

South East Marine Estate Management Strategy

Grants for on-ground works - applicant guidelines

Working with landholders to improve riparian land through actions to keep sediment and nutrients from entering coastal waterways.



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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing November 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.

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Background

The Marine Estate Management Strategy (MEMS) is a NSW Government initiative developed to achieve the broad vision of a healthy coast and sea, managed for the greatest wellbeing of the community, now and into the future.

Commencing in 2018, the NSW Government committed over \$180 million in new funding to MEMS in 2022 which will see projects funded until 2028.

The marine estate is one of the most significant natural assets in New South Wales (NSW). It comprises tidal rivers and estuaries, the shoreline, submerged lands, offshore islands and the waters of the NSW coast from the Queensland border to the Victorian border.

South East Local Land Services (LLS) is one of several NSW Government agencies delivering MEMS grant funding to protect and enhance waterways, rivers, coastlines and estuaries.

South East Marine Estate Management Strategy Guidelines provide essential information for applicants and potential Grantees interested in the program.

The grant program is a targeted, competitive grant opportunity offered from 20 November 2023 for Round 1 Expressions of Interest (EOI). Grant funds were not fully allocated in Round 1, so future subsequent rounds will be advertised.

Successful grantees will be required to enter a 10-year funding deed and complete on-ground activities in an 18-month period.

To ensure your application has the best chance of success, all applicants are encouraged to read the program guidelines prior to applying.

Program purpose and objectives

The purpose of this program is to assist the NSW Marine Estate Management Authority in reaching its vision for ‘a healthy coast and sea, managed for the greatest well-being of the community, now and into the future’. This aligns with the Local Land Service State Strategic Plan 2020-2030 of vibrant communities in productive healthy landscapes.

Program objectives are “to improve water quality and reduce marine litter for the benefit of marine habitats, wildlife and the community”.

To achieve this objective South East Local Land Services is targeting landowners, primary producers and road managers through four projects.

Each project description and recipient target are listed below:

Project	Description and target
Riverbank vegetation improvements and maintenance	<ul style="list-style-type: none">○ Grant activities include riverbank planting, riverbank protection and enhancement, stock exclusion fences, off stream watering points.○ Recipients are landowners within 2km of the tidal limit.○ Grant recipients can apply to be supported by contractors to suitably maintain project standards.
Riverbank stabilisation	<ul style="list-style-type: none">○ Grant activities include engineering works to stabilise banks, such as rock and timber revetment, bank battering, snags installation, logjams, riverbank planting.○ Recipients are landowners within 2km of the tidal limit.

Improving roads and tracks	<ul style="list-style-type: none"> ○ Grant activities include sealing of unsealed roads, improved drains, improved sediment capture structures, buffer enhancement (e.g. native grass plantings, weed matting, coir logs). ○ Recipients are public land and road managers with 2km of the tidal limit.
Clean Coastal Catchments	<ul style="list-style-type: none"> ○ Grant activities include nutrient management plans or evaluations, irrigation/fertigation system evaluations and upgrades, effluent management system evaluations and upgrades, sediment basins/artificial wetlands/filter ponds and other water treatment systems, riverbank planting, riverbank protection and enhancement, stock exclusion fences, off stream watering points. ○ Recipients are primary producers with 10km of the tidal limit.

Key dates

Table 1: Program stages and key dates

Program Stages	Round 2 Dates
Applications open	16 February 2024
Applications close	28 March 2024
Assessment process	2 April to 12 April 2024
Application outcome date	On or after 19 April 2024
Funding Deeds executed with Successful Applicants:	17 May 2024
Project completion:	Projects must be completed 18 months after the signing of the funding deed.

Program funding

The South East Marine Estate Management Strategy program is offering a total of \$849,350 in grant funding to landowners, primary producers, and road managers through four projects.

These are:

- Riverbank vegetation improvements (\$145,000) and maintenance (\$100,000)
- Riverbank stabilisation (\$110,150)
- Improving roads and tracks (\$320,000)
- Clean Coastal Catchments (\$174,200)

Projects are to be delivered within priority coastal catchments located in Wollongong, Kiama, Shellharbour, Shoalhaven, Eurobodalla and Bega Valley Local Government Areas.

