

# New South Wales – Fencing Northern Basin Riverbanks Program

## PROJECT SCHEDULE FOR THE DELIVERY OF THE FENCING NORTHERN BASIN RIVERBANKS PROGRAM IN NEW SOUTH WALES

1. This Schedule has been developed consistent with the Project Agreement for Delivery of Environmental Measures in Northern Murray-Darling Basin (the Agreement).
2. This Schedule provides for the State of New South Wales' (NSW) delivery of the Commonwealth-funded Fencing Northern Basin Riverbanks program (the program).
3. This Schedule D varies the previous Schedule D under the Agreement.
4. The program is intended to involve the implementation of a series of projects which will reduce the impact of livestock on environmentally sensitive parts of the northern Murray-Darling Basin, and provide landholders with a practical means to contribute to the restoration and protection of native fish habitat.
5. In accordance with the Agreement and this Schedule, NSW will deliver the program in two stages, with Stage 1 commencing from execution of this Schedule and Stage 2 commencing in accordance with the requirements of this Schedule:
  - (a) Stage 1 – Submission of a proposal to support NSW's long-term delivery of the program.
  - (b) Stage 2 – Implementation of NSW's long-term delivery of the program.
6. In delivering Stage 1, NSW will develop and submit a proposal to the Commonwealth for its agreement outlining its proposed three year delivery of the program.
7. The proposal is to have regard to the matters set out this Schedule including the program priorities and proposal requirements set out in [Attachment A](#).
8. In delivering Stage 2, NSW will undertake the program in accordance with this Schedule and the Agreed Proposal (Attachment B), the Agreement and any other agreed requirements.
9. In accordance with the Agreement, milestones for the program, their relationship to outputs, expected completion dates and expected payments are set out in Table 1 and are to be completed to the Commonwealth's reasonable satisfaction.
10. The Commonwealth and NSW agree that estimated costs for the activities and outputs described in Table 1 is up to \$4,713,116 GST exclusive.
11. The Commonwealth and NSW also agree that subject to the Agreement and this Schedule, the Commonwealth will provide a total financial contribution of up to \$4,713,116 GST exclusive for activities under this Schedule, and as shown in Table 1.

**Table 1: Milestones, reporting and payment summary**

<b>Output</b>	<b>Performance milestones</b>	<b>Due</b>	<b>Payment</b>
<b>Preliminary – Evidence of arrangements in place to support commencement of Stage 1 activities</b>	1. A report submitted to the Commonwealth that provides evidence that Stage 1 activities have commenced.	20/05/2020 <b>Complete</b>	\$50,000 <b>Paid</b>
<b>Stage 1– Submission and agreement to proposal for Stage 2 delivery</b>	2. Proposal for program delivery submitted to the Commonwealth.	By 31/07/2020 <b>Complete</b>	\$50,000 <b>Paid</b>
<b>Stage 2 – Program Delivery</b>	3. A report submitted to the Commonwealth that provides evidence that the EOI process for individual fencing projects in ecologically sensitive areas has commenced.	18/01/2021 <b>Complete</b>	\$792,519 <b>Paid</b>
	4. A report submitted to the Commonwealth that provides evidence that contracts for at least 60 km of fencing in ecologically sensitive areas has been executed.	26/03/2021 <b>Complete</b>	\$834,038 <b>Paid</b>
	5. A report submitted to the Commonwealth that provides evidence that contracts for at least 160 km (in total) of fencing in ecologically sensitive areas have been executed.	21/05/2021 <b>Complete</b>	\$1,390,062 <b>Paid</b>
	6. A report submitted to the Commonwealth that provides evidence that contracts for at least 250 km (in total) of fencing in ecologically sensitive areas have been executed.	5/11/2021 <b>Complete</b>	\$1,546,497 <b>Paid</b>

	7. A final report submitted to the Commonwealth that provides evidence that at least 250 km (under contracts executed for Milestones 4-6) of fencing in ecologically sensitive areas is complete, and complementary activities have been completed as required.	26/02/2024	\$ 50,000
<b>Total</b>			<b>\$4,713,116</b>

