

# Resilient Rivers Water Infrastructure Program 2024

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State-led water recovery single projects:  
NSW Government program guidelines for full  
project applications.

August 2024

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# Acknowledgement of Country



People and Community symbol.

The Department of Climate Change, Energy, the Environment and Water acknowledges the traditional custodians of the land and pays respect to Elders past, present and future.

We recognise Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to place and their rich contribution to society.

Artist and designer Nikita Ridgeway from Aboriginal design agency – Boss Lady Creative Designs, created the

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# Grant program details

Table 1: Grant program details.

Grant program details	
Program name	Resilient Rivers Water Infrastructure Program: State-led Water Recovery Single Projects
Applications open	30 January 2024
Applications close	27 June 2025, 5pm
Application outcome date	Within 3 to 6 months from when the application is submitted to the Commonwealth Government
Project completion date	30 June 2027 or later by negotiation
Grant value	The Resilient Rivers Water Infrastructure Program has up to \$494 million available for projects. The program is funded for four financial years 2023/24 to 2026/27.
Evaluation	Successful applicants may be required to participate in a program evaluation after the project is complete. The evaluation may require grantees to provide evidence of how the project has resulted in measurable benefits consistent with program objectives.
Decision maker	Commonwealth Minister of Environment and Water
Australian Government agency (funding entity with NSW)	Commonwealth Department of Climate Change, Energy, the Environment and Water (Cwlth DCCEEW)
NSW Government agency	New South Wales Department of Climate Change, Energy, the Environment and Water.
Type of grant opportunity	Open, non-competitive
Enquiries	Grant Management Office – Water Group, Commonwealth Program Grants Team

The NSW Government reserves the right to amend any of these dates or information.

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# 1 Overview

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## 1.1 Program summary

The Australian Government and the governments of NSW, South Australia, Queensland and ACT have agreed to extend the 30 June 2024 delivery deadline to return 450 GL of water to the environment under the Murray Darling Basin Plan to 2027.

On 30 January 2024, the Australian Government released a draft framework for delivering an additional 450 GL of environmental water, which includes the Resilient Rivers Water Infrastructure Program. This program encompasses infrastructure projects, rule changes, and land and water partnerships, and introduces a new four-stream funding model. The first three streams (Stream A, B and C) will be discussed in detail in this program guideline and relate to full project applications. Start-up projects (Stream D) are considered under a separate set of guidelines detailed by the Australian Government.

This guideline should be read before a full project application is started, as it contains information regarding the submission process, the documentation required and an overview of the submission and assessment process.

Applications for single projects are state-led, meaning applications must be submitted through the NSW Government. All state-led projects approved by the Australian Government involve 'back-to-back' funding arrangements between the Australian Government and NSW Government, and the NSW Government and the grantee.

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## 1.2 Program objectives

The program will deliver improvements in water management efficiency and enable the recovered water to be available for environmental use. It provides investment to deliver long-term outcomes with multiple benefits in addition to environmental water recovery, and underpins long-term, climate change resilient primary production.

The program builds on and replaces the former Off-farm Efficiency Program, and focuses on improving the efficiency of water delivery infrastructure of various users and systems including:

- on-farm
- stock and domestic
- irrigation networks
- urban
- industrial
- mining
- water substitution.

## 1.3 NSW Government commitment to the program

The NSW Government is committed to delivering the program and contributing to the Murray Darling Basin legislated aim to recover up to 450 GL of water for the environment to enhance environmental outcomes.

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## 1.4 Alignment to NSW Government outcomes

The program aligns with the NSW Department of Climate Change, Energy, the Environment and Water's vision to ensure a sustainable NSW through climate change and energy action, water management, environment and heritage conservation and protection.

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## 1.5 Socio-economic test

It is mandatory for all full project applications to pass a socio-economic test. On 14 December 2018, the Murray–Darling Basin Ministerial Council agreed socio-economic criteria will be tested through a state-based assessment.

The program's NSW Expert Panel assess applications, after NSW has completed public comment, to determine if a project meets the socio-economic test and provides a recommendation for the NSW Government to progress an application to the Australian Government for assessment.

The program's NSW Steering Committee reviews the recommendation of the Expert Panel and approves submission of the application to the Australian Government for assessment.

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## 1.6 Community consultation

Community consultation is required for each full project by the grantees and/or Basin state as part of the socio-economic test.

The NSW Government will undertake a public comment process for each project application. It is expected grantees will have previously completed comprehensive community engagement/consultation as part of project development. The NSW Government-led public comment process will allow all individuals and organisations with an interest in the proposed project to provide comments and feedback. The NSW Government will publish the socio-economic information of each project on the program's webpage and will provide an opportunity for comment through either a feedback form or a formal written submission.

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## 1.7 Funding streams

Funding under the program guidelines for state-led water recovery single projects will be awarded under 3 streams (see Table 2). Examples of projects under these streams are detailed in Table 3.

Table 2: Program funding streams for single projects.