Please note that this is a competitive grant program and project funds will be allocated based on merit. Eligible projects will be assessed against the Assessment Criteria.

Funding under the grant program is limited, which may result in some projects not being funded. The funding amounts listed are GST exclusive. Funding amounts, activities and project standards are subject to change without notice.

Grant amounts

Table 2: Funding available under the grant program

Project	Minimum Funding (GST exclusive)	Maximum Funding (GST exclusive)
Riverbank vegetation improvement	\$1,000	\$50,000
Maintenance (per annum until site establishment)	\$1,000	\$25,000
Riverbank stabilisation	\$1,000	\$100,000
Improving roads and tracks (Note: funds under roads and track available to public land management authorities for public access roads only)	\$1,000	\$200,000
Clean Coastal Catchments	\$1,000	\$100,000

Co-contributions

Co-contributions in the form of cash or in-kind labor will be required for all successful grant applications, unless the public benefit is significant.

The type of co-contribution (cash and/or in-kind) and total dollar figure will be determined during the project planning phase and co-contributions will be included in the signed funding deed. The value of co-contributions will be assessed as part of essential grant criteria. Examples of in-kind co-contributions are in the Landholder Contributions table below.

Unspent funds

If the situation arises where a grant recipient's project is completed and there are unspent funds remaining from the grant allocation, South East Local Land Services will 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, South East Local Land Services may reassess if the request aligns to objectives of the grant program.

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.

To lodge an Expression of Interest, please visit: [EOI Form - South East Marine Estate Management Strategy](#).

Eligibility criteria

This section details eligibility criteria for the applicant and project activities.

Eligibility to lodge an Expression of Interest (EOI)

Applications are invited from landholders and /or public land managers located within the priority coastal area shown in Appendix A.

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

To be eligible for grant funding, the property/project must meet the following requirements:

- Project is located on private land, or in the case of a public authority, on land accessible by the public, and falls under the operational area of the South East Local Land Services.
- Works are located within two (2) kilometers of the tidal influence or, in the case of Clean Coastal Catchments project within ten (10) kilometers of the tidal influence (Appendix A).
- The project aligns with the program purpose and objectives.
- The landholder / occupier does not have any incomplete or unacquitted projects with South East Local Land Services.
- The landholder/occupier does not have any overdue debts with Local Land Services.
- The landholder/occupier is willing to enter into a funding deed with South East Local Land Services for a period of up to 10 years.
- The property owner/s is not an employee or board member of South East Local Land Services or their immediate relative (spouse, partner, sibling, parent or child).
- In applications for Clean Coastal Catchment projects only, the property owner/occupier is a primary producer, in the meaning of the Australian Tax Office.

Eligible applicants

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

- have an Australian Business Number (ABN) or be able to complete a Statement by a Supplier form.
- hold or commit to obtaining public liability insurance of \$10 million or more per occurrence or hold equivalent or better self-insurance to the satisfaction of the South East Local Land Services, prior to executing a Funding Deed.
- be a landowner, or have the permission of the landowner, of private land within the priority coastal area and falls under the operational area of the South East LLS.

Note: The Roads and Tracks program is only open to public land and road management authorities.

Eligible projects

- Riparian/estuarine revegetation or vegetated buffer zones to filter water runoff from surrounding land.
- Riparian/estuarine fencing to enhance riverbank vegetation and/or control human and animal traffic.
- Off-stream watering points (in conjunction with riparian/estuarine fencing).

- Approved riverbank stabilisation works (this may require specific design and approval processes).
- Irrigation/fertigation system evaluations and upgrades to existing production areas that reduce water use (primary producers only).
- Effluent management systems evaluations and upgrades (primary producers only).
- Nutrient management plans to identify and reduce nutrient loss (primary producers only).
- Construction of sediment basins, artificial wetlands, filter ponds and other water treatment systems (primary producers only).
- Improved roads and tracks through sealing unsealed roads, installing improved drains and sediment capture structures and buffer enhancement (public land road managers only).
- Maintenance carried out on existing project sites to support the maintenance project standards.

