



Our ref: eA198687
Obj ID: A5757165
Receipt: 17226167

The Hon Nicola Centofanti MLC
Member of the Legislative Council
Parliament House
ADELAIDE SA 5000

Dear Ms Centofanti

Determination under the *Freedom of Information Act 1991*

I refer to your application made under the *Freedom of Information Act 1991* received by the Office of the Minister for Primary Industries and Regional Development on 9 January 2023 requesting access to the following:

“A copy of all documents (including but not limited to hard copy or electronic briefings, minutes, reports, emails, letters, meeting agendas, diary entries, placemats, event attendance records and any other correspondence) between Department of Primary Industries and Regions South Australia and the Minister for Primary Industries and Regional Development (including directly with staff within the office of the Minister for Primary Industries), relating to the AgTech Growth Fund between 1 July 2022 and 31 December 2022.”

Accordingly, the following determination has been finalised.

I have located six documents that are captured within the scope of your request.

Determination 1

I have determined that access to the following document is **granted in full**:

Doc No.	Description of document	No. of Pages
2a	PIRSA Inaugural AgTech Growth Fund Guidelines (December 2022)	10

Determination 2

I have determined that access to the following document is **granted in part**:

Doc No.	Description of document	No. of Pages
1	Departmental Workflow Request dated 7/12/2022 re Viticulture Mapping Portal – AgTech Growth Fund	1

The information removed from the above document is pursuant to Clause 6(1) of Schedule 1 of the Freedom of Information Act which states:

“6 - Documents affecting personal affairs

(1) A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).”

The information removed consists of the names of a third party and a staff member, including their contact number, and there would be an expectation that their personal information would not be released in this way.

Accordingly, it is considered that disclosure of this information would be an unreasonable intrusion into the privacy rights of the individuals concerned.

Determination 3

I have determined that access to the following document is **granted in part**:

Doc No.	Description of document	No. of Pages
2b	Proposed AgTech Growth Fund Grant Program 2022-23 Criteria	1

The information removed from the above document is pursuant to Clause 9(1) of Schedule 1 of the Freedom of Information Act which states:

“9—Internal working documents

(1) A document is an exempt document if it contains matter—

(a) that relates to -

(i) any opinion, advice or recommendation that has been obtained, prepared or recorded; or

(ii) any consultation or deliberation that has taken place, in the course of, or for the purpose of, the decision-making functions of the Government, a Minister or an agency; and

(b) the disclosure of which would, on balance, be contrary to the public interest.”

The material removed consists of information relating to a selection and assessment process for grant funding.

In addressing the public interest test requirement for this exemption, I have balanced the following factors:

In favour of the public interest:

- Meeting the objects of the Act favouring access to documents.
- Ensuring optimal use of public resources.
- High level of interest in the accountability of public office holders.
- The importance of transparency and openness and the interest that the public has in the decision-making processes of Government.

Contrary to the public interest:

- In accordance with Government contract management policies and guidelines, information obtained in the course of assessment processes is required to be kept confidential for probity reasons.
- Release of this information would compromise the assessment process.
- Disclosing this information may compromise the manner in which information is gathered in the future for the decision-making processes of Government to the detriment of the betterment for South Australia.

Having considered the various factors weighing for and against disclosure, I have determined that disclosure of this information would, on balance, be contrary to the public interest.

Determination 4

I have determined that access to the following document is **refused**:

Doc No.	Description of document	No. of Pages
1a	Minute from Chief Executive, Department of Primary Industries and Regional Development to the Minister for Primary Industries and Regional Development dated 12/12/2022 re AgTech Growth Fund	3

Access to the above document is refused pursuant to Clause 7(1)(c) of Schedule 1 of the Freedom of Information Act which states:

“7 – Documents affecting business affairs

(1) A document is an exempt document –

(c) if it contains matter –

(i) consisting of information (other than trade secrets or information referred to in paragraph (b)) concerning the business, professional, commercial or financial affairs of any agency or any other person; and

(ii) the disclosure of which –

(A) could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and

(B) would, on balance, be contrary to the public interest”

The document consists of a matter for consideration by a Minister.