**PROGRAM INFORMATION**

1. The program is intended to fund implementation of individual fencing projects in the northern Murray-Darling Basin which will satisfy one or more of the following objectives:
  - (a) Provide a direct contribution to the enhancement of native fish outcomes from northern Basin 'Toolkit' measures proposed to be undertaken by the NSW and Queensland governments
  - (b) Provide a direct contribution to the enhancement of native fish outcomes from other Australian Government commitments in the northern Basin, for example those made in response to the Vertessy report on the 2018/19 fish death events
  - (c) Contribute to priorities identified in other state or regional strategies which work to improve native fish health. This could include documents such as native fish strategies, catchment management strategies or river strategies prepared by local or state government bodies or in Murray-Darling Basin Long Term Watering Plans prepared for relevant Basin Plan water resource plan areas
  - (d) Connect riparian corridors along whole waterways and/or multiple properties
  - (e) Protect and improve existing healthy riparian areas with remnant native vegetation
  - (f) Add value to other measures in the northern Basin aimed at protecting and improving native fish health, for example state managed fishway construction and/or
  - (g) An objective agreed with the Commonwealth,and involved one or more of the following activities:
  - (h) Fencing for gully, creek or streamside fencing that enables the control of stock access to riparian areas. Stock need not be permanently excluded, however, projects need to demonstrate a commitment to managing the timing, duration and intensity of stock access to avoid damage to soil, groundcover and vegetation and water quality impacts
  - (i) Weed removal/control for fenced riparian areas where stock access is minimized or excluded
  - (j) Native revegetation for fenced riparian areas where stock access is minimized or excluded
  - (k) Restoration of instream woody habitat ("re-snagging")
  - (l) Land manager engagement
  - (m) Stock water supplies (off-stream watering infrastructure) where the works compensate for water access lost by fencing

- (n) Minor erosion control e.g. minor rock stabilization work, and stock crossings where riparian areas have been fenced and protected
- (o) Other activities as agreed by the Commonwealth.

2. The program is not however intended to fund:

- (a) Retrospective activities for Stage 2 (activities that have been completed or have commenced prior to signing this Schedule), unless otherwise agreed by the Commonwealth
- (b) Activities funded through other Commonwealth or State Government investment
- (c) "business as usual" activities for which other Commonwealth, state or local government bodies have primary responsibility
- (d) "business as usual" operation and administration costs of the organization delivering the project, including maintenance, repairs, utilities and staffing
- (e) Activities located on riparian land outside northern Murray-Darling Basin catchment/s unless otherwise agreed by the Commonwealth
- (f) Activities related to labour, operational and maintenance costs post project completion
- (g) Projects requiring recurrent funding from the Australian Government once completed
- (h) Projects that only benefit private individuals or enterprises within the community
- (i) Projects involving financial or debt restructuring
- (j) Research and development projects
- (k) Purchase of land, and
- (l) Any activities which is contrary to the objectives and intent of the program.

3. A proposal for program delivery should include the following information:

- (a) The target catchment areas for Stage 2 program delivery
- (b) An outline of proposed activities to be carried out as part of any Stage 2 projects
- (c) A description of how implementation will enable program objectives to be met
- (d) The estimated number of Stage 2 projects proposed to be carried out each year over the three year life of the program and their mean estimated value
- (e) The anticipated date on which the first project under Stage 2 will commence
- (f) A proposed delivery schedule and milestone table which includes proposed timeframes for Stage 2 project delivery, anticipated milestones and proposed funding amounts for each milestone having regard to the available funds allocated for Stage 2

- (g) Proposed service delivery agents and details on any existing arrangements which could be utilized to enable efficient and effective service delivery
- (h) A description of how delivery will provide public benefit, not solely improve private interests
- (i) How risk to native species will be managed, e.g. where management of feral animals is also proposed
- (j) The proposed strategy to ensure any third parties engaged to delivery projects in the northern Basin give preference to Indigenous (including small Indigenous enterprises).

