

BushTender

Frequently asked questions

Information Sheet No. 2

Is there a minimum size for a site to be eligible for BushTender?

There is no minimum size for a site to be eligible for BushTender. The program is aimed at maintaining and improving any native vegetation.

Does BushTender include revegetation?

Revegetation of cleared areas is not part of the BushTender program. BushTender only deals with the protection and improvement of remnant native vegetation. Supplementary planting of native species into remnant native vegetation is supported, particularly where woody understorey has been lost due to past disturbance.

Revegetation is supported by Department of Sustainability and Environment's (DSE) BushBroker program and through a range of regional programs.

What activities are targeted?

BushTender is aimed at improving the quality of native vegetation and its value as habitat for rare or threatened plants and animals. The BushTender Field Officer will recommend activities for your site that will contribute to these goals. However, beyond certain mandatory commitments the activities included are up to you.

Common activities include:

- fencing to control grazing by stock and/or pest animals
- excluding stock or adapting grazing practices to maximise vegetation quality
- weed and pest animal control above current responsibilities
- retaining trees, understorey, logs, fallen branches and leaf litter
- supplementary planting into existing patches of native vegetation.

Activities in BushTender are divided into "commitments" and "management actions". Commitments are the overarching requirements for the site (e.g. exclude stock, retain logs or eliminate high threat weeds). Management actions

are the specific activities required to fulfil the commitments (e.g. erect a fence or spot spray blackberries).

Commitments and management actions included in BushTender will be over and above those required under pre-existing management plans, agreements or licenses, and legislative requirements (e.g. control of rabbits and noxious weeds).

For more information, refer to BushTender Information Sheet No. 4 – *Specifications for management*.

How will I know which commitments and management actions to undertake?

The BushTender Field Officer will assess the quality of your native vegetation in the chosen site(s) and will identify any existing threats.

Once the assessment is complete, the Field Officer will discuss with you ways in which you can improve the biodiversity values of the site(s). You are encouraged to share and discuss your ideas, aspirations and management goals for the site(s) with the Field Officer.

In deciding which commitments and management actions you would like to include, you should consider the biodiversity benefits and your ability to carry out the work. The greater your level of commitment, the higher the site will be valued under BushTender. However, it is critical that you do not over-commit yourself and limit your ability to meet your obligations.

BushTender Management Agreements run for five-years. Some of the agreed management actions are forecast over the five-year time frame.

The BushTender Field Officer will develop a draft Management Plan based on the commitments and management actions you have agreed with them.

What is a draft Management Plan?

Your draft Management Plan will contain the commitments and management actions that you have agreed to, with guidance on timing and

Frequently asked questions

management appropriate to your site. It will also contain a list of objectives for your site. The objectives will relate to the biodiversity outcomes expected in your site if you fulfil your commitments and management actions.

You will be responsible for undertaking the actions in the plan if your bid is successful and you sign the BushTender Management Agreement.

What is in the Management Agreement?

If your bid is successful you will be asked to sign a BushTender Management Agreement. This is a straight-forward document of generally three to five pages. It will contain a date of commencement and termination and obligations of the landholder and the BushTender agency. The Agreement will also contain the agreed Management Plan, a map of the site, the payment schedule and your reporting requirements.

How long are the agreements for?

You can choose to enter into either a five-year Management Agreement or a five-year Management Agreement *plus* a Permanent Protection Agreement.

In keeping with other land management incentive schemes, if you receive funding to erect fences, you will be required to maintain these fences in a stock-proof condition for a period of 10 years from the date on the Agreement. Supplementary planting will also need to be maintained over a 10-year period.

How much should I bid?

How much you bid is entirely up to you. You can base your bid price on the draft Management Plan.

In deciding on a price, consider the costs and benefits of participating, the value of your site and your ability to meet the commitments and management actions. It is critical that in developing a price, you do not under-value the commitment you are making. The price is not negotiable once your bid has been submitted.

For further guidance on developing a bid refer to BushTender Information Sheet No. 15 - *Submitting a bid*.

I have more than one patch of native vegetation on my property, how is this dealt with?

An assessment is undertaken and a separate draft Management Plan is prepared for each site you want to include in BushTender. You can choose to submit either a separate bid for each site or a combined bid that covers two or more sites.

For more information, refer to BushTender Information Sheet No. 5 – *Bidding process and assessment* and No. 15 – *Submitting a bid*.

Are bids from groups or multiple landholders accepted?

Bids from groups or multiple landholders are accepted, however, there needs to be a legal entity that represents the group and is able to sign the final Management Agreement. This entity will also be responsible for annual reporting and disbursing payments to individuals within the group.

You may choose to bid either as part of a group or separately. Bids from individuals will not be accepted for a site that is also included in a group or multiple landholder bid. For more information, refer to BushTender Information Sheet No. 18 – *Group participation – Frequently asked questions*.

What happens at the end of the five-year Management Agreement period?

If you enter into a five-year fixed term Management Agreement, most obligations under the agreement cease at the end of the five-years. Fencing and supplementary planting conducted under the agreement will need to be maintained for a minimum of 10 years.

If you choose to place a permanent on-title agreement over your site(s), you and all your successors will be required to continue the land use commitments made under the BushTender Management Agreement and to protect and maintain the native vegetation in perpetuity.

After the five-year Management Agreement period you will be eligible to apply for other funding and participate in other government programs such as BushBroker.

Are the agreements legally binding?

The fixed-term BushTender Management Agreement will be a contract under common law. Parties to the agreement will be the Secretary of DSE or Chief Executive Officer of the Catchment Management Authority and the landholder(s) of the site.

What is permanent protection?

