

Livestock Underpass Grant Scheme

2021-24 Guideline

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Revised June 2022

Revised June 2023

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The Scheme will close when funding is fully allocated or at 5.00 pm, 30 June 2024, whichever occurs first.

1. Purpose

The Livestock Underpass Grant Scheme (LUPS) will provide a 50 per cent reimbursement grant to primary producers as a financial contribution towards the cost of constructing underpasses beneath public roads to allow livestock to move safely from paddock to paddock.

Livestock underpasses remove the need for primary producers to herd livestock across roads to access facilities such as dairies, thereby eliminating traffic delays and reducing the risk of collisions with vehicles, damage to the road surface and adverse impacts on the health and welfare of farmers, their employees and to the cattle. Underpasses also improve farm productivity by allowing freer movement of stock and reducing the time livestock spend off pasture waiting to be herded across the road.

LUPS is also available to abattoirs and saleyards.

LUPS aims to achieve the following outcomes:

- reduced traffic delays for commuters, freight vehicles and tourists at livestock crossing sites;
- reduced risk of near misses where vehicles swerve or brake to avoid colliding with farmers, farm employees and livestock at crossing sites;
- reduced risk of fatalities and injuries due to vehicles colliding with farmers, farm employees and livestock at crossing sites;
- improved productivity and profitability for farms with livestock crossing sites.

Grants are available to reimburse the costs associated with the purchase, delivery, and labour, using the services of an independent authorised contractor, to construct and install **new underpass Infrastructure**.

The maximum grant that can be claimed is \$100,000 (GST exclusive) per eligible applicant.

Applications for LUPS grants close on 30 June 2024 or when funding is fully allocated, whichever occurs first.



LUPS will offer a reimbursement grant of 50 per cent of the total eligible costs of one new livestock underpass per business enterprise, up to a maximum of \$100,000 (GST exclusive) on full completion of the project works. The business enterprise is responsible for the remaining project costs and ongoing maintenance of the underpass structure thereafter.

For the purpose of LUPS, a 'farm' refers to the property that will be connected by the proposed underpass. If the underpass connects two different properties, the applicant should ensure that the eligibility criteria are met for both properties. For example, if the properties on either side of the road are owned by different people, the application should show that the owners of both properties have given permission for an underpass to be built.

2. Eligible applicants

To apply for a grant under LUPS the following conditions must be met:

1. Eligible applicants must:
 - a) be part of a business enterprise operating a:
 - i. a primary production business (as defined in the *Income Tax Assessment Act 1997* (Cth)) undertaking livestock production; or
 - ii. a licensed abattoir; or
 - iii. a livestock saleyard
 - b) own, lease or share-farm the property / properties to be linked by the proposed underpass
 - c) operate as a sole trader, partnership, trust, local government authority or private company
 - d) hold an Australian Business Number (ABN) and be registered for GST
 - e) if the applicant is a primary producer, have received more than 50 per cent of their total gross income for the past two years, from primary production business, under normal seasonal circumstances.
2. The land that will be interlinked by the proposed livestock underpass infrastructure must have been and will continue to be utilised for livestock production or be connecting to a saleyard or abattoir.
3. Applicants must not have received funding from another South Australian / Australian Government program in respect of the same activities.
4. Applicants must have met all the terms and conditions placed on any previous funding, grant or concessional loan provided to them by the Government of South Australia.

3. What activities are eligible?

Grants will be calculated as 50 per cent of the eligible costs associated with the purchase of materials and contractor services for construction of the underpass including:

- excavation (including relocation of utilities);
- installation of the underpass structure including:
 - earthworks, culverts, disconnection and reconnection of services, crash barriers, drainage, tracks and reasonable fencing, costs of planning and design;
- traffic management and any other works deemed necessary by the relevant authority, including costs associated with obtaining permits.