Ineligible projects

- Works located more than two (2) kilometers of the tidal influence or, in the case of Clean Coastal Catchments program more than ten (10) kilometers of the tidal influence.
- Works considered a normal obligation of the landholder (e.g. repairs and maintenance, control of weeds, repairs to roads and tracks, purchase of equipment or materials for normal property management).
- Projects that are considered to be wholly of private benefit.
- Infrastructure required to develop additional production areas (e.g. new crop plantings, new roads & tracks, greenhouses and earthworks).
- Boundary fences.
- Replacement of vegetation at sites where works will not lead to a reduction in nutrient exports.
- Maintenance carried out on land not subject to a pre existing agreement.
- Work required by reason of legal obligations being placed on the property or landholder (e.g. regulation, statutory responsibility, consent conditions, covenants, compliance notices, court orders, set aside arrangements or existing landholder agreements/funding deeds).

Please note that proposing an eligible activity does not guarantee that your application will be successful. Your project will be assessed against the essential criteria in this document. It will need to meet a minimum benchmark and be compared with other applications.

Landholder contributions

Landholders will be required to contribute towards the cost of delivering and maintaining the project. This contribution can be either in cash or in-kind.

Example project item	Example financial or in-kind contribution rate
Project management	\$60/hr (ex GST) for contractor scheduling, phone calls, reporting, management of accounts and budgets
Fence construction	Labor contribution equal to the cost of materials \$800 (ex GST) for delivery of materials \$150/hr (ex GST) for tractor use

Native vegetation establishment or enhancement	\$1600/ha (ex GST) for ground preparation by slashing or spraying \$520/ha/yr (ex GST) for lost grazing opportunity
Off stream watering	\$800 (ex GST) for delivery and installation of troughs or tanks \$4.00/m (ex GST) for trenching and laying pipe
Site maintenance	\$500/ha/yr (ex GST) to maintain tree guards, plants and weed control \$200/km/yr (ex GST) to maintain fence condition \$100/trough/yr (ex GST) to maintain trough watering system
Bank Stabilisation	\$5000 (ex GST) for the cost of permits and 'Review of Environmental Factors' report Supply of hardwood stumps
Roads and Tracks program	\$5000 (ex GST) for the cost of permits and 'Review of Environmental Factors' report \$60/hr (ex GST) for traffic control services \$40,000 (ex GST) for civil works Supply of machinery

Calculation of grant funds

Grants for on-ground works will be allocated on the basis of a schedule of rates which is reviewed annually.

Grant Item	Local Land Services contribution rate (ex GST)
Fence materials costs	Between \$4.70 and \$8.70 per meter, depending on the fence type.
Native vegetation establishment or enhancement	Plants – tube stock \$1.50 to \$3.50 ea Tree guards - \$4.50 ea Tree planting rates - \$3.60 to \$4.00 ea
Off stream watering	Troughs - \$380 to \$1,600 per paddock Piping - \$3.95 to \$4.25 per meter Water tanks - \$1,000 to \$6,000 based on stock numbers
Bank Stabilisation	Detailed budget provided after on site inspection from LLS officer or contractor
Roads and Tracks program	Detailed budget provided by applicant through application form
Clean Coastal Catchments	Effluent system upgrades – up to 60% of the cost of works Irrigation/fertigation system upgrades – up to 60% of the cost of works

Construction of sediment basins/artificial wetlands/filter ponds and other water treatment systems – up to 60% for the cost of works

Essential criteria

Essential Criteria	Description
Located in a priority coastal area	The project is located within two (2) kilometers of the tidal influence or, in the case of Clean Coastal Catchments project within ten (10) kilometers of the tidal influence (Appendix A)
Sediment and nutrient reductions	Projects must demonstrate a reduction in the movement of sediments, nutrients, or farm chemicals from a property.
Eligible Activity	Project activities are consistent with the 'Eligible Projects' list in this document. However, if the project is likely to result in reductions of sediment and/or nutrient from a property, it may still be eligible for funding.
Successful Completion of Previous Grant Projects	Landholders who received a grant for similar works in the past and were unable to complete the project will not be eligible for funding.
Aboriginal heritage	Where a project involves ground disturbance, LLS will be required to undertake research and assessments to ensure works will not impact on any known Aboriginal heritage sites.
Contributions	Financial or in-kind contributions are required for grants unless the public benefit is significant.
Roads and Tracks projects	Only public land and road managers are eligible to apply for grants under this program. Projects must demonstrate that the proposed works will reduce sediment inflow to waterways.
Clean Coast Catchments (CCC)	For CCC projects, applicants must be a 'primary producer' under the meaning of the Australian Tax Office.

