply to both the applicant and to the proposed project. You must provide the information we need to assess your eligibility and the eligibility of your proposed project.

If you, or your proposed project, do not meet all the eligibility criteria, your application will not undergo assessment.

Should you mistakenly lodge the application in the name of the wrong name or company structure in which you hold an interest, we can change it to another upon receipt of your written advice, at our discretion.

### 4.1 Who is eligible to apply for a grant?

To be eligible you must:

- have an Australian Business Number (ABN)
- be registered for the purposes of GST
- be a permanent resident of Australia if you are applying as an individual
- have an account with an Australian financial institution

- own or lease land in one of the six NRM Pilot regions (see section 5.2)

and be one of the following entity types:

- a company incorporated in Australia
- an individual or an incorporated trustee on behalf of a *trust*
- an incorporated association
- a registered charity or not-for-profit organisation
- an individual
- an Aboriginal and/or Torres Strait Islander Corporation registered under the [Corporations \(Aboriginal and /or Torres Strait Islander\) Act 2006](#)
- persons
- Sole Traders.

Eligible applicants must satisfy the following requirements:

- Your *property* must be at least partly in one of the eligible Pilot regions (see below).
- Your property must be predominantly used for agricultural purposes. A property is predominantly used for agricultural purposes if, under the applicable state or territory planning laws, the majority of the land is zoned for agricultural land uses and, at the time of the application, the land is used to operate a commercial agricultural enterprise.
- You must be willing to grant access to site assessors as part of the assessment process, and to undertake an ERV project in accordance with the ERV Management Protocols and your agreed management plan.
- You must have the legal right to control how the project area is used (e.g. you must hold freehold or leasehold title, or exclusive possession native title, to the land on which the project will be located). If you are a lessee, the term of your lease must run for the duration of the ERV agreement, otherwise you must apply jointly with the holder of the freehold title.
- Where there is more than one interest holder in the land (e.g. where land is leased or there is joint ownership of land) then consent from all other interest holders must be obtained.
- You must provide a commitment to act with the utmost good faith in your engagements with the program. By acting in good faith, you are helping us learn important lessons about the trial to improve this scheme in the future.
- You cannot submit more than three applications in total, including as part of a group. If you submit more than three applications, only the first three will be considered and the remainder will be rendered ineligible, even if they were made as part of a group and the other members of the group had not submitted any other applications. Each application must be submitted as a separate application through the application portal and must have a separate project name and project description.

Eligible projects must satisfy the following requirements:

- All *projects* must be located entirely within a pilot region.
- Projects must cover an area of between 5 and 200 hectares. The total area of a project is referred to as the 'project area'.
- Project areas must contain at least one 'remnant management area'. Remnant management areas must satisfy the following requirements.

- They must consist exclusively of remnant vegetation, with the exception of small features like cleared fence lines and management tracks that do not, in aggregate, constitute more than 5% of the area.
- They must be at least 1 hectare in size (and be part of a total project size of between 5-200 hectares).
- If the remnant management area does not directly adjoin a larger area of protected remnant vegetation, it must have an average minimum width of at least 30m on its short axis. 'Protected remnant vegetation' is remnant vegetation protected in a public conservation reserve (e.g. a national park, flora reserve) or under a permanent conservation covenant or other similar legal agreement that attaches to title (or 'runs with the land').
- They must be managed over the term of the agreement with the intent of enhancing the condition of remnant vegetation.
- They must not include remnant vegetation that is already required to be protected under:
  - a conservation covenant, conservation agreement or other similar legal agreement that attaches to title (or 'runs with the land'); or
  - the Emissions Reduction Fund (*Carbon Credits (Carbon Farming Initiative) Act 2011* (Cth)).
- Project areas can include 'revegetation areas', being areas where native vegetation is regenerated through natural regeneration or plantings (direct seeding or planting propagated seedling stock). However, revegetation areas must satisfy the following requirements.
  - They must not include mature remnant vegetation, being uncleared native vegetation or regrowth native vegetation that has the structure and composition of the original native vegetation community. For the avoidance of doubt, isolated paddock trees that are not within remnant vegetation can be included in revegetation areas.
  - The revegetation in a revegetation area must:
    - be designed to enhance the condition of existing remnant vegetation areas (e.g. by providing a buffer area around remnant vegetation or by linking two or more areas of remnant vegetation);
    - broadly reflect the structure and composition of the local vegetation community; and
    - be undertaken in accordance with the ERV Management Protocols.
  - All revegetation areas must:
    - directly adjoin a remnant management area;
    - be at least 0.25 hectare in size;
    - have an average minimum width of 30m (stem-to-stem) on their short axis; and
    - be at least 50m (100m for South West WA applicants) from buildings used for residential or commercial purposes.
  - In aggregate, the revegetation areas included in a project must not comprise more than 20 per cent of the total project area.
- A project can have remnant management areas and revegetation areas that are located on different properties and different land titles. However, the applicant for such a project must have the legal right to control how all the relevant parcels of land are used.

