PM&C
Secretary

PMO
CoS

NRRA
Mr Stone
Mr Padovan
Ms Wandel

MO
CoS
s22 [redacted]

PDR: MS21-000121

# NATIONAL RECOVERY AND RESILIENCE AGENCY

**To:** Minister for Agriculture, Drought and Emergency Management (for signature by no later than 22 June 2021 to meet program delivery timeframes)

**cc:** Prime Minister

**DECISION – JUNE 2021 – BLACK SUMMER BUSHFIRE RECOVERY GRANTS – FINAL GUIDELINES**

**Recommendations** - that you:

1. Agree to the final Black Summer Bushfire Recovery grant opportunity guidelines at Attachment A.

   **Agreed / Not Agreed**

2. Note the supplementary advice provided by the Australian Government Solicitor (AGS) at Attachment B s42 [redacted]

   **Noted**

3. Note that Central agencies have agreed the overall risk rating for these guidelines is '**high**'.

   **Noted**

4. Sign the letter to the Minister for Finance at Attachment C seeking approval to publicly release the guidelines.

   **Signed / Not Signed**

5. Agree to the proposed assignment of eligible Local Government Areas (LGAs) to categories to support the equitable distribution of funds to meritorious projects at Attachment E.

   **Agreed / Not Agreed**

6. Sign the letters to State and Territory First Ministers to inform them of the design of the Black Summer Bushfire Recovery grants program Attachments F-K.

   **Signed / Not Signed**

s22 [redacted]

DAVID LITTLEPROUD

Date: 21.6.21

Comments:

**Key Points:**

1. s34(3) [redacted] You previously agreed to the high level design features of the program which you announced on 24 April 2021 (MS21-000532 and MS21-000027 refer).

2. The objective of the BSBR grants program is to fund communities directly impacted by the 2019-20 bushfires to address their recovery priorities in a simple and transparent way. Of the $280 million available (over three years from 2021-22), approximately $276 million will be available for an open, competitive grants program that is scheduled to commence in July 2021.

Final program guidelines

3. The National Recovery and Resilience Agency (NRRA) consulted the Department of Finance; Department of the Prime Minister and Cabinet; Department of Agriculture, Water and the Environment; and, the Department of Infrastructure, Transport, Regional Development and Communications on the design of the guidelines for the BSBR grant opportunity. Building on these consultations, we have worked with the Business Grants Hub, within the Department of Industry, Science, Energy and Resources (DISER), and AGS to finalise the guidelines.

4. Key changes to the guidelines since you reviewed them in MS21-000027 are as follows:

   a. removal of projects that support natural environmental recovery or resilience from the program objectives and eligible activities, as per your decision of 13 May 2021 (MS21-000027 refers),

   b. inclusion of revised and expanded text (Section 6 and Appendix B) regarding eligible activities and expenditure. This is to clarify the kinds of projects that may address one or more social, economic and built environment recovery and resilience needs without [redacted] s42 s34(3) [redacted] Supplementary advice from AGS to this effect is at Attachment B,

   c. inclusion of 'resilience' as an objective of the grant program through the guidelines, consistent with s34(3) [redacted]

   d. inclusion of a reference to support that will be provided for potential applicants which could include local workshops and webinars (Section 8),

      i. The NRRA has engaged a service provider to deliver workshops, webinars and one-on-one support to help make the BSBR grant application process as accessible and simple as possible.

      ii. The National Indigenous Australians Agency is also involved in the design of the support services for accessing the BSBR grants opportunity to facilitate best engagement of Indigenous Australians and communities.

   e. clarification that projects can start from January 2022 onwards and must end by 31 March 2024 (Section 8.3), and

f. removal of explicit reference to upfront payments for projects with a value of less than $50,000. Instead, the payment schedule for projects will be set out in the grant agreement, which enables upfront payments for low value grants (Section 11.3).

5. The proposed final guidelines are provided for your approval at Attachment A.

Guidelines risk rating

6. As is required under the *Commonwealth Grants Rules and Guidelines 2017* and Estimates Memorandum 2018/39, the Business Grants Hub provided the proposed grant program guidelines and self-assessment risk analysis to Central agencies to agree a risk rating for the program. Central agencies have agreed a risk rating of '*high*'.

7. Guidelines that attract a risk rating of 'medium' or 'high' require agreement of the Minister for Finance for public release.

   a. A proposed letter to the Minister for Finance requesting authority to publicly release the BSBR grants program guidelines is at Attachment C.

      i. Note that a copy of the agreed final guidelines (Attachment A) and the Self-Assessment Risk Analysis (Attachment D) should be included with the letter to the Minister for Finance.

   b. Agreement of the Minister for Finance is required no later than 30 June 2021 in order for the program guidelines to be released on 1 July 2021.

      i. Pending agreement, guidelines will be publicly released together with a preview application form and a sample grant agreement. Applications will then open for submission on 22 July 2021 and close on 2 September 2021.

      ii. A communications strategy to support release of the grants program is under development in consultation with your office.

LGA assignment to categories

8. To address community concerns about equitable access to funding through other competitive grants programs, you previously agreed that the BSBR grants program would apportion access to funds across all eligible LGAs through one of two categories (MS21-000532 refers).

9. Categorisation is based on early impact analysis used to inform the delivery of the bushfire Local Economic Recovery program. This includes extent of the Black Summer burn scar in each LGA and economic impact in combination with more contemporary information provided through the NRRA Engagement Network, feedback from state and territory governments and analysis of distribution of bushfire recovery support to date (including Local Economic Recovery grants).

10. The proposed allocation of LGAs to categories and associated potential funding envelope is provided for your approval at Attachment E.

    a. The proposed allocation will help to ensure equity between applicants and eligible LGAs as well as geographical spread from an order of project merit ranking.

11. Letters to state/territory First Ministers informing them of the final design of the BSBR grants program are provided for your signature at Attachments F-K.

Assessment process and decision-making

12. The Business Grants Hub will assess all grant applications on merit and rank them from highest to lowest against the criteria. A project will need to meet the eligibility requirements as described in the guidelines and score at least 50 per cent against each assessment criterion to be further considered and allocated to an LGA(s).

13. The Business Grants Hub will provide an initial, ranked allocation of projects to LGAs to an Assessment Committee, chaired by the Coordinator-General of the NRRA.

    a. Membership of the Assessment Committee will be finalised in consultation with you. Membership may include nominated representatives from the Department of Social Services, National Indigenous Australians Agency, DISER, and Department of Infrastructure, Transport and Regional Development and Communications. An independent member may also be included. The Committee may seek advice from subject matter experts (including officials from state/territory governments) to inform their recommendations.

14. When making its recommendations to you as decision-maker, the committee may exercise discretion in the allocation projects to LGAs, taking into account overall balance and proportionality and other relevant factors, as long as the LGA funding envelopes are recognised and the committee's recommendations are otherwise consistent with the guidelines. The committee may also reject projects based on the constitutional risk rating (informed if necessary by AGS).

15. You are the final decision-maker and can exercise discretion in the awarding of grants and the amount of funding awarded. In making your decisions, your responsibilities are set out in the Commonwealth Grants Rules and Guidelines 2017.

Dr Ilse Kiessling
Assistant Secretary
Bushfire Policy Branch
18 June 2021

Policy Officer: s22
Phone no: s22
Consultation: AGS, Finance, DISER, PM&C, DITRDC, DAWE, NIAA

## ATTACHMENTS

| | |
|---|---|
| ATTACHMENT A | FINAL GRANT OPPORTUNITIY GUIDELINES |
| ATTACHMENT B | SUPPLEMENTARY AGS ADVICE |
| ATTACHMENT C | LETTER TO THE MINISTER FOR FINANCE |
| ATTACHMENT D | GUIDELINES SELF-ASSESSMENT RISK ANALYSIS |
| ATTACHMENT E | PROPOSED LGA CATEGORIES AND FUNDING AMOUNTS |
| ATTACHMENT F | LETTER TO NEW SOUTH WALES |
| ATTACHMENT G | LETTER TO VICTORIA |
| ATTACHMENT H | LETTER TO QUEENSLAND |
| ATTACHMENT I | LETTER TO SOUTH AUSTRALIA |
| ATTACHMENT J | LETTER TO TASMANIA |
| ATTACHMENT K | LETTER TO THE AUSTRALIAN CAPITAL TERRITORY |



 

**The Hon. David Littleproud MP**
**Minister for Agriculture, Drought and Emergency Management**
**Deputy Leader of the Nationals**
**Federal Member for Maranoa**

Ref No: MS21-000121

Senator the Hon Simon Birmingham
Minister for Finance
Parliament House
CANBERRA ACT 2600

21 JUN 2021

Dear Minister

I am writing to seek your agreement to publicly release the grant opportunity guidelines for the Black Summer Bushfire Recovery (BSBR) grants program (Attachment A). The Business Grants Hub is administering the BSBR grants program on behalf of the National Recovery and Resilience Agency.

s34(3) [redacted] The objective of the BSBR grants program is to fund communities directly impacted by the 2019-20 bushfires to address their recovery priorities in a simple and transparent way. The program will provide grants of approximately $276 million over three years (from 2021-22) through an open, competitive process that is scheduled to commence in July 2021.

To facilitate equitable distribution of funding across impacted Local Government Areas (LGAs), a funding envelope has been allocated to each eligible LGA. Each LGA has been assigned to one of two categories based on the impact of the bushfires:

- Category 1: a funding envelope up to $4.5 million per LGA
- Category 2: a funding envelope up to $1.6 million per LGA

The proposed allocation will help to ensure all LGAs have the opportunity to access funding, as well as equity between applicants and eligible LGAs, and geographical spread from an order of project merit ranking. Once proposals have been assessed, funding will be allocated to meritorious projects in the relevant LGA. If there are insufficient meritorious proposals in an LGA, unallocated funds will be pooled to provide additional support for proposals in other LGAs based on order of merit.

The BSBR grant opportunity guidelines have been designed in accordance with the *Commonwealth Grants Rules and Guidelines 2017*. Entities involved in the development of grant guidelines are required to complete a risk assessment (Attachment B). The Departments of Finance and the Prime Minister and Cabinet have agreed with the assessment that the risk rating for the BSBR grant opportunity guidelines is 'high'.

s34(3) [redacted]

s42 [redacted]

The legislative authority for expenditure under the BSBR grants program is an amendment to Schedule 1AB of the *Financial Framework (Supplementary Powers) Regulations 1997*, which you agreed on 10 June 2021. You advised that the Executive Council is scheduled to consider the Schedule 1AB item on 24 June 2021.

In order to meet the Australian Government's commitment to announce grant recipients by the end of the year, I seek your approval no later than 30 June 2021 to release the guidelines.

I have copied this letter to the Prime Minister, the Hon Scott Morrison MP, and the Treasurer, the Hon Josh Frydenberg MP, for their information.

Yours sincerely

s22 [redacted]

**DAVID LITTLEPROUD MP**

Australian Government
Department of Industry, Science, Energy and Resources
Department of the Prime Minister and Cabinet

Grant Opportunity Guidelines

# Black Summer Bushfire Recovery Grants Program

| | |
|---|---|
| **Opening date:** | 22 July 2021 |
| **Closing date and time:** | 5.00pm Australian Eastern Standard Time on 2 September 2021<br>Please take account of time zone differences when submitting your application. |
| **Commonwealth policy entity:** | National Recovery and Resilience Agency |
| **Administering entity:** | Department of Industry, Science, Energy and Resources |
| **Enquiries:** | If you have any questions, contact us on BSBR@industry.gov.au or 13 28 46. |
| **Date guidelines released:** | 1 July 2021 |
| **Type of grant opportunity:** | Open competitive |

## Contents





 

# 1. Black Summer Bushfire Recovery Grants processes

**The Black Summer Bushfire Recovery Grants program is designed to achieve Australian Government objectives**

This grant opportunity is part of the above grant program which contributes to the National Recovery and Resilience Agency's Outcome 1. The National Recovery and Resilience Agency works with stakeholders to plan and design the grant program according to the Commonwealth Grants Rules and Guidelines

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**The grant opportunity opens**

We publish the grant guidelines on business.gov.au and GrantConnect.

↓

**You complete and submit a grant application**

You complete the application form, addressing all the eligibility and assessment criteria in order for your application to be considered.

↓

**We assess all grant applications**

We review the applications against eligibility criteria and notify you if you are not eligible.

We assess eligible applications against the assessment criteria including an overall consideration of value with relevant money and compare it to other eligible applications.

↓

**We make grant recommendations**

We provide advice to the decision maker on the merits of each application.

↓

**Grant decisions are made**

The decision maker decides which applications are successful.

↓

**We notify you of the outcome**

We advise you of the outcome of your application. We may not notify unsuccessful applicants until grant agreements have been executed with successful applicants.

↓

**We enter into a grant agreement**

We will enter into a grant agreement with successful applicants. The type of grant agreement is based on the nature of the grant and proportional to the risks involved.

↓

**Delivery of grant**

You undertake the grant activity as set out in your grant agreement. We manage the grant by working with you, monitoring your progress and making payments.

↓

**Evaluation of the Black Summer Bushfires Recovery Grants Program**

We evaluate the specific grant activity and Black Summer Bushfire Recovery Grants program as a whole. We base this on information you provide to us and that we collect from various sources.

# 2. About the National Bushfire Recovery Fund

The Australian Government has committed over $2 billion to the National Bushfire Recovery Fund to support communities impacted by the 2019-20 bushfires. As part of this support, the $276 million Black Summer Bushfire Recovery Grants program will address community priorities for recovery.

## 2.1. About the Black Summer Bushfire Recovery grant opportunity

These guidelines contain information about the Black Summer Bushfire Recovery Grants program grant opportunity that will run from 2021-22 to 2023-24.

The objective of this grant opportunity is to support the recovery efforts of communities in eligible Local Government Areas (LGAs) affected by the 2019-20 bushfires and enables them to apply for projects that address community recovery needs within their own timeframes.

The Australian Government will directly fund successful applicants to conduct a range of projects designed to support the social and economic recovery, and restoration of the built environment in those communities.

The objectives of the grant opportunity are to:

- support recovery and resilience of communities impacted by the 2019-20 bushfires, and
- build stronger communities by supporting social, economic and built environment recovery.

The intended outcomes of the grant opportunity are to:

- empower local communities to address bushfire recovery priorities, including through creation of jobs, sustainable infrastructure and community investment targeted at the specific needs of the community, and
- rebuild and grow the economy of the local communities impacted by the bushfires.

The Black Summer Bushfire Recovery Grants program will complement and build on bushfire recovery activities implemented by communities since the 2019-20 bushfires, including projects supported through Local Economic Recovery funding.

Projects previously submitted for funding under other programs, but have not been successful in receiving funding, may apply for support under this grant opportunity.

This document sets out:

- the eligibility and assessment criteria
- how we consider and assess grant applications
- how we notify applicants and enter into grant agreements with grantees
- how we monitor and evaluate grantees' performance
- responsibilities and expectations in relation to the opportunity.

The Department of Industry, Science, Energy and Resources (the department) is responsible for administering this grant opportunity on behalf of the National Recovery and Resilience Agency.

We have defined key terms used in these guidelines in the glossary at Section 15.

You should read this document carefully before you fill out an application.

We administer the program according to the *Commonwealth Grants Rules and Guidelines* (CGRGs)[1].

[1] https://www.finance.gov.au/government/commonwealth-grants/commonwealth-grants-rules-guidelines

# 3. Grant amount and grant period

For this grant opportunity approximately $276 million is available over three years from 2021-22 to 2023-24.

## 3.1. Grants available

The grant amount will be up to 100 per cent of eligible project expenditure (grant percentage).

- The minimum grant amount is $20,000.
- The maximum grant amount is $10 million.

You may seek additional contributions from third parties for your project. These do not count toward the minimum or maximum grant amount.

We cannot fund your project if it has already received funding from another Commonwealth, state, territory or local government grant for the same activities. You can apply for funding under other programs but if you are successful, you need to decide under which program you wish to be funded.

## 3.2. Project Period

You must complete your project by 31 March 2024.

# 4. Eligible locations

## 4.1. Eligible Local Government Areas

You can only undertake eligible activities in the Local Government Areas (LGAs) listed at Appendix A. These LGAs have been declared as eligible for assistance under the Disaster Recovery Funding Arrangements for the 2019-20 bushfires.

Each eligible LGA has the opportunity to receive a share of the funding based on the relative impact of, and economic exposure associated with, the 2019-20 bushfires.

While many LGAs that have been impacted by the 2019-20 bushfires have also been impacted by other disasters including COVID-19 and floods, the Black Summer Bushfire Recovery Grants are intended to address community bushfire recovery priorities. Other programs may be available to support recovery from COVID-19 and other natural disasters.

## 4.2. Funding per eligible Local Government Area

A funding envelope has been allocated to each eligible LGA to ensure all LGAs have the opportunity to receive funding. Each eligible LGA has been assigned to one of two categories based on the impact of the bushfires on the LGA (also at Appendix A):

- Category 1: a funding envelope of up to $4.5 million per LGA.
- Category 2: a funding envelope of up to $1.6 million per LGA.

This allocation will ensure equity between applicants and eligible LGAs as well as geographical spread from the order of ranking.

The highest ranked project(s) in each LGA will be recommended for funding until the funding envelope is reached. Projects may not receive the full grant amount requested.

If an LGA does not have sufficient meritorious applications within the funding envelope, unallocated funding will be pooled. Remaining meritorious projects will be recommended for funding from the pool in order of ranking until grant funds are exhausted, this could include providing additional funding for projects already approved for another LGA where the maximum funding has not been reached.

If the project is located in multiple LGAs the amount of funding assigned to the LGA would be commensurate with the cost of activities being undertaken within the LGA.

# 5. Eligibility criteria

We cannot consider your application if you do not satisfy all eligibility criteria.

## 5.1. Who is eligible to apply for a grant?

To be eligible you must:

- have an Australian Business Number (ABN)

and be one of the following entities:

- an entity incorporated in Australia
- a company limited by guarantee
- an incorporated association
- an incorporated not for profit organisation
- a non-distributive co-operative
- an incorporated trustee on behalf of a trust
- an Aboriginal and/or Torres Strait Islander Corporation registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*
- an Australian local governing agency or body as defined in Section 15 (for example, a Council)
- an Australian Capital Territory government agency or body.

Joint applications are acceptable, provided you have a lead organisation who is the main driver of the project and is eligible to apply. For further information on joint applications, refer to Section 8.2.

## 5.2. Additional eligibility requirements

Project activities must be undertaken in an LGA that has been declared as eligible for assistance under the Disaster Recovery Funding Arrangements (DRFA) for the 2019-20 bushfires. Individual projects may include activities that are undertaken in multiple eligible LGAs. Eligible LGAs are listed in Appendix A.

We cannot waive the eligibility criteria under any circumstances.

## 5.3. Who is not eligible?

You are not eligible to apply if you are:

- an entity not included in Section 5.1
- an individual
- a partnership
- a trust (however, an incorporated trustee may apply on behalf of a not-for-profit trust organisation)
- a Commonwealth or state government agency or body (including government business enterprises) with the exception of those entities referred to in Section 5.1
- a Regional Development Australia Committee

- an organisation, or your project partner is an organisation, included on the National Redress Scheme's website on the list of 'Institutions that have not joined or signified their intent to join the Scheme' (www.nationalredress.gov.au)
- an organisation that has been named by the Workplace Gender Equality Agency as an organisation that has not complied with *Workplace Gender Equality Act 2012*.

### 5.4. What qualifications or skills are required?

If you are successful, relevant personnel working on the project must maintain relevant registration/checks appropriate to the project, such as the following:

- Working with Children check
- Working with Vulnerable People registration.

## 6. What the grant money can be used for

### 6.1. Eligible activities

To be eligible for a grant your project must:

- be aimed at supporting community recovery or resilience from the 2019-20 bushfires
- be delivered in one or more eligible LGAs listed in Appendix A
- include eligible activities consistent with project activities listed below
- have at least $20,000 in eligible expenditure.

You project must address one or more of the following kinds of recovery or resilience needs:

- **social recovery and resilience** - for example, community development programs and activities to help affected individuals and communities to reconnect and support mental and physical wellbeing and recovery from the immediate effects of the bushfires
- **economic recovery and resilience** - for example, projects that help the community (and not just an individual business) to recover from the immediate economic impact of the bushfires by boosting employment and industries in eligible LGAs impacted by the fires
- **recovery and resilience of the built environment** - for example, projects to rebuild infrastructure damaged by the bushfires.

Your project must satisfy one or more of the following criteria in order to receive funding:

- address an urgent and unmet need resulting directly from the 2019-20 bushfires
- enhance the cultural life of the community
- preserve or increase employment
- help to mitigate climate-related risk and damage
- address the health impacts of the bushfires
- benefit of Indigenous people or communities
- protect or promote interstate and overseas trade and commerce, such as tourism related activities or rebuilding infrastructure between states and territories to facilitate commercial activities.
- be delivered through a relevant communications service such as a the delivery of an online counselling service or business advisory service to local businesses affected by the bushfires

- involve meteorological observations or statistical collection and analysis, this can include the design of early warning or risk-monitoring systems or research into bushfire recovery.
- relate to insurance, such as projects involving mitigating or resilience activities to reduce the risk of bush fire damage in the community or an activity with a clear commitment from your insurer that the project may improve insurance affordability
- run by a local council
- undertaken in the Australian Capital Territory.

For further details regarding eligible projects, refer to Appendix B.

## 6.2. Eligible expenditure

You can only spend grant funds on eligible expenditure you have incurred on an agreed project as defined in your grant agreement.

To be eligible, expenditure must:

- be a direct cost of the project
- be incurred by you for required project audit activities.

You must incur the project expenditure between the project start and end date for it to be eligible unless stated otherwise.

Eligible expenditure items may include:

- purchase (or hire or lease) of equipment and materials to support eligible project activities for example, building materials, ICT cabling, fit out of the infrastructure, fixed furniture, landscaping
- salaries and on-costs for personnel directly employed in delivering the project activities (this should be calculated on a pro-rata basis relative to their time commitment). This excludes project management or project co-ordination costs which are covered under administrative support below
- staff training that directly supports the achievement of project outcomes (maximum 5 per cent of the grant)
- contract expenditure, the cost of any agreed project activities that you contract to others directly relating to the program objectives
- external labour and external consulting expenditure to cover the cost of contracting others to undertake core elements of the project related to construction and may include architect services, design services, project management, quantity surveying and building services
- workshops and conferences, including venue hire, catering and networking costs
- community events, including exhibitions and cultural heritage events
- building modifications where you own the modified asset and the modification is required to undertake the project
- contingency costs up to a maximum of 10 per cent of the eligible project costs. Note that we make payments based on actual costs incurred
- domestic travel to and from the on-ground location limited to the reasonable cost of accommodation and transportation required to conduct the agreed project activities
- administrative support and overheads additional to the normal day to day running costs of the organisation, including project management or project co-ordination (maximum 10 per cent of the grant)

- costs you incur in order to obtain planning, environmental or other regulatory approvals during the project period. However, associated fees paid to the Commonwealth, state, territory and local governments are not eligible
- financial auditing of project expenditure
- reporting on project outcomes (maximum 5 per cent of the grant).

You are encouraged to use local materials, suppliers and labourers, where possible.

We may update the guidance on eligible and ineligible expenditure from time to time. If your application is successful, the version in place when you submitted your application applies to your project.

If your application is successful, we may ask you to verify project costs that you provided in your application. You may need to provide evidence such as quotes for major costs.

Not all expenditure on your project may be eligible for grant funding. The Program Delegate (who is a manager within the department with responsibility for the program) makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

You may elect to commence your project from the date we notify you that your application is successful. We are not responsible for any expenditure you incur until such time as a grant agreement is executed. The Commonwealth will not be liable, and should not be held out as being liable, for any activities undertaken before the grant agreement is executed.

## 6.3. What you cannot use the grant for

Expenditure items that are not eligible include:

- projects that replace, restore, or improve the natural environment including wildlife and habitat
- purchase of land or existing infrastructure, including the costs associated with sub-division of land
- repair or replacement of existing infrastructure where there is no demonstrated significant increase in benefit to the community
- purchase and installation of manufacturing equipment
- ongoing operating costs, including utilities
- ICT equipment, including software or hardware that is not an integral part of the funded infrastructure project
- payment of salaries for the applicant's employees where the activity is not directly related to the project
- project overhead items including office equipment, vehicles or mobile capital equipment. Examples include trucks and earthmoving equipment and the applicant's internal plant operating costs
- business case development and feasibility studies
- costs related to registered training organisation training activities
- business as usual operational expenses, including communications, accommodation, office computing facilities, printing and stationery, postage, legal and accounting fees and bank charges
- writing the application and reporting for the grant
- making donations, gifts and sponsorships

- pre-construction activities, including architect services, design, surveying, planning, environmental or other regulatory approvals, that exceed 20 per cent of the total eligible project expenditure
- fees paid to the Commonwealth, state, territory and local governments to obtain planning, environmental or other regulatory approvals.

This list is not exhaustive and applies only to the expenditure of the grant funds. Other costs may be ineligible where the Program Delegate determines they do not directly support the achievement of the planned outcomes for the project or, they are contrary to the objective of the program.

You must ensure you have adequate funds to meet the costs of any ineligible expenditure associated with the project.

# 7. The assessment criteria

You must address all assessment criteria in your application. We will then assess your application based on the assessment criteria below.

The application form asks questions that relate to the assessment criteria below. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. You should provide evidence to support your answers. The application form displays word and size (of file) limits for answers.

We will only consider funding applications that score at least 50 per cent against each assessment criterion, as these represent best value for money.

## 7.1. Assessment criterion 1

**How your project will assist in community recovery from the 2019-20 bushfires (50 points)**

You must demonstrate this by describing:

a. how your project addresses the recovery or resilience needs of the community directly related to impacts of the 2019-20 bushfires through the adoption of/or investment in one or more of the following:

  - **social recovery and resilience needs** of the local community may include supporting mental and physical wellbeing and recovery, improving community connections and social inclusion through community development activities, cultural events and workshops, protecting local heritage and addressing disadvantage within the community, preserving Aboriginal cultural heritage and supporting Indigenous communities through activities, workshops and events.
  - **economic recovery and resilience needs of** the region may include job creation, new businesses, tourism and supporting local producers and suppliers. Projects must support communities, not just individual businesses or organisations.
  - **recovery and resilience of the built environment needs** may include the improvement or extension of existing infrastructure in a manner that drives economic growth, creates jobs and makes the affected LGA or broader region a more attractive place to live or visit.

b. how your project complements, builds on and does not duplicate existing or planned 2019-20 bushfire recovery efforts in the community.

c. the broader benefits that your project will deliver for the region and the community.

## 7.2. Assessment criterion 2

**Capacity, capability and resources to deliver the project (50 points)**

You should demonstrate this by identifying:

a. your track record managing similar projects and access to personnel and/or partners with the right skills and experience

b. sound project planning to manage and monitor the project, including scope, implementation methodology, timeframes, budget and risk management planning (including mitigation of health risks associated with the current COVID-19 pandemic).