Funding streams	Description
<b>Stream A</b> <b>Irrigation infrastructure operators modernisation (IOM)</b>	<p>Off-farm IOM – to deliver more efficient water delivery networks and to build on existing projects under the former Off-farm Efficiency Program.</p> <p>Basin states, in collaboration with private irrigation infrastructure operators, are anticipated to lead large-scale projects under the IOM.</p>
<b>Stream B</b> <b>Water use efficiency (WUE)</b>	<p>On-property - activities are being delivered on both irrigation and non-irrigation farms to enhance the efficiency of water management infrastructure.</p>
<b>Stream C</b> <b>Targeted efficiency measures (TEM)</b>	<p>Delivers projects creating water efficiencies in areas other than the IOM and WUE streams. This could include urban, industrial and/or mining settings. TEM projects will likely vary in scale with projects encouraged from Basin states, private irrigation infrastructure operators, local governments, water right holders or those representing water right holders, corporations and businesses.</p>

Table 3: Examples of single projects under the program.

Stream	Examples
<b>Irrigation infrastructure operators modernisation</b>	<p><b>Irrigation networks:</b> installing new, or upgrading existing, irrigation infrastructure and technology in water delivery networks for the purpose of supplying water to irrigators.</p> <p><b>Water delivery upgrades</b> (for private diverters not connected to a network): installing new, or upgrading existing, irrigation infrastructure and technology for water delivery.</p>
<b>Water use efficiency</b>	<p><b>On-farm:</b> installing new, or upgrading existing, irrigation infrastructure and technology on irrigation properties for the purpose of agriculture.</p> <p><b>Stock and domestic:</b> improving stock and domestic water supply on one or more properties for the purpose of watering stock and supplying water for human use.</p> <p><b>Water substitution (domestic or small scale):</b> conducting local or property-scale water savings activities enabling an alternative water source to be accessed, while returning a water entitlement to the Australian Government (for</p>



	example, replacing surface water sources with local desalination or sustainable groundwater supply).
<b>Targeted efficiency measures</b>	<p><b>Urban:</b> constructing, replacing, upgrading, installing, improving or refurbishing urban water supply arrangements, including reducing leakage for the purpose of urban water supply.</p> <p><b>Industrial or mining:</b> constructing, replacing, upgrading, installing, improving or refurbishing industrial water uses, including reducing leakage, for the purpose of using water for producing goods and services.</p> <p><b>Mining:</b> constructing, replacing, upgrading, installing, improving or refurbishing industrial water uses, including reducing leakage, for the purpose of using water for producing goods and services.</p> <p><b>Water substitution (larger scale):</b> conducting water savings activities enabling an alternative water source to be accessed, while returning a water entitlement to the Commonwealth (e.g., replacing surface water sources with local desalination or sustainable groundwater supply). The scale would be at town, community or across multiple sites.</p>

## 2 Process for approving full project applications under state-led arrangements

Table 4: Process for approving full projects under the program.

Steps	Descriptions
1. Grantee expresses interest	<p>Grantee contacts the NSW Government to express interest in applying for funding under the program.</p> <p>The NSW Government provides an overview of the application and assessment process, and the application document templates (see Appendix D).</p>
2. Eligibility assessment of applications (applications must meet the eligibility criteria)	Grantee commits to the transfer of an agreed volume of eligible water entitlements [including agreement on the long-term diversion limit equivalent (LTDLE)] to the Commonwealth Environmental Water Holder and enters a

	binding project contract and water transfer contract by the agreed date.
<b>3. Grantee completes application</b>	<p>Grantee completes the application for project funding, addressing all eligibility and assessment criteria for the application to be considered.</p> <p>Mandatory documentation, as outlined in the application form, must be submitted to the NSW Government. The NSW Government may seek clarification or additional information as required for the application assessment.</p> <p>The NSW Government supports the grantee to complete the application and mandatory documentation.</p>
<b>4. Socio-economic assessment by the NSW Government</b>	<p>The final project application is assessed against the Basin state socio-economic test as required by the Murray–Darling Basin Ministerial Council (Ministerial Council Agreed Criteria).</p> <p>The test is conducted by the NSW Government and the assessment is included in the application to the Australian Government.</p>
<b>5. NSW Government submits application to Australian Government</b>	<p>The NSW Government submits the application to the Australian Government.</p> <p>The NSW Government is not involved in the Australian Government assessment process.</p>
<b>6. Australian Government assesses the full application</b>	<p>The Australian Government assesses the applications against program criteria, value for money requirements and seeks advice from the Commonwealth Environmental Water Office in relation to entitlement eligibility.</p> <p>The Australian Government may seek independent advice.</p>
<b>7. Decision by Australian Government Minister</b>	The Australian Government provides advice to their Minister on the application. The Minister then makes a decision on the application.
<b>8. Approved projects funded through schedule to FFA – Environment</b>	If the project is approved by the Australian Government Minister, the Australian and NSW Governments enter arrangements under the <u>Federal Financial Relations framework</u> ( <a href="http://federalfinancialrelations.gov.au">federalfinancialrelations.gov.au</a> )
<b>9. Grantee funding deed/ milestone assessments and payments</b>	Grantee enters into a funding deed agreement with the NSW Government with agreed milestones to undertake the approved activity.