Assessment criteria

Applicants must address all assessment criteria in the application. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. You should provide evidence to support your answers. The application form displays size limits for written answers.

Important: The application must meet essential criteria outlined within the grant guidelines for the application to be further assessed through assessment criteria. Local Land Services will undertake further assessment through desktop and on-site criteria.

A rating system is used against each criteria to quantify each component of the application. The rating score is weighted according to project priorities.

Rating System	Very Low	Low	Moderate	High	Very High
Rating Score	1	2	3	4	5
Indicator					

Assessment Criteria	Evidence Requirements	Weighting %
Riverbank vegetation and stabilisation		
Project proposal (completed on site with applicant)		
Project is value for money	Calculated at \$/ha or \$/km for proposed riverbank works	10
Strategic value	Measures how the project adds value or enhances the investment through proximity to high value assets, reduction of risk to natural assets and capacity of applicant to complete the project	30
Wildlife Friendly Fences	For projects involving fencing, higher weighting is given to projects using wildlife friendly fencing	5
Catchment prioritisation (completed by LLS)		
DPI Estuary Health Risk rating	Location of project within higher estuary health risk areas	15
Marine Estate Threat and Risk Assessment (TARA) ranking	Location of project within higher marine estate threat and risk areas	15
Coastal Eutrophication Risk Assessment Tool (CERAT) rating	Location of project within higher coastal eutrophication risk areas	15
Sensitive estuary status	Location of project in estuary catchments identified as sensitive in the South East and Tablelands Regional Plan 2041 or Illawarra Shoalhaven Regional Plan 2041	10

Assessment Criteria	Evidence Requirements	Weighting %
Roads and Tracks		
Project proposal (completed on site with applicant)		
Project is value for money	Calculated at \$/km for proposed road or track work	15
Strategic value	Measures how the project adds value or enhances the investment through proximity to high value assets, and reduction of risk to natural assets	30
Catchment prioritisation (completed by LLS)		
DPI Estuary Health Risk rating	Location of project within higher estuary health risk areas	15
Marine Estate Threat and Risk Assessment (TARA) ranking	Location of project within higher marine estate threat and risk areas	15
Coastal Eutrophication Risk Assessment Tool (CERAT) rating	Location of project within higher coastal eutrophication risk areas	15

Sensitive estuary status	Location of project in estuary catchments identified as sensitive in the South East and Tablelands Regional Plan 2041 or Illawarra Shoalhaven Regional Plan 2041	10
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Assessment Criteria	Evidence Requirements	Weighting %
Clean Coastal Catchments		
Project proposal (completed on site with applicant)		
Project is value for money	Calculated at \$/ha, \$/km or \$/animal for proposed system upgrades	10
Strategic value	Measures how the project adds value or enhances the investment through proximity to high value assets, reduction of risk to natural assets and capacity of applicant to complete the project	35
Catchment prioritisation (completed by LLS)		
DPI Estuary Health Risk rating	Location of project within higher estuary health risk areas	15
Marine Estate Threat and Risk Assessment (TARA) ranking	Location of project within higher marine estate threat and risk areas	15
Coastal Eutrophication Risk Assessment Tool (CERAT) rating	Location of project within higher coastal eutrophication risk areas	15
Sensitive estuary status	Location of project in estuary catchments identified as sensitive in the South East and Tablelands Regional Plan 2041 or Illawarra Shoalhaven Regional Plan 2041	10

Application process

The Marine Estate Management Strategy grants program consists of a multiple stage application process.

1. The EOI application received before 28 March 2024
2. The EOI application checked against essential criteria
3. On site support for eligible applications to create detailed project proposal and funding application through a merit based process with Local Land Services project officer
4. Assessment of detailed project proposal and funding application by an assessment panel
5. Prioritisation ranking and recommendation by the assessment panel
6. Approval by the decision maker to make a grant offer
7. Notification to applicants

Expressions of interest can be lodged through the Grants Finder website or through the following link [EOI Form - South East Marine Estate Management Strategy](#). Applications for MEMS grants Round 2 need to be submitted by 28 March 2024. You will be notified that South East Local Land Services has received your application.