**AGREED PROPOSAL**

**Program background**

This program is part of the Australian Government's broader program for delivery of environmental measures in the northern Murray-Darling Basin. As part of the response to the Vertessy Report into the fish deaths in the Lower Darling River in 2018/19, the program will invest in projects that provide a practical means for landholders to contribute to the improvement and protection of native fish biodiversity across the northern Basin.

**Program description (including funded activities)**

The NSW Department of Planning, Industry and Environment's Water group (DPIE Water) will oversee the program, which will be delivered by NSW Local Land Services (LLS), led by LLS Western Region.

The program will be funded by the Australian Government for up to \$4,713,116, until 26 February 2024.

The main on-ground activities funded by the program will be riverbank fencing and off-river stock watering points, located in target reaches identified in line with program objectives. Other eligible activities include woody weed control (within and adjacent to fenced riparian areas), revegetation and minor erosion control works. Installation of large woody habitat in riverbeds (re-snagging) will also be undertaken in areas where this habitat is absent.

Target river reaches (Figure 1) were identified by a spatial analysis that considered the location of toolkit measures and other government programs, as well as the status of native fish communities, distribution of threatened fish species and riparian vegetation. Target areas represent a tenfold greater length of stream than could be fenced by the funds available for the program, to account for expected landholder uptake and existing riparian fencing in target areas.

Landholders located in target areas will be invited to participate in the program through a targeted information campaign and calls for expression of interest. Individual project applications will be developed by landholders – with support from LLS case officers – according to application guidelines. Landholders will provide cash or in-kind contributions to projects in proportion to the public versus private benefits of proposed activities.

A project manager will be appointed to manage the day-to-day coordination and implementation of the program. The project manager will report to a Program Steering Committee comprised of representatives from the five LLS regions which cover the extent of program. The LLS Western Region General Manager, as program sponsor, will have ultimate responsibility for the program.

The program includes a strategy to ensure preference is given to Aboriginal peoples and local businesses when labour or supplies are procured by program participants and LLS. Discussions are underway with several Indigenous service providers to establish an agreement which will support local Aboriginal peoples to implement on-ground works over the life of the program. This will be achieved by providing an incentive for investment in the training and skills required to implement program activities.

Program progress and outcomes will be reported to DPIE Water and the Commonwealth Government as part of the program's milestone funding arrangements and through an agreed

Monitoring, Evaluation and Reporting Framework. Program achievements will be shared with the community throughout the program in accordance with an agreed communications and engagement plan.

### **Aboriginal cultural heritage**

An important part of the program will be engagement with the Indigenous community, particularly in the early stages and prior to any on-ground works. Opportunities to protect sites of spiritual importance for Aboriginal peoples will be identified during the application stage for individual projects and outcomes realized by incorporating cultural heritage sites into project designs as part of the case officer's involvement in assisting landholders preparing their applications.

Aboriginal cultural heritage sites will be identified on proposed program sites through the Aboriginal Heritage Information Management System database, consultation with local Aboriginal peoples, discussions with landholders and case officer site inspections. Aboriginal Cultural Heritage surveys will be conducted by Aboriginal peoples and Aboriginal communities LLS officers for projects requiring soil disturbance. Landholders will be made aware that applications for projects which include the protection of Aboriginal Cultural Heritage sites have improved likelihood of being funded.

It is expected that this approach will result in a significant number of Aboriginal cultural heritage sites being recognized and preserved. Individual fencing projects will not restrict existing access for Aboriginal peoples or other local communities. Program negotiations will include discussions with landholders around possible access arrangements for Aboriginal communities to important sites which may improve current access arrangements for these groups.