In addressing the public interest test requirement for this exemption, I have balanced the following factors:

In favour of the public interest:

- Meeting the objects of the Act favouring access to documents.
- Ensuring optimal use of public resources.
- High level of interest in the accountability of public office holders.

- The importance of transparency and openness and the interest that the public has in the decision-making processes of Government.

Contrary to the public interest:

- Protecting the commercial and business interests of third parties.
- The need to protect the disclosure of proposals submitted to the State Government prior to full consideration.
- The recent age of the document and the ongoing relevance of the matter was considered.
- The release of this information would discourage the organisation concerned and other third parties from engaging with PIRSA to the detriment of the betterment of South Australia.
- Disclosure of this information would be expected to prejudice the future supply of information to Government, as the level of trust in handling such information would be substantially diminished.

Having considered the various factors weighing for and against disclosure, I have determined that disclosure of this document would, on balance, be contrary to the public interest.

Determination 5

I have determined that access to the following document is **refused**:

Doc No.	Description of document	No. of Pages
2	Minute from Chief Executive, Department of Primary Industries and Regional Development to the Minister for Primary Industries and Regional Development dated 26/11/2022 re AgTech Growth Fund Grant 2022-23	5

Access to the above document is refused pursuant to Clause 9(1) of Schedule 1 of the Freedom of Information Act.

The document consists of a matter for consideration by a Minister.

In addressing the public interest test for this exemption, I have balanced the following factors:

In favour of the public interest:

- Meeting the objects of the Act favouring access to documents.
- Ensuring optimal use of public resources.
- High level of interest in the accountability of public office holders.
- The importance of transparency and openness and the interest that the public has in the decision-making processes of Government.

Contrary to the public interest:

- The recent age of the information was considered and the continuing relevance of the matters.

- The need to protect the disclosure of proposals submitted to a Minister prior to full consideration.
- Disclosing this information may compromise the manner in which information is gathered in the future for the decision-making processes of Government to the detriment of the betterment for South Australia.

Having considered the various factors weighing for and against disclosure, I have determined that disclosure of this document would, on balance, be contrary to the public interest.

Determination 6

I have determined that access to the following document is **refused**:

Doc No.	Description of document	No. of Pages
6	Parliamentary Briefing Note dated 18/10/2022	2

Access to the above document is refused pursuant to Clause 17(c) of Schedule 1 of the Freedom of Information Act which states:

“17 – Documents subject to contempt etc

*A document is an exempt document if it contains matter the public disclosure of which would, but for any immunity of the Crown –
(c) infringe the privilege of Parliament.”*

The document consists of a briefing note which was specifically prepared for the purpose of use in proceedings in Parliament. Disclosure of this information would infringe the privilege of Parliament.

If you are unhappy with this determination you are entitled to exercise your rights of external review with the Ombudsman SA. Alternatively, you can apply to the South Australian Civil and Administrative Tribunal (SACAT). If you wish to seek a review, you must do so within 30 calendar days of receiving this internal review determination.

For more information about seeking a review or appeal, please contact the Ombudsman SA on telephone (08) 8226 8699 or SACAT on 1800 723 767.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your application, and the document to which you are given access, will be published in the disclosure log on the [PIRSA website](http://pirsa.sa.gov.au). A copy of PC045 can be found at

http://dpc.sa.gov.au/_data/assets/pdf_file/0019/20818/PC045-Disclosure-Log-Policy.pdf.

Should you require further information or clarification with respect to this matter, please contact Ms Rachael Colegate on 8226 2931 or email: Minister.Scriven@sa.gov.au.