	The NSW Government assesses milestone reports before making payments.
<b>10. Final reports and evaluation of project</b>	Grantee and the NSW Government provide final project reports for project evaluation.

A further description of the process for approving projects under state-led arrangements is described in Appendix A.

To help grantees prepare their application, additional information and resources will be provided by the NSW Government, including relevant application templates. For further information, please email [winsw.programs@dpie.nsw.gov.au](mailto:winsw.programs@dpie.nsw.gov.au)

The NSW Government will work closely with grantees in the preparation of project applications.

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## 3 Roles and responsibilities

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### 3.1 NSW governance

The NSW Program Steering Committee (PSC) is responsible for deciding which full project applications the NSW Government will support to proceed to the Australian Government for assessment. This steering committee includes senior executives from the NSW Department of Climate Change, Energy the Environment and Water and other NSW Government agencies, as well as a probity advisor. They are responsible for overseeing program delivery and approving applications to be submitted to the Australian Government for assessment.

The NSW Program Expert Panel acts as an advisory panel responsible for reviewing proposals against the socio-economic criteria. The panel includes water experts from the department and experts in socio-economic analysis both from within the NSW Government and from external experts, as well as an independent probity advisor.

Project level governance arrangements will be established on a project-by-project basis after a project is approved. Some projects may require a formal Project Control Group (PCG) while other projects may require a less-formal governance arrangement. The role of the PCG is to monitor project implementation and address any identified issues or escalate issues to the PSC for resolution.

If required, project-specific PCGs will be established and led by the NSW Government, comprising departmental officials and project grantees. This will be negotiated with the grantee and the Australian Government on an individual project basis. The Australian Government is an observer on any PCG.

Independent probity advisors will provide guidance to the NSW Government on any issues concerning integrity, fairness and accountability arising throughout the application, assessment and decision-making process for NSW Government.

A summary of the roles and responsibilities within the NSW Government relating to the program can be found in Table 5.

A more detailed description of the Australian and NSW Government roles and responsibilities can be found in Appendix B.

Table 5: NSW Government roles and responsibilities for single projects under the program.

Role	Responsibilities
<b>Department's Water Group - Grants Management Office</b>	<ul style="list-style-type: none"> <li>• Lead and manage the program for NSW.</li> <li>• Lead application development with grantees.</li> <li>• Submit applications to the Australian Government.</li> <li>• Provide grant management and grant administration.</li> <li>• Execution and management of funding deeds with grantees and the Australian Government.</li> </ul>
<b>NSW Expert Panel</b>	<ul style="list-style-type: none"> <li>• Provide an independent review of full project applications to determine if they meet the socio-economic test.</li> <li>• Make recommendations to the NSW Program Steering Committee on applications to proceed to assessment.</li> </ul>
<b>NSW Program Steering Committee (PSC)</b>	<ul style="list-style-type: none"> <li>• Provide strategic oversight of the program.</li> <li>• Resolve issues escalated to the committee by the PCGs, program directors or other parties.</li> <li>• Support decisions related to physical and financial resource allocation, assurance (quality and timeliness) and review program works at the program level.</li> <li>• Approve amendments to internal departmental project management documents.</li> <li>• Approve submission of project applications to the Australian Government</li> </ul>
<b>Project Control Groups (PCG)</b>	<ul style="list-style-type: none"> <li>• Monitor and review day-to-day activities of approved projects, identifying opportunities, risks</li> </ul>

	<p>and potential issues for proactive management and resolution. PCGs include grantees as members and Australian Government representatives as observers.</p> <ul style="list-style-type: none"> <li>• Report on project scope, cost, time, budget, risks and procurement as required.</li> <li>• Escalate issues to the NSW PSC as appropriate.</li> </ul>
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## 3.2 Decision-maker

The decision maker for the grant is the Australian Government’s Minister for the Environment and Water. The decision maker will review the availability of grant funds and the Australian Government’s 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 with the potential to cause reputational or other risks to government. The decision maker’s decision is final in all matters, including the approval of the grant and the grant funding amount to be awarded.

# 4 Key dates

Table 6: NSW Government key dates for full project applications under the program.

Application details	Key dates
Applications open	<ul style="list-style-type: none"> <li>• 30 January 2024.</li> </ul>
Applications close	<ul style="list-style-type: none"> <li>• Applications can be accepted up to 5pm on 27 June 2025.</li> <li>• An email acceptance time will serve as evidence the application has been submitted.</li> <li>• Applications submitted after the deadline will not be accepted.</li> </ul>
Anticipated assessment outcome date	<ul style="list-style-type: none"> <li>• Up to 3 to 6 months after being submitted to the Australian Government.</li> </ul>
Anticipated date for funding deed execution with successful grantees	<ul style="list-style-type: none"> <li>• Up to 6 weeks from when the Australian Government approves the application.</li> </ul>

Period when the funded activities to commence and complete	<ul style="list-style-type: none"><li>From 30 January 2024 to 30 June 2027 (or later by negotiation).</li></ul>
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## 5 Program funding

The funding entity for this grant is the Australian Government's Department of Climate Change, Energy, the Environment and Water.