Program objectives and expected outcomes

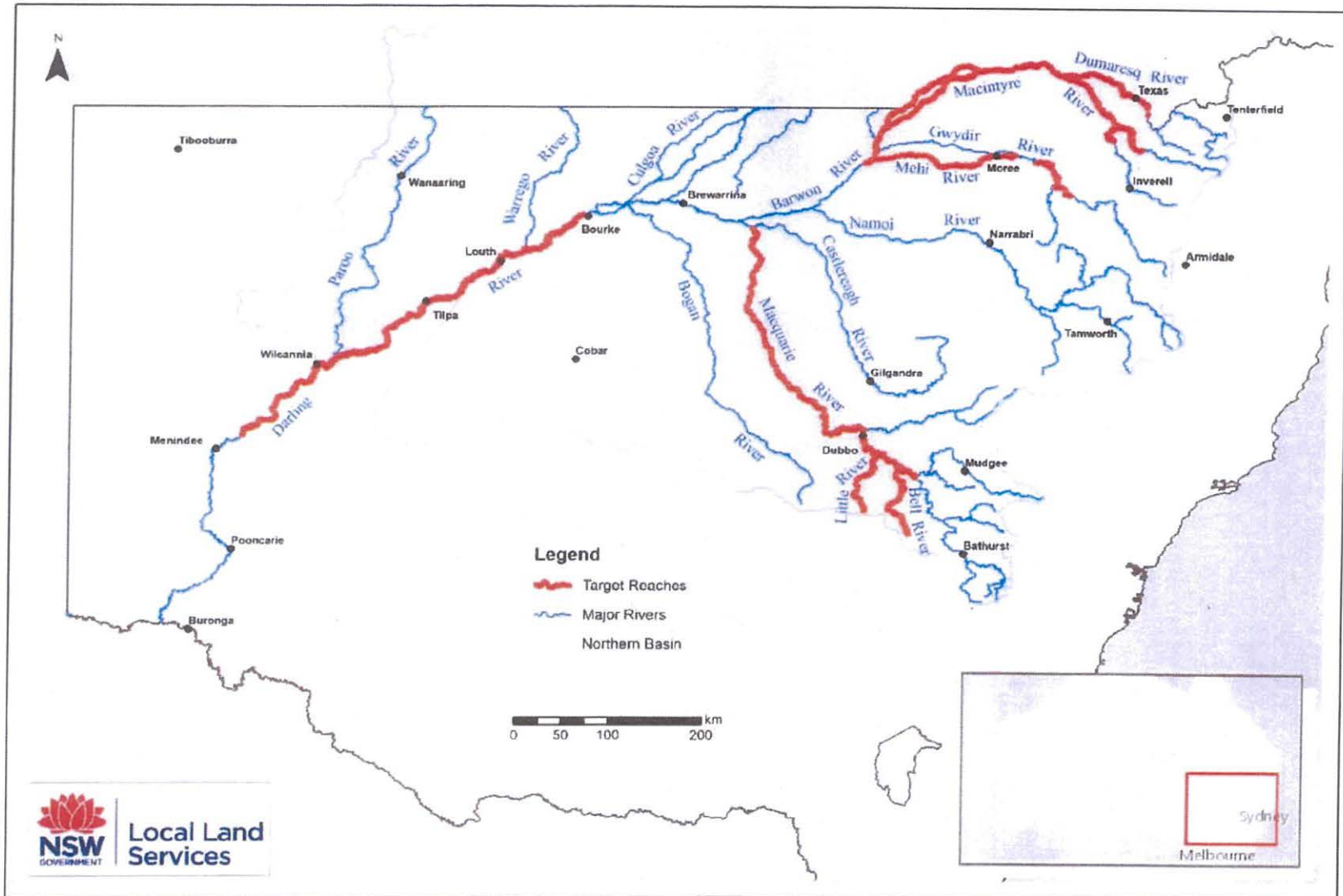


Figure 1. Fencing Northern Basin Riverbanks Program target reaches.

The implementation of this program proposal will meet the objectives of the program (as per the Agreement), as detailed in Table 2.