# 8. How to apply

Before applying you should read and understand these guidelines, the sample application form and the sample grant agreement published on business.gov.au and GrantConnect.

The National Recovery and Resilience Agency will arrange support for potential applicants. This could include local workshops and webinars delivered across bushfire-affected regions. We will publish further information on this support on business.gov.au and the National Recovery and Resilience Agency website.

To apply, you must:

- complete the online application form via business.gov.au
- provide all the information requested
- address all eligibility and assessment criteria (including by explaining why your proposed project is an eligible activity)
- include all necessary attachments.

You can view and print a copy of your submitted application on the portal for your own records.

You are responsible for making sure your application is complete and accurate. Giving false or misleading information is a serious offence under the *Criminal Code Act 1995* (Cth). If we consider that you have provided false or misleading information we may not progress your application. If you find an error in your application after submitting it, you should call us immediately on 13 28 46.

If we find an error or information that is missing, we may ask for clarification or additional information from you that will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your submission after the application closing time.

If you need further guidance around the application process, or if you are unable to submit an application online, contact us at business.gov.au or by calling 13 28 46.

## 8.1. Attachments to the application

You must provide the following documents with your application:

- a project plan, including risk assessment
- project budget, including any third party contributions
- evidence of community support (such as letters of support or testimonials)
- evidence of land ownership, where the proposed project site/s are not owned or managed by you, written consent is required from the property owner and/or property manager that allows for the implementation of the proposed project on each project site (where applicable)
- trust deed (where applicable).

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. The level of information provided should be commensurate with the grant amount requested. For example, we expect a short project plan for a grant amount of $300,000 or less, but for a larger grant amount, we expect a more comprehensive project plan.

We will not consider information in attachments that we do not request.

## 8.2. Joint applications

We recognise that some organisations may want to join as a group to collectively deliver a project. In these circumstances, you must appoint a lead organisation. Only the lead organisation can submit the application form and enter into the grant agreement with the Commonwealth. The application should identify all other members of the proposed group and include a letter of support from each of the project partners. Each letter of support should include:

- details of the project partner
- an overview of how the project partner will work with the lead organisation and any other project partners in the group to successfully complete the project
- an outline of the relevant experience and/or expertise the project partner will bring to the group
- the roles/responsibilities the project partner will undertake, and the resources it will contribute (if any), and
- details of a nominated management level contact officer.

You must have a formal arrangement in place with all parties prior to execution of the grant agreement.

## 8.3. Timing of grant opportunity

You can only submit an application between the published opening and closing dates. We cannot accept late applications.

We expect that projects can start anytime from January 2022 onwards and must end by 31 March 2024.

Table 1: Expected timing for this grant opportunity

| Activity | Timeframe |
|---|---|
| Assessment of applications | September 2021 |
| Approval of outcomes of selection process | October 2021 |
| Negotiations and award of grant agreements | November 2021 |
| Notification to unsuccessful applicants | December 2021 |
| Earliest start date of project | From notification that you are successful, or as agreed (if a later date is proposed) |
| Project completion date | 31 March 2024 |
| End date of grant commitment | 30 June 2024 |

# 9. The grant selection process

We first review your application against the eligibility criteria, and determine whether it involves an eligible activity. If your application passes this stage, we will then assess it against the assessment criteria. Only eligible applications will proceed to the assessment stage.

We consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value with relevant money.

When assessing whether the application represents value with relevant money, we will have regard to:

- the overall objectives of the grant opportunity
- the evidence provided to demonstrate how your project contributes to meeting those objectives
- the relative value of the grant sought.

## 9.1. Who will assess applications?

We will assess your application against the assessment criteria and compare it to other eligible applications before providing the outcomes of this assessment to a Committee.

The Committee, chaired by the Coordinator-General of the National Recovery and Resilience Agency, will include representatives from relevant Commonwealth departments and agencies. The Committee will assess the merits of each application and have regard to the geographical spread of proposed projects in the eligible LGAs. The Committee may also seek additional advice from independent technical experts as well as local knowledge through the engagement network of the National Recovery and Resilience Agency.

The Committee will recommend which projects to fund, ensuring that projects are clearly and directly related to community recovery or resilience from the 2019-20 bushfires and align with Commonwealth responsibilities.

We may ask external experts/advisors to inform the assessment process. Any expert/advisor, who is not a Commonwealth Official, will be required/expected to perform their duties in accordance with the CGRGs.

You cannot make any material alteration or addition to your application, but if the selection process identifies unintentional errors in your application, we may contact you to correct or clarify the errors.



 

### 9.2. Who will approve grants?

The Minister for Emergency Management decides which grants to approve taking into account the recommendations of the Committee and the availability of grant funds.

The Minister's decision is final in all matters, including:

- the grant approval
- the grant funding to be awarded
- any conditions attached to the offer of grant funding.

We cannot review decisions about the merits of your application.

The Minister will not approve funding if there are insufficient program funds available across relevant financial years for the program.

## 10. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific conditions attached to the grant.

If you are unsuccessful, we will give you an opportunity to discuss the outcome with us. We cannot however, review decisions about your application.

## 11. Successful grant applications

### 11.1. Grant agreement

If you are successful, you will be required to enter into a legally binding grant agreement with the Commonwealth. We use two types of grant agreements in this program. Our selection will depend on the size and complexity of your project. Each grant agreement has general terms and conditions that cannot be changed. Sample grant agreements are available on business.gov.au and GrantConnect.

We must execute a grant agreement with you before we can make any payments. Execute means both you and the Commonwealth have signed the agreement. You may elect to commence your project from the date we notify you that your application is successful. We are not responsible for any expenditure you incur until a grant agreement is executed. The Commonwealth will not be liable, and should not be held out as being liable, for any activities undertaken before the grant agreement is executed.

The approval of your grant may have specific conditions determined by the assessment process or other considerations made by the Minister. We will identify these in the offer of grant funding.

If you enter an agreement under the Black Summer Bushfire Recovery Grants, you cannot receive other grants from other Commonwealth, state or territory grant programs for the specific activities of this grant agreement.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

You will have 30 days from the date of a written offer to execute this grant agreement with the Commonwealth. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your application. We will review any required changes to these details to ensure they do not impact the project as approved by the Minister.

## 11.2. Project/Activity specific legislation, policies and industry standards

You must comply with all relevant laws and regulations in undertaking your project. You must also comply with the specific legislation/policies/industry standards that follow. It is a condition of the grant funding that you meet these requirements. We will include these requirements in your grant agreement.

### 11.2.1. Child Safety Requirements

You must comply with all relevant legislation relating to the employment or engagement of anyone working on the project that may interact with children, including all necessary working with children checks.

You must implement the National Principles for Child Safe Organisations[2] endorsed by the Commonwealth.

You will need to complete a risk assessment to identify the level of responsibility for children and the level of risk of harm or abuse, and put appropriate strategies in place to manage those risks. You must update this risk assessment at least annually.

You will also need to establish a training and compliance regime to ensure personnel are aware of, and comply with, the risk assessment requirements, relevant legislation including mandatory reporting requirements and the National Principles for Child Safe Organisations.

You will be required to provide an annual statement of compliance with these requirements in relation to working with children.

### 11.2.2. Building and construction requirements

Wherever the government funds building and construction activities, the following special regulatory requirements apply.

- *Code for the Tendering and Performance of Building Work 2016* (Building Code 2016) [3]
- Australian Government Building and Construction WHS Accreditation Scheme (WHS Scheme)[4]

These regulations are subject to the level of funding you receive as outlined below.

#### 11.2.2.1. Building Code

The Building Code is administered by relevant State and Territory administrations under relevant State or Territory legislation on behalf of the Australian Building and Construction Commission.[5]

The Building Code applies to all construction projects funded by the Australian Government through grants and other programs where:

- the value of Australian Government contribution to a project is at least $5 million and represents at least 50 per cent of the total construction project value; or

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[2] https://www.humanrights.gov.au/our-work/childrens-rights/national-principles-child-safe-organisations

[3] https://www.abcc.gov.au/building-code/building-code-2016

[4] http://www.fsc.gov.au/sites/fsc/needaccredited/accreditationscheme/pages/theaccreditationscheme

[5] https://www.abcc.gov.au/

- regardless of the proportion of Australian Government funding, where the Australian Government contribution to a project is $10 million or more.

#### 11.2.2.2. WHS Scheme

The WHS Scheme is administered by the Office of the Federal Safety Commissioner[6].

The Scheme applies to projects that are directly or indirectly funded by the Australian Government where:

- the value of the Australian Government contribution to the project is at least $6 million and represents at least 50 per cent of the total construction project value; or
- the Australian Government contribution to a project is $10 million (GST inclusive) or more, irrespective of the proportion of Australian Government funding; and
- a head contract under the project includes building work of $4 million or more (GST inclusive).

### 11.3. How we pay the grant

The grant agreement will state the:

- maximum grant amount we will pay
- proportion of eligible expenditure covered by the grant (grant percentage)
- any financial contribution provided by you or a third party.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

We will make payments according to an agreed schedule set out in the grant agreement.

Payments are subject to satisfactory progress on the project.

For grants over $50,000 or more, we set aside 10 per cent of the total grant funding for the final payment. We will pay this when you submit a satisfactory end of project report demonstrating you have completed outstanding obligations for the project. We may need to adjust your progress payments to align with available program funds across financial years and/or to ensure we retain a minimum 10 per cent of grant funding for the final payment.

### 11.4. Tax obligations

If you are registered for the Goods and Services Tax (GST), where applicable we will add GST to your grant payment and provide you with a recipient created tax invoice. You are required to notify us if your GST registration status changes during the project period. GST does not apply to grant payments to government related entities[7].

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the Australian Taxation Office. We do not provide advice on tax.

## 12. Announcement of grants

We will publish non-sensitive details of successful projects on GrantConnect within 21 calendar days after the date of effect. We are required to do this by the *Commonwealth Grants Rules and*

[6] http://www.fsc.gov.au/sites/FSC

[7] See Australian Taxation Office ruling GSTR 2012/2 available at ato.gov.au

Guidelines unless otherwise prohibited by law. We may also publish this information on business.gov.au. This information may include:

- name of your organisation
- title of the project
- description of the project and its aims
- amount of grant funding awarded
- Australian Business Number
- business location
- your organisation's industry sector.

# 13. How we monitor your grant activity

## 13.1. Keeping us informed

You should let us know if anything is likely to affect your project or organisation.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your project, carry on business and pay debts due.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

If you become aware of a breach of terms and conditions under the grant agreement you must contact us immediately.

You must notify us of events relating to your project and provide an opportunity for the Minister or their representative to attend.

## 13.2. Reporting

You must submit reports in line with the grant agreement. We will provide the requirements for these reports as appendices in the grant agreement. We will remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against agreed project milestones
- project expenditure, including expenditure of grant funds
- contributions of participants directly related to the project.

The amount of detail you provide in your reports should be relative to the project size, complexity and grant amount.

We will monitor the progress of your project by assessing reports you submit and may conduct site visits to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

### 13.2.1. Progress reports

Progress reports must:

- include details of your progress towards completion of agreed project activities
- show the total eligible expenditure incurred to date

- include evidence of expenditure
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant project activities).

We will only make grant payments when we receive satisfactory progress reports.

You must discuss any project or milestone reporting delays with us as soon as you become aware of them.

#### 13.2.2. End of project report

When you complete the project, you must submit an end of project report.

End of project reports must:

- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred for the project
- include a declaration that the grant money was spent in accordance with the grant agreement and to report on any underspends of the grant money
- be submitted by the report due date.

#### 13.2.3. Ad-hoc reports

We may ask you for ad-hoc reports on your project. This may be to provide an update on progress, or any significant delays or difficulties in completing the project.

### 13.3. Independent audits

We may ask you to provide an independent audit report. An audit report will verify that you spent the grant in accordance with the grant agreement. The audit report requires you to prepare a statement of grant income and expenditure. The financial acquittal report template is attached to the sample grant agreement available on business.gov.au and GrantConnect.

### 13.4. Compliance visits

We may visit you during the project period, or at the completion of your project to review your compliance with the grant agreement. We may also inspect the records you are required to keep under the grant agreement. For large or complex projects, we may visit you after you finish your project. We will provide you with reasonable notice of any compliance visit.

### 13.5. Grant agreement variations

We recognise that unexpected events may affect project progress. In these circumstances, you can request a variation to your grant agreement, including:

- changing project milestones
- extending the timeframe for completing the project up until 31 March 2024.
- changing project activities

The program does not allow for an increase of grant funds.

If you want to propose changes to the grant agreement, you must put them in writing before the grant agreement end date. We can provide you with a variation request template.

If a delay in the project causes milestone achievement and payment dates to move to a different financial year, you will need a variation to the grant agreement. We can only move funds between financial years if there is enough program funding in the relevant year to allow for the revised payment schedule. If we cannot move the funds, you may lose some grant funding.

You should not assume that a variation request will be successful. We will consider your request based on factors such as:

- how it affects the project outcome
- consistency with the program policy objective, grant opportunity guidelines and any relevant policies of the department
- changes to the timing of grant payments
- availability of program funds.

### 13.6. Evaluation

The National Recovery and Resilience Agency may use information from your application and project reports to evaluate the grant opportunity and to measure how well the outcomes and objectives have been achieved. They may also interview you, or ask you for more information to better understand how the grant assisted you and to evaluate how effective the program was in achieving its outcomes.

They may contact you up to two years after you finish your project for more information to assist with this evaluation.

### 13.7. Grant acknowledgement

If you make a public statement about a project funded under the program, including in a brochure or publication, you must acknowledge the grant by using the following:

'This project received grant funding from the Australian Government.'

If you erect signage in relation to the project, the signage must contain an acknowledgement of the grant.

## 14. Probity

We will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

### 14.1. Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program. There may be a conflict of interest, or perceived conflict of interest, if our staff, any member of a committee or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer or member of an external panel
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/ grant opportunity.

As part of your application, we will ask you to declare any perceived or existing conflicts of interests or confirm that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform us in writing immediately.

Conflicts of interest for Australian Government staff are handled as set out in the Australian Public Service Code of Conduct (Section 13(7))[8] of the *Public Service Act 1999* (Cth). Committee members and other officials including the decision maker must also declare any conflicts of interest.

We publish our conflict of interest policy[9] on the department's website. The Commonwealth policy entity also publishes a conflict of interest policy on its website.

## 14.2. How we use your information

Unless the information you provide to us is:

- confidential information as per 14.2.1, or
- personal information as per 14.2.3,

we may share the information with other government agencies for a relevant Commonwealth purpose such as:

- to improve the effective administration, monitoring and evaluation of Australian Government programs
- for research
- to announce the awarding of grants.

### 14.2.1. How we handle your confidential information

We will treat the information you give us as sensitive and therefore confidential if it meets all of the following conditions:

- you clearly identify the information as confidential and explain why we should treat it as confidential
- the information is commercially sensitive
- disclosing the information would cause unreasonable harm to you or someone else
- you provide the information with an understanding that it will stay confidential.

### 14.2.2. When we may disclose confidential information

We will not be in breach of any confidentiality agreement if the information is disclosed to:

- to the committee and other Commonwealth employees and contractors, to help us manage the program effectively
- employees and contractors of our department so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery
- other Commonwealth, state, territory or local government agencies in program reports and consultations
- to the Auditor-General, Ombudsman or Privacy Commissioner
- to the responsible Minister or Assistant Minister

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[8] https://www.legislation.gov.au/Details/C2019C00057

[9] https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/conflict-of-interest-and-insider-trading-policy.pdf?acsf_files_redirect

- to a House or a Committee of the Australian Parliament.

We may also disclose confidential information if

- we are required or authorised by law to disclose it
- you agree to the information being disclosed, or
- someone other than us has made the confidential information public.

The grant agreement may also include any specific requirements about special categories of information collected, created or held under the grant agreement.

### 14.2.3. How we use your personal information

We must treat your personal information according to the Australian Privacy Principles (APPs) and the *Privacy Act 1988* (Cth). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- to whom we give your personal information.

We may give the personal information we collect from you to our employees and contractors, the committee, and other Commonwealth employees and contractors, so we can:

- manage the program
- research, assess, monitor and analyse our programs and activities.

We, or the Minister, may:

- announce the names of successful applicants to the public
- publish personal information on the National Recovery and Resilience Agency's websites.

You may read our Privacy Policy[10] on the department's website for more information on:

- what is personal information
- how we collect, use, disclose and store your personal information
- how you can access and correct your personal information.

### 14.2.4. Freedom of information

All documents in the possession of the Australian Government, including those about the program, are subject to the *Freedom of Information Act 1982* (Cth) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

If someone requests a document under the FOI Act, we will release it (though we may need to consult with you and/or other parties first) unless it meets one of the exemptions set out in the FOI Act.

[10] https://www.industry.gov.au/data-and-publications/privacy-policy

## 14.3. Enquiries and feedback

For further information or clarification, you can contact us on 13 28 46 or by web chat or through our online enquiry form on business.gov.au.

We may publish answers to your questions on our website as Frequently Asked Questions.

Our Customer Service Charter is available at business.gov.au. We use customer satisfaction surveys to improve our business operations and service.

If you have a complaint, call us on 13 28 46. We will refer your complaint to the appropriate manager.

If you are not satisfied with the way we handle your complaint, you can contact:

Chief Finance Officer

Department of Industry, Science, Energy and Resources

GPO Box 2013
CANBERRA ACT 2601

You can also contact the Commonwealth Ombudsman[11] with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

[11] http://www.ombudsman.gov.au/

# 15. Glossary

| Term | Definition |
|---|---|
| Administering entity | When an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes. |
| Affected or eligible LGA | Disaster-declared Local Government Areas activated by the Australian and relevant State or Territory Government for Disaster Recovery Funding Arrangements (DRFA) assistance as a result of the 2019-20 bushfires. For the avoidance of doubt, these are provided at Appendix A. |
| Assessment criteria | Are the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings. |
| CGRGs | Commonwealth Grants Rules and Guidelines |
| Commencement date | The expected start date for the grant activity. |
| Completion date | The expected date that the grant activity must be completed and the grant spent by. |
| Committee | The body established by the Department to consider and assess eligible applications and make recommendations to the Minister for funding under the program. |
| Date of effect | Can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable. |
| Department | The Department of Industry, Science, Energy and Resources |
| DRFA | Disaster Recovery Funding Arrangements |
| Eligibility criteria | Refer to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria. |
| Eligible activities | The activities undertaken by a grantee in relation to a project that are eligible for funding support as set out in 6.1, 6.2 and 6.3. |
| Eligible application | An application for grant funding under the program that the Program Delegate has determined is eligible for assessment in accordance with these guidelines. |
| Eligible expenditure | The expenditure incurred by a grantee on a project and which is eligible for funding support as set out in 6.4.2. |

| Term | Definition |
|---|---|
| Grant agreement | A legally binding contract between the Commonwealth and a grantee for the grant funding. |
| grant activity/activities | Refers to the project/tasks/services that the grantee is required to undertake. |
| Grant funding or grant funds | The funding made available by the Commonwealth to grantees under the program. |
| GrantConnect | The Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the Commonwealth Grants Rules and Guidelines. |
| Grantee | The recipient of grant funding under a grant agreement. |
| Guidelines | Guidelines that the Minister gives to the department to provide the framework for the administration of the program, as in force from time to time. |
| Local Government Area (LGA) | For the purposes of the program, eligible Local Government Areas are those listed in Appendix A of the grant opportunity guidelines. |
| Local government agency or body | A local governing body as defined in the *Local Government (Financial Assistance) Act 1995* (Cth), such as a Council. |
| Minister or Minister for Emergency Management | Minister for Agriculture, Drought and Emergency Management |
| National Recovery and Resilience Agency | Established in 2021 to provide strategic leadership and coordination for Commonwealth supported recovery and resilience of communities affected by natural disasters. |
| Personal information | Has the same meaning as in the *Privacy Act 1988* (Cth) which is:<br><br>Information or an opinion about an identified individual, or an individual who is reasonably identifiable:<br>a. whether the information or opinion is true or not; and<br>b. whether the information or opinion is recorded in a material form or not. |
| Program Delegate | A manager within the department with responsibility for the program. |
| Program funding or Program funds | The funding made available by the Commonwealth for the program. |
| Project | A project described in an application for grant funding under the program. |

# Appendix A. Eligible Local Government Areas (LGAs)

## Category 1

| State | LGA | Category |
|---|---|---|
| ACT | ACT unincorporated[12] | 1 |
| NSW | Armidale | 1 |
| NSW | Bega Valley | 1 |
| NSW | Blue Mountains | 1 |
| NSW | Clarence Valley | 1 |
| NSW | Eurobodalla | 1 |
| NSW | Glen Innes | 1 |
| NSW | Hawkesbury | 1 |
| NSW | Kempsey | 1 |
| NSW | Lithgow | 1 |
| NSW | Mid Coast | 1 |
| NSW | Nambucca | 1 |
| NSW | Port Macquarie-Hastings | 1 |
| NSW | Queanbeyan-Palerang | 1 |
| NSW | Richmond Valley | 1 |
| NSW | Shoalhaven | 1 |
| NSW | Snowy Monaro | 1 |
| NSW | Snowy Valleys | 1 |
| NSW | Tenterfield | 1 |
| NSW | Wollondilly | 1 |
| QLD | Livingstone | 1 |
| QLD | Lockyer Valley | 1 |
| QLD | Scenic Rim | 1 |
| QLD | Somerset | 1 |
| QLD | Southern Downs | 1 |
| SA | Kangaroo Island | 1 |

[12] ACT has been deemed Category 1 to recognise the different governance arrangements in place in the ACT, without distinct local councils, as well as the impact of the 2019-20 bushfires.



 

| State | LGA | Category |
|---|---|---|
| VIC | Alpine | 1 |
| VIC | East Gippsland | 1 |
| VIC | Indigo | 1 |
| VIC | Mansfield | 1 |
| VIC | Towong | 1 |
| VIC | Wangaratta | 1 |
| VIC | Wellington | 1 |
| VIC | Wodonga | 1 |

# Eligible Local Government Areas (LGAs) Category 2

| State | LGA | Category |
|---|---|---|
| NSW | Ballina | 2 |
| NSW | Bellingen | 2 |
| NSW | Byron | 2 |
| NSW | Central Coast | 2 |
| NSW | Cessnock | 2 |
| NSW | Coffs Harbour | 2 |
| NSW | Cootamundra-Gundagai | 2 |
| NSW | Dungog | 2 |
| NSW | Goulburn-Mulwaree | 2 |
| NSW | Greater Hume | 2 |
| NSW | Gwydir | 2 |
| NSW | Inverell | 2 |
| NSW | Ku-ring-gai | 2 |
| NSW | Kyogle | 2 |
| NSW | Lake Macquarie | 2 |
| NSW | Lismore | 2 |
| NSW | Mid Western | 2 |
| NSW | Muswellbrook | 2 |
| NSW | Narrabri | 2 |

| State | LGA | Category |
|---|---|---|
| NSW | Oberon | 2 |
| NSW | Penrith | 2 |
| NSW | Singleton | 2 |
| NSW | Sutherland Shire | 2 |
| NSW | Tamworth | 2 |
| NSW | Tweed | 2 |
| NSW | Upper Hunter | 2 |
| NSW | Upper Lachlan | 2 |
| NSW | Uralla | 2 |
| NSW | Wagga Wagga | 2 |
| NSW | Walcha | 2 |
| NSW | Wingecarribee | 2 |
| QLD | Brisbane | 2 |
| QLD | Bundaberg | 2 |
| QLD | Cook | 2 |
| QLD | Fraser Coast | 2 |
| QLD | Gladstone | 2 |
| QLD | Gold Coast | 2 |
| QLD | Gympie | 2 |
| QLD | Ipswich City | 2 |
| QLD | Mareeba Shire | 2 |
| QLD | Noosa Shire | 2 |
| QLD | North Burnett | 2 |
| QLD | Redland | 2 |
| QLD | Rockhampton | 2 |
| QLD | South Burnett | 2 |
| QLD | Sunshine Coast | 2 |
| QLD | Toowoomba | 2 |
| QLD | Townsville | 2 |
| QLD | Whitsunday | 2 |
| SA | Adelaide Hills | 2 |

| State | LGA | Category |
|---|---|---|
| SA | Lower Eyre Peninsula | 2 |
| SA | Mid Murray | 2 |
| SA | Mount Barker | 2 |
| SA | Murray Bridge | 2 |
| SA | Playford | 2 |
| SA | Southern Mallee | 2 |
| SA | The Coorong | 2 |
| SA | Yorke Peninsula | 2 |
| SA | Kingston | 2 |
| TAS | Break O'Day | 2 |
| TAS | Central Highlands | 2 |
| TAS | Flinders | 2 |
| TAS | Glamorgan/Spring Bay | 2 |
| TAS | Southern Midlands | 2 |
| VIC | Alpine Resorts (including the Falls Creek, Mount Hotham, Mount Buller and Mount Stirling alpine resort areas only) | 2 |
| VIC | Ararat | 2 |
| VIC | Ballarat | 2 |
| VIC | Campaspe | 2 |
| VIC | Glenelg | 2 |
| VIC | Golden Plains | 2 |
| VIC | Greater Bendigo | 2 |
| VIC | Moyne | 2 |
| VIC | Northern Grampians | 2 |
| VIC | Pyrenees | 2 |
| VIC | Southern Grampians | 2 |
| VIC | Strathbogie | 2 |

# Appendix B. Eligible Projects

Your project must satisfy one or more of the following criteria in order to receive funding:

- **Urgent recovery projects -** your project may be eligible for funding if it addresses an immediate recovery need that:
  - remains unmet
  - needs to be addressed on an urgent basis
  - results directly from the 2019-20 bushfires.

  For example, your project might involve:
  - making urgent repairs to, or replacing, community utilities or infrastructure damaged or destroyed in the bushfires
  - giving urgent assistance to members of the community who continue to suffer the effects of having been displaced by the bushfires.

  If your project addresses a need that is not sufficiently urgent to qualify under this criterion, you might still be able to rely on another of the criteria listed below. These criteria can support projects with a lesser degree of urgency
- **Projects undertaken in the Australian Capital Territory** - your project may be eligible for funding if it involves bushfire recovery or resilience activities that will be carried out wholly in the Australian Capital Territory.
- **Projects run by local councils** - your project may be eligible for funding if you are local governing body established by or under a law of a State (other than a body whose sole or principal function is to provide a particular service, such as the supply of electricity or water).
- **Projects for the benefit of Indigenous people or communities** - your project may be eligible for funding if it is to be conducted for the benefit of Indigenous people or communities. For instance, your project might:
  - provide employment opportunities specifically to Indigenous Australians, or
  - restore Indigenous cultural sites that were damaged by the bushfires.