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### 5.1 Grant amounts

The funding amounts are Goods and Services Tax (GST) exclusive.

Co-contribution from grantees is possible. It is to be detailed in the project application and is considered as part of the value for money assessment.

**Note:** all awarded grants are GST exclusive. If the grantee 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 grantees 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.

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## 6 Eligibility criteria

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### 6.1 Eligible applicants

The following are deemed eligible grantees:

- applications are only accepted from Basin states (NSW, VIC, QLD, SA, ACT)
- the program is open to individuals and entities in the irrigation, urban and manufacturing sectors across the Murray Darling Basin for projects that will achieve water efficiencies and return water to the environment
- the NSW Government will work with grantees to develop water efficiency concepts into project proposals for funding considered by the Australian Government. This may range from expert advice and coordination, through to on-ground support with application development and the management of projects
- all full project applications will require all application documents detailed in Appendix D, and a 'letter of support' from the NSW Government to accompany applications to the Australian Government, as determined through the socio-economic test.

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## 6.2 Eligibility check

An application submitted for a project must:

- deliver water savings consistent with the requirements of Clause 86AD of the *Water Act 2007*
- commit to the transfer of an agreed volume of eligible water entitlement (including agreement on the long-term diversion limit equivalent (LTDLE) to the Australian Government and enter binding project contracts and water transfer contracts:
  - Basin states can negotiate to return one water entitlement type to the Commonwealth in lieu of another water entitlement type
- generate neutral or positive socio-economic impacts, and is costed appropriately in line with current market rates
- only use the funding sought for eligible activities consistent with the agreed efficiency measures.

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## 6.3 Eligibility project categories

The following types of projects are eligible to apply for funding under the program:

- **irrigation networks:** installing new, or upgrading existing, irrigation infrastructure and technology in water delivery networks to supply water to irrigators, including permanently decommissioning inefficient or underused sections of a water delivery network
- **industrial or mining:** constructing, replacing, upgrading, installing, improving or refurbishing industrial water uses, including reducing leakage, for the purpose of using water for producing goods and services
- **urban:** constructing, replacing, upgrading, installing, improving or refurbishing urban water supply arrangements, including reducing leakage, for the purpose of urban water supply
- **stock and domestic:** improving stock and domestic water supply on one or more properties for the purpose of watering stock and supplying water for human use
- **on-farm:** installing new, or upgrading existing, irrigation infrastructure and technology on irrigation properties for the purpose of agriculture.

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## 6.4 Ineligible projects

The following types of projects are ineligible for funding under the program:

- projects not delivering water savings
- projects that do not commit to transfer eligible water entitlements to the Commonwealth Environmental Water Holder
- projects not generating neutral or positive socio-economic impacts.

## 7 Project selection

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### 7.1 Australian Government assessment criteria

Each application will be assessed by the Australian Government using the assessment criteria giving effect to the requirements of the *Water Act 2007 (Cwth)*, the Basin Plan and item 38 or 39 of the register of measures ([mdba.gov.au](http://mdba.gov.au)) agreed by the Murray–Darling Basin Ministerial Council and notified to the Murray–Darling Basin Authority in May 2016 where appropriate.

Projects must be described in sufficient detail to address the program assessment criteria and include all mandatory attachments (see Appendix D for the attachment checklist).

The Australian Government assess applications against the following assessment criteria. The NSW Government considers that proposals will address these criteria if an application meets the socio-economic test. Grantees are not required to address these criteria directly.

#### **Assessment criteria 1 - preparing for the future**

The proposal demonstrates it will better prepare the water delivery network, irrigators, communities and the environment for the future by:

- providing water recovery through improved water use to increase the volume of Murray–Darling Basin water resources available for environmental use by up to 450 GL
- reducing water losses to increase the volume of water available for the environment, irrigation networks, irrigators, and communities
- providing investment in infrastructure that provides longer-term outcomes and multiple benefits in addition to water recovery for the environment
- underpinning long term, climate change resilient primary production.

#### **Assessment criteria 2 - regional economic stimulus, socio-economic outcomes and public support**

The proposal:

- provides economic stimulus to the region
- has neutral to positive socio-economic outcomes due to water efficiency improvements
- has sufficient support from directly affected stakeholders, such as customers within the water delivery network, potential individual rationalisation customers and third parties with affected assets, where applicable.

Note: proposals must be supported by a completed socio-economic test as per the Ministerial Council Agreed Criteria.



## Assessment criteria 3 - water savings shared between the environment and water users

The proposal:

- has independently verified water savings
- describes the sharing of water savings between the environment and water users resulting from the project, where appropriate
- delivers eligible water entitlements to be transferred in accordance with contracted time period.

