

ORDINARY COUNCIL MEETING 25 OCTOBER 2021



NOTICE OF MEETING

The Ordinary Meeting of the Belyuen Community Government Council will be held in the Council Offices, Belyuen community commencing at 5PM.

Cathy Winsley - CEO

AGENDA

ORDINARY COUNCIL MEETING

26 JULY 2021

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1 OPEN MEETING

The meeting will be declared open at 5:00PM.

2 APOLOGIES AND LEAVE OF ABSENCE

Report Number	2.1.10.21
Author	Cathy Winsley - CEO
Attachments	Nil

Summary

This report is to table, for Council's record, any apologies, and requests for leave of absence received from Elected Members for this or future Ordinary General Meetings.

Background

Not applicable.

Comment

Council can choose to accept the apologies or requests for leave of absence as presented, or not accept them. Apologies or requests for leave of absence that are not accepted by Council will be recorded as absence without notice.

Statutory Environment

As per the *Local Government Act 2019* s.47 a person ceases to hold office as a member of a Council if the person is absent, without permission of the council in accordance with the regulations, from 2 consecutive ordinary meetings of the Council.

Financial Implications

Not applicable.

Recommendation

That Council accepts the apology of Cr _____ for the Ordinary Council 25 October 2021. The Council notes the absence without apology of Cr _____.

Moved:

Seconded:

3 DECLARATION OF INTEREST

Report Number	3.1.10.21
Author	Cathy Winsley - CEO
Attachments	NIL

Summary

Elected members and staff are required to declare any conflicts of interest arising from the matters contained in this agenda.

Background

Elected Members are required to disclose an interest in a matter under consideration by Council at a meeting of the Council or a meeting of a Council committee by:

- 1) In the case of a matter featured in an officer's report or written agenda item by disclosing the interest to the Council by disclosure as soon as possible after the matter is raised.
- 2) In the case of a matter raised in general debate or by any means other than the printed agenda of the Council by disclosure as soon as possible after the matter is raised.

The Council may elect to allow the Member to provide further and better particulars of the interest prior to requesting him/ her to leave the Chambers.

Staff Members of the Council are required to disclose an interest in a matter at any time at which they are required to act or exercise their delegate authority in relation to the matter. Upon disclosure the Staff Member is not to act or exercise his or her delegated authority unless the CEO or Acting CEO expressly directs him or her to do so.

Comment

NIL

Statutory Environment

- *Local Government Act 2019* Section 114 (Elected Members).
- *Local Government Act 2019* Section 179 (Staff Members)

Policy Implications

Conflict of Interest – Code of Conduct.

Financial Implications

Not applicable.

Recommendation

That Council receives and notes the declarations of interest for the Ordinary General Meeting 25 October 2021.

Moved:

Seconded:

4 DEPUTATIONS AND PRESENTATIONS

NIL

5 CONFIRMATION OF PREVIOUS MINUTES

Report Number

5.1.10.21

Author

Cathy Winsley - CEO

Attachments

Unconfirmed Minutes of the Meeting 20 September 2021

Summary

Minutes of the Ordinary General Meeting of the 20 September 2021 are submitted to Council for confirmation that those Minutes are a true and correct record of the meeting.

Statutory Environment

The Agendas and Minutes as submitted must comply with part Chapter 6 of the *Local Government Act 2019*.

Policy Implications

Not applicable

Financial Implications

Not applicable.

Recommendation

That the Minutes of the Ordinary General Meeting held on 20 September 2021 be confirmed by Council as a true and correct record of the meeting.

Moved:

Seconded:

MINUTES OF THE ORDINARY MEETING OF THE BELYUEN COMMUNITY GOVERNMENT COUNCIL MEETING HELD 20 SEPTEMBER 2021

1 OPEN MEETING

PRESENT AT MEETING:

Elected Members:

- Cr Teresa Timber
- Cr Claude Holtze
- Cr Rex Edmunds
- Cr Lennie Sing
- Cr John Moreen

Staff:

- Cathy Winsley - CEO
- Jasmine Brar - Administration/Finance

Visitors:

- Cathryn Hutton – Consultant
- Mat Majid – Department of Chief Minister and Cabinet

The Ordinary Meeting of Council Meeting opened at 4:30PM

Cathryn Hutton talked to the presentation from the Department of Chief Minister and Cabinet on Key Information for Local Government. Cathryn also walked through the Code of Conduct and the distributed the Shire Plan.

2 SWEARING IN OF COUNCILLORS

Councillors were sworn in by Cathy Winsley – CEO Belyuen Community Government Council.

3 APPOINTMENT OF PRINCIPAL MEMBER, DEPUTY AND NAMING CONVENTION

1. That the Council determines that the Principal Member of Belyuen Community Government Council will be called “President”

Moved: Cr Teresa Timber

Seconded: Cr Claude Holtze

1. That Council appoints Cr Rex Edmunds as the President.

2. That Council appoints Cr Teresa Timber as Deputy President for the term of the Council.

Moved: Cr Claude Holtze

Seconded: Cr John Moreen

4 PRESIDENT TO HAVE THE CASTING VOTE

That Council determines that the Principal Member has the casting vote.

Moved: Cr Lennie Sing

Seconded: Cr Claude Holtze

5 COUNCIL MEETING SCHEDULE

That Council establishes the Council Meeting schedule to be the last Monday of the month at 5:00PM.

Moved: Cr Rex Edmunds

Seconded: Cr John Moreen

6 APPOINTMENT TO COUNCIL COMMITTEES

1. That the Council appoints the following members to the Finance Committee:

- a) Cr Rex Edmunds
- b) Cr Lennie Sing
- c) Cr Claude Holtze

2. That the Council appoints the following members to the Audit Committee:

- a) Cr Rex Edmunds
- b) Cr Teresa Timber
- c) Cr John Moreen
- d) Cr Lennie Sing

Moved: Cr Lennie Sing

Seconded: Cr Teresa Timber

7 CONFIRMATION OF PREVIOUS MINUTES

That the Minutes of the Ordinary General Meeting and Confidential session held on 9 August 2021 be confirmed by Council as a true and correct record of the meeting.

Moved: Cr John Moreen

Seconded: Cr Rex Edmunds

8 CEO REPORTS

8.1 Incoming and Outgoing Correspondence

NIL

8.2 Report from the CEO

That Council receives and notes the report from the CEO that included advice that a new modular house is to be constructed in Belyuen and that her contract will expire in December 2021 and that a process for recruitment of a new CEO will be presented to the next council meeting.

Moved: Cr Rex Edmunds

Seconded: Cr Teresa Timber

Meeting was suspended at 6:25PM – meeting recommenced at 6:54PM

9 FINANCIAL REPORTS

9.1 Monthly Financial Report

That Council accept the financial reports for the period August 2021 as tabled in this report.

Moved: Cr Rex Edmunds

Seconded: Cr Lennie Sing

10 QUESTIONS BY MEMBERS

NIL

11 GENERAL BUSINESS

NIL

12 CONFIDENTIAL ITEMS

NIL

13 CLOSE THE MEETING

The meeting was closed 7:29PM

14 NEXT COUNCIL MEETING

The next Ordinary Meeting of Council be held on 25th October 2021 at the Belyuen Council Offices, Belyuen community at 5pm.

6 PRESIDENT'S REPORT

Report Number	6.1.10.21
Author	President Rex Edmunds
Attachments	Nil

Summary

The President reports to Council on his activity and any items of importance that have arisen since the last ordinary Council meeting.

Comment

The President gave a verbal report of activities since the last council meeting.

Financial Implications

Not applicable.

Recommendation

That Council receives and notes the President's Report.

Moved:

Seconded:

7 CEO REPORTS

7.1 Incoming and Outgoing Correspondence

Report Number	7.1.9.20
Author	Cathy Winsley - CEO
Attachments	Various letters below

Background

Council is provided with items of correspondence both received and sent since the last Council meeting.

The correspondence inwards and outwards will be tabled at every meeting or included in agenda items as part of the background information for that issue.

Comment

The following correspondence has been received or sent during the preceding period.

Correspondence In

Ref	Date	From	Regarding
A	1 October 2021	Australian Government – Services Australia	Inclusion of a special clause in the National Agents and Access Points Program for the provision of NAAP services 2021-2022 Special clause: Management of Temporary Cashless Debit Card
B	27 September 2021	Ms Sharon Beswick – President Coomalie Council	To President Edmund, congratulating him on his appointment
C	11 October 2021	Sandra Schmidt Regional Executive Director Top End Region, Territory Regional Growth	Local Government Immediate Priority Grants Round
D	13 October 2021	Maree De Lacey Executive Director Local Government and Regional Development	Elected Member Professional Development <i>Councillors are reminded that attendance at Professional Development is mandatory</i>

Correspondence Out

NIL

Consultation

Not applicable.

Statutory Environment

Not applicable.

Policy Implications

Not applicable.

Financial Implications

Please refer to specific agenda item.

Recommendation***That Council:***

- a) Receives and notes the Incoming and Outgoing Correspondence Report tabled at the Council meeting 25 October 2021.***

- b) Ratify the CEO's acceptance of the inclusion of a special condition to the NAAP services 2021-2022 contract in relation to the management of temporary cashless debit cards**
- c) Approves the nomination of "Oval Redevelopment" as the Priority Project under the Local Government Immediate Priority Grants Round 2021/22**
- d) That Council advises Department of Chief Minister and Cabinet of the following dates are their preference for Elected Member Professional Development**
 - i. Stage 1: _____ , _____ and _____ in order of preference**
 - ii. Stage 2: _____ , _____ and _____ in order of preference**

Moved:

Seconded:



Australian Government
Services Australia

Belyuen Community Government Council
Cox Peninsular Road
BELYUEN NT 0822

1 October 2021

Dear Sir / Madam

**National Agents and Access Points Program contract
for the provision of NAAP services 2021 – 2022 (the Contract)**

SPECIAL CONDITION – Management of Temporary Cashless Debit Card

I write regarding the Contract between Belyuen Community Government Council (**You/Your**) and the Commonwealth of Australia as represented by Services Australia (**the Agency, We, Us, Our**) in relation to the Belyuen Agent Site (**the Site**).

As discussed with You, the Agency is delivering payments in some areas using a Cashless Debit Card (CDC). We are offering this Special Condition to Agent Hosts in some areas to support customers in the CDC program and Belyuen sits within this area.

We are seeking Your agreement to deliver this service, commencing from 1 November 2021, and propose to vary the Contract by inserting the clauses listed in the attached Special Condition. If You agree to the Special Condition, Your Specified Personnel will broadly be required to:

- Issue temporary CDCs to customers
- Receive and securely store Card / PIN mailer stock
- Provide education and support for customers to access the range of digital services offered by the Agency to conduct CDC enquiries
- Support customers to engage with the card provider using the self-service phone

If You agree to the terms of the attached Special Condition, please print two (2) copies of the Special Condition, sign where indicated and return it to Us by 29 October 2021.

Please contact your Zone Coordinator if you would like to discuss the above further.