  The project must be specifically and predominantly for the benefit of Indigenous people or communities. It is not enough that Indigenous people or communities might benefit from the project in common with others.
- **Projects that protect or promote interstate and overseas trade and commerce** - your project may be eligible for funding if it will protect, foster or encourage:
  - trade or commerce between Australia and places outside Australia
  - trade or commerce between the states, or
  - trade or commerce between a state or territory, or between two territories.

  For example, this might involve:
  - measures designed to revive tourism to affected areas - eg, by building an attraction, hosting an event or upgrading existing tourist facilities in affected areas, so as to attract tourism from other states, territories or countries
  - projects to rebuild infrastructure that facilitates trade and commerce between the affected area and other states, territories or countries

- projects to assist businesses located in affected areas to preserve or expand their trading operations with other states, territories or countries with so as to bolster employment in the affected area.

This does not extend to projects that focus on trade and commerce within a single state. Your project could only be funded under this criterion if it is directed predominantly at a kind of trade or commence outlined above.

- **Projects that are delivered through a relevant communications service** - your project may be eligible for funding if it will be delivered online or by telephone. For instance, this might involve delivering online financial counselling or business advisory services to local businesses affected by the bushfires.
- **Projects that enhance the cultural life of the community** - your project may be eligible for funding if it will help fire-affected individuals or communities to participate in cultural life. This could, for instance, include projects to facilitate community participation in sporting, musical or artistic workshops or events that will restore community morale and cohesion following the 2019-20 bushfires.
- **Projects that preserve or increase employment** - your project may be eligible for funding if it will help to preserve or boost employment in fire-affected communities. This might, for instance, involve:
  - providing training to people who have lost their jobs as a result of the fires to assist them to gain new employment
  - undertaking activities designed to generate employment in affected LGA communities, or that help existing businesses to generate employment.
- **Projects that help to mitigate climate-related risk and damage** - your project may be eligible for funding if it will help the community to adapt to bushfire risks induced by climate change - that is, to address issues or manage risks that the community faces as a result of any enhanced bushfire risk resulting from climate change. This might, for instance, include projects to increase the bushfire resilience of infrastructure, or to strengthen the capacity of the local economy to survive the disruptions caused by bushfires.
- **Projects that address the health impacts of the bushfires** - your project may be eligible for funding if is designed to treat, prevent or manage the mental or physical health impacts of the bushfires. This could, for instance, include projects to provide counselling to people who have, or are at risk of developing, mental health issues in the aftermath of the bushfires.
- **Projects that involve meteorological observations or statistical collection and analysis** - your project may be eligible for funding if it centres on:
  - the making of meteorological observations, or
  - statistical collection and analysis.

  This might, for instance, include:
  - the design of early warning or risk-monitoring systems for the community in respect of bushfire risks arising from extreme weather conditions
  - research into bushfire recovery that revolves around statistical collection and analysis.
- **Projects relating to insurance** - your project may be eligible for funding if it will assist with the insurance of bushfire-related risks. Specifically:



 

- your project would need to involve mitigation or resilience activities that will reduce the risk of bushfire damage in the community (eg, by increasing the bushfire resilience of community infrastructure)
- your application would need to be accompanied by a clear and verifiable commitment from the insurer that the project would improve insurance affordability (ie, that the insurer would lower a premium or otherwise reduce the cost of the insurance if the project were completed), and
- the relevant insurance must not be insurance provided by the state (including a business owned or controlled by the state).

# Grant Opportunity Guidelines self-assessment risk analysis

**Name of policy entity**

National Recovery and Resilience Agency

**Name of program**

Black Summer Bushfire Recovery Grants Program

**Summary of program**

Include program objectives and the relevant entity outcome it contributes to.

The program contributes to the National Recovery and Resilience Agency's Outcome 1 measure.

The objective of this grant opportunity is to support the recovery efforts of communities in eligible Local Government Areas (LGAs) affected by the 2019-20 bushfires and enables them to apply for projects that addresses community recovery needs within their own timeframes.

The Australian Government will directly fund successful applicants to conduct a range of projects designed to support the social and economic recovery, and restoration of the built environment in those communities.

The objectives of the grant opportunity are to:

- support recovery and resilience of communities impacted by the 2019-20 bushfires, and
- build stronger communities by supporting social, economic and built environment recovery.

The intended outcomes of the grant opportunity are to:

- empower local communities to address bushfire recovery priorities, including through creation of jobs, sustainable infrastructure and community investment targeted at the specific needs of the community, and
- rebuild and grow the economy of the local communities impacted by the bushfires.

The Black Summer Bushfire Recovery Grants program will complement and build on bushfire recovery activities implemented by communities since the 2019-20 bushfires, including projects supported through Local Economic Recovery funding.

**Total cost of program and cost over the Budget and forward estimates**

Approximately $275 million from 2021-22 to 2023-24

Noting the budget figure is $280 million but this includes administration costs.

**Policy authority for program**

Include the legislative basis for the expenditure under the program. Include reference number/s of relevant approval minutes/briefs.

s34(3)

The authority to expend the grant will be provided under the Schedule 1AB to the *Financial Framework (Supplementary Powers) Regulations 1997* with the expanded activities regarding bushfire resilience :

To support:

(a) the short to medium-term recovery needs of communities affected by the 2019-2020 bushfire emergency; and

(b) initiatives to increase the resilience of such communities against future bushfires.

This objective has the effect it would have if it were limited to measures:

(a) that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation; or

(b) undertaken in, or in relation to, a Territory; or

(c) with respect to trade and commerce with other countries, or among the States and Territories; or

(d) with respect to postal, telegraphic, telephonic or other like services within the meaning of paragraph 51(v) of the Constitution; or

(e) with respect to the people of any race for whom it is deemed necessary to make special laws; or

(f) providing, or incidental to the provision of, pharmaceutical benefits, sickness benefits and medical services (within the meaning of paragraph 51(xxiiiA) of the Constitution); or

(g) with respect to implementing any of Australia's international obligations under the Covenant on Economic, Social and Cultural Rights, particularly articles 2 and 12(2); or

(h) with respect to statistics; or

(i) with respect to meteorological observations; or

(j) with respect to insurance, other than State insurance (within the meaning of paragraph 51(xiv) of the Constitution).

**This is currently being drafted and will be registered before any approvals are sought.**

**Other relevant information**

s42

s42

[redacted]

s42

[redacted]

AGS advice can be provided.

# 1. Discussion of key issues and implementation risks

Provide details on the areas assessed for risk and on any identified risks or sensitivities arising from this assessment.

Use additional headings or supporting data, including attachments, as necessary.

**Implementation risks**

The program involves providing grants to a wide variety of entities and projects and is therefore considered to be high risk in relation to its reliance on linking to the 2019-20 Bushfires. As such the following key considerations have been made in designing the Black Summer Bushfire Recovery guidelines:

A strong link must be made to the 2019-20 bushfires and its recovery. Applications must offer a strong case for funding and be identified as affected by the fires in terms of location and its effects. Recovery activities must therefore present this link and address the need in the community.

AGS has provided content for the guidelines to ensure that the project activities are covered under a constitutional head of power. See Appendix B of the Guidelines.

Key implementation risks considered during program design include:

- LGA areas affected by the 2019-20 bushfires clearly identified in the guidelines appendices
- LGA categories identified to support areas most affected with a greater need
- program activities supported under legislation clearly identified in the program guidelines to mitigate projects being considered particularly vulnerable
- consideration given to the 'burden of applicants' applying to the program and the level of documentation required
- failure to implement the program with the tight timeframes, including reputational risk to the department
- high value projects cannot be funded due to all LGAs having meritorious applications up to their minimum funding envelope

# 2. Risk assessment

On balance, do you assess the program as being of low, medium or high risk? Summarise the reasons for your assessment below.

We consider overall program risk as **high**.

s42

# 3. Risk management

Any mitigation strategies for addressing particular risks should be mentioned here.

RISK: Program activities are not related to the 2019-20 bushfires

MITIGATION:

- The guidelines assert that project must support the recovery from the 2019-20 bushfires and in an identified bushfire affected area. This will be managed through eligibility.

RISK: Program activities are not located in an eligible area affected by the 2019-20 bushfires

MITIGATION:

- Eligible projects must be in an eligible bushfire affected area and the Local Government Areas are listed in the Appendix of the Guidelines. This will be managed through eligibility.

RISK: Projects funded cannot be supported under a constitutional head of power and therefore present a constitutional risk to the program.

MITIGATION:

- s42 [redacted] The guidelines have been designed to include eligible activities under these powers. This is also outlined in the Guidelines in Appendix B.

RISK: Applicants are fatigued through apply for grants

- The application form has been designed to simplify the application process, including applicants have to response to two assessment criterion and providing third party assistance.

RISK: Failure to implement the program with the tight timeframes, including reputational risk to the department

MITIGATION:

- The Business Grants Hub has proven experience delivering similar programs with established program management, delivery and governance arrangements in place. A senior responsible officer at the general manager level has been identified as the officer responsible for program implementation which will ensure any implementation issues are quickly identified and resolved.

RISK: High value projects cannot be funded due to all LGAs having meritorious applications up to their minimum funding envelope.

MITIGATION:

- The guidelines clearly state that the grant amount will be up to 100 per cent of eligible project expenditure and that projects may not receive the full grant amount requested. This will be managed through the assessment process.

# The Hon. David Littleproud MP

**Minister for Agriculture, Drought and Emergency Management**
**Deputy Leader of the Nationals**
**Federal Member for Maranoa**

Ref No: MS21-000121

Mr Andrew Barr MLA
Chief Minister of the Australian Capital Territory
GPO Box 1020
CANBERRA ACT 2601

21 JUN 2021

Dear Chief Minister

I write to provide an update on the Australian Government's establishment of the $280 million 2019-20 Black Summer Bushfire Recovery Grants program.

In my letter to you of 8 April 2021, I committed to providing more information about the new grants program once details were finalised. As previously advised, funding will be available under this grants program to Local Government Areas (LGAs) which were disaster-declared as a result of the 2019-20 Black Summer Bushfires. These LGAs are located in Queensland, New South Wales, the Australian Capital Territory, Victoria, South Australia and Tasmania. Grants under the program can range from $20,000 to $10 million over a three-year period, from 2021-22 to 2023-24.

To help ensure an equitable distribution of funding to meritorious projects across bushfire impacted areas, eligible LGAs have been assigned to one of two categories based on the impact of the bushfires. Each category has been allocated the following funding envelope:

- Category 1: up to $4.5 million per LGA
- Category 2: up to $1.6 million per LGA

The proposed allocation will help to ensure equity between applicants and eligible LGAs as well as geographical spread from an order of project merit ranking. The highest ranked project(s) in each LGA will be recommended for funding until the funding envelope is reached. If meritorious projects within an LGA do not reach the funding envelope, unallocated funding will be pooled. Remaining meritorious projects will be recommended for funding from the pool in order of ranking until grant funds are exhausted. This could include additional funding for meritorious projects located in another LGA, up to the maximum grant value of $10 million.

Building on advice from state/territory governments and further analysis of equity and need in bushfire impacted LGAs, and in recognition of the governance arrangements in place in the ACT (without distinct local councils), the unincorporated ACT LGA has been allocated to Category 1.

Parliament House, Canberra ACT 2600 Telephone: 02 6277 7190 Email: Minister.Littleproud@awe.gov.au

The guidelines for the new grants program are on track for public release on 1 July 2021. I welcome your commitment to community recovery from the Black Summer bushfires, and seek your support to ensure that bushfire affected communities are well placed to propose a strong field of meritorious projects for support.

I have copied this letter to the Prime Minister, the Hon Scott Morrison MP, the Minister for Finance, Senator the Hon Simon Birmingham, the Treasurer, the Hon Josh Frydenberg MP, and the ACT Minister for Police and Emergency Services, Mr Mick Gentleman MLA.

Yours sincerely

s22 [redacted]

**DAVID LITTLEPROUD MP**

The Hon. David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Deputy Leader of the Nationals
Federal Member for Maranoa

Ref No: MS21-000121

The Hon Peter Gutwein MP
Premier of Tasmania
GPO Box 123
HOBART TAS 7001

21 JUN 2021

Dear Premier

I write to provide an update on the Australian Government's establishment of the $280 million 2019-20 Black Summer Bushfire Recovery Grants program.

In my letter to you of 8 April 2021, I committed to providing more information about the new grants program once details were finalised. As previously advised, funding will be available under this grants program to Local Government Areas (LGAs) which were disaster-declared as a result of the 2019-20 Black Summer Bushfires. These LGAs are located in Queensland, New South Wales, the Australian Capital Territory, Victoria, South Australia and Tasmania. Grants under the program can range from $20,000 to $10 million over a three-year period, from 2021-22 to 2023-24.

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Building on advice from state/territory governments and further analysis of equity and need in bushfire impacted LGAs, the allocation of eligible LGAs in Tasmania is provided at Attachment A

Parliament House, Canberra ACT 2600 Telephone: 02 6277 7190 Email: Minister.Littleproud@awe.gov.au

The guidelines for the new grants program are on track for public release on 1 July 2021. I welcome your commitment to community recovery from the Black Summer bushfires, and seek your support to ensure that bushfire affected communities are well placed to propose a strong field of meritorious projects for support.

I have copied this letter to the Prime Minister, the Hon Scott Morrison MP, the Minister for Finance, Senator the Hon Simon Birmingham, and the Treasurer, the Hon Josh Frydenberg MP.

Yours sincerely

s22

[redacted]

**DAVID LITTLEPROUD MP**

## Attachment A – Tasmania LGA allocation

### Category 2

| State | LGA | Category |
|---|---|---|
| TAS | Break O'Day | 2 |
| TAS | Central Highlands | 2 |
| TAS | Flinders | 2 |
| TAS | Glamorgan/Spring Bay | 2 |
| TAS | Southern Midlands | 2 |

# The Hon. David Littleproud MP

**Minister for Agriculture, Drought and Emergency Management**
**Deputy Leader of the Nationals**
**Federal Member for Maranoa**

Ref No: MS21-000121

The Hon Steven Marshall MP
Premier of South Australia
GPO Box 2343
ADELAIDE SA 5001

21 JUN 2021

Dear Premier

I write to provide an update on the Australian Government's establishment of the $280 million 2019-20 Black Summer Bushfire Recovery Grants program.

In my letter to you of 8 April 2021, I committed to providing more information about the new grants program once details were finalised. As previously advised, funding will be available under the grants program to Local Government Areas (LGAs) which were disaster-declared as a result of the 2019-20 Black Summer Bushfires. These LGAs are located in Queensland, New South Wales, the Australian Capital Territory, Victoria, South Australia and Tasmania. Grants under the program can range from $20,000 to $10 million over a three-year period, from 2021-22 to 2023-24.

To help ensure an equitable distribution of funding to meritorious projects across bushfire impacted areas, eligible LGAs have been assigned to one of two categories based on the impact of the bushfires. Each category has been allocated the following funding envelope:

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Building on advice from state/territory governments and further analysis of equity and need in bushfire impacted LGAs, the allocation of eligible LGAs in South Australia is provided at Attachment A.

**Parliament House, Canberra ACT 2600 Telephone: 02 6277 7190 Email: Minister.Littleproud@awe.gov.au**

The guidelines for the new grants program are on track for public release on 1 July 2021. I welcome your commitment to community recovery from the Black Summer bushfires, and seek your support to ensure that bushfire affected communities are well placed to propose a strong field of meritorious projects for support.

I have copied this letter to the Prime Minister, the Hon Scott Morrison MP, the Minister for Finance, Senator the Hon Simon Birmingham, and the Treasurer, the Hon Josh Frydenberg MP.

Yours sincerely

s22 [redacted]

**DAVID LITTLEPROUD MP**

## Attachment A – South Australia LGA allocation

### Category 1

| State | LGA | Category |
|---|---|---|
| SA | Kangaroo Island | 1 |

### Category 2

| State | LGA | Category |
|---|---|---|
| SA | Adelaide Hills | 2 |
| SA | Lower Eyre Peninsula | 2 |
| SA | Mid Murray | 2 |
| SA | Mount Barker | 2 |
| SA | Murray Bridge | 2 |
| SA | Playford | 2 |
| SA | Southern Mallee | 2 |
| SA | The Coorong | 2 |
| SA | Yorke Peninsula | 2 |
| SA | Kingston | 2 |

# The Hon. David Littleproud MP

**Minister for Agriculture, Drought and Emergency Management**
**Deputy Leader of the Nationals**
**Federal Member for Maranoa**

Ref No: MS21-000121

The Hon Annastacia Palaszczuk MP
Premier of Queensland
PO Box 15185
CITY EAST QLD 4002

21 JUN 2021

Dear Premier

I write to provide an update on the Australian Government's establishment of the $280 million 2019-20 Black Summer Bushfire Recovery Grants program.

In my letter to you of 8 April 2021, I committed to providing more information about the new grants program once details were finalised. As previously advised, funding will be available under this grants program to Local Government Areas (LGAs) which were disaster-declared as a result of the 2019-20 Black Summer Bushfires. These LGAs are located in Queensland, New South Wales, the Australian Capital Territory, Victoria, South Australia and Tasmania. Grants under the program can range from $20,000 to $10 million over a three-year period, from 2021-22 to 2023-24.

To help ensure an equitable distribution of funding to meritorious projects across bushfire impacted areas, eligible LGAs have been assigned to one of two categories based on the impact of the bushfires. Each category has been allocated the following funding envelope:

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Building on advice from state/territory governments and further analysis of equity and need in bushfire impacted LGAs, the allocation of eligible LGAs in Queensland is provided at Attachment A.

Parliament House, Canberra ACT 2600 Telephone: 02 6277 7190 Email: Minister.Littleproud@awe.gov.au

The guidelines for the new grants program are on track for public release on 1 July 2021. I welcome your commitment to community recovery from the Black Summer bushfires, and seek your support to ensure that bushfire affected communities are well placed to propose a strong field of meritorious projects for support.

I have copied this letter to the Prime Minister, the Hon Scott Morrison MP, the Minister for Finance, Senator the Hon Simon Birmingham, the Treasurer, the Hon Josh Frydenberg MP, as well as the Queensland Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning, the Hon Dr Steven Miles MP.

Yours sincerely

s22 [redacted]

**DAVID LITTLEPROUD MP**

## Attachment A – Queensland LGA allocation

### Category 1

| State | LGA | Category |
|---|---|---|
| QLD | Livingstone | 1 |
| QLD | Lockyer Valley | 1 |
| QLD | Scenic Rim | 1 |
| QLD | Somerset | 1 |
| QLD | Southern Downs | 1 |

### Category 2

| State | LGA | Category |
|---|---|---|
| QLD | Brisbane | 2 |
| QLD | Bundaberg | 2 |
| QLD | Cook | 2 |
| QLD | Fraser Coast | 2 |
| QLD | Gladstone | 2 |
| QLD | Gold Coast | 2 |
| QLD | Gympie | 2 |
| QLD | Ipswich City | 2 |
| QLD | Mareeba Shire | 2 |
| QLD | Noosa Shire | 2 |
| QLD | North Burnett | 2 |
| QLD | Redland | 2 |
| QLD | Rockhampton | 2 |
| QLD | South Burnett | 2 |
| QLD | Sunshine Coast | 2 |
| QLD | Toowoomba | 2 |
| QLD | Townsville | 2 |
| QLD | Whitsunday | 2 |

# The Hon. David Littleproud MP

**Minister for Agriculture, Drought and Emergency Management**
**Deputy Leader of the Nationals**
**Federal Member for Maranoa**

Ref No: MS21-000121

The Hon James Merlino MP
Acting Premier of Victoria
1 Treasury Place
SALE VIC 3853

21 JUN 2021

Dear Acting Premier

I write to provide an update on the Australian Government's establishment of the $280 million 2019-20 Black Summer Bushfire Recovery Grants program.

In my letter to you of 8 April 2021, I committed to providing more information about the new grants program once details were finalised. As previously advised, funding will be available under this grants program to Local Government Areas (LGAs) which were disaster-declared as a result of the 2019-20 Black Summer Bushfires. These LGAs are located in Queensland, New South Wales, the Australian Capital Territory, Victoria, South Australia and Tasmania. Grants under the program can range from $20,000 to $10 million over a three-year period, from 2021-22 to 2023-24.

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Building on advice from state/territory governments and further analysis of equity and need in bushfire impacted LGAs, the allocation of eligible LGAs in Victoria is provided at Attachment A.

Parliament House, Canberra ACT 2600 Telephone: 02 6277 7190 Email: Minister.Littleproud@awe.gov.au

The guidelines for the new grants program are on track for public release on 1 July 2021. I welcome your commitment to community recovery from the Black Summer bushfires, and seek your support to ensure that bushfire affected communities are well placed to propose a strong field of meritorious projects for support.

I have copied this letter to the Prime Minister, the Hon Scott Morrison MP, the Minister for Finance, Senator the Hon Simon Birmingham, the Treasurer, the Hon Josh Frydenberg MP, and the Victorian Minister for Police and Emergency Services, the Hon Lisa Neville MP.

Yours sincerely

s22 [redacted]

**DAVID LITTLEPROUD MP**

## Attachment A – Victoria LGA allocation

### Category 1

| State | LGA | Category |
|---|---|---|
| VIC | Alpine | 1 |
| VIC | East Gippsland | 1 |
| VIC | Indigo | 1 |
| VIC | Mansfield | 1 |
| VIC | Towong | 1 |
| VIC | Wangaratta | 1 |
| VIC | Wellington | 1 |
| VIC | Wodonga | 1 |

### Category 2

| State | LGA | Category |
|---|---|---|
| VIC | Alpine Resorts (including the Falls Creek, Mount Hotham, Mount Buller and Mount Stirling alpine resort areas only) | 2 |
| VIC | Ararat | 2 |
| VIC | Ballarat | 2 |
| VIC | Campaspe | 2 |
| VIC | Glenelg | 2 |
| VIC | Golden Plains | 2 |
| VIC | Greater Bendigo | 2 |
| VIC | Moyne | 2 |
| VIC | Northern Grampians | 2 |
| VIC | Pyrenees | 2 |
| VIC | Southern Grampians | 2 |
| VIC | Strathbogie | 2 |

# The Hon. David Littleproud MP

**Minister for Agriculture, Drought and Emergency Management**
**Deputy Leader of the Nationals**
**Federal Member for Maranoa**

Ref No: MS21-000121

The Hon Gladys Berejiklian MP
Premier of New South Wales
GPO Box 5431
SYDNEY NSW 2001

21 JUN 2021

Dear Premier

I write to provide an update on the Australian Government's establishment of the $280 million 2019-20 Black Summer Bushfire Recovery Grants program.

In my letter to you of 8 April 2021, I committed to providing more information about the new grants program once details were finalised. As previously advised, funding will be available under this grants program to Local Government Areas (LGAs) which were disaster-declared as a result of the 2019-20 Black Summer Bushfires. These LGAs are located in Queensland, New South Wales, the Australian Capital Territory, Victoria, South Australia and Tasmania. Grants under the program can range from $20,000 to $10 million over a three-year period, from 2021-22 to 2023-24.

To help ensure an equitable distribution of funding to meritorious projects across bushfire impacted areas, eligible LGAs have been assigned to one of two categories based on the impact of the bushfires. Each category has been allocated the following funding envelope:

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Building on advice from state/territory governments and further analysis of equity and need in bushfire impacted LGAs, the allocation of eligible LGAs in New South Wales is provided at Attachment A

Parliament House, Canberra ACT 2600 Telephone: 02 6277 7190 Email: Minister.Littleproud@awe.gov.au

The guidelines for the new grants program are on track for public release on 1 July 2021. I welcome your commitment to community recovery from the Black Summer bushfires, and seek your support to ensure that bushfire affected communities are well placed to propose a strong field of meritorious projects for support.

I have copied this letter to the Prime Minister, the Hon Scott Morrison MP, the Minister for Finance, Senator the Hon Simon Birmingham, the Treasurer, the Hon Josh Frydenberg MP, and the New South Wales Deputy Premier and Minister responsible for Disaster Recovery, the Hon John Barilaro MP.

Yours sincerely

s22 [redacted]

**DAVID LITTLEPROUD MP**

## Attachment A – New South Wales LGA allocation

### Category 1

| State | LGA | Category |
|---|---|---|
| NSW | Armidale | 1 |
| NSW | Bega Valley | 1 |
| NSW | Blue Mountains | 1 |
| NSW | Clarence Valley | 1 |
| NSW | Eurobodalla | 1 |
| NSW | Glen Innes | 1 |
| NSW | Hawkesbury | 1 |
| NSW | Kempsey | 1 |
| NSW | Lithgow | 1 |
| NSW | Mid Coast | 1 |
| NSW | Nambucca | 1 |
| NSW | Port Macquarie-Hastings | 1 |
| NSW | Queanbeyan-Palerang | 1 |
| NSW | Richmond Valley | 1 |
| NSW | Shoalhaven | 1 |
| NSW | Snowy Monaro | 1 |
| NSW | Snowy Valleys | 1 |
| NSW | Tenterfield | 1 |
| NSW | Wollondilly | 1 |

### Category 2

| State | LGA | Category |
|---|---|---|
| NSW | Ballina | 2 |
| NSW | Bellingen | 2 |
| NSW | Byron | 2 |
| NSW | Central Coast | 2 |
| NSW | Cessnock | 2 |
| NSW | Coffs Harbour | 2 |
| NSW | Cootamundra-Gundagai | 2 |
| NSW | Dungog | 2 |
| NSW | Goulburn-Mulwaree | 2 |

| State | LGA | Category |
|---|---|---|
| NSW | Greater Hume | 2 |
| NSW | Gwydir | 2 |
| NSW | Inverell | 2 |
| NSW | Ku-ring-gai | 2 |
| NSW | Kyogle | 2 |
| NSW | Lake Macquarie | 2 |
| NSW | Lismore | 2 |
| NSW | Mid Western | 2 |
| NSW | Muswellbrook | 2 |
| NSW | Narrabri | 2 |
| NSW | Oberon | 2 |
| NSW | Penrith | 2 |
| NSW | Singleton | 2 |
| NSW | Sutherland Shire | 2 |
| NSW | Tamworth | 2 |
| NSW | Tweed | 2 |
| NSW | Upper Hunter | 2 |
| NSW | Upper Lachlan | 2 |
| NSW | Uralla | 2 |
| NSW | Wagga Wagga | 2 |
| NSW | Walcha | 2 |
| NSW | Wingecarribee | 2 |

# ATTACHMENT E - LGA ALLOCATION TO CATEGORIES







A funding envelope has been allocated to each eligible LGA to ensure all LGAs have the opportunity to receive funding for meritorious applications. Each eligible LGA has been assigned to one of two categories based on the impact of the bushfires on the LGA:

- Category 1: a funding envelope of up to $4.5 million per LGA.
- Category 2: a funding envelope of up to $1.6 million per LGA.

This allocation will ensure equity between applicants and eligible LGAs as well as geographical spread from the order of ranking.

The highest ranked project(s) in each LGA will be recommended for funding until the funding envelope is reached. Projects may not receive the full grant amount requested.