Note: the department will verify the water savings and/or methodology from the proposed infrastructure works from an appropriately credentialed professional assessor for each application as part of its due diligence process.

## Assessment criteria 4 - overall value for relevant money

The proposed funding for the infrastructure required to achieve water savings is demonstrated through a budget based on eligible activities representing value for money. As a minimum the following will be considered:

- whether the water savings have been independently verified
- the costs of potential infrastructure requirements
- demonstrable public benefits that consider the request for funding and the value of the water entitlements returned to the Australian Government.

**Note:** the Australian Government may use a market multiple to help determine value for money. The market multiple is defined by dividing the total requested Australian Government funding by the total value of the entitlements to be provided to the Australian Government. Entitlement prices will be established in-line with the Australian Government Department of Climate Change, Energy, the Environment and Water's water valuation strategy. While this is not a cap on Commonwealth investment, value for money remains a core value of the expenditure of public monies as per the *Public Governance, Performance and Accountability Act 2013*.

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## 8 Successful applications

Grantees are not guaranteed funding even if the application is of high merit. Further, even if an application is successful, it may not be funded to the full amount requested. This is determined by the Australian Government, and will be communicated to the grantee through the NSW Government.

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### 8.1 Notification

The Australian Government will notify the NSW Government of the assessment outcome through a letter from the Australian Minister to the NSW Minister. Funding approval is only finalised when the Australian and NSW Governments enter a funding agreement. Once this has occurred, the NSW Government can enter a funding deed with the grantee.

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### 8.2 Funding deed

- Grantees will be required to sign a funding deed with the NSW Government.
  - The NSW Government makes no binding funding commitment to a grantee unless and until both parties sign a funding deed.
  - Grantees must not make financial commitments for funded activities before funding is secured.
  - Grants will be paid via milestone payments set out in the funding deed.
  - Grantees will be required to submit progress reports to the NSW Government as outlined in the funding deed.
  - Requests for variations or changes to the project will only be considered in writing to the NSW Government.
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## 9 Unsuccessful applications

Unsuccessful applicants will be notified in writing of the outcome of their application..

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## 10 Delivery and evaluation

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### 10.1 Basin state's project delivery

The Australian Government generally has no direct role in the delivery of water infrastructure projects. Under Federal Financial Relations arrangements for project delivery, the NSW Government

will be responsible for all procurement and project management arrangements. This will involve the NSW Government working with grantees on certain projects and arrangements.

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## 10.2 Project management costs

Ten per cent project management costs can be applied to support the management of projects. This includes 5 per cent for general program management and 5 per cent for design. Higher management costs will be considered on a case-by-case basis. Grantees will need to provide a detailed justification of the need for additional costs in their proposal.

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## 10.3 Contingency costs

Ten per cent contingency is acceptable to be applied to a project. Higher contingency costs would be considered on a case-by-case basis. Grantees will need to provide a detailed justification of the need for higher contingency costs in their proposal.

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## 10.4 Monitoring and progress reporting

The NSW Government is responsible for establishing and chairing PCGs for approved projects. These governance arrangements will be used to help monitor and confirm project delivery progress.

Reporting on outcomes, performance and project results will form a core requirement of any funding approved.

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## 10.5 Evaluation

Consistent with the program's monitoring, evaluation, improvement and reporting plan, the NSW Government will work with grantees and the Australian Government to evaluate the outcomes of projects and the program during and post-completion, to identify and apply lessons learnt.

The evaluation should occur once sufficient information is available to assess the project's outcomes against stated and agreed objectives. The evaluation will consider whether the delivered project:

- is consistent with the project proposal (in terms of timeliness, budget and project specifications)
- met the framework policy objectives and intended project outcomes
- is providing the expected benefits (evidenced through a benefits assessment) including evidence (or assessment) of socio-economic neutrality
- had any unintended outcomes: positive or negative.

**Note:** grantees will be required to participate in a program evaluation to determine the extent that projects have contributed to the objective of the funding. The evaluation will require grantees to

provide evidence of how projects resulted in a measurable change to the lives of local residents consistent with the objective of the fund.

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## 10.6 Project information

Grantees must hold all relevant insurances, including public liability insurance.

Grantees must advise the NSW Government of any changes to their legal status or of changes or delays to their project.

Information on all funded projects will be maintained on the NSW department's website. This information will include:

- scope, location and funding
- current status and expected delivery timeframes
- expected benefits.

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# 11 Additional information

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## 11.1 Getting support

To help grantees prepare their application, additional information and resources will be provided by the NSW Government, including relevant application templates. For further information, please email [winsw.programs@dpie.nsw.gov.au](mailto:winsw.programs@dpie.nsw.gov.au)

The NSW Government will work closely with grantees in the preparation of project applications.

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## 11.2 *Government Information (Public Access) Act 2009*

Grantees should be aware 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 deemed to be commercially sensitive will be withheld.