Yours sincerely

Ali Payton
Acting Director
National Agent and Access Point Team
Services Australia
ali.payton@sa.gov.au

COOMALIE COMMUNITY GOVERNMENT COUNCIL

22 Cameron Road Batchelor NT 0845



PO Box 20 Batchelor NT 0845
Phone: 08 8976 0058
Fax: 08 8976 0293
Email: mail@coomalie.nt.gov.au
Web: www.coomalie.nt.gov.au

27th September 2021

Mr Rex Edmunds
President
Belyuen Community Government Council
CMB 18
DARWIN NT 0801

Via email c/-: cathy.winsley@belyuen.nt.gov.au

Dear Rex

Re: Introduction and Congratulations

Congratulations on your appointment as President to Belyuen Community Government Council.

I also write to advise you that my fellow Councillors appointed me as President, Coomalie Community Government Council at our Ordinary General Meeting on Tuesday 21st September 2021. Council also appointed Mr Angus McClymont as Vice President for a fixed term of two years.

I look forward to working with you and the other Mayors and Presidents on TOPROC. I would also like to extend an invitation to you to meet with me in the very near future to discuss opportunities for collaboration and our shared agenda. I recently wrote to the Minister for Local Government extending an invitation to him to meet with Council and to discuss progressing the important work we commenced some years ago regarding boundary reform, working together and a shared future. I hope he is able to meet with all of us to discuss progressing our collaboration further.

Please feel welcome to contact me at any stage to discuss our shared aspirations and challenges.

Looking forward to hearing from you soon.


Yours sincerely

Ms Sharon Beswick
President

c.c. *Mr Angus McClymont*

11 October 2021

Cathy Winsley
Chief Executive Officer
Belyuen Community Government Council
CMB 18
DARWIN NT 0801


Dear ~~CEO~~ Winsley

Re: \$3.4 million Local Government Immediate Priority Grants Round - Open

The Minister for Local Government, Hon Chansey Paech MLA, has recently approved the new Local Government Immediate Priority Grants (IPG) program. The IPG program is an application based grant program that enables councils to apply for funding for a range of priority projects including infrastructure needs and animal management projects, with an intended completion date of 12 months from the date of offer.

Under the 2021-22 IPG program, \$3.4 million is available. There is only one funding round and applications should be for projects that are designed to boost amenity and community development, and animal management projects, which are consistent with council's annual/business plan. Up to two applications can be submitted but please prioritise the bids. The value of the grant being sought should be made in the context of the \$3.4 million funding pool and exclude administrative or management costs.

The grant assessment process will look favourably upon those submissions where a co-contribution is offered and proposals which involve a component of shared services. Joint applications with other councils are encouraged.

The Minister for Local Government will decide the successful applications. All approved projects are required to be procured in accordance with the Northern Territory Government "Buy Local" policy.

It is intended that all funded projects under this program will be able to be completed within 12 months from the date of the funding offer. However it is recognised that there may be factors outside council's control that could make this timeframe unachievable, but nevertheless the project is a priority for the council. If such circumstances are known upfront, then it must be clearly stated in the funding application and a realistic project completion date provided which can be no later than 30 June 2023. It should be noted that the project for which funds are approved by the Minister for Local Government cannot be changed.

The IPG funding guidelines and an FAQ Sheet are available on the Department of the Chief Minister and Cabinet's webpage at:

<https://cmc.nt.gov.au/supporting-government/local-government/local-government-funding/immediate-priority-grants-program-2021-22>

All applications are to be submitted online via GrantsNT. Your council's registered contact officer will receive an invitation to apply through GrantsNT. Should you experience any technical issues with GrantsNT, please email lg.grants@nt.gov.au or call 8999 8576 for assistance.

The closing date for IPG submissions is close of business 12 November 2021.

If you have any questions regarding the application process and /or project details please make initial contact with me on 8999 5430.

If you have any queries regarding the IPG grant funding guideline requirements please contact Ms Donna Hadfield, Manager Grants Program, on 899 98820 or email lg.grants@nt.gov.au.

Yours sincerely


A handwritten signature in black ink, appearing to read 'Sandra Schmidt', written in a cursive style.

Sandra Schmidt
Regional Executive Director Top End Region
Territory Regional Growth

Cc: Donna.Hadfield@nt.gov.au

13 October 2021

Ms Cathy Winsley
Chief Executive Officer
Belyuen Community Government Council
CMB 18
DARWIN NT 0801



Dear Ms Winsley

Professional Development for Elected Members

The *Local Government Act 2019* (the Act) provides that all elected members of councils must complete approved professional development about the responsibilities of being a council member under the Act within twelve months of each general election.

The CEO of the Department of Chief Minister and Cabinet (CM&C) has approved Stage 1 of a set of courses developed to provide essential foundation knowledge to council members. The prioritisation of the areas of focus has been developed with a Steering Group comprising representatives from the Local Government Association of the Northern Territory (LGANT), Independent Commissioner Against Corruption (ICAC), nominated councils and the Industry Skills Advisory Council.

As discussed at the recent LGANT Symposium and the 2020 LGANT Conference, this first round of professional development is deliberately set as a baseline for all elected members. It is anticipated that future training courses will provide for different levels of professional development delivered through a range of methods and providers, and potentially for accreditation. This reflects that the Northern Territory's elected members come from diverse backgrounds, with a range of experience and knowledge to be shared from those who have been elected members for some time to the newly-elected members.

The essential courses are:

- Stage 1
 - Introduction to the Code of Conduct
 - Understanding conflicts of interests
 - Roles and responsibilities of council members
- Stage 2
 - Understanding local government
 - Council decision making and meeting procedures
 - Introduction to council finances.

It is envisaged that the courses will be delivered face to face with each council. The face-to-face delivery is intended to promote interaction, enable 'real life' examples to be discussed, enable more experienced members to share knowledge with newer members and enhance learning.

The content of the courses is fixed, in order to ensure all elected members receive consistent information. The timing of delivery is up to your council as long as both stages are completed by all elected members by August 2022.

Stage 1 will be delivered from late 2021 and Stage 2 from early 2022, depending on the timing that suits councils.

An information sheet on the delivery of this mandatory professional development is attached.

Officers from your CM&C regional office will be able to assist you with facilitation if needed, including assisting those councils who decide to organise their own facilitation to access the appropriate technology and course content. CM&C officers from Local Government and Regional Development will also request an invitation to the meeting to support discussion and ensure all councils receive consistent information about governance requirements and legislation. CM&C will also be able to take feedback to help inform the development of subsequent training packages.

CM&C is seeking information from your council about options for the timing for delivery of the courses that will suit your Council, with both stages to be completed by August 2022. We ask that you are flexible with dates as there are a limited number of CM&C officers available to support the delivery of the courses.

To assist in planning and supporting delivery of the courses, please complete the attached training delivery form and return to the CM&C by **29 October 2021** via localgovernment.cmc@nt.gov.au.

If you have any questions about local delivery of the courses, please do not hesitate to contact your regional CM&C Officer, Ms Georgia Eagleton, Project Officer, at georgia.eagleton@nt.gov.au. For technical information about the courses and the requirements under legislation please do not hesitate to contact Mr Brad Jolly, Director Legislation and Policy on 8999 8405 or email localgovernment.cmc@nt.gov.au.

Yours sincerely



Maree De Lacey
Executive Director
Local Government and Regional Development

Delivery of Professional Development

Information Sheet

Course content

There are six courses that will be rolled out to members to satisfy their professional development requirements under the *Local Government Act 2019*. These are:

- Introduction to the Code of Conduct
- Understanding conflicts of interests
- Roles and responsibilities of council members
- Understanding local government
- Council decision making and meeting procedures
- Introduction to council finances.

Each course will take approximately an hour to deliver and as such are grouped into two delivery stages:

- Stage 1: Introduction to the Code of Conduct; Understanding conflicts of interests; Roles and responsibilities of council members
- Stage 2: Understanding local government; Council decision making and meeting procedures; Introduction to council finances.

The courses have been developed through the NT Government MyLearning platform and can be delivered face-to-face. This may include instructor-led training, where council members are able to follow through the course on their own laptops during or after the delivery. Each course consists of a short video, lesson content, a quiz and an evaluation questionnaire. Councils may choose to incorporate additional information to support the lesson content that relates specifically to their Council.

On completion of the courses, participants will receive a certificate that will show that they have satisfied the professional development requirements. All elected members have to complete the approved courses within 12 months of election.

Facilitator

These courses can be delivered by either CM&C or a council facilitator.

Department facilitator

CM&C can provide a facilitator to present the courses to your Council. CM&C's facilitator will work with the council's representative to develop tailored supporting materials for each council to be used during the course.

Council facilitator

Council may nominate their own facilitator to deliver the courses.

The council facilitator will be provided access to the courses and CM&C will work with them in advance of the training to assist in using the MyLearning platform and go through the content.

A CM&C Officer will be available to support the face-to-face course delivery on the day.

Interpreter

If required, CM&C can work with the Council and the Aboriginal Interpreters Service (AIS) to book an interpreter.

Interpreters are subject to availability from AIS and will need to be briefed in advance of the session.

Quiz

As part of the courses, council members will be required to complete and pass a quiz. A pass mark for the quiz is 10 out of 10 and participants will receive a certificate upon completion of the course. Council members will receive guidance on each question and will have the opportunity to change their answers until they select the correct answer. Council members may also have multiple attempts at the quiz to ensure they receive a pass mark.

The quiz can be completed online or on paper on the day.

Councils may decide how this quiz is completed, e.g. as a group or individually.

IT Requirements

To successfully deliver these modules, the Council will need:

- computer and presentation screen
- internet connection
- laptops or tablets for each council member (if applicable).

Delivery of Professional Development

Plan for

Stage 1 course delivery

Delivery of courses: Introduction to the Code of Conduct, Roles and responsibilities of Council members, Understanding conflicts of interests

Facilitation Details:

Delivery date(s): <i>Please provide three options in order of preference</i>					
Facilitator:	<input type="checkbox"/> Council facilitated <input type="checkbox"/> CM&C facilitated				
Facilitator(s) Name: <i>If facilitated by council</i>			Facilitator(s) Phone:		
Facilitator(s) Email:			Facilitator(s) Location:		
Do you require an interpreter?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Booked:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Name:	
<i>*Interpreters are subject to availability from the Aboriginal Interpreter Service (AIS).</i>					

Participant Details:

Laptops/Tablets to be used?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
List of council members participating: <i>This information is necessary in order to enrol participants in the course</i>	Name	Email address	Phone number

Supporting materials:

Indicate if there are any further supporting materials you might need, (eg accompanying written materials, hard copy quiz documents, or PowerPoints) or feel free to talk to CM&C about your requirements.

Supporting materials	
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Stage 2 course delivery

Delivery of courses: Understanding local government, Introduction to council finances, council decision making and meeting procedures

Facilitation Details:

Delivery date(s): <i>Please provide three options in order of preference</i>			
Facilitator:	<input type="checkbox"/> Council facilitated <input type="checkbox"/> CM&C facilitated		
Facilitator(s) Name: <i>If facilitated by council</i>		Facilitator(s) Phone:	
Facilitator(s) Email:		Facilitator(s) Location:	
Do you require an interpreter?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Booked:	<input type="checkbox"/> Yes <input type="checkbox"/> No
		Name:	

*Interpreters are subject to availability from the Aboriginal Interpreter Service (AIS).