- Projects must include one or more prescribed management activities in each remnant management area and revegetation area. The management activities are detailed in the ERV Management Protocols and are grouped under five headings:
  - enhanced grazing control;
  - enhanced weed control;
  - enhanced pest control;
  - infill planting; and
  - revegetation.
- The management activities that are included in a project:
  - must not be required to be carried out under a law of the Commonwealth, or a State or Territory;
  - must not receive support under another federal, state/territory or local government environment or natural resource management program; and
  - must be additional to current management activities.
- Applications can be submitted as jointly managed or group projects. Coordination between such projects will need to be driven and managed by landowners amongst themselves. Each application must be submitted on its own and will be assessed on its own merits.

The ERV Management Protocols are available at:

<https://www.agriculture.gov.au/agriculturestewardship>.

## **4.2 Who is not eligible to apply for a grant?**

You are not eligible to apply if you are:

- an organisation, or your project partner is an organisation, included on the National Redress Scheme's website on the list of 'Institutions that have not joined or signified their intent to join the Scheme' ([www.nationalredress.gov.au](http://www.nationalredress.gov.au))
- a Commonwealth, state, territory or local government agency or body (including government business enterprises)
- unincorporated association
- overseas resident/organisation
- an Australian local government body
- an Australian state or territory government body
- Corporate Commonwealth Entity
- Non-Corporate Commonwealth Entity
- Non-Corporate Commonwealth Statutory Authority
- Commonwealth Company
- Corporate State or Territory Entity
- Non-corporate State or Territory Entity
- Non-corporate State or Territory Statutory Authority
- Local Government<sup>1</sup>

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<sup>1</sup> Includes New South Wales local governments created as body politics.

- International Entity
- Rural Research and Development Corporations<sup>2</sup>
- a registered higher education provider for the purposes of the *Tertiary Education Quality and Standards Agency Act 2011* (Cth), that is registered in a provider category that permits the use of the word ‘university’
- any organisation not included in section 4.1.

## 5. What the grant money can be used for

### 5.1 Eligible grant activities

Eligible grant activities are broadly defined as management activities which are reasonably required to protect and enhance the condition of remnant vegetation for biodiversity within your project area. The ERV Management Protocols detail program requirements and eligible management activities. The payment offered for management activities will be determined by the methods described provided in Table 1 below.

To be eligible, the assessment panel must consider the management activities outlined in your project application as reasonably required to protect and enhance the condition of remnant vegetation for biodiversity within your project area.

**Table 1 Overview of eligible management pricing method**

Management activity	Pricing method
Enhanced grazing control	Cost of proposed fencing and any proposed new watering points, as estimated by applicant (subject to caps in relevant cost categories; e.g. for fencing, the cost categories are fencing materials (wire, pickets and droppers, strainer assemblies, and gates) and labour and other installation costs).
Enhanced weed control	Cost of proposed enhanced weed management, as estimated by applicant (subject to caps). Applicants will need to estimate the proposed number of hours of labour on additional weeding per year, along with an all-inclusive (labour and materials) hourly cost.
Enhanced pest control	Cost of proposed enhanced pest management, as estimated by applicant (subject to caps). Applicants will need to estimate the proposed number of hours of labour on additional pest control per year, along with an all-inclusive (labour and materials) hourly cost.
Infill planting	Cost of proposed infill planting, as estimated by applicant (subject to caps in each cost category – soil preparation, plants and planting, tree protection and post-establishment watering).
Revegetation	Cost of proposed revegetation as estimated by applicant (subject to caps in each cost category – site preparation, soil preparation, plants and planting, tree protection and recurrent management). Recurrent management is limited to pest control, weed control and post-establishment watering.