If meritorious projects within an LGA do not reach the funding envelope, unallocated funding will be pooled. Remaining meritorious projects will be recommended for funding from the pool in order of ranking until grant funds are exhausted. This could include additional funding for meritorious projects located in another LGA, up to the maximum grant value of $10 million where appropriate.

If the project is located in multiple eligible LGAs the amount of funding assigned to the LGA would be commensurate with the cost of activities being undertaken within the LGA.

| NSW Region | LGA |
|---|---|
| *Far South Coast* | Eurobodalla |
| | Bega Valley |
| *Shoalhaven* | Shoalhaven |
| *Hastings Macleay* | Kempsey |
| | Port Macquarie-Hastings |
| *Snowy Valleys* | Snowy Valleys |
| *Clarence Valley* | Clarence Valley |
| *Mid Coast* | Mid Coast |
| *Northern Rivers* | Richmond Valley |
| | Kyogle |
| | Lismore |
| | Byron |
| | Ballina |
| *Snowy Monaro* | Snowy Monaro |
| *Blue Mountains* | Blue Mountains |
| *Queanbeyan-Palerang* | Queanbeyan-Palerang |
| *Northern New England* | Glen Innes |
| | Tenterfield |
| *Southern New England* | Armidale |
| | Uralla |
| | Walcha |
| *Wingecarribee* | Wingecarribee |
| *Coffs Coast* | Coffs Harbour |
| | Bellingen |
| *Hawkesbury* | Hawkesbury |
| *Nambucca* | Nambucca |
| *Hunter* | Cessnock |
| | Muswellbrook |
| | Dungog |
| | Upper Hunter |
| | Singleton |
| *Mid Western* | Mid Western |
| *Southern Tablelands* | Goulburn-Mulwaree |
| | Upper Lachlan |
| *Albury-Wodonga* | Greater Hume |
| *Upper North West* | Gwydir |
| | Inverell |
| | Narrabri |
| *Lithgow* | Lithgow |
| *Tweed* | Tweed |
| *Abercrombie* | Oberon |
| *Other* | Tamworth |
| | Central Coast |
| | Wollondilly |
| | Lake Macquarie |
| | Cootamundra-Gundagai |
| | Wagga Wagga |
| | Penrith |
| | Sutherland Shire |
| | Ku-ring-gai |

| QLD Region | LGA |
|---|---|
| *QLD - Southern* | Scenic Rim |
| | Lockyer Valley |
| | Somerset |
| | Southern Downs |
| *QLD - Upper* | Livingstone |
| | Gladstone |
| | Bundaberg |
| *Other* | Gympie |
| | Ipswich City |
| | Mareeba Shire |
| | Noosa Shire |
| | Sunshine Coast |
| | Toowoomba |
| | Brisbane |
| | Gold Coast |
| | Fraser Coast |
| | Townsville |
| | Cook |
| | Redland |
| | Whitsunday |
| | Rockhampton |
| | South Burnett |
| | North Burnett |

| VIC Region | LGA |
|---|---|
| *Gippsland* | East Gippsland |
| | Wellington |
| *Hume* | Alpine |
| | Towong |
| | Indigo |
| | Wangarratta |
| | Mansfield |
| | Wodonga |
| *Other* | Alpine Resorts* |
| | Campaspe |
| | Moyne |
| | Greater Bendigo |
| | Ballarat |
| | Glenelg |
| | Southern Grampians |
| | Ararat |
| | Strathbogie |
| | Northern Grampians |
| | Pyrenees |
| | Golden Plains |

**includes the Falls Creek, Mount Hotham, Mount Buller and Mount Stirling alpine resort areas only*

| SA Region | LGA |
|---|---|
| *Kangaroo Island* | Kangaroo Island |
| *Adelaide Hills* | Adelaide Hills |
| | Mount Barker |
| | Yorke Peninsula |
| | Murray Bridge |
| | The Coorong |
| | Playford |
| | Mid Murray |
| | Southern Mallee |
| | Lower Eyre Peninsula |
| | Kingston |

| ACT |
|---|
| ACT unincorporated |

| TAS |
|---|
| Break O'Day |
| Central Highlands |
| Glamorgan/Spring Bay |
| Southern Midlands |
| Flinders |

**National LGA Summary**

| Categories | LGAs | Funding | Total $m |
|---|---|---|---|
| Category 1 | 34 | $4.5m | 154 |
| Category 2 | 76 | $1.6m | 122 |
| **Total** | 110 | | 276 |
| **Remaining Funding** | | | **$0** |

**State LGA Summary**

| State | Cat 1 | Cat 2 | Total $m |
|---|---|---|---|
| **NSW** | 19 | 31 | 136 |
| **QLD** | 5 | 18 | 51.5 |
| **VIC** | 8 | 12 | 55.5 |
| **SA** | 1 | 10 | 20.5 |
| **TAS** | 0 | 5 | 8 |
| **ACT** | 1 | 0 | 4.5 |
| **Total** | **34** | **76** | **$276** |

LEGEND: Cat 1 - $4.5m Cat 2 - $1.6m

OFFICIAL

NRRA
Mr Stone
Mr Padovan
s22 [redacted]
MO
s22 [redacted]

PDR: MS21-000566

# NATIONAL RECOVERY AND RESILIENCE AGENCY

**To:** Minister for Emergency Management and National Recovery and Resilience (for decision at the earliest opportunity prior to current grant application closure date of 2 September 2021)

## DECISION – BLACK SUMMER BUSHFIRE RECOVERY (BSBR) GRANTS PROGRAM – EXTENSION TO APPLICATION CLOSE DATE

**Recommendations** – that you:

1. Agree the application period for the Black Summer Bushfire Recovery (BSBR) grants be is extended by one month, to 6 October 2021 (Attachment A).

**Agreed / Not Agreed**

2. Note that the funding envelopes applied to eligible Local Government Areas under the BSBR program guidelines are intended as a guide only and the relative grant allocations recommended by the Coordinator General (as Assessment Committee Chair) will likely vary based on considerations of project merit and demonstrated need.

**Noted**

s22 [redacted]

24/8/2021.

BRIDGET MCKENZIE Date:

Comments:

**Key Points:**

1. The $280 million three-year Black Summer Bushfire Recovery (BSBR) grants program was announced in the 2021-22 Budget. Delivered under the $2 billion National Bushfire Recovery Fund, the program will assist communities impacted by the 2019-20 bushfires to address priority recovery and resilience needs which have not yet been supported under other programs.

2. The BSBR grant opportunity guidelines were released on 1 July 2021. The application period opened on 22 July and currently closes on 2 September 2021.
   a. Free support for applicants has been provided throughout the application period, including through face-to-face workshops, online webinars and extensive information provided on the National Recovery and Resilience Agency (NRRA) website.
   b. As at 18 August, 746 people have participated in the face-to-face workshops and online webinars, 461 applications had been commenced in the Business Grants Hub application portal and 7 applications had been formally submitted.

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3. Feedback has been received through the NRRA Recovery Support Officer network and directly from impacted organisations that some communities are facing challenges in meeting the 2 September 2021 deadline for applications.

4. To address this feedback and ensure the best accessibility of this program to bushfire impacted communities, as well as recognising the additional challenges presented by COVID-19 lockdowns on communities, we propose that the close date for BSBR grant applications is extended by one month to Wednesday 6 October 2021.

5. The amendments to the BSBR grant opportunity guidelines necessary to effect this change are highlighted at Attachment A.

6. The extension to the application period will have a flow-on effect to the grant assessment and decision-making timeframes. Should you agree to extend the application period to 6 October 2021, recommendations on project applications will be available for your consideration and decision in December 2021.

7. Subject to your agreement, the NRRA will ensure that any extension to the application period is communicated broadly and that all updates are reflected in relevant documentation and materials, including publication of the change on GrantConnect (as required under the *Commonwealth Grants Rules and Guidelines*).

   a. NRRA will also ensure that application support continues to be provided through the extended application period.

***Notional funding amounts applied to LGAs in the program guidelines***

8. Under the requirements set down in the BSBR grant guidelines, your final funding decisions will result in grants being awarded across LGAs according to merit and need.

9. 'Funding envelopes' have been applied as a guide to support comparative considerations across eligible LGAs, allowing for the consideration of relative bushfire impact against remaining unmet recovery needs. The funding envelopes are notional only and are not binding. Relative grant allocations recommended by the Assessment Committee (Chaired by the Coordinator-General of the NRRA) will likely vary, some above and some below the guide amount, based on considerations of project merit and demonstrated need.

10. The guide amounts are set in two categories which largely relate to broad assessment of the bushfires' original impact, and do not take into consideration the current state of remaining unmet recovery needs 18 months after the fire events. The categories represent a point-in-time analysis produced in early 2020 in the immediate aftermath of the fires, informed by burn scar, economic impact and other consequences from the 2019-20 bushfires, together with advice from our regional engagement network and state and territory governments. In the 18 months since these fire events, different communities have moved at different speeds in their recovery journey and so remaining unmet need will vary. Applications represent an opportunity to demonstrate remaining unmet need.

    a. The notional funding envelopes applied to the initial impact categories are:

       i. $4.5 million representing the most heavily impacted LGAs; and

       ii. $1.6 million representing the lesser impacted LGAs.

11. The funding envelopes are not fixed allocations, and will not reflect final allocations of successful grants awarded. The envelopes represent a starting point before individual grant applications are considered, which will lead to final funding decisions by LGA informed by actual need, individual project merit, and the value of meritorious projects.

    a. Local councils, community organisations and businesses can apply for grants ranging from $20,000 to $10 million. The $10 million upper grant amount able to be awarded is significantly above the notional LGA funding amounts, which is clearly articulated in the guidelines. Based on community consultations it is expected that projects in the upper end of this range will likely span multiple LGAs.

    b. The amount of funding that is awarded to LGAs will depend on the projects put forward, the amount of funding requested, demonstrated need, and the merits of proposed projects.

12. The purpose and role of the notional funding envelope has been clearly explained in recent media engagements by the Coordinator General, in the dozens of workshops held by NRRA with potential applicants, and on the NRRA website. This message will also be reinforced in the Coordinator General's forthcoming letter to LGAs.

13. The list of LGAs against the two categories and the associated funding guide amount is at Attachment B.

***Risks and Sensitivities***

14. The 110 Local Government Areas that are eligible under the BSBR grants program are located in Queensland, New South Wales, Victoria, South Australia, Tasmania, and the ACT. The impacts of COVID-19 lockdowns in these jurisdictions may continue to present challenges to the preparation of grant applications for some months to come.

15. Agreement to an extension of the application period in response to community requests at this time may raise expectations that further extensions to timelines may be possible.

    a. The BSBR grants program has policy authority and funding until 30 June 2024, with projects required to be completed by 31 March 2024 (to provide time for project applicants to prepare End Project Reports by the closing date).

    b. Any further extensions to the application period would risk timely delivery of bushfire recovery support to impacted communities and the ability of communities to implement projects within required timeframes.

16. The Department of Finance and the Department of the Prime Minister and Cabinet have noted the proposed change of date.

    a. The Department of Finance has also confirmed that the nature of this change to the grant guidelines does not require approval from the Minister for Finance, Senator the Hon Simon Birmingham.

**Background:**

17. The objective of the BSBR grants program is to fund communities directly impacted by the 2019-20 bushfires to address remaining recovery priorities. Of the $280 million available (over three years from 2021-22), approximately $276 million will be available for an open, competitive grants program that is now open for applications.

18. Eligible activities must address the recovery or resilience needs of the community directly related to impacts from the 2019-20 bushfires, in either individual LGAs or across multiple LGAs.

19. In designing the grant guidelines, the NRRA consulted the Department of Finance; Department of the Prime Minister and Cabinet; Department of Agriculture, Water and the Environment; and, the Department of Infrastructure, Transport, Regional Development and Communications. Building on these consultations, we worked with the Business Grants Hub, within the Department of Industry, Science, Energy and Resources (DISER) and the Australian Government Solicitor to finalise the guidelines.

Nico Padovan
Deputy CEO and COO
24 August 2021

Policy Officer: s22
Phone no: s22
Consultation: Business Grants Hub, Finance, PM&C

## ATTACHMENTS

**ATTACHMENT A – BSBR Grant Guidelines – Proposed Changes**

**ATTACHMENT B – List of eligible BSBR Local Government Areas by impact category, showing guide funding envelopes**

Australian Government
Department of Industry, Science, Energy and Resources
Department of the Prime Minister and Cabinet

Grant Opportunity Guidelines

# Black Summer Bushfire Recovery Grants Program

| | |
|---|---|
| **Opening date:** | 22 July 2021 |
| **Closing date and time:** | 5.00pm Australian Eastern Daylight Time on 6 October 2021<br>Please take account of time zone differences when submitting your application. |
| **Commonwealth policy entity:** | National Recovery and Resilience Agency |
| **Administering entity:** | Department of Industry, Science, Energy and Resources |
| **Enquiries:** | If you have any questions, contact us on BSBR@industry.gov.au or 13 28 46. |
| **Date guidelines released:** | 1 July 2021; updated 21 July 2021; updated x August 2021 |
| **Type of grant opportunity:** | Open competitive |

# Contents




 

# 1. Black Summer Bushfire Recovery Grants processes

**The Black Summer Bushfire Recovery Grants program is designed to achieve Australian Government objectives**

This grant opportunity is part of the above grant program which contributes to the National Recovery and Resilience Agency's Outcome 1. The National Recovery and Resilience Agency works with stakeholders to plan and design the grant program according to the *Commonwealth Grants Rules and Guidelines*

↓

**The grant opportunity opens**

We publish the grant guidelines on business.gov.au and GrantConnect.

↓

**You complete and submit a grant application**

You complete the application form, addressing all the eligibility and assessment criteria in order for your application to be considered.

↓

**We assess all grant applications**

We review the applications against eligibility criteria and notify you if you are not eligible.

We assess eligible applications against the assessment criteria including an overall consideration of value with relevant money and compare it to other eligible applications.

↓

**We make grant recommendations**

We provide advice to the decision maker on the merits of each application.

↓

**Grant decisions are made**

The decision maker decides which applications are successful.

↓

**We notify you of the outcome**

We advise you of the outcome of your application. We may not notify unsuccessful applicants until grant agreements have been executed with successful applicants.

↓

**We enter into a grant agreement**

We will enter into a grant agreement with successful applicants. The type of grant agreement is based on the nature of the grant and proportional to the risks involved.

↓

**Delivery of grant**

You undertake the grant activity as set out in your grant agreement. We manage the grant by working with you, monitoring your progress and making payments.

↓

**Evaluation of the Black Summer Bushfires Recovery Grants Program**

We evaluate the specific grant activity and Black Summer Bushfire Recovery Grants program as a whole. We base this on information you provide to us and that we collect from various sources.


 

# 2. About the National Bushfire Recovery Fund

The Australian Government has committed over $2 billion to the National Bushfire Recovery Fund to support communities impacted by the 2019-20 bushfires. As part of this support, the $276 million Black Summer Bushfire Recovery Grants program will address community priorities for recovery.

## 2.1. About the Black Summer Bushfire Recovery grant opportunity

These guidelines contain information about the Black Summer Bushfire Recovery Grants program grant opportunity that will run from 2021-22 to 2023-24.

The objective of this grant opportunity is to support the recovery efforts of communities in eligible Local Government Areas (LGAs) affected by the 2019-20 bushfires and enables them to apply for projects that address community recovery needs within their own timeframes.

The Australian Government will directly fund successful applicants to conduct a range of projects designed to support the social and economic recovery, and restoration of the built environment in those communities.

The objectives of the grant opportunity are to:

- support recovery and resilience of communities impacted by the 2019-20 bushfires, and
- build stronger communities by supporting social, economic and built environment recovery.

The intended outcomes of the grant opportunity are to:

- empower local communities to address bushfire recovery priorities, including through creation of jobs, sustainable infrastructure and community investment targeted at the specific needs of the community, and
- rebuild and grow the economy of the local communities impacted by the bushfires.

The Black Summer Bushfire Recovery Grants program will complement and build on bushfire recovery activities implemented by communities since the 2019-20 bushfires, including projects supported through Local Economic Recovery funding.

Projects previously submitted for funding under other programs, but have not been successful in receiving funding, may apply for support under this grant opportunity.

This document sets out:

- the eligibility and assessment criteria
- how we consider and assess grant applications
- how we notify applicants and enter into grant agreements with grantees
- how we monitor and evaluate grantees' performance
- responsibilities and expectations in relation to the opportunity.

The Department of Industry, Science, Energy and Resources (the department) is responsible for administering this grant opportunity on behalf of the National Recovery and Resilience Agency.

We have defined key terms used in these guidelines in the glossary at Section 15.

You should read this document carefully before you fill out an application.

We administer the program according to the *Commonwealth Grants Rules and Guidelines* (CGRGs)[1].

---

[1] https://www.finance.gov.au/government/commonwealth-grants/commonwealth-grants-rules-guidelines

# 3. Grant amount and grant period

For this grant opportunity approximately $276 million is available over three years from 2021-22 to 2023-24.

## 3.1. Grants available

The grant amount will be up to 100 per cent of eligible project expenditure (grant percentage).

- The minimum grant amount is $20,000.
- The maximum grant amount is $10 million.

You may seek additional contributions from third parties for your project. These do not count toward the minimum or maximum grant amount.

We cannot fund your project if it has already received funding from another Commonwealth, state, territory or local government grant for the same activities. You can apply for funding under other programs but if you are successful, you need to decide under which program you wish to be funded.

## 3.2. Project Period

You must complete your project by 31 March 2024.

# 4. Eligible locations

## 4.1. Eligible Local Government Areas

You can only undertake eligible activities in the Local Government Areas (LGAs) listed at Appendix A. These LGAs have been declared as eligible for assistance under the Disaster Recovery Funding Arrangements for the 2019-20 bushfires.

Each eligible LGA has the opportunity to receive a share of the funding based on the relative impact of, and economic exposure associated with, the 2019-20 bushfires.

While many LGAs that have been impacted by the 2019-20 bushfires have also been impacted by other disasters including COVID-19 and floods, the Black Summer Bushfire Recovery Grants are intended to address community bushfire recovery priorities. Other programs may be available to support recovery from COVID-19 and other natural disasters.

## 4.2. Funding per eligible Local Government Area

A funding envelope has been allocated to each eligible LGA to ensure all LGAs have the opportunity to receive funding. Each eligible LGA has been assigned to one of two categories based on the impact of the bushfires on the LGA (also at Appendix A):

- Category 1: a funding envelope of up to $4.5 million per LGA.
- Category 2: a funding envelope of up to $1.6 million per LGA.

This allocation will ensure equity between applicants and eligible LGAs as well as geographical spread from the order of ranking.

The highest ranked project(s) in each LGA will be recommended for funding until the funding envelope is reached. Projects may not receive the full grant amount requested.

If an LGA does not have sufficient meritorious applications within the funding envelope, unallocated funding will be pooled. Remaining meritorious projects will be recommended for funding from the pool in order of ranking until grant funds are exhausted, this could include providing additional funding for projects already approved for another LGA where the maximum funding has not been reached.

If the project is located in multiple LGAs the amount of funding assigned to the LGA would be commensurate with the cost of activities being undertaken within the LGA.

# 5. Eligibility criteria

We cannot consider your application if you do not satisfy all eligibility criteria.

## 5.1. Who is eligible to apply for a grant?

To be eligible you must:

- have an Australian Business Number (ABN)

and be one of the following entities:

- an entity incorporated in Australia
- a company limited by guarantee
- an incorporated association
- an incorporated not for profit organisation
- a non-distributive co-operative
- an incorporated trustee on behalf of a trust
- an Aboriginal and/or Torres Strait Islander Corporation registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*
- an Australian local governing agency or body as defined in Section 15 (for example, a Council);
- Mount Hotham Alpine Resort Management Board (ABN: 93 938 780 598), the Falls Creek Alpine Resort Management Board (ABN: 21 789 770 569), or the Mt Buller and Mt Stirling Resort Management Board (ABN: 44 867 982 534)
- an Australian Capital Territory government agency or body.

Joint applications are acceptable, provided you have a lead organisation who is the main driver of the project and is eligible to apply. For further information on joint applications, refer to Section 8.2.

## 5.2. Additional eligibility requirements

Project activities must be undertaken in an LGA that has been declared as eligible for assistance under the Disaster Recovery Funding Arrangements (DRFA) for the 2019-20 bushfires. Individual projects may include activities that are undertaken in multiple eligible LGAs. Eligible LGAs are listed in Appendix A.

We cannot waive the eligibility criteria under any circumstances.

## 5.3. Who is not eligible?

You are not eligible to apply if you are:

- an entity not included in Section 5.1
- an individual
- a partnership
- a trust (however, an incorporated trustee may apply on behalf of a trust)
- a Commonwealth or state government agency or body (including government business enterprises) with the exception of those entities referred to in Section 5.1

- a Regional Development Australia Committee
- an organisation, or your project partner is an organisation, included on the National Redress Scheme's website on the list of 'Institutions that have not joined or signified their intent to join the Scheme' (www.nationalredress.gov.au)
- an organisation that has been named by the Workplace Gender Equality Agency as an organisation that has not complied with *Workplace Gender Equality Act 2012*.

### 5.4. What qualifications or skills are required?

If you are successful, relevant personnel working on the project must maintain relevant registration/checks appropriate to the project, such as the following:

- Working with Children check
- Working with Vulnerable People registration.

## 6. What the grant money can be used for

### 6.1. Eligible activities

To be eligible for a grant your project must:

- be aimed at supporting community recovery or resilience from the 2019-20 bushfires
- be delivered in one or more eligible LGAs listed in Appendix A
- include eligible activities consistent with project activities listed below
- have at least $20,000 in eligible expenditure.

You project must address one or more of the following kinds of recovery or resilience needs:

- **social recovery and resilience** - for example, community development programs and activities to help affected individuals and communities to reconnect and support mental and physical wellbeing and recovery from the immediate effects of the bushfires
- **economic recovery and resilience** - for example, projects that help the community (and not just an individual business) to recover from the immediate economic impact of the bushfires by boosting employment and industries in eligible LGAs impacted by the fires
- **recovery and resilience of the built environment** - for example, projects to rebuild infrastructure damaged by the bushfires.

Your project must satisfy one or more of the following criteria in order to receive funding:

- address an urgent and unmet need resulting directly from the 2019-20 bushfires
- enhance the cultural life of the community
- preserve or increase employment
- help to mitigate climate-related risk and damage
- address the health impacts of the bushfires
- benefit of Indigenous people or communities
- protect or promote interstate and overseas trade and commerce, such as tourism related activities or rebuilding infrastructure between states and territories to facilitate commercial activities.
- be delivered through a relevant communications service such as a the delivery of an online counselling service or business advisory service to local businesses affected by the bushfires

- involve meteorological observations or statistical collection and analysis, this can include the design of early warning or risk-monitoring systems or research into bushfire recovery.
- relate to insurance, such as projects involving mitigating or resilience activities to reduce the risk of bush fire damage in the community or an activity with a clear commitment from your insurer that the project may improve insurance affordability
- run by a local council
- undertaken in the Australian Capital Territory.

For further details regarding eligible projects, refer to Appendix B.

## 6.2. Eligible expenditure

You can only spend grant funds on eligible expenditure you have incurred on an agreed project as defined in your grant agreement.

To be eligible, expenditure must:

- be a direct cost of the project
- be incurred by you for required project audit activities.

You must incur the project expenditure between the project start and end date for it to be eligible unless stated otherwise.

Eligible expenditure items may include:

- purchase (or hire or lease) of equipment and materials to support eligible project activities for example, building materials, ICT cabling, fit out of the infrastructure, fixed furniture, landscaping
- salaries and on-costs for personnel directly employed in delivering the project activities (this should be calculated on a pro-rata basis relative to their time commitment). This excludes project management or project co-ordination costs which are covered under administrative support below
- staff training that directly supports the achievement of project outcomes (maximum 5 per cent of the grant)
- contract expenditure, the cost of any agreed project activities that you contract to others directly relating to the program objectives
- external labour and external consulting expenditure to cover the cost of contracting others to undertake core elements of the project related to construction and may include architect services, design services, project management, quantity surveying and building services
- workshops and conferences, including venue hire, catering and networking costs
- community events, including exhibitions and cultural heritage events
- building modifications where you own the modified asset and the modification is required to undertake the project
- contingency costs up to a maximum of 10 per cent of the eligible project costs. Note that we make payments based on actual costs incurred
- domestic travel to and from the on-ground location limited to the reasonable cost of accommodation and transportation required to conduct the agreed project activities
- administrative support and overheads additional to the normal day to day running costs of the organisation, including project management or project co-ordination (maximum 10 per cent of the grant)

- costs you incur in order to obtain planning, environmental or other regulatory approvals during the project period. However, associated fees paid to the Commonwealth, state, territory and local governments are not eligible
- financial auditing of project expenditure
- reporting on project outcomes (maximum 5 per cent of the grant).

You are encouraged to use local materials, suppliers and labourers, where possible.

We may update the guidance on eligible and ineligible expenditure from time to time. If your application is successful, the version in place when you submitted your application applies to your project.

If your application is successful, we may ask you to verify project costs that you provided in your application. You may need to provide evidence such as quotes for major costs.

Not all expenditure on your project may be eligible for grant funding. The Program Delegate (who is a manager within the department with responsibility for the program) makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

You may elect to commence your project from the date we notify you that your application is successful. We are not responsible for any expenditure you incur until such time as a grant agreement is executed. The Commonwealth will not be liable, and should not be held out as being liable, for any activities undertaken before the grant agreement is executed.

## 6.3. What you cannot use the grant for

Expenditure items that are not eligible include:

- projects that replace, restore, or improve the natural environment including wildlife and habitat
- purchase of land or existing infrastructure, including the costs associated with sub-division of land
- repair or replacement of existing infrastructure where there is no demonstrated significant increase in benefit to the community
- purchase and installation of manufacturing equipment
- ongoing operating costs, including utilities
- ICT equipment, including software or hardware that is not an integral part of the funded infrastructure project
- payment of salaries for the applicant's employees where the activity is not directly related to the project
- project overhead items including office equipment, vehicles or mobile capital equipment. Examples include trucks and earthmoving equipment and the applicant's internal plant operating costs
- business case development and feasibility studies
- costs related to registered training organisation training activities
- business as usual operational expenses, including communications, accommodation, office computing facilities, printing and stationery, postage, legal and accounting fees and bank charges
- writing the application and reporting for the grant
- making donations, gifts and sponsorships

- pre-construction activities, including architect services, design, surveying, planning, environmental or other regulatory approvals, that exceed 20 per cent of the total eligible project expenditure
- fees paid to the Commonwealth, state, territory and local governments to obtain planning, environmental or other regulatory approvals.

This list is not exhaustive and applies only to the expenditure of the grant funds. Other costs may be ineligible where the Program Delegate determines they do not directly support the achievement of the planned outcomes for the project or, they are contrary to the objective of the program.

You must ensure you have adequate funds to meet the costs of any ineligible expenditure associated with the project.