Participant Details:

Laptops/Tablets to be used?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
List of council members participating: <i>This information is necessary in order to enrol participants in the course</i>	Name	Email address	Phone number

Supporting materials:

Indicate if there are any further supporting materials you might need, (e.g. accompanying written materials, hard copy quiz documents, or PowerPoints) or feel free to talk to CM&C about your requirements.

Supporting materials	
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Approval

CEO Name	Maree De Lacey, Executive Director
Council Name	Department of Chief Minister and Cabinet
Date: / /	Date: / /

7.2 Report from the CEO

Report Number	7.2.10.21
Author	Cathy Winsley - CEO
Attachments	NIL

Summary

Each meeting the CEO provides an update on activities and issues facing the Council.

Comment

To be tabled at the Council meeting.

Statutory Environment

Not applicable.

Financial Implications

Not applicable.

Recommendation

1. That Council receives and notes the report from the CEO as tabled.

Moved:

Seconded:

7.3 COVID 19 Vaccine Mandate

Report Number 7.3.10.20
Author Cathy Winsley - CEO
Attachments

Summary

Council is provided with information regarding the COVID-19 Vaccination Mandate and its impact on Council.

Comment

The following is an extract from the Mandating COVID-19 Vaccination announcement dated 13 October 2021:

COVID-19 vaccinations will be mandatory for many workers by the end of the year to protect the community as we move towards COVID-safe freedoms.

The Chief Health Officer Direction will make it mandatory for certain workers to have received their first dose of the COVID-19 vaccine by 12 November 2021 to continue working in the same role.

Those workers must be fully vaccinated by 24 December 2021.

Workers who are required to get the COVID-19 vaccine are:

- Workers who come into direct contact with people who are at risk of severe illness from COVID, including Aboriginal people and people who cannot be vaccinated due to age or a medical condition;
- Workers who are at an increased risk of contracting COVID-19 because they work in a high-risk setting where there is a known risk of COVID-19 transmission or outbreak; and
- Workers who perform work in essential infrastructure, food or essential good security or supply, or logistics in the Territory.

Relevant employees who are not vaccinated by 13 November 2021 will not be permitted to attend their workplace, and will face a \$5,000 fine if they do not comply with the Chief Health Officer Direction.

Staff

Based on this directive, the Council will be requesting evidence of vaccination for all of its workers and any worker unable to provide such evidence will not be able to attend the workplace from 13th November 2021. Further action will also be considered including disciplinary action.

In accordance with the CHO Directive, the Council will be required to collect information about a worker's vaccination status and keep a register of this as well as a record that evidence of vaccination has been sighted.

Contractors

The Council will be required to seek assurances from all contractors visiting Council “workplaces” that they comply with the vaccine requirements. This will form part of the contractor induction process.

Councillors

Councillors are not employees of the Council. However, they are encouraged to get vaccinated as soon as possible.

Statutory Environment

The CHO Directive is made in accordance with the [Public and Environmental Health Act 2011 \(the Act\)](#) in relation to COVID-19.

When a public health emergency declaration is in force, the Chief Health Officer (CHO) can use their emergency powers under the Act. The CHO’s emergency powers mean that the CHO may take the actions (including giving oral or written directions) they consider necessary, appropriate or desirable to alleviate the public health emergency. Directives made under this emergency power are laws.

Financial Implications

NIL

Recommendation

That Council notes the CHO Directive in relation to mandatory COVID-19 vaccinations and notes the Council’s obligations to enforce the mandate.

Moved:

Seconded:

8 OFFICER REPORTS

NIL

9 FINANCIAL REPORTS

9.1 Monthly Financial Report

Report Number	9.1.10.21
Author	Cathy Winsley - CEO
Attachments	Financial report for September 2021

Summary

The Council is provided with a financial report at each meeting.



Northern Territory of Australia

Public and Environmental Health Act 2011

COVID-19 Directions (No. 55) 2021: Directions for mandatory vaccination of workers to attend the workplace

I, Hugh Crosbie Heggie, Chief Health Officer, under section 52 of the *Public and Environmental Health Act 2011* (the **Act**), consider it necessary, appropriate or desirable to take action to alleviate the public health emergency in the Territory, declared by instrument entitled "Declaration of Public Health Emergency", dated 18 March 2020, (the **public health emergency declaration**), by making the following directions:

Part 1 Preliminary matters

- 1 These Directions take effect at 12:00 (noon) on 13 October 2021 and remain in force while the public health emergency declaration is in force.

Note for direction 1

These Directions will remain in force during any subsequent extensions of the duration of that declaration, which may be made under section 50(2) of the Act.

- 2 In these Directions:

approved means approved by me.

person conducting a business or undertaking, see section 5 of the *Work Health and Safety (National Uniform Legislation) Act 2011*.

vulnerable person, means a person who is considered, under direction 3, to be vulnerable to infection with COVID-19.

worker, see section 7 of the *Work Health and Safety (National Uniform Legislation) Act 2011*.

- 3 A person is considered to be vulnerable to infection with COVID-19 if:
- (a) the person is under 12 years of age; or
 - (b) the person cannot be vaccinated with an approved COVID-19 vaccine due to a contraindication to all approved COVID-19 vaccines; or
 - (c) the person is an Aboriginal person; or
 - (d) the person is at risk of severe illness from COVID-19 for medical reasons, such as being on immune suppressive therapy after an organ transplant or having chronic kidney, heart, liver or lung disease.

Note for direction 3

For more information on vulnerable persons see:

<https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/advice-for-people-at-risk-of-coronavirus-covid-19>

- 4 These Directions apply to the following workers:
- (a) a worker who, during the course of work, is likely to come into contact with a vulnerable person;
 - (b) a worker who is at risk of infection with COVID-19 because the worker, during the course of work, is likely to come into contact with a person or thing that poses a risk of infection;
 - (c) a worker whose workplace poses a high risk of infection with COVID-19;
 - (d) a worker who performs work that is necessary for the operation or maintenance of essential infrastructure or essential logistics in the Territory.

Note for direction 4(a)

To determine whether a person is a vulnerable person, a worker can ask the person directly or assume they are vulnerable if the worker is unsure. If a person does not disclose their vaccination status to a worker, the worker should assume the person is vulnerable.

- 5 The provisions of the Schedule are to be used in determining whether these Directions apply to a worker under direction 4.

Part 2 Vaccination for attendance at workplace

- 6 For the period starting on 13 November 2021 and ending on 24 December 2021, a worker who has not received the first dose of an approved COVID-19 vaccine must not attend the worker's workplace.
- 7 On and from 25 December 2021, a worker who has not received 2 doses of an approved COVID-19 vaccine must not attend the worker's workplace.

Note for direction 7

It is expected that a third dose will be required for these workers in 2022. These Directions will be amended to add that requirement when the medical advice is more definite.

- 8 Despite directions 6 to 7, a worker may attend the worker's workplace without being vaccinated with an approved COVID-19 vaccine if the worker has evidence of a contraindication to all approved COVID-19 vaccines.
- 9 The evidence required for direction 8 is one of the following certificates:
- (a) a medical certificate issued by a medical practitioner that certifies that the worker has a contraindication to all approved COVID-19 vaccines determined in accordance with the *Clinical guidance on use of COVID-19 vaccine in Australia in 2021*, or any successor guidelines, issued by the Australian Technical Advisory Group on Immunisation (ATAGI);
 - (b) a certificate issued by the Commonwealth that certifies that the worker has a contraindication to all approved COVID-19 vaccines.

Note for direction 9(a)

For the ATAGI guidelines current at the time of making these Directions see: <https://www.health.gov.au/sites/default/files/documents/2021/10/covid-19-vaccination-atagi-clinical-guidance-on-covid-19-vaccine-in-australia-in-2021.pdf>

- 10 A person conducting a business or undertaking must ensure that any worker who performs work for the person does not attend the worker's workplace contrary to directions 6 and 7.

- 11 Nothing in these Directions prevents a worker who is not vaccinated as specified in directions 6 and 7 or exempt from vaccination under direction 8 from working at a place where the worker, during the course of work:
- (a) is not likely to come into contact with a vulnerable person; and
 - (b) is not likely to come into contact with a person or thing that poses a risk of infection with COVID-19; and
 - (c) is not likely to be exposed to a high risk of infection with COVID-19.
- 12 Nothing in these Directions prevents a person conducting a business or undertaking from making reasonable adjustments to accommodate a worker who is not vaccinated as specified in directions 6 and 7.

Example for direction 12

Directing the worker to attend another workplace where the worker is not likely to come into contact with a vulnerable person or be exposed to a high risk of infection.

Part 3 Verification measures

- 13 A person conducting a business or undertaking must take reasonable steps to determine the extent to which any worker who performs work for the person is vaccinated with an approved COVID-19 vaccine.

Note for direction 13

This involves determining whether the worker is fully vaccinated, has received a first dose or is unvaccinated. Viewing a completed appointment slip or a medical certificate for the first dose or a digital certificate for full vaccination on a mobile phone would be sufficient. See also: <https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines/certificates>

- 14 A worker must, on request by the person conducting a business or undertaking for whom they work, provide evidence the person needs to determine the extent to which the worker is vaccinated with an approved COVID-19 vaccine.
- 15 A person conducting a business or undertaking must keep a register of the following information:
- (a) the extent to which each worker who performs work for the

person is vaccinated with an approved COVID-19 vaccine;

(b) the steps taken to comply with direction 13.

- 16 A person conducting a business or undertaking must provide access to the register to me or an authorised officer on request.
- 17 For these Directions, a person conducting a business or undertaking and an authorised officer may request, collect, use and disclose immunisation information that is protected information under section 22(2) of the *Australian Immunisation Register Act 2015* (Cth).

Notes for COVID-19 Directions

- 1 *Section 56 of the Act provides for an offence for failing to comply with a direction given by me under section 52 of the Act.*
- 2 *The maximum penalty for this offence is 400 penalty units.*
- 3 *A person is not guilty of this offence if the person has a reasonable excuse.*
- 4 *An infringement notice may be given for failing to comply these Directions with a fine equal to 32 penalty units for an individual and 160 penalty units for a body corporate.*



Digitally signed by Dr Hugh Heggie
DN: cn=Dr Hugh Heggie, o=NTG
Health, ou=Public Health & Clinical
Excellence,
email=Hugh.Heggie@nt.gov.au, c=AU
Date: 2021.10.13 10:44:35 +09'30'

.....
Chief Health Officer

Dated

**Schedule Provisions to interpret whether these
Directions apply to worker**

direction 5

- 1 For direction 4(a), workers who, during the course of work, are likely to come into contact with a vulnerable person include the following:
- (a) workers who work with children, such as teachers, child care workers, tutors, gym coaches and swimming instructors;
 - (b) workers who work with disabled persons, elderly persons or other persons vulnerable to infection with COVID-19, such as legal service providers, disability care workers and personal carers;
 - (c) workers who directly face customers or patients in health care and ancillary health care services;
 - (d) workers who work in a community consisting of mostly Aboriginal people;
 - (e) workers who provide community services;
 - (f) workers who directly face customers in retail services, financial or hospitality industries and other service industries.

Note for item 1(d)

This includes family outstations and town camps.