The Act 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.

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## 11.3 Complaints

All program correspondence and enquiries should be emailed to [winsw.programs@dpie.nsw.gov.au](mailto:winsw.programs@dpie.nsw.gov.au). If grantees do not agree with the way the department handled an issue, they may wish to contact the NSW Ombudsman via [ombo.nsw.gov.au](http://ombo.nsw.gov.au).

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## 11.4 Ethical conduct

Grantees 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 a grantee's proposal not being considered.

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## 11.5 Conflict of interest

There may be a requirement for a conflict of interest declaration to be submitted with a proposal or in the application form.

Where a conflict of interest detrimental to the application and/or 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.

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## 11.6 Confidentiality

Funding decisions and assessment outcomes must be kept confidential until announced by the Australian Government.

Successful grantees will be required to provide a confidentiality undertaking. This means they must keep the outcome of the application process confidential until the Australian Government makes a public announcement.

Upon accepting a funding deed, details about the funding deed may be made publicly available (subject to information which the NSW Government deems to be commercial in confidence).

The grantee agrees not to disclose any confidential information pertaining to the grant program application or funding deed without prior written consent of the department.

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## 11.7 Department rights

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

- require additional information from the grantee
- 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 grantees without prior notice to any other grantee
- terminate any negotiations being conducted with any grantee
- readvertise for new grantees
- consider any non-conforming application
- terminate further participation in the grant opportunity by any grantee for any reason (including if the NSW Government 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
- any information submitted by a grantee may be used for promotional material prepared by the NSW and Australian Governments
- the NSW Government may use information provided in the grant to develop case studies.

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## 11.8 Intellectual property

All intellectual property rights in these guidelines remain the property of the NSW Government. Grantees are permitted to use these guidelines for the purpose of preparing an application only. Grantees must not use these guidelines, or any information contained in them, for any other purpose.

Applications submitted to NSW Government in response to these guidelines remain the property of the grantee, unless otherwise agreed between the grantee and NSW Government. The grantee agrees the NSW Government may use information provided for any purpose related to the grant opportunity. In addition, the NSW Government will retain (electronic and hard) copies of all applications.

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## 11.9 No offer

These guidelines are not an offer, recommendation or invitation by the NSW Government in respect of any contract or commitment and, subject to a funding deed being fully executed, nothing in these guidelines will form the basis of any contract or commitment.

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## 11.10 Addenda

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

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## 11.11 Disclaimer

The NSW Government 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 NSW Government recommends users exercise care and use their own skill and judgment in using information from this publication and 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.

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## 12 Appendices

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### 12.1 Appendix A: Detailed steps for state-led single project funding

1. The Australian Government Minister for the Environment and Water approves the program arrangements and requests Basin states to provide applications for eligible projects.

The NSW Government:

- provides guidance on project information requirements to potential grantees
  - identifies projects and or suites of projects (including urban, industrial, stock and domestic and on-farm) to be progressed, and works with grantees to develop applications
  - undertakes public comment and completes the Murray–Darling Basin Ministerial Council’s socio-economic test
  - submits an application to the Australian Government including the outcomes of the socio-economic test.
2. The Australian Government conducts eligibility checks on the project.
  3. The Australian Government checks with the Commonwealth Environmental Water Office on the eligibility of the water entitlements to be provided to the Australian Government, and the opportunity for improving environmental flow outcomes in the project area.
  4. The Australian Government checks with the Murray-Darling Basin Authority on the capacity of the water entitlements to contribute towards efficiency measures.
  5. The Australian Government may obtain external technical expert advice on the appropriateness of market costs in the detailed budget of each proposal, and advice on the validity of the estimated volume of water savings.
    - The Australian Government convenes an assessment panel and provides secretariat services for the assessment panel.
  6. An assessment panel undertakes an assessment of the proposal using the program assessment criteria in addition to due diligence reports on estimates of budget and water savings.
    - The assessment panel agrees on a recommendation to the Australian Government Minister for the Environment and Water and records the panel’s recommendations and considerations using the assessment template.
  7. The Australian Government provides the Australian Government Minister for the Environment and Water with the completed assessment and seeks a decision on the recommendation.
  8. The Australian Government Minister for the Environment and Water makes a decision on the recommendation.



- If approved, the Minister notifies the Council of Federal Financial Relations (CFFR) of the intention to enter a new schedule in the relevant FFA – Environment with the state and seeks a decision on which Ministers will negotiate the schedule.
- FFA - Environment schedules are drafted and negotiated between relevant Australian and State Government departments and treasuries and are entered into by relevant Ministers.
- Once the FFA-Environment is approved between Australian and State Governments, the NSW Government will enter a funding deed with the grantee.
- PCGs, chaired by the NSW Government, comprising the grantees as members and the Australian Government as observers, will be convened for projects to manage implementation and verification of outcomes. Grantees will be PCG members, and the Australian Government may participate as an observer and as a funding partner, on a case-by-case basis but will not participate in decisions on project implementation.
- Monitoring will include yearly assurance reviews by independent experts on the technical, financial and workplace health and safety aspects of each project, to be arranged by the NSW or the Australian Government.