On site support from a South East Local Land Services project officer will be organized and project proposals will be finalised by 3 April 2024.

How to apply

Visit [EOI Form - South East Marine Estate Management Strategy](#) to submit an expression of interest (EOI application) to the Marine Estate Management Strategy (MEMS) grant.

What needs to be included in your application?

All applications involve the completion of a standard form. The information required will include name and address and contact details of applicant, the property owners (if different), location of the project site, any ABN linked to the property or the owner. It will also require a brief description of the proposed project. All applicants are required to submit a conflict-of-interest declaration.

Information provided in the EOI application can be used in subsequent rounds. Applicants can also register willingness to apply for future South East Local Land Services programs.

Expression of interest assessment process

After the closing date South East Local Land Services MEMS program team will undertake an initial assessment of applications to determine eligibility for the program. Following the initial eligibility assessment, eligible applicants will be contacted by South East Local Land Services staff for the purpose of conducting a property visit/site assessment, and the collection of additional data to be used during the assessment process.

Formal application assessment process

South East Local Land Services MEMS program team members will assist the applicant to prepare a formal application. This application needs to include a project map, project plan and proposed budget. South East Local Land Services will notify applicants if additional information or supporting material is required, and the timeframes in which it is required.

Applicants will be provided with an agreement template for their consideration and confirmation that they are willing to enter the agreement.

The applicant will then be invited to submit their formal application including the project plan and budget.

The South East Local Land Services MEMS program team will compile a merit based assessment package for each eligible application. The merit based assessment package will include the expression of interest eligibility assessment, funding application, a project map, budget breakdown with requested grant amount, in-kind contributions and an Environmental Services Ratio (ESR) score sheet.

All formal applications will be reviewed by an assessment panel to determine suitability of the project for funding. Round 2 and subsequent EOI rounds will be assessed separately. Each subsequent assessment panel will be made up of a minimum of four people: one Senior Land Services Officer, one Land Services Officer, a suitably qualified government officer from another department and an independent probity advisor.

Each application will be assessed on its merit and ranked in order of priority. Applicants may be contacted during this step to clarify information provided in their application. South East Local Land Services will notify applicants if additional information and supporting material is required and the timeframes in which it is required.

The assessment panel may recommend a lesser or greater amount of funding for an application depending on the total amount of funding available or defer a recommendation pending further information.

If required, the assessment panel will take other factors into consideration when recommending an application for funding. This will involve looking at the culmination of funded projects as a whole and considering deliverability risks such as geographical distribution of projects, suitability of a project for other government funding opportunities and alignment with existing NSW Government policies and strategies.

Advice may also be sought from other NSW Government agencies or other sources (such as probity advisors).

Decision making

The decision maker for the Grant is the General Manager of South East Local Land Services.

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 create significant risks to the NSW Government. Ineligible applicants will be notified in writing of the outcome of their application.

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. Refer to the Complaints section in these Guidelines for any concerns about decisions.

Applications not received by the Round 2 expression of interest (EOI) closing date (28 March 2024) will not be considered in the initial grant assessment process. However, should the EOI process be under subscribed, applications lodged after the closure of the EOI process may be considered for an on balance assessment, given they meet the eligibility criteria and demonstrate strategic alignment with the project objectives.

Probity advice

Program risk will be monitored for the duration of the program through the South East Local Land Services probity plan. The program has been assessed as moderate complexity and moderate residual risk. The grant Program team have engaged an independent probity advisor (JMP Procure Pty Ltd). The probity advisor will seek to ensure decisions are made with integrity, fairness, and accountability, while delivering value for money for NSW.

Can ineligible projects be referred to a more appropriate funding program?

Yes. Projects that are more suitable for other NSW Government programs may be referred to those programs. Applications that are referred will be subject to the full Assessment Criteria of the other NSW Government program to which they are referred. Applicants may need to update their application to meet the criteria of the referred program.

Successful applications

Notification

Successful applicants will be notified in writing by letter and/or email. Notifications will be provided in accordance with the Government Sector Finance Amendment (Grants) Bill 2023. Successful projects and applicant details will also be listed and published on the NSW Grants Finder website.