Grants are conditional upon the following being met:

- all relevant planning and development permits and approvals are held, or will be held within three months from the date the grant is approved;
- project will commence within 6 months and completed by 12 months from the date of correspondence indicating grant approval;
- applicant has the capacity to fund the balance of costs associated with the works;
- the applicant is the owner of the inter-connecting land or has approval from the property owner to build the underpass;
- the project costs are assessed to be reasonable and work is undertaken by unrelated third-party entities.

4. Ineligible activities

Grants are not available for:

- upgrades to existing livestock underpass infrastructure
- wages for employees or self-assessed costs including own labour, project management and equipment usage
- costs associated with the preparation of the grant application
- operational expenditure, such as wages, utilities, repairs and maintenance, and non-fixed equipment
- retrospective funding, where projects have been completed or have commenced prior to the application being approved by the Minister
- purchase of land or a business
- projects that require ongoing recurrent State Government funding
- projects that have already received assistance from another relevant State or Australian Government grant program to achieve the same project outcomes
- projects that have not received all required approvals to undertake the project activity (e.g. local council development approval or Department for Infrastructure and Transport or landowner consent).

5. Application eligibility criteria

Eligible applications will be assessed against the following criteria:

- applicant meets eligibility requirements set out in Section 2 of these guidelines;
- project is eligible – consistent with Section 3 of these guidelines;
- applicant can demonstrate a need for the underpass to improve farm, saleyard or abattoir efficiency and productivity and / or improve road safety - assessment will consider the number of current and future stock, frequency of stock crossing, time spent crossing stock per week, number of staff required to assist with stock crossing, estimated weekly traffic volume (refer to local council or Department for Infrastructure and Transport), existing road surface, line of sight or visibility issues for motorists, history of accidents or near misses involving livestock / staff / road users;
- project can start within six (6) months and be completed within 12 months from date of grant approval;
- all necessary approvals and permits are held or will be held within three months from the date of grant approval;
- the project works will be undertaken by a suitably qualified independent contractor, acceptable to the relevant public road authority;
- applicant has the capacity to fund the balance of costs associated with the project works.

6. Application process

1. Applicant assesses the need for the stock underpass and then consults with relevant authority to obtain necessary approvals, permits and conditions, dependent on ownership of the public road where the underpass will be constructed (i.e. local council or Department for Infrastructure and Transport).
2. Applicant consults with landowner to seek approval to the proposed project (if associated land is leased).
3. Applicant requests quotes for construction of the underpass.
4. Applicant completes an application form and submits to the Department of Primary Industries and Regions (PIRSA) together with all supporting information and documents.
5. Application will be assessed, and the applicant will be advised of the outcome in writing.
6. If successful, the applicant will be invited to enter into a grant agreement with the Minister which sets out the terms and conditions of the grant.

7. Submitting your application

Applications will be reviewed against the criteria outlined in these Guidelines. Applicants should carefully consider activities against the eligibility criteria set out in the Guidelines before applying.

Completed applications will be assessed in order of receipt. Incomplete applications will not enter the assessment queue until all required information is provided.

Applicants are required to warrant that the information provided in the application form is true and correct in every particular.

Submitted Applications may be subject to audit to determine compliance with the Guidelines.

The following information is required with your application:

- evidence that your business enterprise either operates a primary production business or as an abattoir or saleyard;
- evidence of ownership structure (i.e. registered owners, share farmers or lease holders) for the land parcels that will be interconnected for this project, for example, a copy of council rates, and approval from the landowner (if applicable);
- financial statements for your primary production business or saleyard / abattoir for the past two (2) financial years together with a copy of an interim financial report for the 2022-23 financial year;
- written quote or a written estimate from an authorised contractor, that holds all necessary approvals to undertake the project works, confirming total project specifications and that the infrastructure meets relevant planning and building guidelines;
- evidence of sufficient funding to fund your co-contribution toward the project costs e.g. bank statements or a letter from your financier;
- evidence that all necessary planning and development permits and approvals have been obtained or will be obtained within three months from the date the grant is approved.