- 2 For direction 4(b), workers who are at risk of infection with COVID-19 because they, during the course of work, are likely to come into contact with a person or thing that poses a risk of infection include the following:
- (a) health care workers in hospitals and emergency departments;
 - (b) police and emergency service workers;
 - (c) workers in quarantine facilities or other quarantine places;
 - (d) border control workers;
 - (e) workers at other places to which symptomatic people may go,

such as medical clinics, respiratory clinics and pharmacies.

- 3 For direction 4(c), workplaces that pose a high risk of infection with COVID-19 include the following:
 - (a) correction and detention facilities;
 - (b) shelters for persons experiencing homelessness or other forms of adversity;
 - (c) mining sites;
 - (d) food processing and distribution facilities;
 - (e) cold storage facilities and abattoirs;
 - (f) cruise vessels as defined in direction 5 of my COVID-19 Directions (No. 5) 2021.

- 4 For direction 4(d), essential infrastructure or essential logistics in the Territory include:
 - (a) electricity generation facilities, electricity networks and electrical installations;
 - (b) liquid natural gas and other gas facilities;
 - (c) water supply and distribution infrastructure;
 - (d) sewerage treatment facilities;
 - (e) telecommunications systems;
 - (f) roads;
 - (g) COVID-19 emergency operations centre.

Background

Not applicable.

Comment

Please refer attached financial report.

Statutory Environment

Section 17 of the *Local Government (General) Regulations 2021* refers.

17 Monthly financial reports to council

- 1) The CEO must, in each month, give the council a report setting out:
 - a) the actual income and expenditure of the council for the period from the commencement of the financial year up to the end of the previous month; and
 - b) the most recently adopted annual budget; and
 - c) details of any material variances between the most recent actual income and expenditure of the council and the most recently adopted annual budget.
- 2) The report must also include:
 - a) details of all cash and investments held by the council (including money held in trust); and
 - b) the closing cash at bank balance split between tied and untied funds; and
 - c) a statement on trade debtors and a general indication of the age of the debts owed to the council; and
 - d) a statement on trade creditors and a general indication of the age of the debts owed by the council; and
 - e) a statement in relation to the council's payment and reporting obligations for GST, fringe benefits tax, PAYG withholding tax, superannuation and insurance; and
 - f) other information required by the council.

Policy Implications

Not applicable

Financial Implications

See the body of this report.

Recommendation

That Council accept the financial reports for the period May 2021 and June 2021 as tabled in this report.

Moved:

Seconded:

9.2 Grant Matters

Report Number	9.2.10.20
Author	Cathy Winsley - CEO
Attachments	Seniors Grant Acquittal WaRM grant 2021-22 Strengthening Remote Communities – Food Security Grant Opportunity

Summary

The Council receives grants for a variety of purposes. Grants are the Council's primary source of income. When grant offers are received by the Council they are presented to Council for the Council's information.

When Council completes the spending on the grant it is (subject to the grant requirements) required to present to the funding body a summary of what was spent and what the outcomes of the grant were. These acquittals sometimes require presentation to the Council.

Comment

Seniors Week Grant

The Council received a grant for \$2000 from Territory Families Housing and Community to conduct an event for Seniors Week. The acquittal of the grant is placed before council for their information and ratification.

Combine WaRM Grants

Council received a \$75,000 grant in 2020/21 for the Waste and Resource Management (WaRM) program managed by the Department of the Chief Minister and Cabinet. The purpose of the WaRM program is to provide regional and shire councils a one-off grant to assist with addressing issues specific to Waste and Resource Management.

This grant was once again offered in 2021/22 and Belyuen has received a further \$75,000. The funding can only be used for the purposes of the grant as outlined in the attached information sheet.

Council is being asked to approve the combining of the 2 WaRM grants to enable the purchase of a tip truck for the Council. The tip truck will allow the disposal of larger items of waste such as white goods, tyres and other items that do not fit in the skip bin. Currently, the removal of these items has to be contracted to a waste removal company.

Strengthening Remote Communities – Food Security Grant Opportunity (GO5123)

The National Indigenous Australians Agency has announced a Food Security Grant opportunity (details in attachment). According to the website:

Remote stores can apply for \$1 or up to \$500,000 to fund one-off projects that:

- improve the continuous and accessible supply of nutritious food, essential groceries and other critical items to remote and very remote Indigenous communities experiencing significant food security risks; and/or

- improve the capacity of at-risk remote and very remote Indigenous communities to avoid or withstand interruptions to the supply of food, essential groceries and other critical items (e.g. due to extreme weather, inadequate storage, regional supply shortages or transport delays).

Applications should be tailored to the needs of your store and the Indigenous community or communities served, including projects to improve:

- the range, quantity, quality and/or affordability of food and essential groceries
- stock monitoring and replenishing capability
- supply chains and distribution infrastructure
- secure storage options
- shop equipment reliability and performance; and/or
- shop management, governance and/or financial performance and viability.

After consultation with the Store Manager and Works Manager, the following have been identified for projects under this grant. These projects are intended to improve the store's ability to maintain food at an acceptable temperature and increase the shelf life of store items.

- Construct false ceiling (i.e., drop the ceiling down)
- Install air conditioning and curtain at entrance

Application for the grant does not guarantee that the Council will receive the grant.

Statutory Environment

NIL

Financial Implications

If Council is successful in its grant applications, the grant funding will be tied to the objectives of the grant.

Recommendation

That Council:

- a) Approve the nomination of the Oval Redevelopment project as the priority project for the 2021-22 Local Government Immediate Priority Grants (IPG) program***
- b) Ratify the Grant Acquittal for Territory Families Housing and Community Seniors Grant 2021***
- c) Approve the combining of the 2020-21 and 2021-22 Waste and Resource Management (WaRM) grant to purchase a tip truck up to the value of \$150,000***
- d) Approve the projects "intended to improve the store's ability to maintain food at an acceptable temperature and increase the shelf life of store items" for application to the***

Moved:

Seconded:

2021 Seniors Month

Grant Acquittal Form

Details	
Name of Organisation:	Belyuen Community Government Council
Contact Number:	0497787122
Email Address:	cathy.winsley@belyuen.nt.gov.au
Name of Event/Activity:	Picnic at the Wild Life Park

Part A – Outcomes				
1) How many people in total attended your event?		15		
2) What ages (approximately) were those in attendance?				
0-40	40-50	50-60	60+	
2	3	4	6	
3) How many were <u>NOT</u> members of your organisation?				
0				
4) How many were interstate seniors?				
0				

Describe how the event/activity met the intended outcome? Include results of the event, including what was successful, any issues encountered and possible planning for future activities.

The Trip to the Wild Life Park was a huge success with the seniors and the carers all having a great day.

There were 3 seniors in wheelchairs and one with a walker. One of the seniors is legally blind however he walked around the park with assistance from a carer and had a good time just being out and about around people laughing and having fun.

Everyone enjoyed the bird show and also the fish aquariums. We were not able to see much else because it took a long time to get everyone from A to B and it was also hot.

The train rides at the park were a huge success also especially with the wheelchair access. The train drivers were really helpful and played jokes with everyone.

The Park staff were also very helpful when we all arrived and at lunch time. We had brought a picnic lunch for all however the seniors and some of carers wanted tea and coffee. The Park staff were extremely helpful and everyone enjoyed muffins and tea or coffee after the picnic.

Even the bus ride was great fun as the seniors sat up in the big grand touring bus with the air conditioner on and enjoyed the peaceful ride.

We knew the bus driver as he had taken Belyuen people on other trips. He was very helpful with getting people on and off the bus and putting their wheel chairs in the under carriage.

One old man from Wagait joined in the trip and he commented that it was the first time he had been out with people for a long time. He was enjoying having people around to talk with.

All in all, it was a happy day for everyone and good to see the seniors and the carers doing things together not just in a 'client and service provider' role.

Anything else you would like to tell us about your event or Seniors Month?

No - except that the Wild Life Park is a really lovely place to take seniors for outings and all the staff at the Park are so helpful.

Part B - Expenses

Detail the income and expenditure for your event, including different sources of funding.

Description/Item (e.g. venue hire, equipment hire, catering)	Seniors Month Grant (how much from your grant)	Your funds or in kind (volunteer/staff time, fundraising)	Other Source (other grants)
Bus hire	1730		
Entrance fee	189.38		
Tea and Coffee	48		
Age Care fuel	32		
Age Care food (picnic)		150	
TOTAL	\$ 1999.38	\$ 150	\$

Please explain any variations to the proposed budget included in your application.

There was no variation to the budget

Part C - Authorisation

I certify, as an authorised representative of the organisation, that the information given in this evaluation is true and correct.

Signature	<i>Cathy Winsley</i>	Date	12/10/2021
Name	Cathy Winsley	Position	CEO

Submission

Post

Office of Senior Territorians
Territory Families
PO Box 37037, Winnellie NT 0821
08 8999 3862

Email

tfhc.ost@nt.gov.au

Hand Delivery

Floor 6, Darwin Plaza
41 Smith Street Mall, Darwin NT 0801
Phone on Arrival - Ext: 93861 (Olivia)

Upload via the Grants NT portal; <https://grantsnt.nt.gov.au/welcome>

Belyuen Community Government Council

Manager Grants Program
Local Government and Community Development
Department of the Chief Minister and Cabinet
GPO Box 4621
DARWIN NT 0801

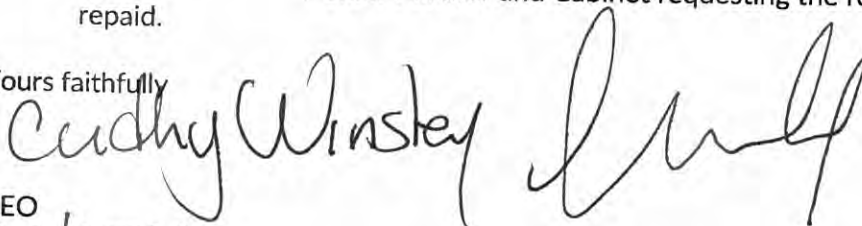
Dear Madam

**RE: ACCEPTANCE OF WASTE AND RESOURCE MANAGEMENT (WaRM) GRANT FOR
2020-21**

On behalf of the Belyuen Community Government Council the offer of a WaRM grant for \$75 000 (Excl. GST) is accepted and Council will manage the grant under all the following terms and conditions.

- (a) Comply with all the conditions of the WaRM grant funding guidelines.
- (b) Manage and expend the WaRM grant in accordance with the *Local Government Act 2008* and the *Local Government (Accounting) Regulations 2008*; or if expending funds after 1 July 2021, in accordance with the *Local Government Act 2019* and the *Local Government (General) Regulations 2021*.
- (c) Purchase goods/services funded under this agreement on the requirements of the Northern Territory Government's Buy Local policy, unless it can be proven, through a competitive process that there is no suitable Territory enterprise able to supply the service.
- (d) Place the WaRM grant in a **trust account**, according to details in GrantsNT.
- (e) Only use the WaRM for one or more acceptable purposes as identified in the WaRM grant guidelines.
- (f) Provide an extract of the Council meeting agenda and resolution endorsing the WaRM project/s detailed by 31 July 2021.
- (g) Absorb any costs above \$75 000 (Excl. GST).
- (h) Acquit the grant as at 30 June 2022 using a statement titled "Acquittal of Waste and Resource Management (WaRM) grant 2021-22" as issued (copy attached), on or before 31 August 2022.
- (i) Lay the acquittal before a Council meeting and provide a copy of the meeting minutes.
- (j) Fully expend the WaRM grant by 30 June 2022 as failure to do so may result in the Department of the Chief Minister and Cabinet requesting the remaining funds to be repaid.