Permanent protection of native vegetation relates to the on-going management of a site for native vegetation conservation. It will be registered on the property title and binds all future owners in perpetuity.

A Permanent Protection Agreement requires you to continue the land-use commitments in your Management Plan and maintain the site quality.

Frequently asked questions

achieved at the end of the BushTender period in perpetuity Permanent protection is registered under Section 69 of the *Conservation, Forests and Land Act 1987* or through Trust for Nature under the *Victorian Conservation Trust Act 1972*. The owner of the land will need to sign this agreement.

Note: the agreement to undertake permanent protection must be signed by the Landowner and if a mortgage exists on the parcel of land, the mortgage must be notified and counter sign the agreement.

For more information, refer to BushTender Information Sheet No. 6 – *Permanent protection*.

I am leasing the property, can I sign an agreement?

Lessees will be eligible to sign a Management Agreement as long as they have the written authority of the property owner, and if the proposed management actions are not already the responsibility of the lessee under the existing lease arrangement.

The BushTender Field Officer may request a copy of the lease prior to developing the draft Management Plan.

My property includes Crown Land. Am I still eligible?

Current holders of a Crown Land licence(s) that extends at least to the end of the five-year BushTender Management Agreement period are eligible. You may have existing obligations under your licence such as control of pest animals and weeds. BushTender will take these existing obligations into account.

Crown Land held under a committee of management is not eligible.

My site has been used to offset native vegetation clearing. Am I eligible?

Offset sites for permitted clearing of native vegetation and registered native vegetation credits are not eligible to receive funding through BushTender.

BushTender sites are also not eligible to be used as offsets during the period of the agreement.

What if I sell the property or transfer the lease before the end of the agreement?

The five-year Management Agreement is not registered on title. Sale of the site or transfer of the lease would terminate the agreement. The agreement includes a clause that the BushTender

agency be notified of any proposed changes in the management or ownership of the property.

BushTender may offer the new landholder the opportunity to sign a new agreement for completion of the actions specified in the original agreement with any outstanding payments available.

Permanent protection agreements will be registered on title and transferred with the title.

What if I change my mind?

You can withdraw from the process without obligation, up until the signing of the Management Agreement.

If you wish to withdraw from the Agreement after signing you will need to contact DSE to discuss your options.

The management actions in the BushTender Management Agreements can be varied with the written consent of both parties (i.e. the landholder and the BushTender agency). In general, only actions that lead to an equal or improved outcome will be considered.

How will my sites be monitored?

Successful applicants will be required to report annually on commitments and management actions and their progress towards site objectives. The agreed annual payments are dependent upon receipt of these reports and compliance with commitments and management actions.

If you are unable to fulfil any of your commitments or management actions please contact the BushTender Manager to discuss your options.

Periodically during the five-year Agreement, you will be contacted to arrange a site visit to assess your progress and discuss any management concerns you may have.

Under some circumstances additional reporting and monitoring will be required.

How will I be paid?

Successful applicants will receive an initial upfront payment upon signing the Management Agreement. Annual payments will be made following the satisfactory completion of the agreed actions and/or delivery of outcomes and the submission of an annual report.

These payments may vary with some Management Agreements and outcomes. Payments will be by cheque or Electronic Funds Transfer.

Frequently asked questions

I am currently doing my own conservation work on my property. Will this be eligible?

If you have made significant efforts in managing the native vegetation on your property you can benefit from participation in BushTender. Part of the value that BushTender places on sites is due to the quality of the vegetation. If your site is already being actively managed for conservation, the quality of the vegetation is likely to be higher.

Management commitments specified in the BushTender Management Agreement are only for work over and above any pre-existing obligations. Obligations that exist under other management agreements will not be included, but conservation work being undertaken by you through your own initiative can be included.

I already have permanently protected my site, do I get rewarded for this?

In most cases BushTender will recognise an existing voluntary conservation covenant, considering it in the same way as a commitment to enter into a permanent protection agreement through the BushTender process.

If there was a payment associated with the permanent protection or it was a condition of sale (previous or current) this will impact on the assessment of your bid. BushTender will request written verification regarding the conditions under which your covenant was established.

Sites with on-title agreements established as a result of a planning decision or an offset will not be eligible for BushTender.

Can I access funds from other sources?

You will not be eligible for funding under BushTender for actions which you have already received funding from other sources (e.g. fencing for stock exclusion and Conservation Covenants).

Management actions over and above those already funded may be included in your draft Management Plan and will be considered when assessing your bid.

Once you have entered into a BushTender Management Agreement, you are unlikely to receive further funding through other publicly funded programs for the agreed management actions. This extends, for the duration of the agreement.

Can I get rate relief for my BushTender site?

BushTender will not support applications for rate relief. The bidding process for BushTender is based on the principle that you have considered all the costs associated with the management and protection of your site in your bid. You should consider the costs of rates when developing your bid price.

I would like to know more about the biodiversity values on my property.

The BushTender Field Officer will provide you with a range of information about the biodiversity values on your BushTender site(s). The site assessment does not involve the collection of a species list or a comprehensive fauna survey, however, the Field Officer will make observations during the assessment which may be of interest to you. They can also provide you with advice on where to obtain further information or assistance.

Health and safety

You are responsible for ensuring all works required to implement the management actions are conducted in a safe manner and comply with the lawful requirements of any Authority, and with all Acts, regulations and other laws which may be applicable to the Management Plan.

Further information

For further information on BushTender, please contact the Department of Sustainability and Environment (DSE) Customer Service Centre on **136 186** or visit the DSE website at: <http://www.dse.vic.gov.au/bushtender>. All BushTender Information Sheets are accessible on the website.

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