# 7. The assessment criteria

You must address all assessment criteria in your application. We will then assess your application based on the assessment criteria below.

The application form asks questions that relate to the assessment criteria below. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. You should provide evidence to support your answers. The application form displays word and size (of file) limits for answers.

We will only consider funding applications that score at least 50 per cent against each assessment criterion, as these represent best value for money.

## 7.1. Assessment criterion 1

**How your project will assist in community recovery from the 2019-20 bushfires (50 points)**

You must demonstrate this by describing:

a. how your project addresses the recovery or resilience needs of the community directly related to impacts of the 2019-20 bushfires through the adoption of/or investment in one or more of the following:
   - **social recovery and resilience needs** of the local community may include supporting mental and physical wellbeing and recovery, improving community connections and social inclusion through community development activities, cultural events and workshops, protecting local heritage and addressing disadvantage within the community, preserving Aboriginal cultural heritage and supporting Indigenous communities through activities, workshops and events.
   - **economic recovery and resilience needs of** the region may include job creation, new businesses, tourism and supporting local producers and suppliers. Projects must support communities, not just individual businesses or organisations.
   - **recovery and resilience of the built environment needs** may include the improvement or extension of existing infrastructure in a manner that drives economic growth, creates jobs and makes the affected LGA or broader region a more attractive place to live or visit.

b. how your project complements, builds on and does not duplicate existing or planned 2019-20 bushfire recovery efforts in the community.

c. the broader benefits that your project will deliver for the region and the community.

### 7.2. Assessment criterion 2

**Capacity, capability and resources to deliver the project (50 points)**

You should demonstrate this by identifying:

a. your track record managing similar projects and access to personnel and/or partners with the right skills and experience

b. sound project planning to manage and monitor the project, including scope, implementation methodology, timeframes, budget and risk management planning (including mitigation of health risks associated with the current COVID-19 pandemic).

## 8. How to apply

Before applying you should read and understand these guidelines, the sample application form and the sample grant agreement published on business.gov.au and GrantConnect.

The National Recovery and Resilience Agency will arrange support for potential applicants. This could include local workshops and webinars delivered across bushfire-affected regions. We will publish further information on this support on business.gov.au and the National Recovery and Resilience Agency website.

To apply, you must:

- complete the online application form via business.gov.au
- provide all the information requested
- address all eligibility and assessment criteria (including by explaining why your proposed project is an eligible activity)
- include all necessary attachments.

You can view and print a copy of your submitted application on the portal for your own records.

You are responsible for making sure your application is complete and accurate. Giving false or misleading information is a serious offence under the *Criminal Code Act 1995* (Cth). If we consider that you have provided false or misleading information we may not progress your application. If you find an error in your application after submitting it, you should call us immediately on 13 28 46.

If we find an error or information that is missing, we may ask for clarification or additional information from you that will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your submission after the application closing time.

If you need further guidance around the application process, or if you are unable to submit an application online, contact us at business.gov.au or by calling 13 28 46.

### 8.1. Attachments to the application

You must provide the following documents with your application:

- a project plan, including risk assessment
- project budget, including any third party contributions
- evidence of community support (such as letters of support or testimonials)
- evidence of land ownership, where the proposed project site/s are not owned or managed by you, written consent is required from the property owner and/or property manager that allows for the implementation of the proposed project on each project site (where applicable)
- trust deed (where applicable).

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. The level of information provided should be commensurate with the grant amount requested. For example, we expect a short project plan for a grant amount of $300,000 or less, but for a larger grant amount, we expect a more comprehensive project plan.

We will not consider information in attachments that we do not request.

## 8.2. Joint applications

We recognise that some organisations may want to join as a group to collectively deliver a project. In these circumstances, you must appoint a lead organisation. Only the lead organisation can submit the application form and enter into the grant agreement with the Commonwealth. The application should identify all other members of the proposed group and include a letter of support from each of the project partners. Each letter of support should include:

- details of the project partner
- an overview of how the project partner will work with the lead organisation and any other project partners in the group to successfully complete the project
- an outline of the relevant experience and/or expertise the project partner will bring to the group
- the roles/responsibilities the project partner will undertake, and the resources it will contribute (if any), and
- details of a nominated management level contact officer.

You must have a formal arrangement in place with all parties prior to execution of the grant agreement.

## 8.3. Timing of grant opportunity

You can only submit an application between the published opening and closing dates. We cannot accept late applications.

We expect that projects can start anytime from February 2022 onwards and must end by 31 March 2024.

Table 1: Expected timing for this grant opportunity

| Activity | Timeframe |
|---|---|
| Assessment of applications | October/November 2021 |
| Approval of outcomes of selection process | December 2021 |
| Negotiations and award of grant agreements | January/February 2022 |
| Notification to unsuccessful applicants | February 2022 |
| Earliest start date of project | From notification that you are successful, or as agreed (if a later date is proposed) |
| Project completion date | 31 March 2024 |
| End date of grant commitment | 30 June 2024 |

# 9. The grant selection process

We first review your application against the eligibility criteria, and determine whether it involves an eligible activity. If your application passes this stage, we will then assess it against the assessment criteria. Only eligible applications will proceed to the assessment stage.

We consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value with relevant money.

When assessing whether the application represents value with relevant money, we will have regard to:

- the overall objectives of the grant opportunity
- the evidence provided to demonstrate how your project contributes to meeting those objectives
- the relative value of the grant sought.

## 9.1. Who will assess applications?

We will assess your application against the assessment criteria and compare it to other eligible applications before providing the outcomes of this assessment to a Committee.

The Committee, chaired by the Coordinator-General of the National Recovery and Resilience Agency, will include representatives from relevant Commonwealth departments and agencies. The Committee will assess the merits of each application and have regard to the geographical spread of proposed projects in the eligible LGAs. The Committee may also seek additional advice from independent technical experts as well as local knowledge through the engagement network of the National Recovery and Resilience Agency.

The Committee will recommend which projects to fund, ensuring that projects are clearly and directly related to community recovery or resilience from the 2019-20 bushfires and align with Commonwealth responsibilities.

We may ask external experts/advisors to inform the assessment process. Any expert/advisor, who is not a Commonwealth Official, will be required/expected to perform their duties in accordance with the CGRGs.

You cannot make any material alteration or addition to your application, but if the selection process identifies unintentional errors in your application, we may contact you to correct or clarify the errors.


 

### 9.2. Who will approve grants?

The Minister for Emergency Management decides which grants to approve taking into account the recommendations of the Committee and the availability of grant funds.

The Minister's decision is final in all matters, including:

- the grant approval
- the grant funding to be awarded
- any conditions attached to the offer of grant funding.

We cannot review decisions about the merits of your application.

The Minister will not approve funding if there are insufficient program funds available across relevant financial years for the program.

## 10. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific conditions attached to the grant.

If you are unsuccessful, we will give you an opportunity to discuss the outcome with us. We cannot however, review decisions about your application.

## 11. Successful grant applications

### 11.1. Grant agreement

If you are successful, you will be required to enter into a legally binding grant agreement with the Commonwealth. We use two types of grant agreements in this program. Our selection will depend on the size and complexity of your project. Each grant agreement has general terms and conditions that cannot be changed. Sample grant agreements are available on business.gov.au and GrantConnect.

We must execute a grant agreement with you before we can make any payments. Execute means both you and the Commonwealth have signed the agreement. You may elect to commence your project from the date we notify you that your application is successful. We are not responsible for any expenditure you incur until a grant agreement is executed. The Commonwealth will not be liable, and should not be held out as being liable, for any activities undertaken before the grant agreement is executed.

The approval of your grant may have specific conditions determined by the assessment process or other considerations made by the Minister. We will identify these in the offer of grant funding.

If you enter an agreement under the Black Summer Bushfire Recovery Grants, you cannot receive other grants from other Commonwealth, state or territory grant programs for the specific activities of this grant agreement.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

You will have 30 days from the date of a written offer to execute this grant agreement with the Commonwealth. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your application. We will review any required changes to these details to ensure they do not impact the project as approved by the Minister.

## 11.2. Project/Activity specific legislation, policies and industry standards

You must comply with all relevant laws and regulations in undertaking your project. You must also comply with the specific legislation/policies/industry standards that follow. It is a condition of the grant funding that you meet these requirements. We will include these requirements in your grant agreement.

### 11.2.1. Child Safety Requirements

You must comply with all relevant legislation relating to the employment or engagement of anyone working on the project that may interact with children, including all necessary working with children checks.

You must implement the National Principles for Child Safe Organisations[2] endorsed by the Commonwealth.

You will need to complete a risk assessment to identify the level of responsibility for children and the level of risk of harm or abuse, and put appropriate strategies in place to manage those risks. You must update this risk assessment at least annually.

You will also need to establish a training and compliance regime to ensure personnel are aware of, and comply with, the risk assessment requirements, relevant legislation including mandatory reporting requirements and the National Principles for Child Safe Organisations.

You will be required to provide an annual statement of compliance with these requirements in relation to working with children.

### 11.2.2. Building and construction requirements

Wherever the government funds building and construction activities, the following special regulatory requirements apply.

- *Code for the Tendering and Performance of Building Work 2016* (Building Code 2016) [3]
- Australian Government Building and Construction WHS Accreditation Scheme (WHS Scheme)[4]

These regulations are subject to the level of funding you receive as outlined below.

#### 11.2.2.1. Building Code

The Building Code is administered by relevant State and Territory administrations under relevant State or Territory legislation on behalf of the Australian Building and Construction Commission.[5]

The Building Code applies to all construction projects funded by the Australian Government through grants and other programs where:

- the value of Australian Government contribution to a project is at least $5 million and represents at least 50 per cent of the total construction project value; or
- regardless of the proportion of Australian Government funding, where the Australian Government contribution to a project is $10 million or more.

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[2] https://www.humanrights.gov.au/our-work/childrens-rights/national-principles-child-safe-organisations

[3] https://www.abcc.gov.au/building-code/building-code-2016

[4] http://www.fsc.gov.au/sites/fsc/needaccredited/accreditationscheme/pages/theaccreditationscheme

[5] https://www.abcc.gov.au/

#### 11.2.2.2. WHS Scheme

The WHS Scheme is administered by the Office of the Federal Safety Commissioner[6].

The Scheme applies to projects that are directly or indirectly funded by the Australian Government where:

- the value of the Australian Government contribution to the project is at least $6 million and represents at least 50 per cent of the total construction project value; or
- the Australian Government contribution to a project is $10 million (GST inclusive) or more, irrespective of the proportion of Australian Government funding; and
- a head contract under the project includes building work of $4 million or more (GST inclusive).

### 11.3. How we pay the grant

The grant agreement will state the:

- maximum grant amount we will pay
- proportion of eligible expenditure covered by the grant (grant percentage)
- any financial contribution provided by you or a third party.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

We will make payments according to an agreed schedule set out in the grant agreement.

Payments are subject to satisfactory progress on the project.

For grants over $50,000 or more, we set aside 10 per cent of the total grant funding for the final payment. We will pay this when you submit a satisfactory end of project report demonstrating you have completed outstanding obligations for the project. We may need to adjust your progress payments to align with available program funds across financial years and/or to ensure we retain a minimum 10 per cent of grant funding for the final payment.

### 11.4. Tax obligations

If you are registered for the Goods and Services Tax (GST), where applicable we will add GST to your grant payment and provide you with a recipient created tax invoice. You are required to notify us if your GST registration status changes during the project period. GST does not apply to grant payments to government related entities[7].

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the Australian Taxation Office. We do not provide advice on tax.

## 12. Announcement of grants

We will publish non-sensitive details of successful projects on GrantConnect within 21 calendar days after the date of effect. We are required to do this by the *Commonwealth Grants Rules and Guidelines* unless otherwise prohibited by law. We may also publish this information on business.gov.au. This information may include:

- name of your organisation

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[6] http://www.fsc.gov.au/sites/FSC

[7] See Australian Taxation Office ruling GSTR 2012/2 available at ato.gov.au

- title of the project
- description of the project and its aims
- amount of grant funding awarded
- Australian Business Number
- business location
- your organisation's industry sector.

# 13. How we monitor your grant activity

## 13.1. Keeping us informed

You should let us know if anything is likely to affect your project or organisation.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your project, carry on business and pay debts due.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

If you become aware of a breach of terms and conditions under the grant agreement you must contact us immediately.

You must notify us of events relating to your project and provide an opportunity for the Minister or their representative to attend.

## 13.2. Reporting

You must submit reports in line with the grant agreement. We will provide the requirements for these reports as appendices in the grant agreement. We will remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against agreed project milestones
- project expenditure, including expenditure of grant funds
- contributions of participants directly related to the project.

The amount of detail you provide in your reports should be relative to the project size, complexity and grant amount.

We will monitor the progress of your project by assessing reports you submit and may conduct site visits to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

### 13.2.1. Progress reports

Progress reports must:

- include details of your progress towards completion of agreed project activities
- show the total eligible expenditure incurred to date
- include evidence of expenditure
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant project activities).

We will only make grant payments when we receive satisfactory progress reports.

You must discuss any project or milestone reporting delays with us as soon as you become aware of them.

#### 13.2.2. End of project report

When you complete the project, you must submit an end of project report.

End of project reports must:

- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred for the project
- include a declaration that the grant money was spent in accordance with the grant agreement and to report on any underspends of the grant money
- be submitted by the report due date.

#### 13.2.3. Ad-hoc reports

We may ask you for ad-hoc reports on your project. This may be to provide an update on progress, or any significant delays or difficulties in completing the project.

### 13.3. Independent audits

We may ask you to provide an independent audit report. An audit report will verify that you spent the grant in accordance with the grant agreement. The audit report requires you to prepare a statement of grant income and expenditure. The financial acquittal report template is attached to the sample grant agreement available on business.gov.au and GrantConnect.

### 13.4. Compliance visits

We may visit you during the project period, or at the completion of your project to review your compliance with the grant agreement. We may also inspect the records you are required to keep under the grant agreement. For large or complex projects, we may visit you after you finish your project. We will provide you with reasonable notice of any compliance visit.

### 13.5. Grant agreement variations

We recognise that unexpected events may affect project progress. In these circumstances, you can request a variation to your grant agreement, including:

- changing project milestones
- extending the timeframe for completing the project up until 31 March 2024.
- changing project activities

The program does not allow for an increase of grant funds.

If you want to propose changes to the grant agreement, you must put them in writing before the grant agreement end date. We can provide you with a variation request template.

If a delay in the project causes milestone achievement and payment dates to move to a different financial year, you will need a variation to the grant agreement. We can only move funds between financial years if there is enough program funding in the relevant year to allow for the revised payment schedule. If we cannot move the funds, you may lose some grant funding.

You should not assume that a variation request will be successful. We will consider your request based on factors such as:

- how it affects the project outcome


 

- consistency with the program policy objective, grant opportunity guidelines and any relevant policies of the department
- changes to the timing of grant payments
- availability of program funds.

### 13.6. Evaluation

The National Recovery and Resilience Agency may use information from your application and project reports to evaluate the grant opportunity and to measure how well the outcomes and objectives have been achieved. They may also interview you, or ask you for more information to better understand how the grant assisted you and to evaluate how effective the program was in achieving its outcomes.

They may contact you up to two years after you finish your project for more information to assist with this evaluation.

### 13.7. Grant acknowledgement

If you make a public statement about a project funded under the program, including in a brochure or publication, you must acknowledge the grant by using the following:

'This project received grant funding from the Australian Government.'

If you erect signage in relation to the project, the signage must contain an acknowledgement of the grant.

## 14. Probity

We will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

### 14.1. Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program. There may be a conflict of interest, or perceived conflict of interest, if our staff, any member of a committee or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer or member of an external panel
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/ grant opportunity.

As part of your application, we will ask you to declare any perceived or existing conflicts of interests or confirm that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform us in writing immediately.

Conflicts of interest for Australian Government staff are handled as set out in the Australian Public Service Code of Conduct (Section 13(7))[8] of the *Public Service Act 1999* (Cth). Committee

[8] https://www.legislation.gov.au/Details/C2019C00057

members and other officials including the decision maker must also declare any conflicts of interest.

We publish our conflict of interest policy[9] on the department's website. The Commonwealth policy entity also publishes a conflict of interest policy on its website.

## 14.2. How we use your information

Unless the information you provide to us is:

- confidential information as per 14.2.1, or
- personal information as per 14.2.3,

we may share the information with other government agencies for a relevant Commonwealth purpose such as:

- to improve the effective administration, monitoring and evaluation of Australian Government programs
- for research
- to announce the awarding of grants.

### 14.2.1. How we handle your confidential information

We will treat the information you give us as sensitive and therefore confidential if it meets all of the following conditions:

- you clearly identify the information as confidential and explain why we should treat it as confidential
- the information is commercially sensitive
- disclosing the information would cause unreasonable harm to you or someone else
- you provide the information with an understanding that it will stay confidential.

### 14.2.2. When we may disclose confidential information

We will not be in breach of any confidentiality agreement if the information is disclosed to:

- to the committee and other Commonwealth employees and contractors, to help us manage the program effectively
- employees and contractors of our department so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery
- other Commonwealth, state, territory or local government agencies in program reports and consultations
- to the Auditor-General, Ombudsman or Privacy Commissioner
- to the responsible Minister or Assistant Minister
- to a House or a Committee of the Australian Parliament.

We may also disclose confidential information if

- we are required or authorised by law to disclose it

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[9] https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/conflict-of-interest-and-insider-trading-policy.pdf?acsf_files_redirect

- you agree to the information being disclosed, or
- someone other than us has made the confidential information public.

The grant agreement may also include any specific requirements about special categories of information collected, created or held under the grant agreement.

#### 14.2.3. How we use your personal information

We must treat your personal information according to the Australian Privacy Principles (APPs) and the *Privacy Act 1988* (Cth). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- to whom we give your personal information.

We may give the personal information we collect from you to our employees and contractors, the committee, and other Commonwealth employees and contractors, so we can:

- manage the program
- research, assess, monitor and analyse our programs and activities.

We, or the Minister, may:

- announce the names of successful applicants to the public
- publish personal information on the National Recovery and Resilience Agency's websites.

You may read our Privacy Policy[10] on the department's website for more information on:

- what is personal information
- how we collect, use, disclose and store your personal information
- how you can access and correct your personal information.

#### 14.2.4. Freedom of information

All documents in the possession of the Australian Government, including those about the program, are subject to the *Freedom of Information Act 1982* (Cth) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

If someone requests a document under the FOI Act, we will release it (though we may need to consult with you and/or other parties first) unless it meets one of the exemptions set out in the FOI Act.

### 14.3. Enquiries and feedback

For further information or clarification, you can contact us on 13 28 46 or by web chat or through our online enquiry form on business.gov.au.

We may publish answers to your questions on our website as Frequently Asked Questions.

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[10] https://www.industry.gov.au/data-and-publications/privacy-policy

Our Customer Service Charter is available at business.gov.au. We use customer satisfaction surveys to improve our business operations and service.

If you have a complaint, call us on 13 28 46. We will refer your complaint to the appropriate manager.

If you are not satisfied with the way we handle your complaint, you can contact:

Chief Finance Officer

Department of Industry, Science, Energy and Resources

GPO Box 2013
CANBERRA ACT 2601

You can also contact the Commonwealth Ombudsman[11] with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

[11] http://www.ombudsman.gov.au/

# 15. Glossary

| Term | Definition |
|---|---|
| Administering entity | When an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes. |
| Affected or eligible LGA | Disaster-declared Local Government Areas activated by the Australian and relevant State or Territory Government for Disaster Recovery Funding Arrangements (DRFA) assistance as a result of the 2019-20 bushfires. For the avoidance of doubt, these are provided at Appendix A. |
| Assessment criteria | Are the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings. |
| CGRGs | Commonwealth Grants Rules and Guidelines |
| Commencement date | The expected start date for the grant activity. |
| Completion date | The expected date that the grant activity must be completed and the grant spent by. |
| Committee | The body established by the Department to consider and assess eligible applications and make recommendations to the Minister for funding under the program. |
| Date of effect | Can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable. |
| Department | The Department of Industry, Science, Energy and Resources |
| DRFA | Disaster Recovery Funding Arrangements |
| Eligibility criteria | Refer to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria. |
| Eligible activities | The activities undertaken by a grantee in relation to a project that are eligible for funding support as set out in 6.1, 6.2 and 6.3. |
| Eligible application | An application for grant funding under the program that the Program Delegate has determined is eligible for assessment in accordance with these guidelines. |
| Eligible expenditure | The expenditure incurred by a grantee on a project and which is eligible for funding support as set out in 6.4.2. |



 

| Term | Definition |
|---|---|
| Grant agreement | A legally binding contract between the Commonwealth and a grantee for the grant funding. |
| grant activity/activities | Refers to the project/tasks/services that the grantee is required to undertake. |
| Grant funding or grant funds | The funding made available by the Commonwealth to grantees under the program. |
| GrantConnect | The Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the Commonwealth Grants Rules and Guidelines. |
| Grantee | The recipient of grant funding under a grant agreement. |
| Guidelines | Guidelines that the Minister gives to the department to provide the framework for the administration of the program, as in force from time to time. |
| Local Government Area (LGA) | For the purposes of the program, eligible Local Government Areas are those listed in Appendix A of the grant opportunity guidelines. |
| Local government agency or body | A local governing body as defined in the *Local Government (Financial Assistance) Act 1995* (Cth), such as a Council. |
| Minister or Minister for Emergency Management | Minister for Agriculture, Drought and Emergency Management |
| National Recovery and Resilience Agency | Established in 2021 to provide strategic leadership and coordination for Commonwealth supported recovery and resilience of communities affected by natural disasters. |
| Personal information | Has the same meaning as in the *Privacy Act 1988* (Cth) which is:<br>Information or an opinion about an identified individual, or an individual who is reasonably identifiable:<br>a. whether the information or opinion is true or not; and<br>b. whether the information or opinion is recorded in a material form or not. |
| Program Delegate | A manager within the department with responsibility for the program. |
| Program funding or Program funds | The funding made available by the Commonwealth for the program. |
| Project | A project described in an application for grant funding under the program. |

# Appendix A. Eligible Local Government Areas (LGAs)

## Category 1

| State | LGA | Category |
|---|---|---|
| ACT | ACT unincorporated[12] | 1 |
| NSW | Armidale | 1 |
| NSW | Bega Valley | 1 |
| NSW | Blue Mountains | 1 |
| NSW | Clarence Valley | 1 |
| NSW | Eurobodalla | 1 |
| NSW | Glen Innes | 1 |
| NSW | Hawkesbury | 1 |
| NSW | Kempsey | 1 |
| NSW | Lithgow | 1 |
| NSW | Mid Coast | 1 |
| NSW | Nambucca | 1 |
| NSW | Port Macquarie-Hastings | 1 |
| NSW | Queanbeyan-Palerang | 1 |
| NSW | Richmond Valley | 1 |
| NSW | Shoalhaven | 1 |
| NSW | Snowy Monaro | 1 |
| NSW | Snowy Valleys | 1 |
| NSW | Tenterfield | 1 |
| NSW | Wollondilly | 1 |
| QLD | Livingstone | 1 |
| QLD | Lockyer Valley | 1 |
| QLD | Scenic Rim | 1 |
| QLD | Somerset | 1 |
| QLD | Southern Downs | 1 |
| SA | Kangaroo Island | 1 |

[12] ACT has been deemed Category 1 to recognise the different governance arrangements in place in the ACT, without distinct local councils, as well as the impact of the 2019-20 bushfires.



 

| State | LGA | Category |
|---|---|---|
| VIC | Alpine | 1 |
| VIC | East Gippsland | 1 |
| VIC | Indigo | 1 |
| VIC | Mansfield | 1 |
| VIC | Towong | 1 |
| VIC | Wangaratta | 1 |
| VIC | Wellington | 1 |
| VIC | Wodonga | 1 |

## Eligible Local Government Areas (LGAs) Category 2

| State | LGA | Category |
|---|---|---|
| NSW | Ballina | 2 |
| NSW | Bellingen | 2 |
| NSW | Byron | 2 |
| NSW | Central Coast | 2 |
| NSW | Cessnock | 2 |
| NSW | Coffs Harbour | 2 |
| NSW | Cootamundra-Gundagai | 2 |
| NSW | Dungog | 2 |
| NSW | Goulburn-Mulwaree | 2 |
| NSW | Greater Hume | 2 |
| NSW | Gwydir | 2 |
| NSW | Inverell | 2 |
| NSW | Ku-ring-gai | 2 |
| NSW | Kyogle | 2 |
| NSW | Lake Macquarie | 2 |
| NSW | Lismore | 2 |
| NSW | Mid Western | 2 |
| NSW | Muswellbrook | 2 |
| NSW | Narrabri | 2 |

| State | LGA | Category |
|---|---|---|
| NSW | Oberon | 2 |
| NSW | Penrith | 2 |
| NSW | Singleton | 2 |
| NSW | Sutherland Shire | 2 |
| NSW | Tamworth | 2 |
| NSW | Tweed | 2 |
| NSW | Upper Hunter | 2 |
| NSW | Upper Lachlan | 2 |
| NSW | Uralla | 2 |
| NSW | Wagga Wagga | 2 |
| NSW | Walcha | 2 |
| NSW | Wingecarribee | 2 |
| QLD | Brisbane | 2 |
| QLD | Bundaberg | 2 |
| QLD | Cook | 2 |
| QLD | Fraser Coast | 2 |
| QLD | Gladstone | 2 |
| QLD | Gold Coast | 2 |
| QLD | Gympie | 2 |
| QLD | Ipswich City | 2 |
| QLD | Mareeba Shire | 2 |
| QLD | Noosa Shire | 2 |
| QLD | North Burnett | 2 |
| QLD | Redland | 2 |
| QLD | Rockhampton | 2 |
| QLD | South Burnett | 2 |
| QLD | Sunshine Coast | 2 |
| QLD | Toowoomba | 2 |
| QLD | Townsville | 2 |
| QLD | Whitsunday | 2 |
| SA | Adelaide Hills | 2 |



 

| State | LGA | Category |
|---|---|---|
| SA | Lower Eyre Peninsula | 2 |
| SA | Mid Murray | 2 |
| SA | Mount Barker | 2 |
| SA | Murray Bridge | 2 |
| SA | Playford | 2 |
| SA | Southern Mallee | 2 |
| SA | The Coorong | 2 |
| SA | Yorke Peninsula | 2 |
| SA | Kingston | 2 |
| TAS | Break O'Day | 2 |
| TAS | Central Highlands | 2 |
| TAS | Flinders | 2 |
| TAS | Glamorgan/Spring Bay | 2 |
| TAS | Southern Midlands | 2 |
| VIC | Alpine Resorts (including the Falls Creek, Mount Hotham, Mount Buller and Mount Stirling alpine resort areas only) | 2 |
| VIC | Ararat | 2 |
| VIC | Ballarat | 2 |
| VIC | Campaspe | 2 |
| VIC | Glenelg | 2 |
| VIC | Golden Plains | 2 |
| VIC | Greater Bendigo | 2 |
| VIC | Moyne | 2 |
| VIC | Northern Grampians | 2 |
| VIC | Pyrenees | 2 |
| VIC | Southern Grampians | 2 |
| VIC | Strathbogie | 2 |

# Appendix B. Eligible Projects

Your project must satisfy one or more of the following criteria in order to receive funding:

- **Urgent recovery projects -** your project may be eligible for funding if it addresses an immediate recovery need that:
  - remains unmet
  - needs to be addressed on an urgent basis
  - results directly from the 2019-20 bushfires.