Note: Local Land Services has obligations to protect an individual's privacy, as prescribed in the Privacy and Personal Information Protection Act 1998. LLS will not publish any information that identifies an individual when administering a grant program.

Funding deed

Successful Applicants will be required to enter into a Funding Deed with Local Land Services. A sample funding deed will be provided upon request, email southeast.mems@lls.nsw.gov.au.

Successful Applicants will be required to provide all supporting documentation and approvals before South East Local Land Services can enter into a funding deed. This includes \$10 million Public Liability Insurance, Development Approval (if applicable), and proof of property ownership where required.

South East Local Land Services makes no binding funding commitment to an Applicant unless and until both parties sign a Funding Deed.

The life of the Funding Deed is ten (10) years from the date of signing the deed. Terms and Conditions in the Funding Deed list your commitments over this period.

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 payments set out in the Funding Deed. Timing and requirements will vary at South East Local Land Services discretion.

Successful Applicants may be required to submit progress reports to South East Local Land Services as outlined in the Funding Deed.

Monitoring and reporting

All on-ground projects funded by South East Local Land Services will be required to undertake photo point monitoring of activities. Local Land Services has a guide for photo monitoring on the website and successful applicants will be provided with a copy. South East Local Land Services staff are able to assist with establishment of standard photo monitoring points.

South East Local Land Services may also require monitoring of groundcover and landscape condition changes using the step point monitoring method or native vegetation condition monitoring depending on the type of activities proposed. This will require consent by the landowner (as a condition of the Contract) to access the project site annually to monitor for the desired outcomes and provide additional support to the landowner to ensure the project meets desired outcomes.

South East Local Land Services will develop a set of relevant measures for monitoring and reporting the economic, social and environmental outcomes with successful applicants. This is important to demonstrate these outcomes to our funding partners.

All projects funded by South East Local Land Services may be included in more detailed vegetation and/or soil condition monitoring undertaken by Local Land Services.

A final report on the project outcomes will be required to receive a final payment. All agreements will require further brief annual monitoring reports for the agreement duration on the outcomes achieved and the management actions and monitoring undertaken. Progress reports or inspections may also be required.

South East Local Land Services reserves the right to inspect the project area over the duration of the agreement, to determine the degree to which intended outcomes are being achieved.

Further details of monitoring requirements and templates for reports are available from a South East Local Land Services project officer and will be made available to successful applicants.

Maintenance

All funded activities will require maintenance to ensure the outcomes are maintained. All activities must be regularly maintained for at least 5 years from the date of completion of project works (i.e., from May 2024).

Acquittal of contracts

A final milestone payment will occur following the completion of project activities and acceptance by South East Local Land Services of the Final Project Acquittal Report which confirms the expenditure of the grant funds and satisfactory completion of the project outcomes.

Annual reports on maintenance and monitoring will be required for the remaining duration of the agreement. South East Local Land Services may inspect the project during the maintenance and monitoring period. Evidence of completion, including reports submitted to South East Local Land Services and inspection reports by South East Local Land Services, will be recorded in the Local Land Services corporate filing system. These records will be used to inform South East Local Land Services internal program progress and final reporting using South East Local Land Services financial and project management systems.

Waivers (evidence and process)

All requests for an extension of time to complete project activities must be submitted in writing to South East Local Land Services outlining the revised timing requested and supporting reasons. Requests for an extension of time will be considered by South East Local Land Services and if deemed appropriate, will be approved by South East Local Land Services through a signed contract variation.

All requests for changes to project payments and landholder contributions must be submitted in writing to South East Local Land Services outlining the proposed changes and supporting reasons. South East Local Land Services will not approve requests for increased total grant funding. Other requests will be considered by South East Local Land Services and if deemed appropriate will be approved by South East Local Land Services through a signed contract variation.

All requests for changes to project activities other than timing or payments must be submitted in writing to South East Local Land Services outlining the proposed revised delivery of project activities and supporting reasons. Requests will be considered by South East Local Land Services and if deemed appropriate will be approved by South East Local Land Services through a contract variation.

Debt recovery (process)

If the project is not completed, South East Local Land Services will provide written notice to recover South East Local Land Services grant funds in accordance with the agreement terms and conditions. If South East Local Land Services has paid any part of the grant funds in advance, you must repay to South East Local Land Services a pro-rata amount of grant funds for any incomplete project activities, within 30 days of a written request from South East Local Land Services, in accordance with the project agreement terms and conditions.