Yours sincerely



Hon Clare Scriven MLC
MINISTER FOR PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT
MINISTER FOR FOREST INDUSTRIES

2 / 3 / 2023

Hon Clare Scriven MLC
 Minister for Primary Industries and Regional Development
 Minister for Forest Industries



DEPARTMENTAL WORKFLOW REQUEST

Department of Primary Industries and Regions (PIRSA)

Objective reference	eA198408
Title	Viticulture Mapping Portal Portal - Agtech Growth Fund
Due to Minister's Office	13 December 2022
Date requested	7 December 2022

Rationale

The Minister has received an email from Clause 6(1) regarding the Viticulture Mapping Portal resulting from the Agtech Growth Fund, and has requested a meeting. At this stage the Minister is not meeting with Clause 6(1), but would like a response prepared.

(refer attached correspondence for additional information)

Action Required

Could you please provide the following:

- Briefing for the Minister's consideration
- Draft letter of reply for the Minister's signature

Thank you kindly.

Contact

Clause 6(1)	Clause 6(1)
--	--

PIRSA

AgTech Growth Fund Guidelines

Overview

The AgTech Growth Fund (AGF) is a dedicated program aimed at accelerating the development of technology solutions to significant agricultural production challenges. Funding has been provided by the South Australian Government for grants of up to \$100,000.

The purpose of the fund is to incentivise private investment into targeted technology solutions to 'real' industry production challenges. The fund will target solutions to production challenges identified and sponsored by industry, to increase productivity and profitability.

The fund will invest in proposals developed by a group of active private sector partners that represent the value chain of the project (customer/end users, those involved in production/supply process, and researchers/developers). The proposal must demonstrate how the technological innovation will solve a specific industry challenge and benefit an agriculture sector as a whole and the solution must be novel and innovative. The majority of

the activities must be conducted in South Australia and there must be an identified path to commercialisation that will be sustained over the long-term.

Applicants to the AGF will be required to make a co-contribution of at least 50 per cent to the total project cost.

Areas of Focus

The Program will accept applications for projects that support development of technology solutions that increase productivity and profitability for the State's primary producers.

Areas of focus are:

- Digital Ag Software/Hardware (e.g., sensors, imagery, precision ag, data stewardship)
- Smart Farm Equipment (e.g., robotics, machinery, automation)
- Supply Chain Technology (e.g., traceability).

Applicant Eligibility Criteria

To be eligible to apply for a grant under the Program all the following conditions must be met:

- The application must be proposed by a group of active private sector partners that represent the project's value chain (researchers, those involved in the production/supply process, industry members, technology developers). An active partner is one that is participating in the project either through cash and/or in-kind contribution, equity investment and/or letter of intent to purchase.
- Each applicant group must include a current primary industry producer as its sponsor.
- The main proponent (the Applicant) must be South Australian-based and proposing outcomes that deliver results to a South Australian agricultural sector (Please note that research organisations are not an eligible applicant type).
- The Applicant must hold an active Australian Business Number (ABN) and be registered for GST.
- The Applicant must be a legal entity capable of entering into a Grant Agreement.
- The majority of project activities must be completed in South Australia.
- Applicants must not have received funding from another South Australian / Australian Government program for the same activities.

- Applicant group members must have met all the terms and conditions placed on any previous South Australian Government funding, grant or concessional loan provided to them.
- Projects must be able to be completed within 12 months of the Applicant receiving a Funding Agreement with the Minister.
- The applicant group must provide at least 50 per cent or more of the project's total budgeted cost in cash and/or in-kind, with a maximum 20% investment from research organisations (including Universities). Government investment is capped at \$100,000. For example, for a project with a total project cost of \$100,000 the maximum rebate available is \$50,000, and the maximum cash and/or in-kind contribution from research organisations is \$20,000 (see Evaluation Criteria Guidelines Point 3 for further information on Applicant co-contributions).

Ineligible Applicant Type

- Research organisations are not eligible to apply in their own right. The lead organisation must be a non-government entity.