  For example, your project might involve:
  - making urgent repairs to, or replacing, community utilities or infrastructure damaged or destroyed in the bushfires
  - giving urgent assistance to members of the community who continue to suffer the effects of having been displaced by the bushfires.

  If your project addresses a need that is not sufficiently urgent to qualify under this criterion, you might still be able to rely on another of the criteria listed below. These criteria can support projects with a lesser degree of urgency
- **Projects undertaken in the Australian Capital Territory -** your project may be eligible for funding if it involves bushfire recovery or resilience activities that will be carried out wholly in the Australian Capital Territory.
- **Projects run by local councils** - your project may be eligible for funding if you are local governing body established by or under a law of a State (other than a body whose sole or principal function is to provide a particular service, such as the supply of electricity or water).
- **Projects for the benefit of Indigenous people or communities** - your project may be eligible for funding if it is to be conducted for the benefit of Indigenous people or communities. For instance, your project might:
  - provide employment opportunities specifically to Indigenous Australians, or
  - restore Indigenous cultural sites that were damaged by the bushfires.

  The project must be specifically and predominantly for the benefit of Indigenous people or communities. It is not enough that Indigenous people or communities might benefit from the project in common with others.
- **Projects that protect or promote interstate and overseas trade and commerce -** your project may be eligible for funding if it will protect, foster or encourage:
  - trade or commerce between Australia and places outside Australia
  - trade or commerce between the states, or
  - trade or commerce between a state or territory, or between two territories.

  For example, this might involve:
  - measures designed to revive tourism to affected areas - eg, by building an attraction, hosting an event or upgrading existing tourist facilities in affected areas, so as to attract tourism from other states, territories or countries
  - projects to rebuild infrastructure that facilitates trade and commerce between the affected area and other states, territories or countries

- projects to assist businesses located in affected areas to preserve or expand their trading operations with other states, territories or countries with so as to bolster employment in the affected area.

This does not extend to projects that focus on trade and commerce within a single state. Your project could only be funded under this criterion if it is directed predominantly at a kind of trade or commence outlined above.

- **Projects that are delivered through a relevant communications service** - your project may be eligible for funding if it will be delivered online or by telephone. For instance, this might involve delivering online financial counselling or business advisory services to local businesses affected by the bushfires.
- **Projects that enhance the cultural life of the community** - your project may be eligible for funding if it will help fire-affected individuals or communities to participate in cultural life. This could, for instance, include projects to facilitate community participation in sporting, musical or artistic workshops or events that will restore community morale and cohesion following the 2019-20 bushfires.
- **Projects that preserve or increase employment** - your project may be eligible for funding if it will help to preserve or boost employment in fire-affected communities. This might, for instance, involve:
  - providing training to people who have lost their jobs as a result of the fires to assist them to gain new employment
  - undertaking activities designed to generate employment in affected LGA communities, or that help existing businesses to generate employment.
- **Projects that help to mitigate climate-related risk and damage** - your project may be eligible for funding if it will help the community to adapt to bushfire risks induced by climate change - that is, to address issues or manage risks that the community faces as a result of any enhanced bushfire risk resulting from climate change. This might, for instance, include projects to increase the bushfire resilience of infrastructure, or to strengthen the capacity of the local economy to survive the disruptions caused by bushfires.
- **Projects that address the health impacts of the bushfires** - your project may be eligible for funding if is designed to treat, prevent or manage the mental or physical health impacts of the bushfires. This could, for instance, include projects to provide counselling to people who have, or are at risk of developing, mental health issues in the aftermath of the bushfires.
- **Projects that involve meteorological observations or statistical collection and analysis** - your project may be eligible for funding if it centres on:
  - the making of meteorological observations, or
  - statistical collection and analysis.

  This might, for instance, include:
  - the design of early warning or risk-monitoring systems for the community in respect of bushfire risks arising from extreme weather conditions
  - research into bushfire recovery that revolves around statistical collection and analysis.
- **Projects relating to insurance** - your project may be eligible for funding if it will assist with the insurance of bushfire-related risks. Specifically:

- your project would need to involve mitigation or resilience activities that will reduce the risk of bushfire damage in the community (eg, by increasing the bushfire resilience of community infrastructure)
- your application would need to be accompanied by a clear and verifiable commitment from the insurer that the project would improve insurance affordability (ie, that the insurer would lower a premium or otherwise reduce the cost of the insurance if the project were completed), and
- the relevant insurance must not be insurance provided by the state (including a business owned or controlled by the state).

# ATTACHMENT B: LGA ALLOCATION TO CATEGORIES

A notional funding envelope has been allocated to each eligible LGA to ensure all Black Summer disaster declared LGAs have the opportunity to receive funding for meritorious applications. The funding envelopes exist as a guide for comparative purposes, each eligible LGA having been assigned to one of two categories based on the original impact of the bushfires on the LGA:

- Category 1: a funding envelope of $4.5 million for more higher impacted areas
- Category 2: a funding envelope of $1.6 million for lesser impacted areas

These tiers will support consideration of equity between applicants and eligible LGAs as well as geographical spread, ahead of consideration of demonstrated recovery need by LGA.

The highest ranked project(s) in each LGA will be recommended for funding. Projects may not receive the full grant amount requested.

If meritorious projects within an LGA do not reach the funding envelope, unallocated funding will be pooled. Remaining meritorious projects will be recommended for funding from the to meritorious projects in eligible LGAs until grant funds are exhausted. The maximum grant value is $10 million and the minimum is $20,000.

Final grant amounts awarded by LGAs may exceed or fall below the guide points based on projects submitted, value of projects, demonstrated need and merit of projects. Successful projects may affect multiple LGAs.

| NSW Region | LGA |
|---|---|
| *Far South Coast* | Eurobodalla |
| | Bega Valley |
| *Shoalhaven* | Shoalhaven |
| *Hastings Macleay* | Kempsey |
| | Port Macquarie-Hastings |
| *Snowy Valleys* | Snowy Valleys |
| *Clarence Valley* | Clarence Valley |
| *Mid Coast* | Mid Coast |
| *Northern Rivers* | Richmond Valley |
| | Kyogle |
| | Lismore |
| | Byron |
| | Ballina |
| *Snowy Monaro* | Snowy Monaro |
| *Blue Mountains* | Blue Mountains |
| *Queanbeyan-Palerang* | Queanbeyan-Palerang |
| *Northern New England* | Glen Innes |
| | Tenterfield |
| *Southern New England* | Armidale |
| | Uralla |
| | Walcha |
| *Wingecarribee* | Wingecarribee |
| *Coffs Coast* | Coffs Harbour |
| | Bellingen |
| *Hawkesbury* | Hawkesbury |
| *Nambucca* | Nambucca |
| *Hunter* | Cessnock |
| | Muswellbrook |
| | Dungog |
| | Upper Hunter |
| | Singleton |
| *Mid Western* | Mid Western |
| *Southern Tablelands* | Goulburn-Mulwaree |
| | Upper Lachlan |
| *Albury-Wodonga* | Greater Hume |
| *Upper North West* | Gwydir |
| | Inverell |
| | Narrabri |
| *Lithgow* | Lithgow |
| *Tweed* | Tweed |
| *Abercrombie* | Oberon |
| *Other* | Tamworth |
| | Central Coast |
| | Wollondilly |
| | Lake Macquarie |
| | Cootamundra-Gundagai |
| | Wagga Wagga |
| | Penrith |
| | Sutherland Shire |
| | Ku-ring-gai |

*include
Mount S

LEGEND: Cat 1 - $4.5m Cat 2 - $1.6m

A notional funding envelope has been allocated to each eligible LGA to ensure all Black Summer disaster declared LGAs have the opportunity to receive funding for meritorious applications. The funding envelopes exist as a guide for comparative purposes, each eligible LGA having been assigned to one of two categories based on the original impact of the bushfires on the LGA:

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| NSW Region | LGA |
|---|---|
| *Far South Coast* | Eurobodalla |
| | Bega Valley |
| *Shoalhaven* | Shoalhaven |
| *Hastings Macleay* | Kempsey |
| | Port Macquarie-Hastings |
| *Snowy Valleys* | Snowy Valleys |
| *Clarence Valley* | Clarence Valley |
| *Mid Coast* | Mid Coast |
| *Northern Rivers* | Richmond Valley |
| | Kyogle |
| | Lismore |
| | Byron |
| | Ballina |
| *Snowy Monaro* | Snowy Monaro |
| *Blue Mountains* | Blue Mountains |
| *Queanbeyan-Palerang* | Queanbeyan-Palerang |
| *Northern New England* | Glen Innes |
| | Tenterfield |
| *Southern New England* | Armidale |
| | Uralla |
| | Walcha |
| *Wingecarribee* | Wingecarribee |
| *Coffs Coast* | Coffs Harbour |
| | Bellingen |
| *Hawkesbury* | Hawkesbury |
| *Nambucca* | Nambucca |
| *Hunter* | Cessnock |
| | Muswellbrook |
| | Dungog |
| | Upper Hunter |
| | Singleton |
| *Mid Western* | Mid Western |
| *Southern Tablelands* | Goulburn-Mulwaree |
| | Upper Lachlan |
| *Albury-Wodonga* | Greater Hume |
| *Upper North West* | Gwydir |
| | Inverell |
| | Narrabri |
| *Lithgow* | Lithgow |
| *Tweed* | Tweed |
| *Abercrombie* | Oberon |
| *Other* | Tamworth |
| | Central Coast |
| | Wollondilly |
| | Lake Macquarie |
| | Cootamundra-Gundagai |
| | Wagga Wagga |
| | Penrith |
| | Sutherland Shire |
| | Ku-ring-gai |

| QLD Region | LGA |
|---|---|
| *QLD - Southern* | Scenic Rim |
| | Lockyer Valley |
| | Somerset |
| | Southern Downs |
| *QLD - Upper* | Livingstone |
| | Gladstone |
| | Bundaberg |
| *Other* | Gympie |
| | Ipswich City |
| | Mareeba Shire |
| | Noosa Shire |
| | Sunshine Coast |
| | Toowoomba |
| | Brisbane |
| | Gold Coast |
| | Fraser Coast |
| | Townsville |
| | Cook |
| | Redland |
| | Whitsunday |
| | Rockhampton |
| | South Burnett |
| | North Burnett |

| VIC Region | LGA |
|---|---|
| *Gippsland* | East Gippsland |
| | Wellington |
| *Hume* | Alpine |
| | Towong |
| | Indigo |
| | Wangarratta |
| | Mansfield |
| | Wodonga |
| *Other* | Alpine Resorts* |
| | Campaspe |
| | Moyne |
| | Greater Bendigo |
| | Ballarat |
| | Glenelg |
| | Southern Grampians |
| | Ararat |
| | Strathbogie |
| | Northern Grampians |
| | Pyrenees |
| | Golden Plains |

**includes the Falls Creek, Mount Hotham, Mount Buller and Mount Stirling alpine resort areas only*

| SA Region | LGA |
|---|---|
| *Kangaroo Island* | Kangaroo Island |
| *Adelaide Hills* | Adelaide Hills |
| | Mount Barker |
| | Yorke Peninsula |
| | Murray Bridge |
| | The Coorong |
| | Playford |
| | Mid Murray |
| | Southern Mallee |
| | Lower Eyre Peninsula |
| | Kingston |

| ACT |
|---|
| ACT unincorporated |

| TAS |
|---|
| Break O'Day |
| Central Highlands |
| Glamorgan/Spring Bay |
| Southern Midlands |
| Flinders |

**National LGA Summary**

| Categories | LGAs | Funding | Total $m |
|---|---|---|---|
| Category 1 | 34 | $4.5m | 154 |
| Category 2 | 76 | $1.6m | 122 |
| Total | 110 | | 276 |
| Remaining Funding | | | $0 |

**State LGA Summary**

| State | Cat 1 | Cat 2 | Total $m |
|---|---|---|---|
| NSW | 19 | 31 | 136 |
| QLD | 5 | 18 | 51.5 |
| VIC | 8 | 12 | 55.5 |
| SA | 1 | 10 | 20.5 |
| TAS | 0 | 5 | 8 |
| ACT | 1 | 0 | 4.5 |
| **Total** | **34** | **76** | **$276** |

LEGEND: Cat 1 - $4.5m Cat 2 - $1.6m

Australian Government

Department of Finance

# Commonwealth Grants Rules and Guidelines 2017

Department of Finance
(Governance and Public Management)



ISBN: 978-1-925537-09-3 (online)

# Foreword

Grants are widely used to achieve government policy outcomes which support our Nation's jobs, growth and innovation. The Australian Government provides grants to a wide number of stakeholders for the benefit of all Australians. Each year billions of dollars' worth of grants benefit the public including through:

- increased social services;
- expanded opportunities for businesses;
- emergency relief; and
- research and innovation.

To assist with delivering outcomes for the Australian public, the Government remains committed to simplifying and improving the transparency of grants administration. The updated *Commonwealth Grants Rules and Guidelines 2017* is supported by a number of initiatives, including:

- GrantConnect, the Commonwealth whole-of-government web-based facility which will improve publication of grant opportunities and reporting on grants awarded;
- the development of whole-of-government tools and templates to standardise grants administration processes; and
- the business and community grants administration hubs, that are streamlining grants administration across the Australian Government.

I am pleased to make the *Commonwealth Grants Rules and Guidelines 2017* under subsection 105C(1) of the *Public Governance, Performance and Accountability Act 2013*. The *Commonwealth Grants Rules and Guidelines* (F2014L00908) are repealed. This instrument commences on the day after it is registered.

I commend the *Commonwealth Grants Rules and Guidelines 2017* to all those in the Australian Government involved in grants administration.

Mathias Cormann

Minister for Finance

# Contents

# Part 1 Mandatory Requirements

## 1. Purpose

1.1. The *Commonwealth Grants Rules and Guidelines 2017* (CGRGs) are issued by the Finance Minister under section 105C of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

1.2. The CGRGs establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities[1] in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration in the CGRGs.[2]

1.3. The CGRGs contain a small number of requirements that apply to Ministers.[3] These include grants related decision-making and reporting requirements, in addition to the legislative requirements that apply where a Minister approves proposed expenditure.

1.4. The CGRGs are divided into two parts. Part 1 contains mandatory requirements. Part 2 further explains how entities should apply the seven key principles of grants administration.

1.5. Requirements that must be complied with are denoted by the use of the term *must* in the CGRGs. The use of the term ‘should’ in the CGRGs, denotes better practice.

1.6. The combination of mandatory requirements and better practice guidance in the CGRGs provides accountable authorities[4] and officials with the flexibility to administer grants that contribute to a range of government outcomes and to work together with non-government stakeholders, such as industry, small business and the not-for-profit sector.

1 Corporate Commonwealth entities are generally not subject to the CGRGs. However, the CGRGs apply to third parties, including members of external committees, non-government organisations and corporate Commonwealth entities, where they undertake grants administration on behalf of the Commonwealth.
2 Government may make further decisions which affect the administration of grants.
3 Ministers include Parliamentary Secretaries, consistent with the *Ministers of State Act 1952*.
4 Every Commonwealth entity has an accountable authority. See PGPA Act subsection 12(2), Accountable authorities.

# 2. Objectives and Scope

## Objectives of grants administration

2.1. The objective of grants administration is to promote proper[5] use and management of public resources through collaboration with government and non-government stakeholders to achieve government policy outcomes.

2.2. This objective is achieved through:

a. the legislative, policy and reporting framework for grants administration set out in Part 1 of the CGRGs;

b. the seven key principles for better practice grants administration, discussed in Part 2 of the CGRGs:

i. robust planning and design;

ii. collaboration and partnership;

iii. proportionality;

iv. an outcomes orientation;

v. achieving value with relevant money;

vi. governance and accountability; and

vii. probity and transparency;

c. whole-of-government and individual entity grants administration practices.[6]

## Scope of the CGRGs

2.3. For the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth:

a. under which relevant money[7] or other CRF money[8] is to be paid to a grantee other than the Commonwealth; and

b. which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.

2.4. The CGRGs apply to all forms and types of grants. Grants may take a variety of forms, including payments made:

a. as a result of competitive or non-competitive selection processes;

b. where particular criteria are satisfied; or

c. on a one-off or ad hoc basis.[9]

Types of grants may include, but are not limited to: research grants; grants that provide for the delivery of services; grants that help fund infrastructure; or grants that help build capacity.

5 Proper is defined in the PGPA Act. See section 8, Dictionary.
6 This includes centralised grants administration systems and processes.
7 Relevant money is defined in the PGPA Act. See section 8, Dictionary.
8 Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.
9 A one-off or ad hoc grant generally does not involve planned selection processes, but is instead designed to meet a specific need, often due to urgency or other circumstances. These grants are generally not available to a range of potential grantees or on an ongoing basis.

2.5. Payments from one non-corporate Commonwealth entity to another non-corporate Commonwealth entity are notional[10] and are not grants. In addition, a non-corporate Commonwealth entity cannot provide a grant to itself.

2.6. For the purposes of the CGRGs, the following financial arrangements are taken not to be grants:[11]

a. the acquisition of goods and services by a relevant entity, for its own use, including the acquisition of goods and services on behalf of another relevant entity or a third party. These arrangements are covered by the *Commonwealth Procurement Rules* (CPRs);[12]

b. an act of grace payment approved under section 65 of the PGPA Act;

c. a payment of compensation made under:

i. an arrangement relating to defective administration; or

ii. an arrangement relating to employment conditions; or

iii. an arrangement established by legislation;[13]

d. a payment to a person of a benefit or an entitlement established by legislation;

e. a tax concession or offset;

f. an investment or loan;[14]

g. financial assistance provided to a State in accordance with section 96 of the Australian Constitution;

h. a payment to a State or a Territory that is made for the purposes of the *Federal Financial Relations Act 2009*;[15]

i. a payment that is made for the purposes of the *Local Government (Financial Assistance) Act 1995*;[16]

j. a payment that is made for the purposes of the *Australian Education Act 2013*;[17]

k. a payment that is made for the purposes of the *Higher Education Support Act 2003*;[18]

l. a payment of assistance for the purposes of Australia's international development assistance programme, which is treated by the Commonwealth as official development assistance;[19]

m. a payment of a charitable donation by a non-corporate entity from monies received from individuals for that purpose;

n. a membership payment for the purposes of complying with Australia's obligations under international treaties; and

o. payments made through non-corporate Commonwealth entities for the operation of corporate Commonwealth entities.

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10 Notional payments are defined in the PGPA Act. See section 76, Notional payments and receipts by non-corporate Commonwealth entities.
11 A gift of public property is not a grant as described in the CGRGs. See section 66 of the PGPA Act, Gifts of relevant property.
12 The CPRs provides that, in addition to the acquisition of property or services by a relevant entity for its own use, procurement also encompasses a situation where a relevant entity is responsible for acquiring goods or services for other entities, or for third parties.
13 A payment of compensation includes, but is not limited to: payments under the *Scheme for Compensation for Detriment caused by Defective Administration*; payments under section 73 (Payments in special circumstances) of the *Public Service Act 1999*; payments under the *Remuneration Tribunal Act 1973*; and settlements made in accordance with the *Legal Services Directions 2017*.
14 Some forms of financial assistance provided by way of concessional loans may be subject to the CGRGs.
15 These payments include General Revenue Assistance, Other General Revenue Assistance, National Specific Purpose Payments, and National Partnership Payments. Other forms of financial assistance made to States and Territories may be subject to the CGRGs. For further information on the Federal Financial Relations Framework see www.federalfinancialrelations.gov.au.
16 Other forms of financial assistance made to local government may be subject to the CGRGs.
17 Other forms of financial assistance made to educational institutions may be subject to the CGRGs.
18 Other forms of financial assistance made to educational institutions may be subject to the CGRGs.
19 The Commonwealth has regard to the definition of official development assistance that the OECD has set out, available on the OECD's website see http://www.oecd.org.



 

2.7. Additional guidance on the range of financial arrangements referred to in paragraph 2.6 is available on the Finance website.

2.8. Grants administration encompasses all processes involved in the grants lifecycle, including:

a. design of grant opportunities and activities;
b. assessment and selection of grantees;
c. establishment of grants;
d. ongoing management of grantees and grant activities; and
e. evaluation of grant opportunities and activities.

2.9. The CGRGs apply to grants administration performed by:

a. Ministers;
b. accountable authorities;
c. officials; and
d. third parties who undertake grants administration on behalf of the Commonwealth.[20]

## Entity guidance

2.10. Officials *must* comply with the CGRGs. There is a range of supporting documentation to assist entities to implement the CGRGs, including:

a. finance guidance, which provide more detailed better practice information on how to apply the resource management framework, including the grants policy framework;
b. whole-of-government tools and templates issued by Finance to assist entities to implement the grants policy framework[21]; and
c. overarching whole-of-government documents that are relevant to grants administration.

20 Third parties, including external committees, non-government organisations and corporate Commonwealth entities, are required to adhere to applicable requirements of the CGRGs, where they undertake grants administration on behalf of the Commonwealth. Where a committee assesses applications against particular criteria, or recommends supporting particular grant activities or distributing relevant money to grantees, committee or panel members should be treated as officials for the purposes of the CGRGs.
21 See the finance website for guidance and templates relating to grants administration at www.finance.gov.au.

# 3. Resource Management Framework

3.1. Ministers, accountable authorities and officials operate within an environment of legislation and government policy. Within this broad context, the resource management framework consists of the legislation, policy and guidance governing the management of public resources.

3.2. The resource management framework contains an overarching requirement that accountable authorities *must* govern entities in a way that promotes proper use and management of public resources. In managing the affairs of the entity, accountable authorities *must* comply with the Constitution, the PGPA Act, the PGPA Rule and any other relevant law. In addition, accountable authorities of non-corporate Commonwealth entities *must* govern the entity in a way that is not inconsistent with the policies of the Australian Government.[22]

3.3. Ministers *must* also comply with the relevant legislative requirements in the PGPA Act and Rule and the CGRGs. Officials *must* advise their Ministers on these requirements.[23]

## Key resource management legislative requirements

3.4. The PGPA Act and Rule provides the overarching accountability framework for grants administration. Accountable authorities and officials *must* consider their obligations under the PGPA Act and Rule when undertaking grants administration.[24] Internal guidelines, operational guidance and grant opportunity guidelines *must* be consistent with these requirements, while including any additional specific processes.[25]

3.5. Section 15 of the PGPA Act provides that an accountable authority *must* govern the affairs of the entity in a way that promotes proper use and management of public resources for which the accountable authority is responsible. When used in relation to the use or management of public resources ‘proper’ means efficient, effective, economical and ethical.

a. Section 15 is an overarching requirement applying to all aspects of an entity’s resource management, including grants administration.

b. Accountable authorities mainly discharge their responsibility under section 15 by ensuring that their entity has appropriate policies, procedures, guidelines and internal controls in place. Entities then undertake grants administration, proportionate to the risks identified and outcomes sought, ensuring that they are consistent with the resource management framework and CGRGs.

c. Accountable authorities of non-corporate Commonwealth entities are required to manage within the context of the Australian Government’s policy framework. The CGRGs are the core policy of the Australian Government relating to grants administration. Other policies which may be relevant for grants administration are discussed later in the CGRGs.[26]

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22 See section 21 of the PGPA Act, Non-corporate Commonwealth entities.
23 In addition to the requirements of the CGRGs, accountable authorities have a duty to keep their responsible Minister informed under section 19 of the PGPA Act, Duty to keep responsible Minister and Finance Minister informed.
24 The PGPA Act requires that the accountable authority of a Commonwealth entity must establish and maintain an appropriate system of risk oversight and management and an appropriate system of internal control for the entity. This includes by implementing measures directed at ensuring officials of the entity comply with finance law. See section 16, Duty to establish and maintain systems relating to risk and control.
25 See www.finance.gov.au for the most recent guidance.
26 Either individually or through centralised grants administration.

3.6. Before entering into an arrangement[27] for the proposed commitment of relevant money there *must* be legal authority to support the arrangement.

3.7. The authority to enter into, vary or administer an arrangement can come from either:

a. section 23 of the PGPA Act. Section 23 of the PGPA Act provides the Commonwealth with the power to enter into, vary or administer an arrangement of relevant money that relates to the ordinary services and functions of government[28];

b. section 32B of the *Financial Framework (Supplementary Powers) Act 1997* (FFSP Act). Section 32B of the FFSP Act provides the Commonwealth with the power to enter into, vary or administer an arrangement or a grant of financial assistance if it is specified in Schedule 1AA or Schedule 1AB to the FFSP Regulations; or

c. specific legislation. New or existing primary legislation administered by the relevant portfolio that provides the Commonwealth with the power to enter into, vary or administer an arrangement. This authority may be delegated to officials to enable them to enter into, vary or administer an arrangement.

3.8. In addition to the requirement for legal authority, accountable authorities and officials *must* also act in accordance with the PGPA Act and Rule, and the CGRGs, in relation to the proposed expenditure of relevant money.

3.9. The PGPA Rule requires that where accountable authorities or officials approve a proposed commitment of relevant money, the approval *must* be recorded in writing as soon as practicable after the approval is given.[29]

3.10. The PGPA Act and Rule, and the CGRGs, include requirements that apply to Ministers. Officials *must* advise the relevant Minister on these requirements.

3.11. The PGPA Act requires that a Minister *must* not approve proposed expenditure of relevant money unless satisfied, after reasonable inquiries, that the expenditure would be a ‘proper’ use of relevant money.[30] The terms of the approval *must* be recorded in writing as soon as practicable after the approval is given. ‘Proper’ when used in relation to the use or management of public resources means efficient, effective, economical and ethical.

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27 The PGPA Act defines an ‘arrangement’ and includes a contract, agreement, deed, treaty or understanding. See section 23(2) of the PGPA Act, Power in relation to arrangements and commitments.
28 Ordinary services and functions of government’ means spending relating to the running costs of an entity, such as the payment of staff salaries or building rental. Generally, payments relating to the ordinary services and functions of government will come from departmental appropriations, however there can be situations where they are paid from administered appropriations. If you are unsure about whether an activity relates to the ordinary services or functions of government you should seek legal advice.
29 See PGPA Rule 18, Approving commitments of relevant money.
30 See section 71 of the PGPA Act, Approval of Proposed Expenditure by a Minister.

# 4. Grants-specific Processes and Requirements

4.1. The grants policy framework is an important part of the resource management framework. This framework provides for non-corporate Commonwealth entities to work together with non-government stakeholders to achieve government policy outcomes. In addition to the requirements in the PGPA Act and Rule, other grants-specific requirements apply to Ministers, accountable authorities and officials.