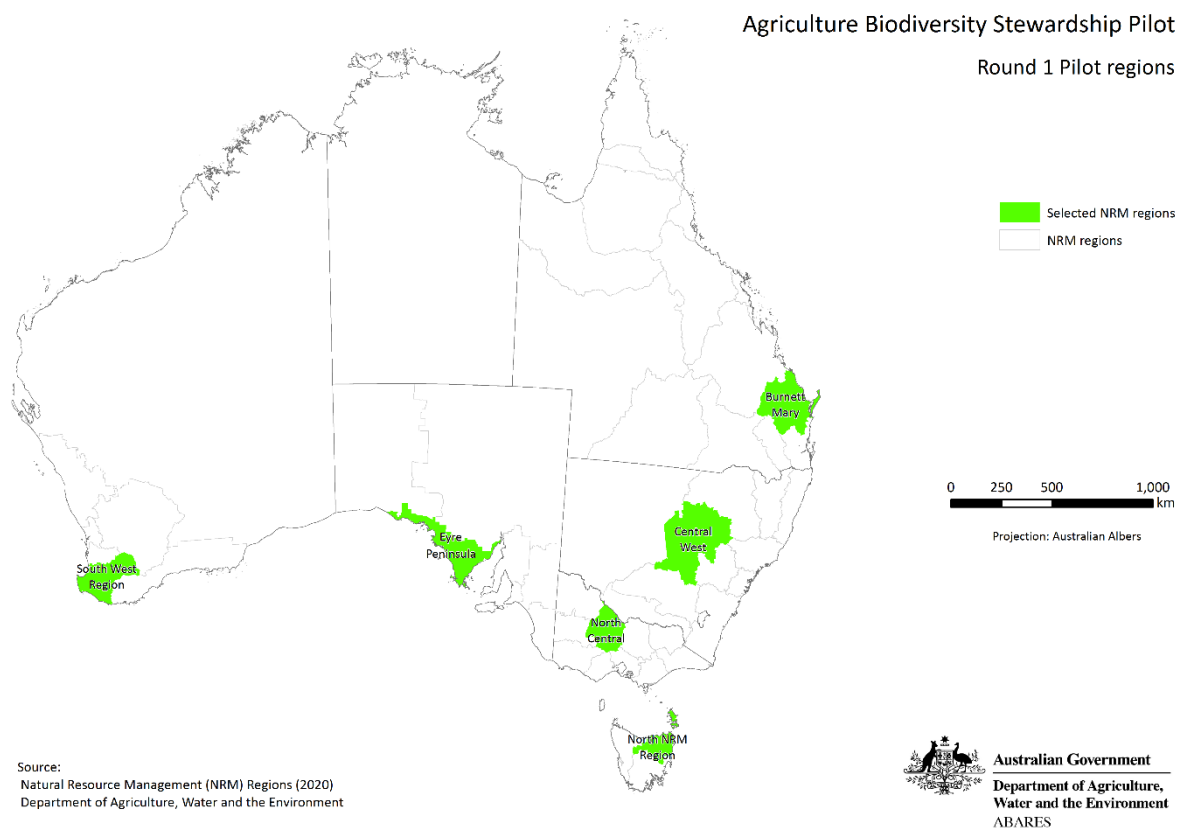
<sup>2</sup> Australia’s Rural Research and Development Corporations allow Australian government and primary producers to co-invest in research and development (R&D). There are currently 15 RDCs: 5 Commonwealth statutory bodies and 10 industry-owned companies. All RDCs manage R&D services.

## 5.2 Eligible locations

To be eligible to participate in the Pilot, your project must be in one of six eligible NRM regions. The eligible NRM regions are:

- Burnett-Mary in Queensland
- Central West in New South Wales
- North Central in Victoria
- NRM North in Tasmania
- Eyre Peninsula in South Australia
- South West in Western Australia.

Figure 1 Map of eligible pilot regions.



## 5.3 Eligible expenditure

You can only spend the component of funding for management activities on the activities in your management plan.

The 'rental' component is not tied to specific activities.

See section 3.1 for further information on the ERV Pilot payment model.