Eligible Activities

- Projects must demonstrate how the technological innovation will solve a specific industry challenge and benefit an agriculture sector as a whole, not just individual companies.
- Technological solutions must be novel and innovative.
- Projects must identify a feasible path to commercialisation and how the benefits of the project will be sustained over the long-term.
- Projects must not be reliant on on-going government funding.

Ineligible Activities

- Projects that have already received assistance from other relevant State or Federal Government grant funds to conduct the same project activities.
- Retrospective funding for activities undertaken prior to a project's approval by the Minister or Delegate.
- Costs associated with the development of this application.
- Feasibility studies associated with the project.

Application Process

Annual Intakes

Intakes for the AGF are held at least once every fiscal year. The number of grants approved per year will be based on budget availability and the quality of applications.

How to Apply

Applicants must submit their completed application together with all supporting documentation to the Department of Primary Industries and Regions using the electronic application form available at the Department of Primary Industries and Regions website: https://www.pir.sa.gov.au/primary_industry/agtech/agtech_growth_fund

Below are important dates for the current grant period intake:

Applications close Monday 31 January 2022

Late applications will not be accepted.

It is anticipated that application outcomes will be received approximately 8 weeks from the date of applications closing.

PIRSA may request Applicants to present their proposal to the Assessment Panel as a component of the assessment process.

Evaluation Criteria Guidelines

Applicants must use the PIRSA template provided to develop their application. Applications not completed on the template will not be accepted. Below are the evaluation criteria that must be fully addressed in the proposal by the Applicant:

- 1. Executive Summary:** Provide background, objectives, activities planned, and how the results of the project will be implemented in the long term to positively impact South Australia.
- 2. Alignment with Industry Needs:** Demonstrate industry demand for the technology being developed and identify the industry sponsor. Explain how the proposed technological innovation will solve a specific industry challenge and benefit stakeholders in the agricultural sector.
- 3. Financial Leverage and Eligible Co-contributions:** Applicants are required to provide a detailed breakdown of the project's funding sources:

- Amount requested from AGF
- Amount(s) provided by industry partners
- Other sources of funding (i.e., universities, research institutes, etc.)
- Percentage of each source of funding (including AGF).

Co-contributions can include cash or in-kind contributions from the Applicant or other parties, financial institutions and businesses

In-kind contributions are capped at 50 percent of total applicant co-contribution, and co-contributions (cash and/or in-kind) from research organisations (including Universities) are capped at 20 percent of the total project cost.

Applicants must provide evidence of support for co-contributions at the time of the application (for example, a letter from the co-contributor detailing the value and nature of the commitment and any conditions relating to the co-contribution commitment).

In-kind contributions can include employee time (salary) allocated to the project (note that allowances, supervision and project management costs are ineligible in-kind co-contributions). Appropriate records to confirm in-kind co-contributions must be maintained throughout delivery of the project. For example, any Applicant employee time allocated to the project as a co-contribution must be recorded appropriately and the employee's project role and the contribution clearly documented.

4. Project Design: Describe in detail how the project will be carried out to reach its objectives. Include the following:

- Detailed description of work required and deliverables
- Cost breakdown and justification for the amount requested from AGF
- Project timeline, and
- Further activities planned after AGF's investment period to allow commercialisation and how these will be funded.

5. Proponent Capacity: Demonstrate the Applicant's capacity to carry out the project from start to finish. Identify the expertise and capabilities that each partner brings to the consortium. Provide a list of personnel that will be involved in the project and brief biographies.

6. End User Impact/Adoption: Identify the group(s) who will benefit from the results of the project, their readiness to adopt the technological innovation and the business impact of the innovation.

7. Challenges to Technology Adoption: Identify any challenges to the market's ability to adopt the technology. Describe efforts made or to be taken to address these challenges.

8. Competitive Analysis: Submit a table outlining direct or indirect competitors in the market. Demonstrate how the technology being developed differs from that of

competitors. Discuss what advantages or disadvantages the technology has over existing products/services.