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## 12.2 Appendix B: Roles and responsibilities

The Australian Government's role is to:

- administer the program
- convene Australian Government assessment panels and secretariat support to assess Basin state applications
- liaise with, including to establish if water entitlements proposed for transfer to the Commonwealth are eligible, the Commonwealth Environmental Water Holder (CEWH) and the Murray–Darling Basin Authority (MDBA)
- support the assessment panel to provide recommendations on funding to the Australian Government Minister for the Environment and Water (refer to section 5.1 for more details)
- seek council on Federal Financial Relations (CFFR) advice regarding schedule negotiation pathway upon intention to enter in a new schedule under the Federation Funding Agreement (FFA) – Environment
- support the Australian Government Minister to prepare and negotiate schedules to the FFA – Environment (subject to CFFR decisions)
- ensure FFA – Environment Schedules align with the CFFR FFA framework and principles including the development of performance requirements (milestones), reporting and associated payment profiling
- monitor and assess achievement against milestones in accordance with the FFA Schedule
- assess milestone reporting and if milestone requirements have been deemed met, then provide the agreed funding as per the schedule to the Basin state
- assist as required Basin states or grantees to identify, manage and deliver approved projects
- convene Australian Government steering committees to oversee implementation and delivery of NSW projects
- participate as an observer in project-specific PCGs.

The NSW Government's role is to:

- identify and propose projects (with detailed budget) through applications
- provide an application form and all supporting documents to the Australian Government
- undertake the socio-economic test and provide a 'statement of reasons' with the application
- negotiate and agree to schedules to the FFA – Environment with the Australian Government
- enter into funding agreement with grantees to deliver projects through infrastructure works, contract management, budget administration, preparation of milestone and expenditure reports and final reports

- ensure the contracts are in place to transfer the unencumbered water entitlement to the Australian Government by the agreed date
- participate in Australian Government steering committees and lead project-specific PCGs
- provide regular reporting and risk registers via email
- arrange for assurance reviews as required
- note if a project is unable to achieve the contracted volume of water savings to be returned to the Australian Government, the basin state is responsible for delivering the balance to attain the contracted volume
- basin states can negotiate to return one water entitlement type to the Australian Government in lieu of another water entitlement type.

## 12.3 Appendix C: Eligible and non-eligible activities examples

Table 7: Eligible activities

Stream	Category	Efficiency Measures	Examples
<b>Irrigation Infrastructure Operators Modernisation</b>	Irrigation network	Installing new, or upgrading existing, irrigation infrastructure and technology in water delivery networks for the purpose of supplying water to irrigators	<ul style="list-style-type: none"><li>• Improving/lining and/or reconstructing channels.</li><li>• Replacing channels with piping systems.</li><li>• Repairing or replacing pipes and pumping infrastructure.</li><li>• In-line storages.</li><li>• Installation/upgrading of flow control regulators, remote sensing, and telemetry control systems.</li><li>• System automation and control (such as computing equipment, telemetry systems).</li><li>• Improving management and measurement points, with intermediate automated control stations coupled with appropriate on-stream or off-stream storage facilities.</li><li>• Installing meters that meet national standards.</li><li>• Reconfiguration of the connection between new outlets and meters with on-farm irrigation layouts.</li></ul>

Stream	Category	Efficiency Measures	Examples
Water Use Efficiency	Rationalisation	Permanently decommission inefficient or underutilised sections of a water delivery network	<ul style="list-style-type: none"> <li>• Earthworks to fill decommissioned channels.</li> <li>• Removal of pipes or channel off-takes.</li> <li>• Recovery of water entitlements from irrigators retiring from irrigation as part of a channel rationalisation process.</li> <li>• Stock and domestic schemes for retiring irrigators.</li> <li>• Removal of on-farm irrigation layouts.</li> </ul>
Water Use Efficiency	Stock and domestic	Improving stock and domestic water supply on one or more properties for the purpose of watering stock and supplying water for human use	Replacing/upgrading existing stock and domestic supply infrastructure with piped systems.
Water Use Efficiency	On-farm	Installing new, or upgrading existing, irrigation infrastructure and technology on irrigation properties for the purpose of agriculture	<ul style="list-style-type: none"> <li>• Pressurised, overhead, spray or surface drip systems.</li> <li>• Surface/gravity (flood) and pipe and riser irrigation systems.</li> <li>• Improving irrigated area layout or design, including laser/GPS levelling, reshaping embankments or other land forming.</li> <li>• Water filtration, fertigation or dosing systems.</li> <li>• Water re-use/drainage/recycling systems (including hydroponics).</li> </ul>