## 5.4 What the grant money cannot be used for

The money cannot be used to fund activities that breach any land management, environmental or other law or regulation applicable to that parcel of land.

## 6. The assessment criteria

All eligible applications will be assessed using the cost-benefit analysis of their modelled costs and biodiversity benefits.

- The modelled biodiversity benefit is a score of the projected regional biodiversity improvements that are likely to result from the management activities proposed by the applicant.
  - The biodiversity benefit score assigned to a project will reflect the predicted benefit of the proposed management activities to vegetation condition for biodiversity across the site and adjacent land, as well as the value of that condition change to biodiversity conservation across the region.
  - The score will be calculated based on several factors, including the size and shape of the proposed project areas, the location of the areas, their association with threatened species and ecosystems, their contributions to connectivity and corridors, the current condition of project areas, and their proximity to watercourses.
- The modelled costs will be based on the cost of proposed management activities capped where they exceed certain amounts, and the 'rental' cost (as detailed in Section 3.1). This creates the biodiversity enhancement payment offers, and is the modelled cost.

All eligible applications will then be given a benefit cost score, where the biodiversity benefit score is divided by the estimated biodiversity enhancement payment offer. Applications are then ranked from highest to lowest benefit-cost score. Having regard to the benefit-cost scores a priority assessment list will then be prepared and sent to the decision maker, or a delegated official, for approval. Once approved, these prioritised applications will proceed to the next phase of the assessment process involving site assessment.

Following site assessment, the modelled costs and biodiversity benefits will be recalculated using data collected from the site assessment and final management plan. Benefit cost scores will be recalculated and submitted to the panel to help the panel make its recommendations. The panel may recommend projects that are not the most highly ranked where they believe it is necessary to ensure the Pilot achieves its objectives.

Applicants should be mindful of the competitive nature of the ERV Pilot when designing their projects and submitting an application. There are four main ways of improving the competitiveness of your application.

- Designing projects that will protect and enhance the condition of remnant vegetation that is of high regional conservation priority (e.g. remnant vegetation that is part of a habitat/vegetation type that has been extensively cleared).
- Undertaking management activities that are likely to generate the greatest improvements in the condition of biodiversity at the lowest cost.
- Providing in-kind contributions to the project. This can be done by submitting lower cost estimates for nominated management activities in your application.
- Nominating an alternative rental payment that is lower than the estimate provided on the Agriculture Stewardship portal.

## 7. How to apply

Before applying, you must read and understand this document.

We strongly recommend that you seek independent professional advice about your participation in this pilot, potentially including financial, legal and agronomy specialists.



The application and assessment process is divided into seven phases:

1. Application
2. Eligibility and prioritisation assessment
3. Draft management plan
4. Site assessment
5. Finalisation and submission of management plan
6. Final assessment
7. Project selection and making of offers.

### Application timelines

Round 1 Applications open      29 September 2021

Round 1 Applications close      27 October 2021

**Note:** Further rounds may take place if the full amount of funding is not exhausted. Applications that are not prioritised in the first pilot round may be reconsidered by the assessment panel at a later date or deemed unsuccessful.

Table 1 How to apply for the ERV Pilot

To apply you must:
<ol style="list-style-type: none"><li>1. Complete the application through the Agriculture Stewardship portal, which can be accessed via: <a href="http://agsteward.com.au">agsteward.com.au</a></li><li>2. In the Agriculture Stewardship portal:<ul style="list-style-type: none"><li>▪ Map your proposed remnant management areas and revegetation areas.</li><li>▪ Provide your personal details (and the details of the entity on behalf of which you are making the application) and the address of the property on which the project will be located.</li><li>▪ For each remnant management area:<ul style="list-style-type: none"><li>○ provide information on the condition of the land and its management history;</li><li>○ nominate the management activities you intend to undertake;</li><li>○ provide details on the nature and intensity of the proposed management activities; and</li><li>○ estimate the cost of the proposed management activities.</li></ul></li><li>▪ For each revegetation area:<ul style="list-style-type: none"><li>○ provide information on the condition of the land;</li><li>○ nominate how you intend to revegetate the area; and</li><li>○ estimate the cost of the proposed revegetation and associated recurrent management costs.</li></ul></li><li>▪ If you want to, nominate an alternative rental payment that is lower than the estimate provided on the web portal (in order to increase the competitiveness of your application).</li><li>▪ Submit the application.</li></ul></li></ol> <p>Applicants should ensure the remnant management areas and revegetation areas are mapped as accurately as possible because information on the location and characteristics of your project area is used in the assessment process.</p>

A price guide will be published to help farmers in scoping projects and determining whether they want to participate in the Pilot.