9. Risks: Identify and discuss potential risks in developing and implementing the proposed project. Specify if there are any regulatory risks or hurdles associated with the project. Include a table that identifies the risks, rates their likelihood and severity, and outlines mitigation strategies.

10. Economic Impact: Quantify the economic impact that the project and resulting technology will have within South Australia. Provide a detailed breakdown of the estimated amounts. This can include but is not limited to:

- Jobs created (Full Time Equivalent (FTEs))
- Private investment attracted
- Increased productivity.

11. Environmental Impact: Describe potential positive and/or negative impacts to the environment associated with the project.

12. Long-term Impact: Discuss the long-term impact of the technology being developed. Outline the Applicant's plan to bring the technology to additional markets, including export markets. Consider including an intellectual property (IP) management plan.

Financial Information and Attachments Required

Financial information must be submitted as part of the full proposal. This document and the requested information are used to determine the main proponent's financial capacity to carry out the project.

Letters of Intent from Customers

Applications may include letters of intent from prospective and/or committed customers of the technology being developed. These letters demonstrate that the proponent has completed market validation and that there is demand for the technology being developed.

Evaluation Process

The AGF evaluation process is rigorous to ensure public funds are invested in strategically aligned projects with the highest potential return on investment. It will take approximately two months from the submission deadline before funding decisions are made. This process is outlined below:

Preliminary Review

Once the project proposal is received, a preliminary evaluation will be conducted to ensure the Applicant meets the eligibility criteria and the application has adequately addressed all the evaluation criteria. It will also assess the readiness of the application for review by the Assessment Panel.

Technical and Financial Review

Each application that meets the eligibility criteria will undergo a comprehensive due diligence process to determine the Applicant's technical and financial capability to deliver the project and to determine a proposal's technical merit.

Reviewers will evaluate:

- Technical claims
- Accuracy of cost projections
- Feasibility of anticipated results
- Proponent's technical capacity to carry out the project
- Main proponent's financial health
- Main proponent's financial capacity to carry out the project, and
- Business case/feasibility.

The technical and financial reviews occur at the same time as the preliminary review. This allows prompt feedback to the proponent should any information contained within the application need to be clarified.

Assessment Panel

Eligible applications that pass the Technical and Financial Review will be reviewed by an Assessment Panel. The Evaluation Criteria will be used to rank applications according to how well they are likely to assist in the achievement of the goals of the AGF. (See Evaluation Criteria Guidelines points 1-12). The Evaluation Panel will report to the Department of Primary Industries and Regions.

Minister / Delegate Approval

Applications recommended by the Department of Primary Industries and Regions will be provided to the Minister or Minister's Delegate for consideration. Approval consideration will include the amount of funding requested from the AGF and the level of funding available.

Funding decisions made by the Minister or Delegate are final and requests for review will not be accepted.

Feedback to Applicants

All applicants will be contacted and advised of the outcome of their application. Successful applicants will be sent a formal letter of offer.

The Department of Primary Industries and Regions may negotiate with applicants on the specific details of a project under the Grant Agreement to meet the specific requirements the Minister may impose as a condition of funding and specific milestones that the applicant will be required to meet.

A letter to successful applicants will not constitute a contract and should not create any legal expectation on the part of the applicant unless a Grant Agreement is executed by both parties.

Contracting

Successful applicants will be required to enter into a Grant Agreement with the Government of South Australia in order to receive assistance.

Successful applicants will be expected to meet all terms and conditions of the Grant Agreement, including governance and reporting requirements. Applicants must comply with all Australian and State legislation, regulations and codes in the delivery of the Program.

The Grant Deed will outline all the conditions of the provision of funding and will be subject to the Government's Contract Disclosure policy:

- <http://dpc.sa.gov.au/documents/rendition/B17980>

Upon execution of a Grant Deed, successful applicants will receive an initial payment of fifty percent (50%) of the total approved funding amount. Further grant payments will be made on a reimbursement basis on milestones agreed in the Grant Deed upon presentation of appropriate evidence. Verification of milestone completion may be undertaken via physical inspections by Department of Primary Industries and Regions Officers. Payments will be made after a milestone is accepted as completed by the Department of Primary Industries and Regions.