Stream	Category	Efficiency Measures	Examples
			<ul style="list-style-type: none"> <li>• Water storage systems (including sub-surface storages) – improving/reconfiguring.</li> <li>• Permanently decommissioning sections of an on-farm water delivery system, including earthworks to fill decommissioned channels or removal of pipes or channel off-takes.</li> <li>• Soil moisture and water level monitoring equipment (such as gauges, sensors and probes).</li> <li>• Improving/lining and/or reconstructing channels.</li> <li>• Replacing channels with piping systems.</li> <li>• Repairing or replacing pipes and pumping infrastructure.</li> <li>• Power supply systems and/or electrical works for water delivery infrastructure.</li> <li>• Netting over permanent crops.</li> <li>• Structures to protect water infrastructure equipment such as pump housings.</li> <li>• Installing automation equipment to help manage farm watering operations.</li> <li>• Installation/upgrading of flow control regulators, remote sensing and telemetry control systems.</li> <li>• System automation and control (such as computing equipment, telemetry systems).</li> </ul>

Stream	Category	Efficiency Measures	Examples
			<ul style="list-style-type: none"> <li>Improving management and measurement points, with intermediate automated control stations coupled with appropriate on-stream or off-stream storage facilities.</li> <li>Improving stock and domestic water supply on a property.</li> <li></li> </ul>
<b>Targeted Efficiency Measures</b>	Industrial or mining	Constructing, replacing, upgrading, installing, improving, or refurbishing industrial water uses, including reducing leakage, for the purpose of using water for producing goods and services	<ul style="list-style-type: none"> <li>Replacing existing sources of water with greywater.</li> <li>Improving stormwater harvesting and re-use.</li> <li>Replacing water supply with fit-for-purpose water delivered from alternative supplies.</li> <li>Constructing, replacing, installing, upgrading, improving and/or refurbishing water efficient devices and/or technology.</li> <li>Upgrading, improving and/or refurbishing production/manufacturing equipment to increase water efficiency.</li> <li>Changing production practices to more water efficient production methods.</li> <li>Changing production practices to produce more water efficient goods.</li> <li>Decommissioning of infrastructure.</li> </ul>

Stream	Category	Efficiency Measures	Examples
			<ul style="list-style-type: none"> <li>Other activities improving the water efficiency of a water delivery system.</li> </ul>
Targeted Efficiency Measures	Urban	Constructing, replacing, upgrading, installing, improving, or refurbishing urban water supply arrangements, including reducing leakage for the purpose of urban water supply	<ul style="list-style-type: none"> <li>Bulk water infrastructure.</li> <li>Filtration and/or water treatment infrastructure.</li> <li>Operation and management of urban water delivery infrastructure.</li> <li>Improve stormwater and wastewater capture and quality improvement infrastructure.</li> <li>Stormwater and waste-water reuse infrastructure and/or devices including stormwater harvesting, management, and reuse.</li> <li>Sewage treatment facilities.</li> <li>Water sensitive urban design infrastructure and/or landscaping.</li> <li>Water efficient devices and/or technology.</li> <li>Return of water entitlements where existing available water is no longer required for urban or other use.</li> <li>Upgrading and/or improving management of bulk water supply, transport and/or distribution infrastructure.</li> <li>Improving systems for monitoring and predicting leaks.</li> </ul>



Stream	Category	Efficiency Measures	Examples
			<ul style="list-style-type: none"> <li>Replacing surface water with fit-for-purpose water delivered from alternative supplies.</li> <li>Metering and/or pressure management.</li> <li>Reducing demand through demand management.</li> <li>Undertaking water audits and/or offering rebates.</li> <li>Installing alternative household and/or community water supplies.</li> <li>Water efficiency installation scheme for houses in a local government area.</li> </ul>

Table 8: Non-eligible activities

Category	Examples
Projects involving supporting activities only	Such as administration, design, project management, office supplies, planning, reports, surveys, professional advice and/or related activities that does not involve water recovery
Projects offering water entitlements from a different catchment to the work location	Projects that recover water from other catchments that are historically and routinely used at the work location may be acceptable
Non-water efficiency measures	Such as refurbishing offices or improving driveways
Purchasing non-irrigation related equipment	Such as cars or boats

Business restructuring	Such as paying off loans
Capacity building	Training staff for tasks unrelated to water recovery projects
Any activities not related to the efficiency measures listed in the approved project documentation	

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## 12.4 Appendix D: Checklist for submitting applications to the NSW Government

Applicants are required to complete the *State-led Single Water Recovery Projects Application form*.

Mandatory attachments to be included with the application form:

1. One-page A3 size map
2. Project timeline
3. Detailed project plan
4. Stakeholder consultation plan/Evidence of stakeholder support
5. Response to socio-economic criteria
6. High-level project budget (using template provided)
7. Detailed project costings to support high-level budget
8. Water savings calculations (using template provided)
9. Risk management assessment and management plan (using template provided)
10. Water savings calculation reports

Additional attachments are provided by the NSW Government to the Australian Government for the submission of applications, including the Basin state's 'statement of reasons' on the socio-economic test.

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These guidelines are subject to change at any time at the sole discretion of the department.

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