An application guide will also be published to step applicants through how to complete an application for the ERV Pilot through the Agriculture Stewardship portal.

The price guide and application guide are available at the [department's website](#).

The cost estimates must not include the cost of management activities that:

- are not additional to current management activities;
- are required to be carried out by or under a law of the Commonwealth or a state or territory; and
- are already funded under another Australian Government, state, territory or local government environment or natural resource management program.

You are responsible for ensuring that your application addresses the eligibility criteria and is complete and accurate. Applications that contain false or misleading information may be excluded from consideration. Giving false or misleading information is also an offence under the *Criminal Code Act 1995 (Cth)*.

You must notify us if there are any key changes to your organisation or its business activities, particularly if they affect your ability to meet your obligations under the project, carry on business or pay debts due. The legal agreement will contain provisions that apply if you sell the land on which the project is established.

If you find an error in your application after submitting it, you should contact us immediately at [agstewardship@awe.gov.au](mailto:agstewardship@awe.gov.au) or 1800 329 055.

You cannot change your application after the closing date and time.

If we find an error or information that is missing, we may ask for clarification or additional information from you that will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your submission after the application closing time.

You should keep a copy of the confirmation notice you receive on the Agriculture Stewardship web-portal when you submit your application and any supporting documents.

We will acknowledge that we have received your application within 2 to 3 working days.

If you need further guidance on the application process or if you are unable to submit an application online, contact us at [agstewardship@awe.gov.au](mailto:agstewardship@awe.gov.au) or 1800 329 055.

## **7.1 Attachments to the application**

Applicants are not required to submit attachments to their application when applying to participate in the ERV Pilot.

## **7.2 Timing of grant opportunity processes**

You must submit an application between the published opening and closing dates.

### **Late applications**

Late applications will not be assessed except in exceptional circumstances, but can be considered for future rounds of the pilot should sufficient funds remain.

[Table 2 Activity timeframes](#)

<b>Activity</b>	<b>Timeframe</b>
Applications open	4 weeks
Prioritisation of applications, approval of prioritisation list by decision maker or a delegated official, and notification of those proceeding to site assessment	2 weeks
Site assessment	4 weeks
Assessment of applications and make biodiversity enhancement payment offers to applicants	3 weeks
Applicant consideration of offer	4 weeks
Earliest possible project start date	Early 2022
Undertake management activities	Over 10 year project period in accordance with the agreement and final management plan
End date of activity or agreement	10 years after the date on which the contract is signed.

### **7.3 Questions during the application process**

If you have any questions during the application period, contact us by email at: [agstewardship@agriculture.gov.au](mailto:agstewardship@agriculture.gov.au) or via phone at 1800 329 055.

Updated frequently asked questions and their answers will be published [GrantConnect](#).

Applications will be subject to an initial screening to determine whether the project and applicant meet the eligibility requirements.

Applications that are eligible will be assessed and ranked in accordance with the process detailed in this section.

## **8. The grant selection process**

Applications will be selected using a staged selection approach, as detailed below.

### **8.1 Assessment of grant applications**

Section 6 determines the assessment criteria and how value for money should be determined.

When the assessment panel meets, they will consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value with relevant money, as judged by cost benefit analysis and proper testing of the protocols across all regions to ensure robust testing of the pilot design and methodology in a range of farming systems and vegetation types.

### **8.2 Who will assess applications?**

An assessment panel, chaired by a senior officer of the department will assess applications. The panel will include the chair, 2 departmental employees, and 2 specialist advisors from the ANU.

An independent probity advisor will support the assessment panel and other experts may be invited by the chair in a non-voting capacity.

Where external experts or advisors are part of the assessment process and are not a Commonwealth Official, they will be expected to perform their duties in accordance with the Commonwealth Grants Rules and Guidelines ([CGRGs](#)).