## Requirements for Accountable Authorities and Officials

4.2. Officials *must* establish and document whether a proposed activity is a grant prior to applying the CGRGs.[31]

4.3. Accountable authorities and officials involved in grants administration *must* comply with government policies and legislation relevant to grants administration.[32]

4.4. Officials *must*:

a. develop grant opportunity guidelines for all new grant opportunities[33], and revised guidelines where significant changes have been made to a grant opportunity;[34]

b. have regard to the seven key principles for grants administration;

c. ensure that grant opportunity guidelines and related internal guidance are consistent with the CGRGs; and

d. advise the relevant Minister on the relevant requirements of the PGPA Act and Rule and the CGRGs, where a Minister is considering a proposed expenditure of relevant money for a grant.

4.5. Where an accountable authority or an official approves the proposed commitment of relevant money in relation to a grant, the accountable authority or official who approves it *must* record, in writing, the basis for the approval relative to the grant opportunity guidelines and the key principle of achieving value with relevant money.

4.6. Officials *must* provide written advice to Ministers, where Ministers exercise the role of an approver. This advice *must*, at a minimum:

a. explicitly state that the spending proposal being considered for approval is a ‘grant’;

b. provide information on the applicable requirements of the PGPA Act and Rule and the CGRGs (particularly any ministerial reporting obligations), including the legal authority for the grant;

c. outline the application and selection process followed[35], including the selection criteria, that were used to select potential grantees; and

d. include the merits of the proposed grant or grants relative to the grant opportunity guidelines[36] and the key principle of achieving value with relevant money.[37]

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31 Officials should consider the substantive purposes and characteristics of a financial arrangement to determine the nature of the financial arrangement.
32 See paragraph 2.2 of Part 1 of the CGRGs.
33 This includes one-off and ad hoc grants.
34 A risk-based approach is in place for consideration of new or revised grant opportunity guidelines. Officials involved in the development of grant opportunity guidelines are required to complete a risk assessment of the grants and associated guidelines, in consultation with the Department of Finance and the Department of the Prime Minister and Cabinet.
35 For demand-driven grant opportunities, this advice should include: how the allocation method was developed; how implementation issues were considered; and an outline of risk mitigation strategies.
36 The basis for recommending or rejecting each proposed grant should be set out in the assessment material and should reflect the particular merits of each grant activity in terms of the grant opportunity guidelines (including assessment against the selection criteria).
37 It is better practice to include this information for any delegate exercising the role of an approver.

4.7. While officials do not have to rank all grants when briefing ministers on the merits of a specific grant or group of grants, officials should, at a minimum, indicate:

a. which grant applications fully meet the selection criteria;
b. which applications partially meet the selection criteria; and
c. which applications do not meet any of the selection criteria.

Any specific recommendations regarding grant applications for approval can be in addition to this information.

4.8. Where a third party administers grants on behalf of the Commonwealth, the relevant accountable authority *must* ensure the arrangement is in writing and promotes the proper use and management of other CRF money.[38] In addition, the accountable authority *must* ensure the arrangement requires the third party to apply the CGRGs.

4.9. An overarching principle of the CGRGs is that accountable authorities and officials work together across government and with non-government stakeholders when undertaking grants administration. When determining what the acquittal or reporting requirements are, officials *must* have regard to information collected by Australian Government regulators and available to officials.[39]

## Requirements for Ministers

4.10. In addition to the requirements under the PGPA Act[40], where the proposed expenditure relates to a grant or group of grants, the Minister:

a. *must* not approve the grant without first receiving written advice from officials on the merits of the proposed grant or group of grants. That advice must meet the requirements of the CGRGs (see paragraph 4.6); and
b. *must* record, in writing, the basis for the approval relative to the grant opportunity guidelines and the key principle of achieving value with relevant money.

4.11. Ministers may approve grants within their own electorate.

a. Where a Minister[41] (including a Parliamentary Secretary) approves a proposed grant in his/her own electorate, the Minister *must* write to the Finance Minister advising of the details.
b. Where there is correspondence to the relevant grantee, a copy of this letter is sufficient, except in the circumstances outlined in paragraph 4.12(b). If there is no correspondence, Ministers *must* write to the Finance Minister advising of the decision as soon as practicable after it is made.

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38 See PGPA Rule 29, Other CRF money.
39 Including the Australian Charities and Not-for-profits Commission (ACNC). Officials should discuss the availability of relevant information with the ACNC. See www.acnc.gov.au.
40 See section 71 of the PGPA Act, Approval of proposed expenditure by a Minister.
41 Presiding officers of the Departments of the Parliament are not required to report to the Finance Minister.

c. There are two circumstances where grants awarded in a Minister's own electorate do not need to be reported.
   i. Senators do not need to report on grants they decide to award in their own state or territory; or
   ii. Where grants are awarded Australia-wide, state-wide, or across a region on the basis of a formula[42] by a Minister, and any of these grants falls in the relevant Minister's electorate, the Minister does not need to report to the Finance Minister.

4.12. Ministers may approve grants that are not recommended by the relevant officials.

a. Ministers[43] (including Senators) *must* report annually to the Finance Minister on all instances where they have decided to approve a particular grant which the relevant official has recommended be rejected. The report *must* include a brief statement of reasons (i.e. the basis of the approval for each grant). The report *must* be provided to the Finance Minister by 31 March each year for the preceding calendar year.[44]
b. If a decision relates to a Minister's own electorate (House of Representatives members only), the Minister *must* also include this information when writing to the Finance Minister in the context of the process outlined in paragraph 4.11.

## Grant-connected policies

4.13. Grant-connected policies are whole-of-government policies of the Commonwealth for which grants have been identified as a means of assisting delivery. These policies have been explicitly approved by the Cabinet as applying to Commonwealth grants. Additional guidance on the process to obtain approval to introduce a grants-connected policy is available on the Finance website.[45]

4.14. Generally a grant-connected policy will be the responsibility of an entity other than Finance. The relevant policy entity is responsible for actively administering and reviewing the policy, including providing advice on the application of the policy.

42 For example, demand-driven grants could provide that, subject to specific eligibility criteria being met, particular organisations across a region will be awarded a grant.
43 Presiding officers of the Departments of the Parliament are not required to report to the Finance Minister.
44 Additional guidance on the form of the report is available from the Finance website at www.finance.gov.au.
45 See www.finance.gov.au.

# 5. Public Reporting

5.1. Effective disclosure and reporting arrangements for grants administration is essential for reasons of transparency and public accountability. Reliable and timely information on grants awarded is a precondition for public and parliamentary confidence in the quality and integrity of grants administration.

## Web-based reporting requirements

5.2. Grant opportunity guidelines[46] *must* be made publicly available on GrantConnect[47], except where there is a specific policy reason to not publicise the grant opportunity guidelines or grants are provided on a one-off or ad hoc basis.

5.3. From 31 December 2017 an entity *must* report, on GrantConnect[48], information on individual grants (as defined in paragraph 2.3) no later than twenty-one calendar days after the grant agreement for the grant takes effect.[49]

5.4. Until it complies with paragraph 5.3 an entity *must* report, on its website, information on individual grants (as defined in paragraph 2.3) no later than twenty-one calendar days after the grant agreement for the grant takes effect.[50]

5.5. Officials *must* identify whether a grant agreement contains confidentiality provisions.

5.6. There may be circumstances where officials determine that public reporting of grants in accordance with the CGRGs is contrary to the *Privacy Act 1988* (Privacy Act), other statutory requirements, or the specific terms of a grant agreement.

   a. In these circumstances, the relevant officials *must* publish as much information as legally possible. For example, it may be possible to omit the name of the grantee and other personal information that may contravene the Privacy Act, but report other grant details.

   b. The reasons for not reporting fully *must* be documented by officials.

   c. Officials should also take all reasonable steps to ensure that future grant agreements contain provisions that do not prevent the disclosure of information.

5.7. Where officials assess that publishing grant information in accordance with the CGRGs could adversely affect the achievement of government policy outcomes, the responsible Minister may seek an exemption from the Finance Minister. The responsible Minister *must* write to the Finance Minister detailing the rationale for exemption. Officials should consult with Finance before commencing this process.

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46 Entities may also choose to publish information on GrantConnect relating to forecast opportunities, see guidance available at www.finance.gov.au.
47 Entities may choose to make information publicly available by other mechanisms. This information must be the same as, or a subset of the information on GrantConnect.
48 See the Finance website for further guidance on grants reporting at www.finance.gov.au.
49 The date of effect will depend on the particular arrangement. It can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement entities must publish information on individual grants as soon as practicable.
50 The date of effect will depend on the particular arrangement. It can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement entities must publish information on individual grants as soon as practicable.

5.8. Information on individual grants *must* be retained on an entity's website for at least two financial years. Where it is not practicable to do so (for example, due to the exceptional volume of grants needing to be maintained on the website) entities *must* retain appropriate records, consistent with their accountability obligations, and ensure the records are available on request.

   a. Where an entity reports information on individual grants on GrantConnect it is not required to retain that information on its website.



 

# Part 2 Guidance on Key Principles

## 6. Key Principles for Grants Administration

6.1. This part of the CGRGs sets out how to apply the key principles of grants administration. While the CGRGs contain a number of mandatory requirements, they provide flexibility in how accountable authorities and officials can work together with stakeholders to administer grants and achieve government policy outcomes.

6.2. The seven key principles for grants administration that apply to the grants lifecycle and all grant opportunities[51] are:

- robust planning and design;
- collaboration and partnership;
- proportionality;
- an outcomes orientation;
- achieving value with relevant money;
- governance and accountability; and
- probity and transparency.

6.3. Accountable authorities and officials *must* put in place practices and procedures to ensure that grants administration is conducted in a manner that is consistent with these seven key principles.[52] Ensuring that the requirements of the CGRGs are well understood and effectively incorporated into the administration of grant opportunities is important, to ensure that potential grantees best suited to undertake grant activities apply for and receive a grant.

6.4. The CGRGs provide the framework within which accountable authorities put in place internal controls and associated operational guidance related to grants administration within each entity[53]. Accountable authorities are encouraged to use any whole-of-government guidance[54] as the basis for their own internal controls, as this will reduce the risk of misinterpreting the requirements of the resource management framework and promote consistency for stakeholders.

6.5. Officials should work together with government and non-government stakeholders, through all phases of the grants lifecycle, Officials should build productive relationships with potential grantees and grantees to collaboratively achieve government policy outcomes.[55]

51 Examples include one-off or ad hoc grants, grants awarded through competitive, non-competitive and/or demand-driven processes.
52 See paragraph 4.3 and 4.4 of Part 1 of the CGRGs.
53 Entities may be required to use centralised or whole-of-government grants administration processes.
54 See the Finance website for guidance material at www.finance.gov.au.
55 Officials should balance this requirement for consultation against any issues that may arise in respect to probity, conflict of interest and the potential for competitive advantage.



 

# 7. Robust Planning and Design

7.1. High quality planning underpins efficient, effective, economical and ethical grants administration.

7.2. Officials should work together with government and non-government stakeholders to plan, design and undertake grants administration.

- Potential grantees, grantees and beneficiaries will likely have valuable insights into how best to design and implement grant opportunities and will assist to ensure outcomes are appropriately aligned to public needs.

7.3. Grants administration processes should be proportional to the scale and risk profile of the grant opportunity. Officials should consider that grant opportunities affect not only the Commonwealth and grantees, but may also impact on other beneficiaries of a grant as well.

7.4. Officials should address all relevant planning and implementation issues before commencing grant opportunities. These issues should be built into the design of any grant opportunity.

- The specific issues to be addressed will depend on the nature of the grant opportunity. A complex grant opportunity may, for example, require a different approach to a grant made on a one-off or ad hoc basis.

7.5. Officials should have regard to all relevant planning issues, including the need to:[56]

- establish a rationale for grant opportunities, particularly what outcomes are expected and how these will be measured;
- define the operational objectives;
- communicate effectively with potential grantees and key stakeholders;
- undertake risk identification and engagement;
- design grant opportunities to achieve value with relevant money;
- ensure that eligibility criteria reflect the operational objectives and policy intent;
- clearly identify decision makers and their roles;
- design grant opportunities for accountability, probity and transparency;
- carefully consider the application and selection process to be used;
- establish performance and evaluation measures;
- select an appropriate funding strategy and grant agreement;
- consider taxation matters and seek advice where appropriate;
- consider the Australian Government's accounting treatment;
- develop appropriate documentation, such as grant opportunity guidelines and application information;
- consider legal and policy matters; and
- implement robust governance arrangements.

56 Entities may identify other matters requiring consideration at the planning phase, depending on their specific circumstances.

7.6. Risk is part of the environment in which government operates. Understanding, accepting and managing risk is part of everyday decision making within government. Accountable authorities have a duty to establish and maintain systems relating to risk and control.[57] They should develop a positive risk culture within their entities, supported by appropriate frameworks and processes. A key element of grants administration is to identify and engage with risk. Officials should be conscious of the risks of a grant opportunity, make informed decisions in managing these risks and identify and harness potential benefits.

7.7. Risk identification and engagement should be built into an entity's grants administration processes. Risk identification and engagement activities will vary depending on the entity, grant opportunity, grant, and grantee. Some risks can appropriately be mitigated or managed through the grant agreement, while other risks are better managed across the grants lifecycle, such as planning and design, the application and selection process or the ongoing relationship between officials and grantees.

7.8. Risk can be categorised a number of ways. The CGRGs use three broad categories: grant program or grant opportunity risk; grantee risk; and grant activity risk.

7.9. Risks involving the *grant program or grant opportunity* relate to the planning, development and implementation of the grants by the relevant entity, such as:

- the nature of the grant opportunities (i.e. scope, complexity, uniqueness, quantum of funds, etc);
- design of the grant opportunities (i.e. a new or novel approach, having clearly defined outcomes, a unique allocation mechanism, timeframes, cost shifting, etc);
- entity capacity to administer the grant opportunities (i.e. resourcing, infrastructure requirements, staff experience and skills, etc); and
- implementation issues (i.e. communications with grantees and other stakeholders, clear accountabilities, ongoing grant administration, etc).

7.10. Risks involving the *grantee* relate to the grantee's industry or sector, the grantee and the entity's relationship with the grantee, such as:

- the nature of a particular industry (i.e. emerging industries, highly volatile sectors, controversial providers, industry capacity and regulation, etc);
- the relationship between the parties to the grant agreement (i.e. contractual relationships, collaboration, stakeholder expectations, multiple funding bodies, etc);
- experience, capacity and past history of grantees; and
- accountability procedures (i.e. performance management, fraud, conflict of interest, 'double dipping', etc).

7.11. Risks involving the *grant activities* relate to the specific activities that are funded by the grant, such as:

- the nature of grant activities (i.e. scope and range of activities, number of activities, geographic coverage, location, beneficiaries involved, etc);
- stakeholder capabilities (i.e. governance and experience, co-funding arrangements, clear roles and responsibilities, competing outcomes, etc);

57 See section 16 of the PGPA Act, Duty to establish and maintain systems relating to risk and control.

- grant activity design (i.e. value and duration of specific activities, objectives, timeframe for projects, etc); and
- grant activity standards (i.e. service standards, specific accountabilities, etc).

7.12. Officials should ensure that risk identification and engagement is supported by performance information, procedures and systems that continuously identify and treat emerging risks throughout the grants lifecycle.



 

# 8. Collaboration and Partnership

8.1. Accountable authorities have a duty to encourage officials to co-operate with others to achieve common objectives.[58] Officials should work collaboratively with government and non-government stakeholders. It is important to consider the needs and interests of potential grantees, grantees and beneficiaries. It should not be assumed that the same approach will suit all grant opportunities and circumstances. Through effective collaboration, shared understanding of expectations and positive working relationships, government policy outcomes can be achieved.

8.2. Officials are encouraged to seek input from non-government stakeholders when undertaking grants administration. Officials, working together with stakeholders, will:

- improve the design and delivery of grant opportunities;
- help identify and reduce fragmentation and unnecessary overlaps in grant opportunities;
- improve the responsiveness, flexibility and relevance of grant opportunities;
- reduce administration and compliance costs for potential grantees, grantees and government;
- aid in the development of appropriate outputs, outcomes, impact measures, accountability requirements, governance structures and grants documentation; and
- encourage potential grantees to understand their legal rights and obligations.

8.3. Consultation and co-operation with government and non-government stakeholders can help reduce fragmentation and unnecessary overlaps, improving outcomes for grantees, beneficiaries, the Commonwealth and other funding organisations. Officials should consider what interaction a particular grant opportunity may have on other government or non-government funded activities, particularly where there are similar policy outcomes.

- Grants could be funded by Commonwealth, state or territory and local government bodies, private trusts and foundations or national or state coordinating organisations.
- Officials should develop effective liaison with other funding organisations, particularly where policy responsibility or grants administration is shared between different entities or levels of government, or where an entity or third party is responsible for the grants administration of another entity.

8.4. Officials should seek to minimise red-tape and duplication. In particular, they should not seek information from potential grantees and/or grantees that is collected by other parts of the entity or other Commonwealth entities[59] and is available to them.

8.5. Officials should choose methods that will promote open, transparent and equitable access to grants.

- Officials should ensure that publicly available grant opportunities are notified in ways that provide all potential grantees with a reasonable opportunity to apply.[60]

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58 See section 17 of the PGPA Act, Duty to encourage cooperation with others.
59 Including the Australian Charities and Not-for-profits Commission. Officials should discuss the availability of relevant information with the ACNC. See www.acnc.gov.au.
60 See paragraph 5.3 of Part 1 of the CGRGs.

- Careful consideration should be given to the use of appropriate and effective promotion, to increase awareness of grant opportunities in key target groups. Appropriate and effective promotion of grant opportunities can include print and broadcast media, news features and editorials, newsletters and direct mail, workshops or other special events, public launches or announcements, the internet, social media and the use of outposted officers.

8.6. It is important that officials develop clear, consistent and well-documented grant opportunity guidelines and other related documentation. Officials should consider that a single reference source for policy guidance and other documentation (for example, administrative procedures, eligibility and assessment criteria appraisal processes, monitoring requirements, evaluation strategies and standard forms) helps to ensure consistent and efficient grants administration.[61]

- Grant opportunity guidelines should include (as relevant):
  - grant objectives and purpose;
  - eligibility criteria;
  - clear assessment criteria (if applicable);
  - weighting of assessment criteria;
  - the approval process (as relevant) including the:
    - closing date for applications;
    - likely decision date;
    - outline of selection process;
    - final recommendations;
    - decision-maker;
  - expected terms and conditions of the grant agreement;
  - indicative reporting and acquittal requirements; and
  - a description of complaint handling, review and/or FOI mechanisms.

8.7. Officials *must* ensure that any suite of documents that form the grant opportunity guidelines are consistent with the CGRGs.[62]

- Officials should ensure that the rules of grant opportunities are simply expressed, are clear in their intent and are effectively communicated to stakeholders.
- Officials should consider testing the clarity of grant opportunity guidelines with stakeholders prior to their release.

61 Officials should use whole-of-government templates to promote consistency for stakeholders.
62 See paragraph 4.4 of Part 1 of the CGRGs.

- Potential grantees need access to adequate information to enable them to submit a grant application. Application documentation should contain clear eligibility and assessment criteria to enable the selection of applications in a consistent, transparent and accountable manner. The design of the application form should assist potential grantees to provide information in respect of all selection criteria.
- Application forms and associated information should be easy to understand and provide all necessary information. Guidance should include contact points and details for further information, application forms and other information.
- Eligibility criteria should be straightforward, easily understood and effectively communicated to potential grantees. This helps avoid frustration and potential costs to applicants associated with developing and submitting applications that are not eligible or that have little chance of success.
- Officials should ensure that grant opportunity guidelines clearly inform potential grantees of terms and conditions they will need to meet during the life of the grant, such as financial and performance reporting. The proposed grant agreement should be included with the grant opportunity guidelines so that potential grantees can consider this at the time that they are considering applying for a grant.
- Timely appraisal avoids possible inequities and waste that may arise through unnecessary delay.

8.8. Officials should ensure that the party best placed to manage a specific risk is identified, the risks are assigned to that party, and that they manage those risks. Identifying the party best able to manage a risk and assigning that risk is an active process that should occur throughout the grants lifecycle.

8.9. A well-designed grant agreement will help establish the basis for effective working relationships based on collaboration and respect between the grantee and the entity, and a shared understanding of objectives and expectations.

- Longer term grant agreements are conducive to improved partnerships between grantees and officials. Where appropriate, officials should consider longer term grant agreements.


 

# 9. Proportionality

9.1. Proportionality in grants administration involves striking an appropriate balance between the complexity, risks, outcomes, and transparency. Accountable authorities have a duty in relation to requirements imposed on others and when imposing requirements on others *must* take into account the risks associated with the use or management of public resources and the effect of requirements imposed.[63] Officials should ensure that grants administration appropriately reflect the capabilities of potential grantees, grantees and accommodate the Australian Government's need for robust and accountable processes, consistent with the risks involved. Officials should apply the proportionality principle to suit the specific circumstances of their particular grants.

9.2. Grants vary widely in nature, scale and degree of complexity.

- Some grants may involve grantees, such as individuals, small business or the not-for-profit sector, while others involve large corporations, primary producers or whole industry sectors. Some potential grantees may have prior experience in applying for and undertaking grant activities, while others may not.
- Some grants support ongoing activities, with grants provided to the same or similar organisations over a period of years. Other grants may support new policy, with the associated risks of doing something for the first time, due to social, business or strategic changes.
- Some grants provide short-term, one-off assistance to grantees, while others may be for a longer duration with multiple application rounds.
- Some grants require only a broad purpose and relatively simple accountability requirements, while others may require tight specifications and complex accountability.

9.3. Officials should use the proportionality principle to inform the choice of the application and selection process, the grant agreement to be used and the reporting and acquittal requirements. Officials should tailor grant opportunity guidelines, application processes, grant agreements, accountability, and reporting requirements based on the potential risks and specific circumstances. In doing this, officials should consider: an assessment of the capability of potential grantees and grantees; the policy outcomes being sought; the purpose, value and duration of a grant; the nature and type of deliverables; governance; accountability requirements; and the nature and level of the risks involved.

- Grant opportunity guidelines are required for all grants, including one-off or ad hoc grants. The format and complexity may vary, depending on the activity. At a minimum, guidelines for one-off or ad hoc grant opportunities should include the purpose or description of the grant, the objectives, the selection process, any reporting and acquittal requirements and the proposed evaluation mechanisms.
- Grant agreements for a small-scale one-off grant should take the form of a simple letter of agreement or exchange of letters.
- For low-risk grant activities where the likelihood of identified risks occurring is remote or the impact of the identified risk is minimal, the grant agreement should

63 See section 18 of the PGPA Act. Duty in relation to requirements imposed on others.

cover those risks that can be appropriately managed through the agreement and ensure that the grantee is not overburdened.[64]

- More complex grant activities may require tailored grant agreements. For complex grants, involving high levels of conditionality, grant agreements may need to be individually structured to reflect the role, responsibilities and level of control which each of the parties is expected to assume.

9.4. Officials should apply the proportionality principle when determining the reporting and acquittal requirements for grants. There are no mandatory acquittal or reporting requirements for grantees in the CGRGs. Officials should determine the volume, detail and frequency of reporting requirements, proportional to the risks involved and policy outcomes being sought.

- Where a grant is used to support the ongoing delivery of services from the same organisations over a period of years, officials should consider reducing the detail of their accountability and reporting requirements, given a grantee's established record of compliance and performance.
- Subject to transparency considerations and risk assessment, it may be appropriate for officials to provide grantees that have a consistent record of high performance and reliability, more streamlined reporting requirements and evaluation measures, for example, allowing for aggregation of reports and less frequent reporting milestones.
- When determining what acquittal or reporting requirements are required, officials should have regard to information collected by Australian Government regulators[65] and available to officials.
- Where possible and appropriate, officials should consider aligning grant reporting requirements with a grantee's internal reporting, such as the annual reporting cycle and/or other substantive reporting requirements.
- Officials should not impose obligations on grantees to provide information, which is available from other sources, such as Australian Government regulators[66], the Australian Bureau of Statistics, peak bodies or publicly available material.

9.5. A further consideration is the entity's reporting requirements. Inappropriately or inflexibly applied entity standards and accountability frameworks could deter potential grantees. For example, requiring small businesses or not-for-profit entities to report in the same manner as large corporate organisations may not be appropriate. Similarly, poorly formulated reporting requirements, which focus on outputs rather than outcomes, can be overly burdensome, while stifling innovation by grantees.

- Officials should use better practice tools[67] and templates[68].
- Officials should balance the stringency of acquittal procedures against the level of risk, based on consideration of the risks involved with the grant activity, the grantee and the costs of compliance. Officials should consider that independently

64 See the finance website for the low-risk grant agreement template at www.finance.gov.au.
65 Such as the ACNC, see www.acnc.gov.au.
66 See paragraph 4.9 of Part 1 of the CGRGs.
67 The Standard Business Reporting (SBR) initiative may also be relevant for financial reporting, see www.sbr.gov.au. For financial reporting by not-for-profit organisations, entities must accept information according to the National Standard Chart of Accounts (NSCOA) accounting categories where a not-for-profit organisation chooses to use them.
68 See the finance website at www.finance.gov.au.

audited financial statements, may be expensive and difficult to source in rural and remote areas, or may comprise a large proportion of a low value grant.

9.6. Officials should explain in grant opportunity guidelines and operational procedures, how the proportionality principle is to be applied.

9.7. Proportionality decisions should also be recorded. Officials should periodically review these decisions, so that accountability and reporting requirements remain aligned to considerations of performance and risk through all phases of the grants lifecycle.



 

# 10. An Outcomes Orientation

10.1. Grants administration should be designed and implemented so that grantees focus on outcomes and outputs for beneficiaries, while seeking the most efficient and effective use of inputs. Accountable authorities and officials should focus on achieving government policy outcomes.[69]

10.2. Grants administration should have a performance framework that is linked to an entity's strategic direction and key performance indicators. Officials should determine the operational objectives that can be used to evaluate a grant. Specifically, officials should determine what change is expected as a result of a grant (the intended outcomes) and then measure the actual outcome.

- An entity's strategic direction outlines at a high level what it seeks to achieve. It is recorded in an entity's Portfolio Budget Statements.
- The operational objective is a statement of what the grant is intended to achieve. Grant opportunities should be based on clearly defined and documented objectives. The objectives should be a concise, unambiguous, realistic statement of what a grant opportunity is intended to achieve.