Evaluation of grant program

Progress, final and annual reports submitted to South East Local Land Services and inspection reports by South East Local Land Services will be used to inform annual evaluation of this grant program under an South East Local Land Services approved annual evaluation plan that considers and documents delivery on outputs, outcomes, key learnings and continuous improvements.

Important terms and conditions

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

All projects must demonstrate they can commence within 3 months of the commencement of the Funding Deed and be completed within 18 months as outlined in the project plan.

During the life of the Funding Deed, the landholder is expected to maintain any infrastructure or works funded through the deed to the standard which meets the objectives of the project. This includes maintaining fences, off stream watering, piping, plantings, dams, ponds and control of pest plants and animals.

Applicants must hold all relevant insurances, including a minimum \$10 million Public Liability Insurance.

Requests for variations or changes to the project will only be considered in limited circumstances. Variation requests must be submitted in writing to the Grants Manager – Marine Estate Management Strategy by emailing, enquiry.southeast@lls.nsw.gov.au.

Circumstances where project variation may be required include but are not limited to; variation to approved contracted works as detailed within the Funding Deed, change in ownership of property, extenuating circumstances impacting on the implementation of planned project works such as extreme weather. Variations once received will be reviewed by the Grants Manager and assessed in accordance with Grant guidelines and funding deeds to determine eligibility of variation request. The decision to grant a variation will be determined by the LLS Operations Manager, General Manger or Director within relevant delegations.

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 Applicants seek independent professional advice about taxation obligations or seek assistance from the Australian Taxation Office. The NSW Government does not provide advice on individual taxation circumstances.

Successful Applicants will be required to pay back unspent funds or those funds which have not been spent in accordance with the Funding Deed.

Successful Applicants will be required to participate in a program evaluation to determine the extent to which their projects have contributed to the objective of the Fund. The evaluation will require Applicants to provide evidence of how projects have resulted in a measurable change to the lives of local residents that is consistent with the objective of the Fund.

Any information submitted by an Applicant may be used for promotional material prepared by the NSW Government.

The NSW Government may choose to publicly announce funding for individual applications. It may also use information provided in the grant to develop case studies.

All recipients of NSW Government funding should acknowledge this financial support as per the Funding Acknowledgement Guidelines for Recipients of NSW Government Grants available at <https://www.nsw.gov.au/branding/sponsorship-and-funding-acknowledgment-guidelines>.

The Department reserves the right to undertake an audit of grant funding within a period 7 years from the signing of the Funding Deed.

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

Unsuccessful applications

Unsuccessful applicants will be notified in writing of the outcome of their application and will be offered a feedback information session if requested.

Additional information

Getting support

Additional information and resources will be available on the South East Local Land Services webpage, including relevant application templates and frequently asked questions: [South East - Local Land Services \(nsw.gov.au\)](#).

Staff at South East Local Land Services are available to answer questions and assist with applications. If assistance is required, please send your request for information or advice to: southeast.mems@lls.nsw.gov.au.

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 Fund or individual applications should be submitted in writing to enquiry.southeast@lls.nsw.gov.au. Please ensure the subject line contains Attn: Grants Manager - Marine Estate Management Strategy.

If you do not agree with the way South East Local Land Services handled the issue, you may wish to contact the NSW Ombudsman via 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

All applicants are required to submit a conflict-of-interest declaration with all proposals or in the application form. All members of the assessment panel will also complete conflict of interest declarations.

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.

Confidentiality

Funding decisions and assessment outcomes must be kept confidential until announced by LLS. 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 a Funding Deed, details about it may be made publicly available (subject to information the Department/Agency deems commercial in confidence).

The applicant agrees not to disclose any confidential information about the grant program application or Funding Deed without the Department's written consent. All members of the assessment panel are similarly required to keep all details regarding the application process and applications confidential.

Department rights

The Department may, in its absolute discretion, and without limiting any other right which the Department 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 the department 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 the Department. 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 the Department. The applicant agrees that the Department may make copies and reproduce applications for any purpose related to the grant opportunity. In addition, the Department will retain (electronic and hard) copies of all applications.