### **8.3 Who will approve grants?**

After considering the advice from the assessment panel, the Minister for Agriculture will decide which projects receive offers and the terms of the offers. Minister may choose to accept or reject the panel's recommendations, based on their judgment of what is in the public interest.

## **9. Notification of application outcomes**

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific conditions attached to the grant.

You can submit a new application for the same project (or a similar project) in any future grant opportunities under the program. You should include new or more information to address any weaknesses that may have prevented your previous application from being successful.

### **9.1 Feedback on your application**

If you are unsuccessful, you may ask for feedback by contacting the department.

## **10. Successful grant applications**

### **10.1 The grant agreement**

Successful applicants will be notified and sent an agreement, with details of the biodiversity enhancement payment offer and contracted project activities.

Upon receiving the offer, applicants will be given the opportunity to propose good faith variations to the details of the project – for example, minor modifications to the size of the remnant management areas and any revegetation areas. Any proposed modifications will be accepted or rejected at our discretion, to ensure that it does not compromise the integrity and fairness of the selection process. Where variations are made to the project, the payment offer may also change.

The agreement will require the contracted party to undertake the management activities in accordance with the final management plan so as to protect and enhance the remnant native vegetation.

### **10.2 How we pay the grant**

A payment schedule will be included in the grant agreement.

We will make payments according to an agreed schedule set out in the grant agreement.

### **10.3 Grants Payments and GST**

If you are registered for the [Goods and Services Tax \(GST\)](#), where applicable, we will add GST to your grant payment and issue you with a [Recipient Created Tax Invoice](#).

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek

assistance from the [Australian Taxation Office](#).<sup>3</sup> We do not provide advice on your particular taxation circumstances.

## 11. Announcement of grants

If successful, your grant will be listed on the [GrantConnect](#) website 21 calendar days after the date of effect as required by Section 5.3 of the [CGRGs](#).

## 12. How we monitor your grant activity

To meet monitoring requirements, farmers participating in the ERV Pilot will be required to:

- allow designated parties to access the sites for monitoring purposes
- take annual photographs of the project area, following a simple procedure using a smartphone or GPS-enabled digital camera, and provide them to DAWE.

Monitoring visits will occur in accordance with a rotational scheme-wide monitoring schedule that ensures a proportion of projects are inspected each year and all projects are visited every 2 to 4 years.

Participating farmers will not be responsible for the cost of the visits.

Participating farmers will receive an indicative schedule of monitoring visits after signing the contract. They will also be notified of any visits ahead of such site visits taking place. The written notice will provide information on the nature and purpose of the visit, and the designated personnel who will be involved. They will also be given the opportunity to discuss when the visits will be conducted so they do not inconvenience you or your business.

The obligations to photograph and to allow designated parties to access the project areas will cease at the end of the project term. In addition to the reporting requirements outlined here, we may, over the life of the project, trial innovative monitoring, reporting and verification methods to improve the monitoring and evaluation of such schemes in the future.

### 12.1 Keeping us informed

You should let us know if anything is likely to affect your project.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

If you become aware of a breach of terms and conditions under the legal agreement, you must contact us immediately.

### 12.2 Reporting

The ERV Pilot aims to provide information, knowledge and experience on how to support and monetise on-farm biodiversity stewardship. To do this, information needs to be gathered and analysed from participating farmers on the environmental and financial performance of their projects.

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<sup>3</sup> <https://www.ato.gov.au/>

Consistent with this, successful applicants that enter into ERV Pilot agreements will be required to submit annual reports on the financial and environmental performance of projects over the life of the projects.

The ERV reporting requirements will be streamlined to reduce transaction costs for participating farmers. Reports will be required to contain:

- evidence that the final management plan has been implemented and that relevant management activities have been undertaken in accordance with the project's contracted specifications and the applicable ERV Management Protocol;
- itemised cost data on the project, including the costs of establishing and maintaining the projects and undertaking the contracted management activities, and the cost or time taken to complete reporting requirements; and
- photographs of the project areas, taken in accordance with the process described above.

We may also ask you for simple ad hoc reports on your grant. This may be to provide an update on progress or any significant delays or difficulties in completing the project.

### **12.3 Financial declaration**

If there is evidence of non-compliance with ERV Pilot requirements, we may ask you to provide an independently audited statement about project activities and/or the information contained in ERV reports.