Yours faithfully



CEO
11 / 6 / 2021

CFO
/ / 20__

Belyuen Community Government Council

Manager Grants Program
Local Government and Regional Development
Department of the Chief Minister and Cabinet
GPO Box 4621
DARWIN NT 0801

Dear Madam

RE: ACCEPTANCE OF 2021-22 WASTE AND RESOURCE MANAGEMENT ((WaRM) GRANT

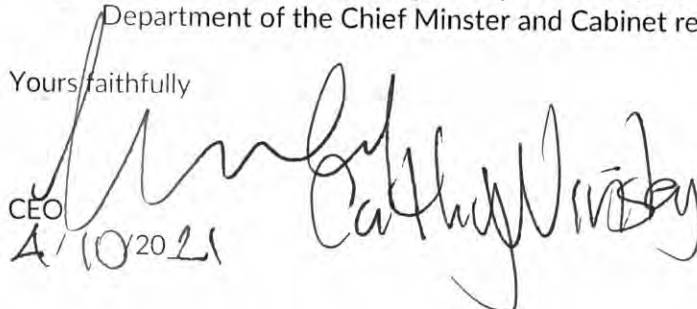
On behalf of the Belyuen Community Government Council the offer of the 2021-22 WaRM grant for \$75 000 (Excl. GST) is accepted under the following terms and conditions, and Council will:

- (a) Comply with all the conditions of the 2021-22 WaRM grant funding guidelines.
- (b) Manage and expend the WaRM grant in accordance with the *Local Government Act 2019* and the *Local Government (General) Regulations 2021*.
- (c) Purchase goods / services funded under this agreement consistent with the requirements of the Northern Territory Government's Buy Local policy, unless it can be proven, through a competitive process that there is no suitable Territory enterprise able to supply the service.
- (d) Place the WaRM grant in a **trust account**, according to details in GrantsNT.
- (e) Only use the WaRM for one or more acceptable purposes as identified in the 2021-22 WaRM grant guidelines.
- (f) Provide an extract of the council meeting agenda and resolution endorsing the WaRM project/s detailed by 31 December 2021.
- (g) Absorb any costs above \$75 000 (Excl. GST).
- (h) Acquit all, partial or nil expenditure of the grant as at 30 June 2022 using a statement titled "Acquittal of Waste and Resource Management (WaRM) grant 2021-22" as issued (copy attached), on or before 31 August 2022 and thereafter in line with clause (j).
- (i) Lay the acquittal before a council meeting and provide a copy of the meeting minutes.
- (j) Fully expend the WaRM grant by 30 June 2023 as failure to do so may result in the Department of the Chief Minister and Cabinet requesting unspent funds to be repaid.

Yours faithfully

CEO

4/10/2021



CFO

/ /20__



Australian Government

National Indigenous Australians Agency

Indigenous Advancement Strategy Strengthening Remote Communities – Food Security Grant Opportunity Guidelines

Opening date:	01-10-2021
Closing date and time:	12:00pm (midday AEDST) on 10-11-2021 Note: The National Indigenous Australians Agency may amend the closing date and time at its own discretion by issuing a notice through the GrantConnect website.
Commonwealth policy entity:	National Indigenous Australians Agency (NIAA or the Agency)
Enquiries:	If you have any questions, contact your NIAA Regional Office (listed at niaa.gov.au/contact-us/regional-network-addresses) or email FoodSecurityGrant@niaa.gov.au
Date Guidelines released:	01-10-2021
Type of grant opportunity:	Open competitive

Note: other grant opportunities under the IAS or within the NIAA will be advertised separately on [GrantConnect](#) and may have different requirements to those listed in this document.

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1 Indigenous Advancement Strategy: Strengthening Remote Communities – Food Security Grant Process

The Indigenous Advancement Strategy (IAS) is designed to achieve Australian Government objectives

This grant opportunity is part of the above grant program which contributes to NIAA's Outcome 1. The NIAA works with stakeholders to plan and design the grant program according to the

[Commonwealth Grants Rules and Guidelines \(CGRGs\)](#)



The grant opportunity opens

We publish the grant guidelines on [GrantConnect](#)



You complete and submit a grant application

You complete the application form and address all eligibility and assessment criteria to be considered for a grant.



We assess all grant applications

We assess the applications against eligibility criteria and notify you if you are not eligible. We assess your eligible application against the assessment criteria including an overall consideration of value for money and compare it to other applications.



We make grant recommendations

We provide advice to the Minister for Indigenous Australians or the NIAA delegate (the decision maker) on the merits of each application.



Grant decisions are made

The decision maker decides which applications are successful and approves the level of funding to be provided.



We notify you of the outcome

We advise you of the outcome of your application.



We negotiate and enter into a grant agreement

We will enter into a grant agreement with you if successful. The type of grant agreement is based on the nature of the grant and will be 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

We may evaluate your specific grant activity and the broader Strengthening Remote Communities – Food Security Measure based on information you provide and that we collect from other sources

1.1 Introduction

These guidelines contain information for the Strengthening Remote Communities – Food Security Measure, including how to apply for grant funding.

You must read these guidelines before filling out an application.

This document sets out:

- the purpose of the grant program/grant opportunity
- the eligibility and assessment criteria
- how grant applications are considered and selected
- how grantees are notified and receive grant payments
- how grantees will be monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

These guidelines do not apply to procurement activities. The procurement of goods and services is undertaken in accordance with the Commonwealth Procurement Rules, Accountable Authority Instructions and Financial Rules of the Agency, and the provisions of the [Public Governance Performance and Accountability Act 2013](#).

Any alterations and addenda¹ to these guidelines will be published on [GrantConnect](#).

2 About the Indigenous Advancement Strategy and Closing the Gap

The Indigenous Advancement Strategy (IAS) is one way the Australian Government funds and delivers programs for Indigenous Australians. There are a number of grant opportunities under the IAS, including the grants process outlined in these guidelines. Visit [our website](#) for more information on the IAS.

The IAS contributes to the Agency's Outcome 1: *Indigenous—Lead the development and implementation of the Australian Government's agenda to improve the lives of Indigenous Australians through focusing on place-based solutions, working in partnership, and effectively delivering programs.*

The Food Security grant opportunity is under Program 1.5 Remote Australia Strategies (RAS) of the IAS. RAS addresses the disproportionate disadvantage of Aboriginal and Torres Strait Islander peoples in remote Australia. The objective of the RAS program is to support the achievement of outcomes across the IAS priority areas of schooling, employment and community safety in remote areas. Refer to Appendix A or visit [niaa.gov.au/indigenous-affairs/grants-and-funding/funding-under-ias](#) for more information on the IAS and RAS.

The National Agreement on Closing the Gap was developed in genuine partnership between Australian Governments and Aboriginal and Torres Strait Islander peak organisations. The National Agreement sets out ambitious targets and new Priority Reforms that will change the way governments work to improve life outcomes experienced by Indigenous Australians.

The IAS contributes to Closing the Gap (CtG) between Indigenous and non-Indigenous Australians by providing grant funding for activities that address areas of need for Indigenous Australians and align with CtG targets.

To ensure the best outcomes, the IAS has a focus on:

¹ Alterations and addenda include but are not limited to: corrections to currently published documents, changes to closing times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents.

- Aligning investment with CtG targets.
- Ensuring Indigenous Australians are actively involved in the development, delivery and evaluation of local and regional solutions, including deciding how they will be involved.
- Drawing on the strengths of Indigenous Australians and communities, and building capacity in Indigenous organisations and businesses.
- Increasing the number of Indigenous organisations delivering grants for the benefit of Indigenous Australians, where this is supported by value with money, and/or engaging organisations who are committed to improving Indigenous outcomes.
- Using evidence and innovation to develop solutions or improve existing approaches.
- Building an effective evidence base to ensure funding delivered through the IAS improves the lives of Indigenous Australians and communities.
- Fostering engagement between government, Indigenous organisations, Indigenous Australians and communities, and other stakeholders such as experts and business.

For more information about the Closing the Gap, see [our website](#).

The Agency administers the IAS according to the Commonwealth Grants Rules and Guidelines (CGRGs).

2.1 About the Indigenous Advancement Strategy Strengthening Remote Communities – Food Security grant opportunity

The Indigenous Advancement Strategy Strengthening Remote Communities – Food Security Measure was announced as part of the Indigenous Skills and Jobs Advancement package to improve food security in remote Australia and boost economic recovery and growth for Indigenous Australians following the COVID-19 pandemic.

There are over 200 community stores providing critical food, groceries and other important services to Indigenous communities across Australia. Many operate successfully and provide continuous supplies of affordable food and other essentials to their communities. Others face significant barriers, including seasonal supply chain disruptions, very low profit margins, lack of bulk purchasing power, limited or inappropriate cool and dry storage, and other remoteness and/or accessibility issues.

This grant will support remote stores experiencing significant barriers to address food security risks in their community. This includes increasing capacity to withstand supply interruptions (e.g. due to extreme weather, inadequate storage, regional supply shortages or transport delays).

This grant opportunity contributes to the following Closing the Gap targets:

- Everyone enjoys long and healthy lives
- Children are born healthy and strong
- Children thrive in their early years
- People enjoy high levels of social and emotional wellbeing.

The objective of the grant opportunity is to provide funding for community stores to improve remote Indigenous communities' access to continuous and sustainable supplies of food and essential items. This may include:

- improving the range, quantity, quality and/or affordability of nutritious foods and essential groceries
- improving access to and continuity of power
- improving stock monitoring and replenishing capability
- strengthening supply chains and distribution infrastructure

- improving or expanding appropriate and secure storage (cold and dry)
- upgrading or acquiring equipment and/or minor infrastructure
- improving store management, governance and/or financial performance and viability.

The intended outcomes of the grant opportunity are to:

- improve food security and reliable access to essential items in at-risk remote and very remote Indigenous communities; and
- improve the performance and financial viability of stores experiencing, or at risk of experiencing, significant barriers to providing continuous and accessible supplies of nutritious food and other essential items to remote and very remote Indigenous communities.

2.2 NIAA regional presence and National Office

The Agency has a regional presence (the NIAA Regional Offices) across Australia. We have offices in capital cities, and regional and remote locations (Figure A). Staff from these offices routinely visit over 400 communities. We also have an Agency officer in residence in nearly 50 Indigenous communities.

Agency staff in NIAA Regional Offices can provide information about the IAS, including whether a proposal is or is not consistent with regional priorities. A list of NIAA Regional Offices and contact details is available [here](#).

The NIAA Regional Offices work in partnership with Indigenous Australians, their communities and other stakeholders to develop solutions tailored to address local need. Solutions may involve the implementation of several complementary activities working together to address a particular issue or challenge.