10.3. Officials should ensure that the objectives of particular grant opportunities are clear and specific. This will make it easier to develop supporting documentation, such as selection criteria, limit wasted applications and aid in the development of an appropriate performance framework, based on proportionality considerations. Officials should develop operational objectives which:

- are clearly linked to the outcomes set by government;
- are linked to an entity's strategic goals and/or directions and stated in such a way that clearly communicates what is to be achieved, measured, evaluated, and/or assessed;
- include quantitative, qualitative and milestone information which are phrased in such a way that it is clear how and when these objectives have been achieved;
- are authorised or endorsed by Ministers, the entity's accountable authority or senior officials, whichever is appropriate;
- are shared with potential grantees, grantees and where appropriate beneficiaries; and
- are reviewed regularly, and changed as appropriate.

10.4. In adopting an outcomes orientation, officials should ensure that outcome, output and input measures are clearly specified, as this will facilitate effective and efficient evaluation of grants administration and associated grant activities.

- Outcome measures assess the extent to which the grant is meeting both the strategic directions and operational objectives of the entity. Outcome measures relate to changes effected in the community and may include: the level of usage of facilities built with the grant; the level of community involvement resulting from projects; and levels of service delivery.

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69 Under section 15 of the PGPA Act, accountable authorities have a duty to govern Commonwealth entities in a way that, amongst other things, promotes the achievement of the purposes of the entity. See section 15, Duty to govern the Commonwealth entity.

- Output measures show the extent to which the grant's operational targets or milestones have been achieved. Output measures may include: the numbers of completed projects; the numbers of new applicants; and the numbers and/or value of grants awarded.
- Input measures show the inputs, such as cash and resources, consumed by grants administration and may include: the costs of administering a grant; the number of staff employed and the costs of processing applications.

10.5. In adopting an outcomes orientation, officials should consider common traps identified by the ANAO. These can include:

- assuming that the award of a grant automatically secures the desired outcome;
- assuming that the consumption of inputs results in the delivery of desired outputs and outcomes; and
- framing performance indicators that are reliant upon data provided by the grantee, without validating the grantee's capacity to produce accurate, reliable and complete data.

10.6. In adopting an outcomes orientation, officials should consider the use of longer term grant agreements, where appropriate, in order to achieve outcomes. For example, where grant activities are likely to occur over a number of years, it may be more appropriate to provide grantees with longer term grant agreements rather than conducting multiple grant rounds and offering grants for one to two years duration.

10.7. Performance reporting requirements and other information sought from grantees are key inputs used by officials in evaluating whether outcomes have been achieved and whether a particular grant activity achieved value with relevant money. In developing the performance reporting and information requirements for particular grant opportunities and grantees, officials should balance the amount of information sought and the associated costs to grantees of collecting and collating such information, against the obligation to perform due diligence in relation to grant evaluation processes.

- Officials, in close consultation with government and non-government stakeholders, should design performance information to show the extent to which grant activities contribute to government outcomes, as well as producing outputs.

10.8. Officials should establish appropriate performance measures on which to evaluate grants. Officials should ensure that performance measures are flexible enough to take into account the risk profile of the grant opportunity, grantees, and the grant activities being funded. Officials should ensure that these measures are specified in: grant opportunity guidelines; agreements; other documentation; and each entity's broader performance management framework.

- Officials should undertake an evaluation of a grant opportunity before initiating further grant opportunities or extending existing grant agreements, in order to determine whether existing grants administration processes, practices and requirements remain applicable.
- While conducting the evaluation, officials should consider the extent to which government outcomes and entity strategic directions remain appropriate as a result of the impact of the grant activities.

10.9. Requesting appropriate targeted performance information will assist grantees and officials to draw well-informed conclusions. It therefore contributes to timely and effective decision-making in managing grant activities. It can provide useful information on which to base future decisions for designing, continuing or concluding grant opportunities, and can contribute to the accountability of entities for their performance.

- Officials should apply the proportionality principle[70] to their grants administration. The proportionality principle along with risk identification and engagement, allows officials to consider their information needs and tailor or adjust the information requirements based on the grant program and opportunity risks, grantee risks, and grant activity risks.

70 See section 9 of Part 2 of the CGRGs.

# 11. Achieving Value with Relevant Money

11.1. Achieving value with relevant money should be a prime consideration in all phases of grants administration.[71] Grants administration should provide value, as should the grantees in delivering grant activities. This requires the careful comparison of the costs and benefits of feasible options in all phases of grants administration, particularly when planning and designing grant opportunities and when selecting grantees. It is also a means by which officials can assure the entity's accountable authority, Ministers and the Parliament that resources are deployed in an efficient, effective, economical and ethical manner, while not imposing overly burdensome requirements on grantees.

11.2. Officials achieve value with relevant money in grants administration by:

- considering and promoting proper use and management of public resources (proper means efficient, effective, economical and ethical);
- working with government and non-government stakeholders when appropriate to develop or modify grant opportunities. Stakeholder input can aid in improving the efficiency of the design and delivery of grant opportunities;
- using processes, procedures and requirements that are proportional to the risks and nature of grant opportunities. For intellectual property rights resulting from grant activities, entities should not generally assert ownership, but should consider a licence for Commonwealth purposes, such as reporting to Ministers;
- adopting an active risk identification and engagement approach focused on minimising potential adverse impacts and maximising benefits, through identifying and treating risks;
- responding to change. Officials should establish flexible processes so as to be able to respond quickly to changing government priorities;
- effective design and selection processes. The objective of the selection process is to select grant activities that best represent value with relevant money in the context of the objectives and outcomes of the grant opportunity. A fundamental appraisal criterion is that a grant should add value by achieving something worthwhile that would not occur without the grant; and
- ongoing monitoring and management. The establishment of ongoing monitoring and management arrangements throughout the grants lifecycle should assure entities that grant opportunities are proceeding as planned and that relevant money is being appropriately managed.[72]

11.3. Grantees contribute to achieving value with relevant money by:

- considering how best to deliver the grant activities to target groups or individuals. This may involve using existing processes and technologies or professional standards, or it may involve innovation and performance improvement by the grantee or officials;
- having in place an effective risk management approach that will minimise potential waste of relevant money;

71 Under section 15 of the PGPA Act, accountable authorities have a duty to govern Commonwealth entities in a way that, amongst other things, promotes the proper use and management of public resources and the financial stability of the entity. See section 15, Duty to govern the Commonwealth entity.
72 Including through centralised grants administration arrangements.


 

- ongoing monitoring and management of the grant activities, as appropriate. This may involve the effective use of organisational processes, procedures and systems to produce the required reporting information;
- contributing to government policy outcomes through collaborative delivery of grant activities; and
- participating in evaluation processes.

11.4. The design phase of grants administration is important to address questions of how best to achieve value with relevant money. Whilst the list is not exhaustive, officials should consider the following points as they may reveal less costly or more effective means of achieving government policy outcomes.

- It is important that officials determine that a grant is the most appropriate mechanism. There may be alternative means to realise a desired outcome, such as the use of statutory powers or the procurement of goods or services.
- Where government makes a specific decision to establish a grant opportunity, officials should still consider whether a needs analysis in the selection process would assist in identifying the highest priority grant activities, consistent with the intended government policy outcomes.
- Officials should determine whether an existing grant opportunity may be expanded or modified to meet an identified need, rather than establishing an additional grant opportunity. Relevant considerations include: the possible duplication of grant opportunity guidelines; advertising budgets; application and selection processes; grant agreements and payment arrangements; systems and support; and monitoring and performance assessment procedures. Officials should consider that duplication will generally add to an entity's administrative costs and may increase compliance cost for potential grantees and grantees.
- Officials should consider other sources of funding that may be available. Consideration should be given to the possibility of 'double-dipping' by a grantee. Double-dipping occurs where a grantee is able to obtain funding for the same grant activity from more than one source.
- Officials should be alert to the possibility of 'cost shifting' to the Commonwealth by another level of government, or 'substitution of effort' by another level of government. Cost shifting occurs where, for example, the Commonwealth funds a grant activity that should be paid for by a state, territory or local government. Officials should put in place a range of procedures to minimise opportunities for cost shifting and substitution of effort. These include seeking assurances that the funding will not be used for grant activities that would normally be paid for by a state, territory or local government. A further measure is to specify the types of grant activities excluded from Commonwealth grants in any relevant grant documentation such as grant opportunity guidelines.

- Officials should consider the use of longer term grant agreements, where appropriate. When considering the length of term of grant agreements, officials should consider the administrative costs involved for the entity and grantees. Longer term grant agreements may better achieve value with relevant money and government policy outcomes, than conducting multiple grant opportunities with grant agreements of shorter term duration.

11.5. Competitive, merit-based selection processes can achieve better outcomes and value with relevant money. Competitive, merit-based selection processes should be used to allocate grants[73], unless specifically agreed otherwise by a Minister, accountable authority or delegate.[74] Where a method, other than a competitive merit-based selection process is planned to be used, officials should document why a different approach will be used. In particular, where demand-driven or a ‘first-in first-served’ approach is planned to be used, officials should advise Ministers on how the grant allocation method was developed, explain how implementation issues were considered and outline the risk mitigation strategies.[75]

73 It may be appropriate in some circumstances to use non-competitive or targeted processes, such as, when the number of service providers is very limited and these providers have a well-established record of delivering the grant activities.

74 This delegation comes from the PGPA Act. See section 23, Power in relation to arrangements and commitments.

75 The specific risks of creating demand-driven grant opportunities should be documented and provided to delegates. See paragraph 4.6 of Part 1 of the CGRGs.



 

# 12. Governance and Accountability

12.1. Grants administration should be underpinned by solid governance structures and clear accountability for all parties involved.

12.2. Accountability involves ensuring individuals and organisations are answerable for their plans, decisions, actions and results. Accountability arrangements in grants administration relate to both the process of grants administration, including the grants allocation processes and ongoing grants management, and the achievement of government outcomes. Ministers, accountable authorities, officials and grantees all have their respective roles to play in achieving the applicable government outcomes and should be held accountable for the ways in which they fulfill their roles.

12.3. Officials should clearly define the roles and responsibilities of all parties involved in grants administration. Officials are encouraged to develop a robust governance framework, which clearly defines the roles and responsibilities of the various parties, as this will facilitate accountability.

- Any grants governance framework must be underpinned by the mandatory requirements in Part 1 of the CGRGs, such as the need for accountable authorities and officials to ensure that grants administration, including decision-making is consistent with the requirements of the PGPA Act and Rule and that Ministers are advised of their requirements under the CGRGs.
- Any grants governance framework should also clearly outline the role of grantees in the administration of a grant and the role of third parties, such as, external committees or entities that may manage grants on behalf of the Commonwealth.

12.4. Officials should develop policies, procedures and documentation necessary for the effective and efficient governance and accountability of grants administration. This should include the development of grant opportunity guidelines and associated operational guidance for administering grant activities on an ongoing basis. It is particularly important that such guidance clearly sets out who are the decision-makers for different grants administration processes. Officials *must* ensure the development of such guidance is consistent with the CGRGs.[76]

12.5. Officials involved in developing and/or managing grant opportunities should have the necessary grants management, stakeholder liaison and financial management skills. Officials involved in assessing applications should be appropriately skilled and have access to procedural instructions and/or training before processing grant applications.

- These safeguards are particularly important if grants administration is devolved to regional offices or across multiple entities, or involves different levels of government or individuals and organisations external to the Commonwealth.
- Care should be exercised to ensure that the competing demands on staff time and scarcity of expertise do not lead to variations in the standards of appraisal and administration.

76 See paragraph 4.4 of Part 1 of the CGRGs.

12.6. Accountability is dependent on the proper maintenance, awareness and availability of appropriate grants administration documentation and processes. Record keeping is therefore a key component of good grants governance and accountability. Good record keeping by officials will assist in meeting accountability obligations, demonstrate compliance with the CGRGs and the resource management framework, and show that due process has been followed in actions and decisions.

- Officials should have regard to grants-specific record keeping requirements and the implications for record keeping of the grants-specific mandatory requirements in Part 1 of the CGRGs relating to requirements for Ministers and officials regarding web-based reporting.

12.7. Good record keeping assists entity performance by better informing decision-making. For example:

- where officials can identify previous and current grantees and their performance they will be better able to assess risks;
- decision-makers should document the reasons for decisions in awarding grants[77] (and where appropriate not awarding grants) as this will assist equitable application of the assessment criteria, in particular, when selection processes are conducted over an extended period of time. This helps to ensure that grants are awarded to those grant activities that best satisfy the objectives of the grant opportunity; and
- where it is proposed to use a method other than a competitive, merit-based selection process, officials should document why this approach has been used.[78]

12.8. Officials should ensure that grant agreements are well-drafted and are fit-for-purpose, as this will contribute to good governance and accountability. Grant agreements are an opportunity to clearly document the expectations of all parties in relation to the grant. Both officials and grantees should clearly understand conditions in the grant agreement. The use of plain English facilitates this. A well-drafted grant agreement is one that provides for:

- a clear understanding between the parties on required outcomes, prior to commencing payment of the grant;
- appropriate accountability for relevant money, which is informed by risk analysis;
- agreed terms and conditions in regards to the use of the grant, including any access requirements; and
- the performance information and other data that the grantee may be required to collect as well as the criteria that will be used to evaluate the grant, the grantee's compliance and performance.

12.9. There is no form of grant agreement that is right for all grants. However, unless legislation or policy mandates the form of an agreement, officials should choose the appropriate form of agreement, based on:

- an analysis of the risks;
- consideration of proportionality;

77 See paragraph 4.5 and 4.10 of Part 1 of the CGRGs.
78 See paragraph 11.5 of Part 2 of the CGRGs.

- the context in which the grant is made (for example, the nature of the grantee, relevant applicable legislation, and relevant policy directions);
- guidance material, templates and tools provided by Finance;[79]
- government policy, such as those relating to risk;
- officials and the grantee working collaboratively;
- the best way to resolve issues that may arise; and
- legal advice, where appropriate.

12.10. Officials should ensure that the chosen form of grant agreement supports proper use and management of relevant money. The grant agreement should, at a minimum, define grant activity deliverables, schedule payments (according to progress), specify reporting requirements and acquittal procedures (if required) which are proportional to the risks involved.

- A grantee's own policies and procedures should support the grant agreement and ensure the effective and efficient governance and accountability for the grant.

12.11. Where legislation, regulation, rules, government policy or Ministerial direction imposes specific requirements such as how, to whom and in what form a grant is made or specifies particular terms and conditions, officials should meet those requirements.

- An Australian Industry Participation (AIP) Plan may be required where a grant is $20 million or more and use of relevant money may involve the acquisition of goods or services that can be purchased internationally.[80]

12.12. A well-drafted grant agreement alone is not sufficient to ensure the objectives of the grant activity are met. Officials should ensure that grant agreements are supported by ongoing communication, active grants management and performance monitoring requirements, which are proportional to the risks involved.

- Performance and financial monitoring provide useful information on which to assess the extent that objectives have been achieved.
- The monitoring of payments and progress are integral to good governance and risk management and provides a measure of assurance that relevant money allocated to grantees has been spent for its intended purposes.
- Adequate and well-documented arrangements to ensure financial accountability are the basis of effective grant acquittal. Reliable, timely and adequate evidence is required to demonstrate that the grant has been expended in accordance with the terms and conditions of the grant agreement. Officials should balance the stringency and complexity of acquittal against the level of risk and take into account the cost of compliance. Active risk engagement and management strategies will help achieve this balance.

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79 See the Finance website www.finance.gov.au
80 Officials are required to consult with the Department of Industry to confirm if an AIP plan is likely to be needed for a particular grant. See the Department of Industry's website www.industry.gov.au.

# 13. Probity and Transparency

13.1. Probity relates to ethical behaviour. Establishing and maintaining probity involves applying and complying with public sector values and duties such as honesty, integrity, impartiality and accountability.[81]

13.2. Transparency refers to the preparedness of those involved in grants administration, including officials and grantees, to being open to scrutiny about grants administration and grant opportunity processes. This involves providing reasons for decisions and the provision of two-way information to government, the Parliament, potential grantees, grantees, beneficiaries and the community. Transparency provides assurance that grants administration is appropriate and that legislative obligations and policy commitments are being met.

13.3. Probity and transparency in grants administration is achieved by ensuring:

- that decisions relating to grant opportunities are impartial; appropriately documented and reported; publicly defensible; and lawful. The key relevant requirements are set out in Part 1 of the CGRGs (section 3, Resource Management Framework and section 4, Grants-specific Processes and Requirements);
- compliance with the public reporting requirements set out in Part 1 of the CGRGs (section 5, Public Reporting); and
- that grants administration by officials and grantees incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct.

13.4. Accountable authorities *must* ensure that entity fraud procedures and practices comply with the fraud risk management and controls for Commonwealth entities Rule[82], including as it relates to grants administration. The Rule places obligations on accountable authorities in relation to: fraud risk assessments; control plans; awareness and training; and case handling and reporting.

- Under section 16 of the PGPA Act, an entity's accountable authority *must* implement a fraud control plan for the entity.
- Under section 45 of the PGPA Act, accountable authorities *must* establish and maintain an audit committee.

13.5. Accountable authorities should:

- establish appropriate internal control mechanisms for grants administration. For example, the separation of duties can be a key internal control. Generally, no single officer should appraise an application for a grant, give financial approval for the expenditure and also make the offer to the potential grantee; and
- guard against fraudulent use of relevant money. For example, reported information should be assessed not only against objectives but appropriate benchmarks to indicate appropriate use of relevant money. Officials should be aware of the procedures to follow when fraud or misappropriation is suspected.

13.6. Actual or perceived conflicts of interest can be damaging to government, granting entities and its officials, potential grantees and grantees. A conflict of interest arises

81 The PGPA Act contains a number of duties in relation to officials including duties of care and diligence, duties to act in good faith and for a proper purpose, duties in relation to use of position, duties in relation to the use of information and duties to disclose interests. See Division 3 of the PGPA Act, Officials.
82 See PGPA Rule 10, Preventing, detecting and dealing with fraud.

where a person makes a decision or exercises a power in a way that may be, or may be perceived to be, influenced by either material personal interests (financial or non-financial) or material personal associations. A conflict of interest may arise:

- where decision-makers or officials involved in grants administration have a direct or indirect interest, which may influence the selection of a particular grant activity;
- where members of external committees have a direct or indirect interest in informing a decision about expenditure or providing advice on grant opportunities; and
- where a potential grantee has a direct or indirect interest, which may influence the selection of their proposed grant activity during the application process. Conflicts may also arise when undertaking the grant activity.

13.7. Officials should establish transparent processes which help manage misconceptions and the potential for personal or related party gain. Accountable authorities should ensure that entity policy and management processes for conflict of interest are published to support probity and transparency.

13.8. Accountable authorities should put in place appropriate mechanisms for identifying and managing potential conflicts of interest for grant opportunities. These mechanisms may include:

- establishing procedures for officials, potential grantees, and grantees to declare their interests;
- developing procedures to manage potential conflicts of interest in all phases of grants administration;[83]
- maintaining a register of staff and other party interests; and
- ensuring that grant opportunity guidelines clearly outline what constitutes a conflict of interest.

13.9. Officials should conduct grants administration in a manner that minimises concerns about equitable treatment.[84] This can provide assurance to the various stakeholders that relevant money has been spent for the approved purposes and is achieving the best possible outcomes.

- Officials should ensure that decisions in relation to the approval of applications for grants are transparent, well documented and consistent with the legislative and policy requirements set out in Part 1, sections 3 and 4 of the CGRGs.
- Officials should put in place a transparent and systematic application and selection process. Such processes assist in informing decisions and enhancing confidence in the grant opportunity outcomes and grants administration processes, for both stakeholders and the public.

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83 It is not advisable to include potential grantees for a grant opportunity on bodies which directly input into the grant selection process.
84 All parties involved in grants administration may be subject to complaints of inequitable treatment, political and other forms of patronage or bias.

- The ANAO has put an emphasis on the geographic distribution of grant activities as a measure of equitable distribution and as an indicator of party-political bias in the distribution of grants. The ANAO has emphasised that those involved in grants administration should therefore be aware that the geographic and political distribution of grants may be seen as indicators of the general equity of a grant opportunity.
- A key consideration is whether decision-makers have equitably and transparently selected grant activities that best represent value with relevant money in the context of the outcomes of the grant opportunity, as set out in the grant opportunity guidelines.

13.10. Competitive, merit-based processes should be used to allocate grants based upon clearly defined criteria, unless specifically agreed otherwise by a Minister, accountable authority or delegate. Key factors to be considered by officials when deciding the most appropriate allocation process include:

- the outcomes of the grant opportunity;
- the likely number and type of applications;
- the nature of the grant activity;
- the value of the grant; and
- the need for timeliness and cost-effectiveness in the decision-making process while maintaining rigour, equity and accountability.

13.11. Officials should consider the options available for selection processes, including:

- open competitive funding rounds which have open and closed nominated dates, with eligible applications being assessed against the nominated selection criteria;
- targeted or restricted competitive funding rounds which are open to a small number of potential grantees based on the specialised requirements of the grant activity under consideration;
- a non-competitive, open process under which applications may be submitted at any time over the life of the grant opportunity and are assessed individually against the selection criteria, with funding decisions in relation to each application being determined without reference to the comparative merits of other applications;
- a demand-driven or 'first-in first-served' process where applications that satisfy stated eligibility criteria receive funding, up to the limit of available appropriations and subject to revision, suspension or abolition of the grant opportunity;
- a closed non-competitive process. For example, where applicants are invited by the entity to submit applications for a particular grant and the applications or proposals are not assessed against other applicants' submissions but assessed individually against other criteria; or
- one-off grants to be determined on an ad hoc basis, usually by Ministerial decision.

13.12. In determining the most appropriate application and selection process for a grant opportunity, officials should consider and document a range of issues associated with the available options, such as the nature and needs of potential grantees, maximising access to grants and policy outcome concerns against the advantages and disadvantages, risk analysis, timeliness and cost-effectiveness of the proposed process.

13.13. In some circumstances, it may be appropriate to use a non-competitive and/or a non-application based process. For example, it may be important to strike a balance between the desire to maximise access to a grant and the need for a timely and cost-effective decision making process. It may also be appropriate to target particular individuals, organisations, regions, or industry sectors, depending upon the government policy outcomes to be achieved. Where it is proposed to use a method other than a competitive, merit-based selection process, officials should document why this approach has been used.[85]

13.14. There may be instances where it is considered necessary to waive or amend the selection criteria established for a grant opportunity, in whole or in part. Where eligibility and assessment criteria are waived, decisions to approve grants should still be consistent with the policy authority for the grant opportunity and/or the applicable published objectives. Officials should document these decisions.

- Officials should ensure that grant opportunity guidelines document the circumstances in which the eligibility or assessment criteria set out in grant opportunity guidelines may be waived or amended.
- Officials should seek Ministerial or other appropriate authority before invoking provisions for waiving or amending eligibility and assessment criteria, and keep appropriate records.
- The ANAO has observed that it is important that appraisal and selection processes be transparent and free from the risk of political or other bias. It is better practice for all like applications to be assessed using a common appraisal process, and where there is a departure from the approved selection process, the reasons should be documented. Similarly, grant assessors should document when referring to, or relying on, knowledge or documentation other than the application form.

13.15. Accountability and transparency are related concepts. Accountability involves grantees, officials and decision-makers being able to demonstrate and justify the use of public resources to government, the Parliament and the community. This necessarily involves all parties keeping appropriate and accessible records to evidence the above.

85 See paragraph 11.5 of Part 2 of the CGRGs.


 

# Acronyms

| | |
|---|---|
| AAO | Administrative Arrangements Order |
| ANAO | Australian National Audit Office |
| CFO | Chief Financial Officer |
| CGRGs | *Commonwealth Grants Rules and Guidelines 2017* |
| CPRs | *Commonwealth Procurement Rules* |
| FFR Act | *Federal Financial Relations Act 2009* |
| Finance | Department of Finance |
| FFSP Act | *Financial Framework (Supplementary Powers) Act 1997* |
| FFSP Regulations | *Financial Framework (Supplementary Powers) Regulations 1997* |
| FOI | Freedom of Information |
| PGPA Act | *Public Governance, Performance and Accountability Act 2013* |

# Glossary

For the purposes of the CGRGs, terms have the meanings defined below.

**accountable authority** see subsection 12(2) of the PGPA Act.

**application process** refers to the steps that must be by followed potential grantees to be considered for a grant. It includes the forms, and written documentation, which contain eligibility and any assessment criteria to be satisfied.

**assessment criteria** are the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings.

**beneficiaries** include the individuals/organisations which directly or indirectly receive a gain or benefit from the grant activity.

**eligibility** criteria refer to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.

**entity** means a Commonwealth entity and includes a Department of State, a Parliamentary Department, a listed entity or a body corporate established by a law of the Commonwealth (see section 8 of the PGPA Act).

**external committee** means any body comprising external representation formed for the purposes of informing entities on the merits of applications in a grant opportunity. This may include advisory panels, expert committees, or technical advisers.

**finance law** means the PGPA Act and Rule, an instrument made under the PGPA Act, or an Appropriation Act (see section 8 of the PGPA Act).

**grant activity(ies)** refers to the project /tasks /services that the grantee is required to undertake.

**grants administration** is the processes that an entity undertakes to achieve Government policy outcomes through grants. It includes: planning and design; selection and decision-making; the making of a grant; the management of grant agreements; the ongoing relationship with grantees; reporting; and review and evaluation.

**grant agreement** sets out the relationship between the parties to the agreement, and specifies the details of the grant.

**grant opportunity** refers to the specific grant round or process where a Commonwealth grant is made available to potential grantees. Grant opportunities may be open or targeted, and will reflect the relevant grant selection process.

**grant opportunity guidelines** refers to a document(s) containing the relevant information required for potential grantees to understand: the purpose, outcomes and objectives of a grant; the application and assessment process; the governance arrangements (including roles and responsibilities); and the operation of the grant. Grant opportunity guidelines include related documents, such as the application guidelines and forms, invitations to apply, supporting documentation, frequently asked questions, draft grant agreements, and any templates for reporting or acquittals.



 

**GrantConnect** is the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs.

**grantee** means the individual/organisation which has been selected to receive a grant.

**grants lifecycle** includes the: design of grant opportunities and activities; assessment and selection of grantees; establishment of grants; ongoing management of grantees and grant activities; and evaluation of grant opportunities and activities.

**officials** means officials of a Commonwealth entity. An official of a Commonwealth entity is an individual who is in, or forms part of the entity (see section 8 of the PGPA Act).

**one-off or ad hoc grants** generally do not involve planned selection processes, but are instead designed to meet a specific need, often due to urgency or other circumstances. These grants are generally not available to a range of grantees or on an ongoing basis.

**other Consolidated Revenue Fund (CRF) money** is money that forms part of the CRF other than relevant money or any other money of a kind prescribed by the rules (see section 105 of the PGPA Act).

**relevant money** means money standing to the credit of any bank account of the Commonwealth or a corporate Commonwealth entity or money that is held by the Commonwealth or a corporate Commonwealth entity (see section 8 of the PGPA Act).

**Rule** means the Rule made under section 101 of the PGPA Act (see section 8 of the PGPA Act).

**selection criteria** comprise eligibility criteria and assessment criteria.

**selection process** is the method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria.



 