### **12.4 Grant agreement variations**

Upon receiving the offer, applicants can apply to us to vary their project. Contracted parties can also apply to us to vary their project, both before and after the contract to initiate a project has been signed.

Applications for project variations will be accepted or rejected at our discretion. In making decisions on applications for variations, we will consider the nature and extent of the variation, the implications of any changes for the integrity of the application and selection process, and the obligation for participating farmers to act in good faith.

Where variations are made to the project, the biodiversity enhancement payment offer may also change. This applies equally to projects where the plantings have already been established. Participating farmers may be required to repay funds (plus interest) if they vary a project and it reduces the applicable payment offer.

In addition to variations in the specifics of projects, under the contract, participating farmers must notify us of any material changes in your organisation or its business activities that are relevant to the project. This includes any changes in your name, postal address, email, phone numbers and bank account details.

### **12.5 Compliance visits**

We may visit you during or at the completion of your grant activity to review your compliance with the grant agreement. We will provide you with reasonable notice of any compliance visit.

### **12.6 Record keeping**

We may also inspect any records you are required to keep under the grant agreement.

## 12.7 Evaluation

We will evaluate the ERV Pilot to measure how well the outcomes and objectives have been achieved. We may use information from your application and reports for this purpose. We may also interview you, or ask you for more information to help us understand how the grant impacted you and to evaluate how effective the program was in achieving its outcomes.

We may contact you up to one year after you finish your grant for more information to assist with this evaluation.

## 12.8 Acknowledgement

If you make a public statement about your participation in the pilot, we require you to acknowledge your participation as follows:

'This project participated in the Australian Government Agriculture Biodiversity Stewardship – Enhancing Remnant Vegetation Pilot.' (or another form of text agreed by us).

## 13. Probity

The Australian Government will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the [CGRGs](#).

We may change these guidelines from time-to-time by the. When this happens, the revised guidelines will be published on [GrantConnect](#).

### 13.1 Enquiries and feedback

If you are dissatisfied with the way your application assessment was handled, you may provide your complaint to us. All complaints must be provided in writing.

Any questions about the decisions for this pilot program should be sent to [agstewardship@awe.gov.au](mailto:agstewardship@awe.gov.au) or 1800 329 055.

### 13.2 Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program. There may be a conflict of interest, or perceived conflict of interest, if our staff, any member of a committee or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer or member of an external panel
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/ grant opportunity.

You will be asked to declare, as part of your application, any perceived or existing conflicts of interests or that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform us in writing immediately.

Conflicts of interest for Australian Government staff will be handled as set out in the Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#) of the [Public Service Act 1999](#). Committee

members and other officials including the decision maker must also declare any conflicts of interest.

We publish our conflict-of-interest policy on our website.

### **13.3 Privacy**

We treat your personal information according to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

Your personal information can only be disclosed to someone else for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of your application, you declare your ability to comply with the Privacy Act 1988 and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by us would breach an Australian Privacy Principle as defined in the Act.

### **13.4 Confidential Information**

Other than information available in the public domain, you agree not to disclose to any person, other than us, any confidential information relating to the application and/or agreement, without our prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.

We will keep any information in connection with the agreement confidential to the extent that it meets all of these conditions:

- 1) you clearly identify the information as confidential and explain why we should treat it as confidential
- 2) the information is commercially sensitive
- 3) revealing the information would cause unreasonable harm to you or someone else.

We will not be in breach of any confidentiality agreement if the information is disclosed to:

- the selection advisory panel and other Australian Government employees and contractors to help us manage the pilot program effectively



- employees and contractors of our department so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Australian Government agencies for any purposes, including government administration, research or service delivery
- other Australian Government, state, territory or local government agencies in program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible minister or parliamentary secretary
- a House or a Committee of the Australian Parliament.

The contract may also include any specific requirements about special categories of information collected, created or held under the agreement.

### 13.5 Freedom of information

All documents in the possession of the Australian Government, including those about this opportunity, are subject to the *Freedom of Information Act 1982 (FOI Act)*.