The NIAA Regional Offices have strong relationships with other Australian Government agencies and departments; state; territory and local government, as well as non-government and industry partners. Staff within each region work with these groups to ensure applications complement existing services and leverage local opportunities.

The NIAA National Office, based in Canberra, provides national oversight, policy advice and program management and support to the NIAA Regional Offices in the implementation of the IAS.

3 Grant amount and grant period

3.1 Grants available

The **total** grant funding is \$5 million (GST exclusive) for all activities funded.

The grant opportunity will run from 1 October 2021 to 10 November 2021.

For each applicant:

- there is no minimum grant amount
- the maximum grant amount is \$500,000.

The NIAA may consider grants over \$500,000 in limited circumstances where an extreme food security risk has been identified and high need for urgent additional investment justified.

3.2 Grant period

You must complete your project and fully expend all funds by 30 June 2023. Following the project period, an evaluation period of 18 months may commence.

4 Eligibility criteria

The Agency cannot consider applications that do not satisfy all eligibility criteria.

Community groups not eligible to apply for funding are encouraged to consider partnering with an eligible lead organisation, for example, by forming a consortium.

4.1 Who is eligible for funding?

To be eligible you must meet all the following criteria:

- have an Australian Business Number (ABN) (exemptions may apply in special cases)
- where relevant, be registered for the purposes of GST
- have an account with an Australian financial institution

AND be one of the following entity types:

- an Aboriginal and/or Torres Strait Islander Corporation registered under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act)
- a company incorporated in Australia under the Corporations Act 2001
- an incorporated association (incorporated under state/territory legislation, commonly have 'Association' or 'Incorporated' or 'Inc' in their legal name)
- an incorporated cooperative (incorporated under state/territory legislation, commonly have 'Cooperative' in their legal name)
- an organisation established through a specific piece of Commonwealth or state/territory legislation including public benevolent institutions, churches and universities
- an Australian local government body
- an incorporated trustee on behalf of a trust²
- a partnership
- a joint (consortia) application with a lead organisation that satisfies the entity type
- an individual with an ABN

AND

- be a store selling food and other critical groceries
- provide your services to an Indigenous community (Indigenous population of 50% or more) in Remote or Very Remote Australia (as per the [Australian Statistical Geography Standard Remoteness Structure](#)).

The Agency will not accept your application unless you:

- Have rectified any issues of previous non-compliance with existing Commonwealth agreements to the satisfaction of the Commonwealth, or be in the process of rectifying any issues of non-compliance with existing Commonwealth agreements to the satisfaction of the Commonwealth.
- Are financially viable to the Agency's satisfaction. The application form has questions about financial viability. The Agency may undertake its own enquiries in relation to the applicant's financial viability.

4.2 Who is not eligible to apply for a grant?

You are not eligible to apply if you are:

² A trust itself is not a legal entity and cannot enter into a grant agreement.

- 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
- a major supermarket chain or conglomerate (e.g. ALDI; Woolworths; Coles)
- providing goods where the Indigenous population is less than 50%
- a non-corporate Commonwealth entity
- an unincorporated association
- subject to the Agency's sole discretion, an overseas resident
- an organisation or individual not included in Section 4.1
- declared bankrupt or subject to insolvency proceedings—as relevant to the entity type
- named as currently non-compliant under the [Workplace Gender Equality Act 2012](#).

4.3 What qualifications, skills or checks are required?

All applicants must be able to demonstrate they intend to, and will be able to, comply with all applicable laws if their application is successful. This includes maintaining all qualifications, permits, registrations and licences required for the lawful performance of the activity or service they will provide. Where relevant to specific duties and jurisdictional requirements, this also includes:

- Working with Children checks
- Working with Vulnerable People registration (as required by the jurisdiction in which the activity will take place)
- Relevant building or construction permits
- Industry licenses or registration, or
- Australian Skills Quality Authority accreditation.

4.4 Incorporation requirements

Subject to certain exceptions, under the Strengthening Organisational Governance Policy, all organisations that receive grant funding totalling \$500,000 or more (GST exclusive) in any single financial year from IAS funding are required to:

- Incorporate under Commonwealth legislation—Indigenous organisations will be required to incorporate under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) and other organisations will be required to incorporate under the [Corporations Act 2001](#).
- Maintain these arrangements while they continue to receive any IAS funding.

Indigenous organisations already incorporated under the [Corporations Act 2001](#) do not have to change their incorporation status. However, all other Indigenous organisations must be incorporated under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) so they can access the assistance and support available under the Act.

For further information on incorporation requirements please refer to Appendix 2.

5 What the grant money can be used for

5.1 Eligible grant activities

To be eligible your grant activity must be a one-off project that supports your store to:

- improve the continuous and accessible supply of nutritious food, essential groceries and other critical items to remote and very remote Indigenous communities experiencing significant food security risks; and/or

- improve the capacity of at-risk remote and very remote Indigenous communities to avoid or withstand interruptions to the supply of food, essential groceries and other critical items (e.g. due to extreme weather, inadequate storage, regional supply shortages or transport delays).

Applicants are encouraged to apply for projects tailored to the unique circumstances and needs of the store and the Indigenous community/communities served. Eligible projects may improve:

- the range, quantity, quality and/or affordability of food and essential groceries
- stock monitoring and replenishing capability
- supply chains and distribution infrastructure
- secure storage options
- shop equipment reliability and performance
- shop management, governance and/or financial performance and viability.

Examples of eligible activities include (but are not limited to) purchase of: forklifts; electrical upgrades; green, solar and continuous energy solutions; satellite communications; cold storage and transport solutions; storage expansion and security; loading bays; organisational capability development; digital capability for stock inventory, ordering and/or point of sale; infrastructure maintenance and minor upgrades; and other infrastructure for stock and merchandise.

Given the changing and variable impacts of COVID-19 across Australia, activities must be delivered in alignment with relevant government and health advice to limit the risk of transmission of COVID-19, particularly with respect to protecting Elders and those with chronic health issues.

Before commencing an activity, it is your responsibility to develop a COVID-19 Risk Management Plan (if applicable). The Risk Management Plan should include any potential risks associated with the delivery of an activity, and identify the strategies that you will put in place to minimise those risks. Upon request, you may be required to provide evidence to the NIAA that you have a COVID-19 Risk Management Plan in place.

Where possible and relevant, your proposed grant activities should take into account:

- The cultural and linguistic needs of Indigenous Australians and others whose first language is not English, and be mindful of the Commonwealth Ombudsman's Best Practice Principles for interpreting. [Use of Interpreters – Commonwealth Ombudsman](#).
- The needs of Australians with disability including how the proposal supports one or more of the six policy outcome areas outlined in the Department of Social Services [National Disability Strategy 2010-2020](#).
- Differing barriers and opportunities experienced by subsets of the target community, including Indigenous men and women, and the impact these might have on access to funded activities—this could include articulating the specific ways delivery of the activity will address barriers to participation for different groups. For example, how the activity will support gender equitable outcomes in the community.
- How it will contribute to the Closing the Gap targets outlined at Section 2.1 of these Guidelines.

5.2 Eligible locations

Your grant activity must be delivered in Australia.

Your grant activity must be delivered in Remote or Very Remote Australia (as per the Australian Statistical Geography Standard Remoteness Structure) in communities with an Indigenous population of 50% or more.

Your grant activity must not be delivered in the following locations:

- Major Cities, Inner Regional or Outer Regional Australia (as per the Australian Statistical Geography Standard Remoteness Structure)

5.3 Eligible expenditure

You can only spend the grant on eligible grant activities as defined in your grant agreement, unless the Agency agrees in writing to an alternative use.

Eligible expenditure items are:

- minor capital works and infrastructure
(note: will require proof of legal authority (e.g. permits) to undertake works)
- assets and equipment – new purchases
- asset and equipment – maintenance and upgrades
- information and communications technology
- energy efficiency and/or reliability upgrades
- contractors or trades people
- training and development.

The Agency may update the guidelines on eligible and ineligible expenditure. If your application is successful, the version in place when you submitted your application applies to your grant activity.

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

Not all expenditure on your grant activity may be eligible for grant funding. The Program Delegate makes the final decision on eligible expenditure and may give additional guidance as required.

Unless otherwise agreed in writing by the Commonwealth, you must incur the expenditure between the dates specified in your grant agreement for it to be eligible.

5.4 What the grant money cannot be used for

Grant funding cannot be used for a purpose that does not directly contribute to the outcomes of the grant activity.

You cannot use the grant for the following activities:

- Activities that do not clearly align to the identified objectives and outcomes of the Strengthening Remote Communities – Food Security Measure (refer Section 2.1 for objectives and outcomes).
- Purposes that do not directly contribute to the outcomes of the activity, typically including (but not limited to) payment of fines or loans, purchase of gifts, personal debts, or sitting fees.
- Costs incurred in the preparation of a grant application or related documentation unless specifically agreed in writing with the Agency.
- Activities for which other Commonwealth, state, territory or local government bodies have primary responsibility.
- Expenses for which other Commonwealth, state, territory or local government bodies have primary responsibility to provide the source of funding, unless otherwise specifically agreed with the Agency.

Other prohibited costs include:

- loans

- the set-up of a business
- major construction/capital works
- purchase of land
- wages
- retrospective costs
- overseas travel.

6 The assessment criteria

You must address all of the following assessment criteria in your application.

All criterion have equal weighting under these Guidelines.

The amount of detail and supporting evidence you provide in your application should be relative to the size, complexity and grant amount requested. The application form includes word limits.

- *Note: the term 'community' is used in the broad sense to mean a group of Aboriginal and/or Torres Strait Islander people living within a particular local area.*
- *Remote and Very Remote locations are defined as per the [Australian Statistical Geography Standard Remoteness Structure](#)*

Criterion 1: Need and community involvement

The proposed grant activity is needed to address significant risks to the supply of food and other essential groceries in remote or very remote Indigenous communities. Applications should demonstrate how the proposed activity:

- is needed by the target Indigenous community/ies
- will support improved food security outcomes in the target Indigenous community/ies
- aligns with any community or regional plan that may be in place, including regional priorities identified by community leadership groups (such as in Empowered Communities—refer to Glossary), where relevant
- addresses the Closing the Gap target/s as outlined at Section 2.1 of these Guidelines.

Applicants should clearly identify:

- The barriers to food security that will be addressed, such as:
 - remote locality and/or access issues – e.g. long freight distances, poor road quality, seasonal road access
 - supply chain disruptions – e.g. extreme weather, spoiled produce, pandemics, wholesale or distribution centre disruptions
 - limited or unreliable capacity for bulk storage – e.g. unreliable cool storage options, limited ability to stock non-perishable items, storage vulnerable to vandalism or theft
 - limited or unreliable access to electricity – e.g. to continuously run cool rooms and fridges, operate point of sale and stock management technology, or for general store operations
 - store operations – e.g. management, governance and/or financial performance and viability.
- Your organisation's need for additional funding, such as:

- absence of other funding – e.g. due to low profit margins and ineligibility for other grants
- high operational costs – e.g. due to remoteness or outdated infrastructure
- unreliable income – e.g. due to small or fluctuating population numbers.