**Table 2. Program objectives and expected outcomes**

Program objectives	Program component and effect	Expected outcome
<p>(a), (b) &amp; (f) - Provide a direct contribution/add value to the enhancement of native fish outcomes from northern Basin toolkit measures and other Government programs/commitments.</p>	<p>Location of target areas was designed to overlap the areas influenced by Northern Basin "Toolkit" projects.</p>	<p>Individual projects and the program as a whole will protect rivers that are the focus of "Toolkit" projects and other Government programs that aim to produce positive outcomes for native fish communities.</p>
	<p>Riparian fencing and off-river water points will limit livestock access to riparian vegetation and riverbanks.</p>	<p>Riparian vegetation regenerate and contribute positively to river health.  Ongoing erosion and sedimentation/turbidity caused by regular stock access will decrease.</p>
	<p>Re-snagging — reintroduction of complex woody habitat to river pools. Erosion control activities will reduce the amount of sediment entering rivers.</p>	<p>Fish habitat quality will increase significantly. Densities of native fish species <u>will increase</u>. Reduced turbidity and reduced potential for sediment deposition in riverbed, contributes to abating decline in refuge pool depth and loss of <u>longitudinal connectivity</u>. Improved condition of native riparian vegetation contributes to long-term condition increase and improved functional interactivity with adjacent aquatic ecosystem.</p>
	<p>Woody weed control — removal of invasive, exotic plant species from native riparian vegetation.</p>	
	<p>Pest animal control — reduce pest animal numbers and impacts on riparian vegetation and bank stability.</p>	<p>Regeneration of affected riparian plant species. Improved localised stability of soil on riverbanks and reduced</p>

		Incidence of sedimentation/turbidity caused by soil erosion.
	Revegetation — enhancement of native riparian vegetation in poor condition.	Improved condition of native riparian vegetation contributes to long-term condition increase and improved functional interactivity with adjacent aquatic ecosystem.
(c) contribute to priorities identified in State or regional strategies which work to improve native fish health.	Location of target areas was designed to overlap areas identified as priorities in strategies, including the Gwydir Wetlands.	Individual projects and the program will contribute to achieving priority actions identified in State and regional strategies which work to improve native fish and aquatic ecosystem health.
(d) connect riparian corridors along whole waterways or multiple properties.	Project site selection will take account of landscape context and existing riparian fencing and favour sites that enable continuous riparian connectivity.	Connectivity of riparian corridors will increase through strategic project site selection.
	Riparian fencing and revegetation projects will protect riparian vegetation and enable regeneration and/or revegetation in lower quality riparian areas, increasing riparian connectivity.	Connectivity of riparian corridors will increase through improvement of the condition and/or area of riparian vegetation, at the scale of waterways or multiple properties.
(e) protect and improve existing healthy riparian areas with remnant native vegetation.	Presence of riparian vegetation was one variable used in the spatial analysis which contributed to identifying target reaches. Target reaches are therefore more likely to have healthy riparian areas with native vegetation than other areas.	Healthy riparian areas with native remnant vegetation have been given preference in the program design.
	Project site selection will take account of vegetation condition and favour sites with healthy riparian areas with remnant native vegetation.	Healthy riparian areas with remnant native vegetation will be identified and protected through strategic project site selection.
	Riparian fencing and off-river watering points will limit livestock access to	Riparian vegetation communities will regenerate, the most

	<p>riparian vegetation, decreasing grazing pressure and trampling impacts.</p>	<p>palatable plant species will increase in abundance and size, structural complexity and fauna habitat values will increase.</p>
	<p>Revegetation projects will assist the rate of regeneration of riparian vegetation in poorer condition and adjacent to healthy riparian areas.</p>	<p>Existing healthy riparian areas will be complemented by adjacent revegetated areas, which may provide an edge buffer and/or increase patch size.</p>
	<p>Pest animal control will reduce grazing pressure and soil disturbance in healthy riparian areas with remnant native vegetation.</p>	<p>Riparian vegetation will regenerate due to reduced grazing pressure and physical disturbance to soil and groundcover plant species.</p>

SIGN OFF

The Parties have confirmed their commitment to this Schedule as follows:

**Signed** for and on behalf of the Commonwealth of Australia by

A handwritten signature in black ink, appearing to read 'Tanya Plibersek', written over a horizontal line.

**The Honourable Tanya Plibersek MP**

Minister for the Environment and Water

Date: 14.12.23

**Signed** for and on behalf of the New South Wales Government by

A handwritten signature in blue ink, appearing to read 'Rose Jackson', written over a horizontal line.

**The Honourable Rose Jackson MLC**

Minister for Water

Date: 18.12.23