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

## 14. Glossary

Term	Definition
accountable authority	see subsection 12(2) of the <a href="#">Public Governance, Performance and Accountability Act 2013</a>
administering entity	when an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes
application portal	The online application website where you can apply to participate in the pilot. Available here: <a href="http://agsteward.com.au">agsteward.com.au</a>
assessment criteria	are the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings.
biodiversity enhancement payment offers	The amount you will be offered to undertake your project, if successful through the assessment process.
biodiversity score	a score of the projected regional biodiversity improvements that are likely to result from the management activities proposed by an applicant.
commencement date	the expected start date for the grant activity

Term	Definition
Commonwealth entity	a Department of State, or a Parliamentary Department, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the PGPA Act
<a href="#">Commonwealth Grants Rules and Guidelines (CGRGs)</a>	establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.
completion date	the expected date that the grant activity must be completed and the grant spent by
co-sponsoring entity	when two or more entities are responsible for the policy and the appropriation for outcomes associated with it
date of effect	can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable.
decision maker	the person who makes a decision to award a grant
eligibility criteria	refer to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.
grant	for the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"> <li>a. under which relevant money<sup>4</sup> or other <a href="#">Consolidated Revenue Fund</a> (CRF) money<sup>5</sup> is to be paid to a grantee other than the Commonwealth; and</li> <li>b. which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.</li> </ul>
grant activity/activities	refers to the project/tasks/services that the grantee is required to undertake
grant agreement	sets out the relationship between the parties to the agreement, and specifies the details of the grant

<sup>4</sup> Relevant money is defined in the PGPA Act. See section 8, Dictionary.

<sup>5</sup> Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

Term	Definition
<a href="#">GrantConnect</a>	is the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs
grant opportunity	refers to the specific grant round or process where a Commonwealth grant is made available to potential grantees. Grant opportunities may be open or targeted, and will reflect the relevant grant selection process.
grant program	a 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes. A grant program is a group of one or more grant opportunities under a single Portfolio Budget Statement Program.
grantee	the individual/organisation which has been selected to receive a grant
management activity component (payment)	a component of the biodiversity enhancement payment that is designed to cover the cost of the additional management activities proposed to enhance the condition of the vegetation for biodiversity. The management activity component is based on the estimated cost of the applicant's proposed management activities.
management plan	the plan annexed to the ERV Pilot agreement between the landholder and the Australian Government that specifies the management activities to be undertaken by the landholder as part of an ERV Pilot project.
management zone	an area within a project area that is identified in a management plan in which specific management activities are required to be carried out in accordance the requirements of the plan.
PBS Program	described within the entity's <a href="#">Portfolio Budget Statement</a> , PBS programs each link to a single outcome and provide transparency for funding decisions. These high-level PBS programs often comprise a number of lower level, more publicly recognised programs, some of which will be Grant Programs. A PBS Program may have more than one Grant Program associated with it, and each of these may have one or more grant opportunities.
project (or ERV project)	a project that aims to protect and enhance the condition of remnant vegetation in a project area under the ERV Pilot.
project area	the remnant management areas and revegetation areas that are proposed to be managed as part of a ERV Pilot project.

Term	Definition
remnant management area	an area of remnant vegetation that meets the requirements of the ERV Pilot, including the ERV Management Protocols, and that an applicant proposes to protect and enhance as part of an ERV project.
remnant vegetation	uncleared native vegetation or regrowth native vegetation that, with appropriate management, could achieve the structure and composition of the original native vegetation community over at least two decades. For the avoidance of doubt, remnant vegetation includes natural features such as rock outcrops and wetlands.
rental component (payment)	a component of the biodiversity enhancement payment that represents a payment for using the land for conservation purposes. For the avoidance of doubt, the Australian Government will not lease or take any other legal proprietary interest in the project area. The rental component will be paid annually and will increase by 3.5% per annum over the 10-year project period to reflect likely increases in land values.
revegetation area	an area where native vegetation is regenerated through natural regeneration or plantings (direct seeding or planting propagated seedling stock) in accordance with the requirements of the ERV Management Protocols.
selection criteria	comprise eligibility criteria and assessment criteria.
selection process	the method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria.
value with money	<p>value with money in this document refers to ‘value with relevant money’ which is a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none"> <li>• the quality of the project proposal and activities;</li> <li>• fitness for purpose of the proposal in contributing to government objectives;</li> <li>• that the absence of a grant is likely to prevent the grantee and government’s outcomes being achieved; and</li> <li>• the potential grantee’s relevant experience and performance history.</li> </ul>