Criterion 2: Capability

The organisation has the capability to deliver the activity. Applicants should demonstrate the proposal is achievable, viable, costed and planned, including:

- connection and support from the community or individuals who are intended to benefit
- capacity to successfully implement the proposal – including staff capability and/or experience in delivering similar proposals
- an understanding of requirements associated with the proposed activity – including permits required, quotes, and/or availability of contractors
- an understanding of risks associated with the proposed activity – including work, health and safety risks – and how they will be managed
- how performance of the proposed activity will be monitored and measured.

Criterion 3: Delivering Outcomes

The proposed activity will achieve the intended outcomes of this grant opportunity and deliver food security benefits for Indigenous people in remote or very remote communities. Applicants should demonstrate how:

- risks to the continuous, sustainable and accessible supply of nutritious food and essential groceries will be addressed and outcomes sustained into the future
- the proposed activity will ensure benefits reach Indigenous people in remote or very remote Australia
- effectiveness will be measured
- where relevant, will the proposed activity complement other activities or services within the target community/ies.

7 How to Apply

The grant process is competitive, which means your application will be considered on its merits and will be compared to other applications.

It is important to note any discussion with the Agency about a grant activity or the lodgement of an application form **does not guarantee your activity will be funded.**

Before applying, you should read and understand these guidelines, the sample application form and the sample grant agreement.

These documents may be found at [GrantConnect](#). Any alterations and addenda³ will be published on [GrantConnect](#) and by registering on this website, you will be automatically notified on any changes. [GrantConnect](#) is the authoritative source for grants information.

To apply you must:

- complete the online Strengthening Remote Communities – Food Security grant application form on [GrantConnect](#)

³ Alterations and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents

- provide all the information requested
- address all eligibility criteria and assessment criteria
- include all necessary attachments
- submit your application/s by 12:00pm (midday AEDST) 10 November 2021
- A checklist is available (Appendix 4) to assist you with making sure your application is complete.

You are responsible for ensuring your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code 1995](#) and we will investigate any false or misleading information and may exclude your application from further consideration.

If you find an error in your application after submitting it, you should contact the NIAA Assessment Management Office immediately at IASAMO@niaa.gov.au. We do not have to accept any additional information, nor requests from you to correct your application after the closing time.

You cannot change your application after the closing date and time.

If we find an error or information is missing, we may ask for clarification or additional information from you. However, we may refuse to accept any additional information from you that would change the nature of your submission after the application closing time.

You should keep a copy of your application and any supporting documents.

You will receive an electronic Application ID Number once you lodge your application.

We will acknowledge that we have received your application within three working days.

If you need further guidance around the application process or if you are unable to submit an application online please contact your local [NIAA Regional Office](#) or email FoodSecurityGrant@niaa.gov.au.

7.1 Attachments to the application

We require the following documents with your application:

- Evidence of bank account details, such as a copy of a current bank statement.
- A single document containing all of the following:
 - a list of key personnel of the organisation – include Director/s, Chief Executive Officer, Chief Financial Officer and Chief Operating Officer. This should include names and position titles
 - an organisational chart for your organisation
 - if applicable, a chart of associated entities as defined by s50AAA of the [Corporations Act 2001](#). This should show the relationships between companies, including levels of ownership and control.
- If you are a non-government applicant who does not have a current grant agreement with the NIAA, you will be required to provide all of the following with your application:

- a copy of your most recent financial statements such as an audited or unaudited financial statement and balance sheet to inform your Organisation Risk Profile (ORP)
- a copy of your Certificate of Incorporation where relevant (Organisations registered with Australian Charities and Not-for-profits Commission are exempt from this requirement)
- a copy of a completed ATO 'Statement by a supplier (reason for not quoting an ABN to an enterprise)' form if you are not able to quote an ABN.
- If applicable, evidence of support and/or authorisation, e.g. a formal letter or email from your organisation's board, community leaders or other stakeholders; evidence of necessary ownership or permits for capital works
 - If applying as lead organisation of a consortia, letters of support from each partner organisation.
- If applicable, quotes for proposed goods and services to be purchased with the grant funding, e.g. asset and equipment purchases and/or infrastructure works.

Please note: The size limit for each application is 10MB and a 2MB size limit for each attachment. The Agency's information technology system is not capable of receiving applications that exceed 10MB and any applications above this limit will not be received.

7.2 Joint (consortia) applications

We recognise some organisations may want to join together as a group to deliver a grant activity.

In these circumstances, you must appoint a 'lead organisation'. Only the lead organisation can submit the application form and enter into a grant agreement with the Commonwealth. The application must identify all other members of the proposed group (and include a letter of support from each of the partners).

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

7.3 Trust Applications

For applications made on behalf of a Trust, the application must be made in the name of the Trustee as listed in the Trust Deed.

The applicant must be prepared to provide a copy of the Trust Deed as in force at the time the application is made.

For example, if ABC Trust has a Trustee listed in the Trust Deed as XYZ Pty Ltd, then the application must be made in the name of XYZ Pty Ltd as Trustee for ABC Trust.

7.4 Timing of grant opportunity processes

The Agency reserves the right to accept a late application but will consider the degree of lateness and whether the cause was beyond the applicant's control, for example in exceptional circumstances such as extreme weather events.

If you are successful, the Agency will enter into a funding agreement with you and release grant funding before 30 June 2022. We expect you will be able to complete your grant activity by 30 June 2023.

The Agency aims to notify you of the outcome of your application within 90 days from the grant round closing.

7.5 Questions during the application process

If you have any questions during the application period please contact your [NIAA Regional Office](#) or email FoodSecurityGrant@niaa.gov.au. The Agency will endeavour to respond to emailed questions within three working days. Answers to questions may also be posted on [GrantConnect](#).

The Agency does not provide financial or legal advice to applicants or grantees. Applicants or grantees should seek their own independent professional advice on financial and legal matters, including compliance with any statutory obligations.

8 The grant selection process

8.1 Assessment of grant applications

We will only assess eligible applications. We consider eligible applications through an open competitive grant process.

If eligible, we will assess your application against the assessment criteria (see Section 6) and against other applications. 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.⁴

The Agency assesses all applications against the assessment criteria, other applications and considers value with money. This enables applications to be rated on whether they 'fully meet', 'partially meet' or 'do not meet' the assessment criteria. It also enables applications to be rated against other applications to identify those demonstrating best value with money.

Key considerations in determining value with money include cost, the quality and purpose of the grant activity, intended outcomes, alignment with the grant opportunity and relevant experience of the applicant.

If you are an applicant who already receives IAS funding your application will be assessed against the assessment criteria listed in these guidelines, and may also include consideration of your previous performance, demonstrated capability to deliver the activity, and/or other information which has been made available to the Agency.

As noted below in Section 8.2, preference will be given to fund suitable Indigenous organisations.

In addition to considering your responses to the assessment criteria and overall value with money, the Agency may also consider whether your organisation meets one of the 'Indigenous organisation' categories when assessing your application. To give integrity to the preference process, the Agency may request additional information to support this.

8.2 Indigenous Grants Policy Trial

The IAS is part of a trial of the Indigenous Grants Policy (IGP), announced on 12 February 2018 by the former Prime Minister and the former Minister for Indigenous Affairs. The trial commenced on 1 July 2018. NIAA is one of three government agencies participating in the trial, which is intended to test how best to achieve the following objectives:

- Increase the involvement of Indigenous Australians and organisations in the grant funded services and programs that are intended to benefit them.
- Improve on-the-ground service delivery for Indigenous Australians.
- Leverage the Australian Government's investment to stimulate greater economic development for Indigenous Australian peoples.

In order to meet these objectives, where there are two similarly ranked proposals, the Agency may give ordered preference to:

- Indigenous Organisations (at least 51% Indigenous ownership and at least 51% Indigenous control), then

⁴ See Glossary for an explanation of 'value with money'.

- organisations with at least 50% Indigenous ownership, control or management, then
- any organisation, including non-Indigenous organisations, with a demonstrated commitment to increasing Indigenous employment, supplier use and/or engagement.

Refer to the Section 15 'Glossary' for definitions of "ownership", "control" and "management".

As part of the IGP Trial, the Agency may gather information to determine the number of Indigenous and non-Indigenous organisations funded through the IAS and the number and percentage of Indigenous peoples employed in all funded organisations.

The Agency may also gather information from grantees about the total value and number of contracts for goods and services that are provided by Indigenous Enterprises (see 'Section 15 Glossary').

To support the integrity of the IGP, the Agency may request further evidence of your organisation's Indigeneity.

8.3 Who will assess applications?

An assessment committee will assess each application on its merit and compare it to other eligible applications before recommending which grant applications should be awarded a grant. The assessment committee will be made up of appropriate Agency staff.

We may ask external experts/advisors to inform the assessment process. Any expert/advisor will be required/expected to perform their duties in accordance with the CGRGs.

The assessment committee may seek additional information about you or your application. They may do this from within the Commonwealth, even if the sources are not nominated by you as referees. The assessment committee may also consider information about you or your application that is available through the normal course of business.

The Agency will then put forward a recommendation to the Minister for Indigenous Australians, or the Agency delegate, about whether to approve the proposed grant. The recommendation will be based on the merits of the application including consideration of the assessment, risk and value with money; priority areas of need; and availability of funding.

To ensure probity, staff who provide support in developing a proposal will not be involved in the assessment of the application.

8.4 Who will approve grants?

The Minister for Indigenous Australians, or the Minister's delegate as appropriate, as the decision-maker, approves grants, taking into account the Activity Risk Assessment, recommendations of the Agency and the availability of grant funds.

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

- the approval of the grant
- the grant funding amount to be awarded
- the terms and conditions of the grant.

There is no appeal mechanism for decisions to approve or not approve a grant.

9 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.

9.1 Feedback on your application

If your application is unsuccessful, you may seek feedback on your application by contacting your [NIAA Regional Office](#) or emailing FoodSecurityGrant@niaa.gov.au.

10 Successful grant applications

10.1 The grant agreement

If you are successful and you choose to accept a grant offer, you must enter into a legally binding grant agreement with the Commonwealth. This agreement may be through a letter of offer or standard grant agreement, or another form of agreement specified by the Commonwealth.

The type of grant agreement and its mandatory terms and conditions will depend on the size and complexity of your grant activity as well as the level of risk associated with the activity. Sample grant agreements are available on [GrantConnect](#)

The grant agreement will provide a detailed description of the funded activity and specific terms and conditions, which may include:

- key performance indicators and performance reporting requirements
- budget
- financial reporting requirements
- a funding payment schedule
- mandatory requirements for Working with Children checks, Working with Vulnerable People checks
- mandatory requirements to comply with applicable work health and safety obligations including those provided under Commonwealth work health and safety legislation
- insurance requirements including compliance with the [Work Health and Safety Act 2011](#) to cover your obligations in relation to the grant funding to be delivered
- compliance with the Australian Privacy Principles as set out in Schedule 1 of the [Privacy Act 1988](#). Further information about privacy and confidentiality is also included at Section 13 of this document
- requirements to maintain the confidentiality of any information deemed by the Commonwealth to be confidential
- record keeping requirements.

To give assurance to the preference to fund suitable Indigenous organisations, your grant agreement may also contain conditions that your organisation must maintain a specified percentage of Indigenous ownership, control, management or employment and be able to provide evidence of this, on request. You may also be required to notify the Agency if you have a change in circumstances that means you no longer meet these conditions.