Final payments are made on receipt of a final report evidencing project completion to the satisfaction of the Minister for Primary Industries and Regional Development.

The following conditions will be expected of financial assistance recipients:

- Complete the project as stated in the application.
- Meet all key milestones and obligations as defined in the Grant Agreement.
- Acknowledge the contribution of the State Government on any promotional material and provide opportunities for the Commonwealth Minister together with the Minister

for primary Industries and Regional Development or a representative to take part in any formal project milestones and launches.

Note: Grants may be subject to GST and income tax. Applicants should consider seeking advice on these and other tax implications from their tax advisers or the Australian Taxation Office before applying.

Applicants should understand their legal rights and obligations under this Program.

Intellectual Property

PIRSA will not assume ownership of any product and/or solution that results from funded projects. An IP agreement must be in place between all members of the proponent group prior to funding being approved. IP disputes between members of the proponent group resulting in extended delays and/or deviations from the original project objectives could result in discontinuation of funding (refer to "Termination of Contract" below).

The proponent group is responsible for ensuring it has the freedom to operate. The State Government will not assume any costs or damages related to potential IP disputes with a third party. The Minister for Primary Industries and Regions retains the right to terminate funding if a project becomes stalled due to IP issues.

Confidentiality

The Department of Primary Industries and Regions will not release personal, technical, and/or financial details of a project to any party without explicit consent from the main proponent. Funding contract details will remain confidential between the Department of Primary Industries and Regions and the main proponent. Consultants and / or staff from other government agencies contracted by the Department of Primary Industries and Regions to evaluate proposals are bound by non-disclosure agreements. Information may be shared between these funding parties.

Media Releases

The Department of Primary Industries and Regions will make public media releases on funding decisions and projects. Proponents will be notified and consulted with prior to any releases being made. The Department of Primary Industries and Regions will not disseminate any personal or commercially sensitive information referenced above under "Confidentiality" without explicit consent from the main proponent.

How to Apply

Applications must be completed using the online application form, you will need a myPIRSA account. If you don't have a myPIRSA account, register now.

Our reference guide provides step-by-step instructions on how to register (PDF 611.2 KB).

You can look through the form before you fill it in to become familiar with it.

Once started, you have 28 days to complete your application. After 28 days, partially completed applications will be deleted.

Applications must be lodged by 5 pm (ACST) Monday 31 January 2022.

More Information

For more information and to discuss your application contact:

Ben Baghurst - AgTech Program Manager

Telephone: 1800 931 314 between 9am and 5pm, Monday to Friday

Email to: PIRSA.GrantsEnquiries@sa.gov.au

Web: https://www.pir.sa.gov.au/primary_industry/agtech/agtech_growth_fund

Attachment B

Further details of the proposed AgTech Growth Fund Grant Program 2022-23

Proposed eligibility

- It is proposed that eligibility is the similar as for the inaugural AgTech Growth Fund including:
 - The Applicant must be a primary production business or private entity that is involved in the project value chain.
 - The Applicant must be South Australian based.
 - The Applicant must be a non-Government entity.
- In terms of ineligibility, it is proposed:
 - Government agencies are ineligible to apply however they can be an active project partner.
 - Universities are not eligible to apply however they can be an active project partner.
- Researchers can apply if they meet the eligibility criteria and don't meet the ineligibility criteria.
- To be eligible for funding under the Program a co-contribution is required.
- Applicant must hold an active Australian Business Number (ABN) and be registered for GST.

Proposed application process and assessment criteria

- Applications will be assessed by an Assessment Panel.
- It is proposed the Assessment Panel comprises 5 members comprising:
 - Executive Director, PIRSA (Chair)
 - Independent member(s)
 - AgTech Advisory Group member(s)

Clause 9(1)