No offer

These guidelines are not an offer, recommendation, or invitation by the Department 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

The Department may, in its absolute discretion, issue an addendum to these guidelines. In each case, an addendum becomes part of these Guidelines.

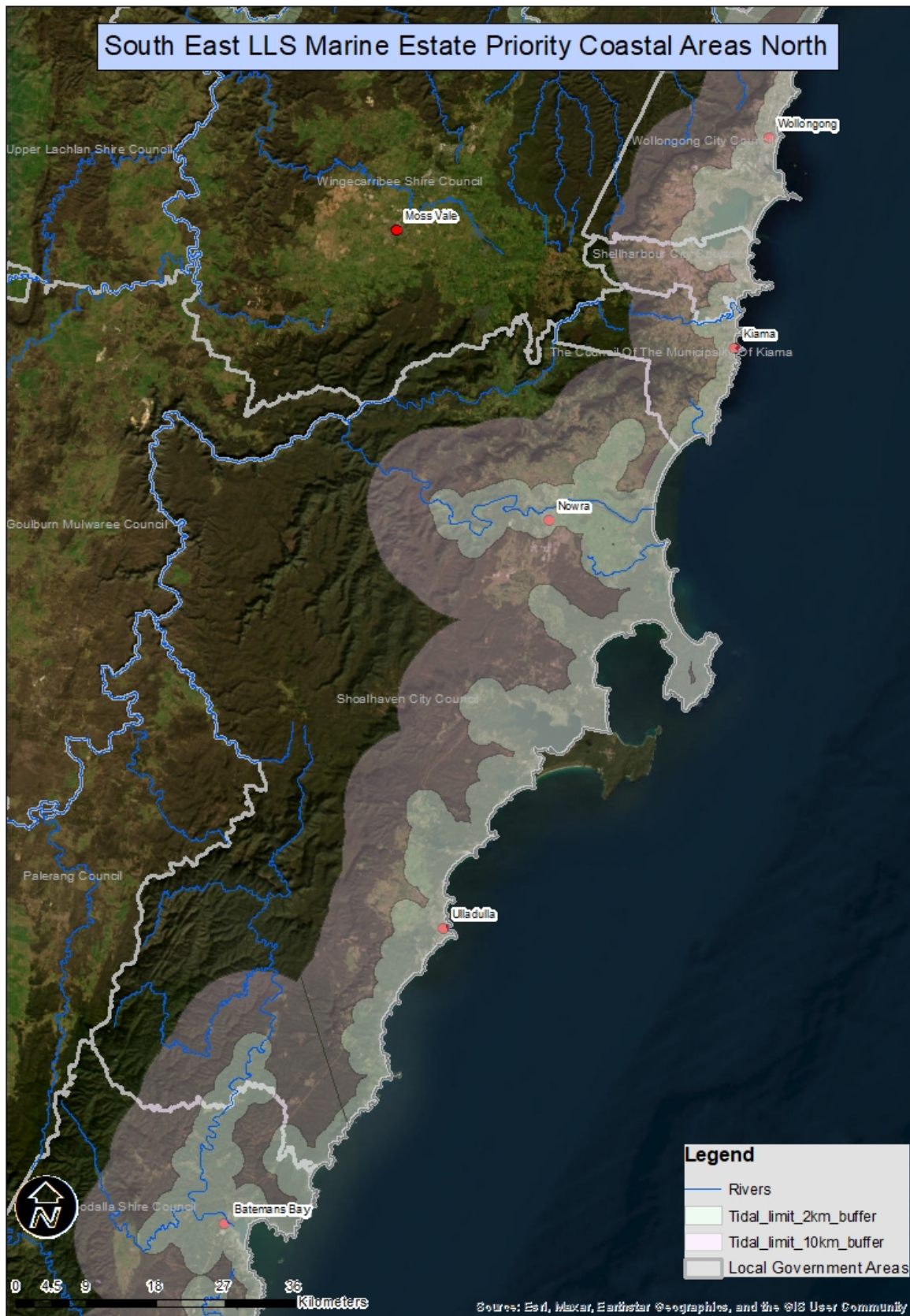
Disclaimer

The Department 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.

The Department 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.

Appendix A

Eligible priority coastal areas (North)



Eligible priority coastal areas (South)