The above information is **mandatory** and is the **minimum requirement** for submitting a complete application.

How to submit your application

An [online application form](#) is available and can be submitted via:

Email: PIRSA.GrantsEnquiries@sa.gov.au
Post: Livestock Underpass Grant Scheme
PIRSA – Rural Solutions SA
GPO Box 1671
ADELAIDE SA 5001

Closing date

Applications close **when funding is fully allocated** or **5.00 pm, 30 June 2024**, whichever occurs first. Late applications will not be accepted.

8. Assessment and payment processes

PIRSA reserves the right to request further information from you (including requesting financial information to verify primary producer status) to assist with the assessment of your application or to verify any information provided in your application.

The Minister will make the final decision on approval of all applications.

Successful applicants must enter into a legally binding grant agreement with the Minister that commits the applicant to the construction and commissioning of the livestock underpass (as per the application).

Applicants should understand their legal rights and obligations under this scheme. Before applying for financial assistance under this scheme or making any decision to accept a grant, applicants should seek advice from their legal, business and financial advisers to determine their eligibility for and the terms of the financial assistance.

Grant administration process

Payment of the reimbursement grant will be made on the achievement of milestones as outlined in the grant agreement and provision of evidence of expenditure such as tax invoices, receipts and photographs in relation to each milestone payment claimed. GST expense associated with eligible project costs incurred by the applicant will be excluded from the grant calculation. Payment will be contingent on the relevant public road authority undertaking a final inspection to verify all conditions have been met.

9. Other information

Applicants are required to:

- declare that they are a primary producer who normally derives more than 50 per cent of their gross income from, a primary production enterprise;
- consent to a PIRSA officer or delegate, if required, undertaking an inspection of the property and auditing records to verify the claim, and conducting an inspection and / or audit after the grant has been paid to verify the monies have been utilized for the intended purpose.

Grants may be subject to GST and income tax.

More information

Department of Primary Industries and Regions

Phone: 1800 931 314

Email: PIRSA.GrantsEnquiries@sa.gov.au

Website: pir.sa.gov.au@sa.gov.au

Glossary

Term	Definition
Application form	The online form that applicants use to apply for funding under the program.
Authorised contractor	<p>An independent, suitably qualified South Australian-based* contractor. The required qualification will depend on the owner of the road (Commonwealth/State/Local Government etc.). Applicants should consult with the road owner. The Department for Infrastructure and Transport provide a list of pre-qualified roadworks and bridgeworks companies.</p> <p>*The Minister may consider applications utilising non-South Australian-based contractors if the applicant is able to demonstrate that they were unable to secure a South Australian contractor and provides reasons, to the satisfaction of the Minister, for not meeting this criterion.</p>
Eligible activities	Activities that meet the requirements set out in section 3 of these guidelines.
Eligible applicant	A legal entity that meets the requirements set out in section 2.1 of these guidelines.
Eligible application	An application that the Minister determines, in its absolute discretion, meets the requirements set out in these guidelines.
Grant agreement	A legally binding contract between the Minister and a successful applicant for a grant to undertake the funded project.
Incurred	An incurred expense is a legal liability for the receipt of labour, goods or services.
Ineligible activities	Activities that do not meet the requirements set out in section 3 of these guidelines and includes activities that are ineligible for funding support as set out in section 4 of these guidelines.
Infrastructure	Fixed physical structures and facilities
Legal entity	An individual, statutory corporation, incorporated association, co-operative as defined in the <i>Co-operatives National Law (South Australia) Act 2013</i> , company or other entity registered under the <i>Corporations Act 2001</i> (Cth)

Term	Definition
Minister	The Minister for Primary Industries and Regional Development or delegate.
Primary production business	A primary production business as defined in the <i>Income Tax Assessment Act 1997</i> (Cth) whose activities include livestock production.
Primary producer	A business enterprise operating a primary production business.
Project	A project described in an application for grant funding under the program.