You will work with an Agreement Manager from the [NIAA Regional Office](#) to effectively manage the grant agreement.

The Agency must execute a grant agreement with you before we can make any payments. There is no guarantee of funding until both parties have executed a grant agreement, and the Agency is not responsible for any of your expenditure until a grant agreement is executed.

If you choose to start your grant activity before you have an executed grant agreement, you do so at your own risk (including incurring financial costs that may not be covered by the grant agreement).

If you receive any grant funding from other Commonwealth, state or territory government granting programs for the same activity this may limit the amount of funding you might be entitled to under the grant unless specifically agreed to in writing by the Agency. You must provide information about other funding received for the Agency's consideration.

If you fail to meet the obligations of the grant agreement, the Agency may terminate the agreement. The Agency or the Commonwealth may also recover grant funds if there is a breach of the grant agreement.

The Agreement incorporates appropriate safeguards against fraud and unlawful activities and includes the right to request the removal of personnel for other inappropriate conduct or associations that may cause reputational damage to the Agency or Commonwealth.

10.2 Management of debt and underspend

A previous debt or underspend of an IAS grant may influence the outcome of an application, including an awarded grant amount. The Agency reserves the right to recover underspends of one grant via offsets in another. Offsetting involves reducing future grant payments up to the amount of the underspend. If a debt has been incurred, the Agency may seek return of those funds or pursue other remedies.

10.3 Negotiation of funded activities

Before a grant agreement is entered into, the Agency will negotiate the scope of the activity and the terms and conditions with you. Relevant community stakeholders may also be involved in these negotiations to ensure the activity is tailored to meet local community or regional need.

If there are unreasonable delays in finalising a grant agreement, the grant offer may be withdrawn and the grant may be offered to a different applicant.

10.4 Execution of the grant agreement

You will have 30 days from the date of a written offer to execute the grant agreement with the Commonwealth or in accordance with other instructions provided by the Agency in writing. 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.

10.5 How we pay the grant

Funding will be paid in accordance with the terms and conditions of the grant agreement. You will also be required to report how you spent the grant funds during the period of the grant activity or at the completion of the grant activity.

The funding provided by the Agency will not exceed the total funding amount set out in the funding agreement. If your expenditure exceeds the amount granted you must pay this additional expenditure yourself.

10.6 Grants payment and GST

Payments will be [Goods and Services Tax](#) (GST) inclusive unless you are not registered for GST or certain exceptions set out in the GST legislation apply. Subject to those exceptions, we will add GST to your grant payment and issue you with a [Recipient Created Tax Invoice](#).

Unless otherwise indicated by the Agency, all figures quoted in grant documentation will be GST exclusive.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#).⁵ We do not provide advice on taxation matters.

10.7 Risk and compliance

In managing risk and compliance, the Agency will work with you to achieve the intended outcomes of the grant activity. The risk management approach will focus management effort where risk levels

⁵ <https://www.ato.gov.au/>

are high, and supports consistent application of appropriate grant controls based on assessed risks.

The type of grant agreement and its terms and conditions will depend on the nature of the activity, and the level of risk involved at both the **organisation** and **activity** levels.

- **Organisation** risk assessment. At the time a grant application is assessed, or an existing grant is considered for extension, an ORP is completed. The ORP is an evidence-based tool that assesses an organisation's governance, financial management and service delivery capability. The ORP enables consistent and transparent assessment by Agency staff.
- **Activity** risk assessment. All IAS grant activities undergo an Activity Risk Assessment (ARA) to determine whether the grant activity risk is low, medium, high or extreme. This assessment takes into account the ORP rating, the annualised value of the grant activity and the nature of the activity. This approach enables the application of standard grant agreement requirements, controls and management approaches for low, medium, high or extreme risk grant activities, while also building in controls for any special requirements that apply, such as working with vulnerable people and work health and safety.

As a principle, higher risk activities will typically be subject to increased controls and greater oversight. The intent of this is to work with organisations to overcome risks. Conversely, low risk activities will be subject to less oversight and management, which may include a single annual payment and reduced reporting.

The Agency will work with you to achieve the intended outcomes of the activity. In circumstances of non-compliance with the grant agreement, the Agency will consider an appropriate response under the grant agreement, including recovery of grant funds or termination of the agreement.

11 Announcement of grants

Once your grant is executed, it will be listed on the [GrantConnect](#) website within 21 calendar days after the grant execution date, as required by Section 5.3 of the [CGRGs](#).

12 How we monitor your grant activity

The Agency uses a number of approaches to monitor IAS activities. These include the below.

- On-the-ground monitoring, predominately through the NIAA Regional Offices
 - The Agency uses an active 'on-the-ground' strategy to monitor the Strengthening Remote Communities – Food Security grantees and activities primarily through the NIAA Regional Offices. This can involve site visits, discussions with community members and service recipients, and ongoing contact with the grantees. A priority for the Agency is active engagement to assist with early identification and treatment of activity delivery risks and other issues as they arise.
- Periodic reporting by the provider on the performance of activities

- The Agency, in conjunction with the grant recipient, will set key performance indicators for each activity to measure progress against identified outcomes, including applicable Closing the Gap targets. The Agency may include key performance indicators to inform broader data sets such as Indigenous employment data. These will be set out in the grant agreements. The grant recipient will be assessed against all key performance indicators over the course of the funded activity. Compliance operations, where necessary
- We may visit you during or after the completion of your grant activity to review your compliance with the grant agreement. We may also inspect, copy or remove and retain the records you are required to keep under the grant agreement. We will provide you with reasonable notice of any compliance visit.

12.1 Keeping us informed

You should let us know if anything is likely to affect your grant activity or organisation by contacting the Agency's contact officer listed in your grant agreement.

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

You must also inform us of any of the following changes:

- name
- addresses
- nominated contact details
- bank account details
- ABN
- GST registration or status
- any instance where your organisation may no longer meet the definition of an Indigenous organisation (if it initially did)
- if your organisation has an outstanding and overdue ATO debt.

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

12.2 Reporting

You will be required to periodically report on the overall progress and performance of your activity, and against the key performance indicators in your grant agreement. The frequency and content of reporting requirements will depend on the funded activity and will be contained in the grant agreement. The Agency may also source a range of data and information to inform its judgement.

In completing performance reports, you are encouraged to be open about the status of the activity, any service delivery risks and issues, and to provide data to support any claims made. This instils confidence in your management reporting systems and allows us to better work with you to improve performance, if necessary.

Financial reports are required from grantees to provide evidence that funds have been expended for the purposes provided as agreed and so any underspend or overspend can be managed. The annual value of the grant and the risk rating of the grantee and the activity determine the financial reporting requirements. The default financial reporting requirement is one report per year. Financial reporting requirements will be specified in the grant agreement.

12.3 Grant agreement variations

The Agency recognises unexpected events may affect your progress, or the project may not be achieving results that are consistent with the Agency's priorities. In these circumstances, either the Agency or you can request a variation to the grant agreement, including:

- changing key performance indicators or milestones
- extending the timeframe for completing the grant
- changing grant activities
- reducing funding.

If either the Agency or you want to propose changes to the grant agreement, the instigating party must put its concerns, issues and proposed changes in writing before the grant agreement end date.

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

- how it affects the grant activity outcome
- consistency with the program policy objectives and any relevant policies of the Agency
- changes to the timing of grant payments
- availability of program funding.

All decisions to vary a grant agreement must be mutually agreed to between you and the Agency before a variation is provided for the parties to execute.

12.4 Record keeping

You must comply with the record keeping requirements as set out in the grant agreement.

12.5 Evaluation

We will evaluate the grant activity to investigate how well the outcomes and objectives have been achieved and to ensure the activity has achieved value with money.

We may use information from your application and performance reports for this purpose. We may also interview you, or ask you for more information to help us understand how the grant affected you and to evaluate how effective your grant activity has been in achieving its outcomes.

Quality evaluation will help Indigenous Australians, communities and government to see whether they are getting the results they expect; to determine to what extent solutions have involved local people in driving change; how projects or activities collectively produce or enable long-term impact; and assists government with future investment decisions.

12.6 Acknowledgement of funding

If you make a public statement about a grant activity funded under the program, we require you to acknowledge the grant by using the following: 'This grant activity received grant funding from the Australian Government.'

13 Probity

The Agency will make sure the grant opportunity process is fair, according to these Guidelines, incorporates appropriate safeguards against fraud, unlawful activities and includes the right to request the removal of personnel for other inappropriate conduct or associations that may cause reputational damage to the Agency or Commonwealth.

13.1 Enquiries and feedback

If you would like to make a complaint about a grant process phone (02) 6152 3050 or email NIAAComplaints@niaa.gov.au.

If you do not agree with the way the Agency has handled your complaint, you may wish to contact the Commonwealth Ombudsman. The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Agency.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072
Email: ombudsman@ombudsman.gov.au
Website: ombudsman.gov.au

13.2 Conflicts of interest

Conflicts of interest can affect the performance of the grant opportunity or program. There may be an actual, perceived or potential conflict of interest if Agency staff, any member of a committee, panel or advisor, and/or you or any of your personnel, including subcontractors and volunteers has, but not limited to:

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

You will be asked to declare, as part of your application, any actual, perceived or potential conflicts of interests or that, to the best of your knowledge, there is no conflict of interest. The Agency will make the final decision on what is determined as an actual, potential or perceived conflict of interest.

If you later identify an actual conflict of interest, a perceived conflict of interest, or a potential conflict of interest, you must inform the Agency in writing immediately and provide further information to the satisfaction of the Agency.

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

Conflicts of interest for Australian Government staff will be handled as set out in the Australian Public Service Code of Conduct (Section 13(7)) of the *Public Service Act 1999*.

13.3 Privacy

We treat your personal information according to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#). This includes letting you know:

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

Your personal information can only be disclosed to someone for the primary purpose for which it was collected, unless a formal exemption applies.

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or

function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of your application, you declare your ability to comply with the [Privacy Act 1988](#) and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by the Agency would breach an Australian Privacy Principle as defined in the Act.

The [Agency's Privacy Policy](#) contains information about how you can access the personal information held by the Agency and seek correction of the information. It also explains how you can make a complaint about a breach of the Australian Privacy Principles. You can access the Privacy Policy on our website at niaa.gov.au or email privacy@niaa.gov.au for a copy of the policy.

13.4 Confidential information

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

1. You clearly identify the information as confidential and explain why we should treat it as confidential.
2. The information is commercially sensitive.
3. Revealing the information would cause unreasonable harm to you or someone else.

The Australian Government may use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes giving information to the Australian Taxation Office and other government agencies for compliance purposes.

We may reveal personal and confidential information to:

- The assessment panel, which may include Agency officers, community representatives and/or subject matter experts, and other Commonwealth employees and contractors to help us manage the program effectively.
- Employees and contractors of our Agency 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.
- The Auditor-General, Ombudsman or Privacy Commissioner.
- The responsible Minister or Parliamentary Secretary.
- A House or a Committee of the Australian Parliament.

We may share the information you give us with other Commonwealth agencies for any purposes including government administration, research or service delivery and according to Australian laws.

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

13.5 Freedom of information

All documents in the possession of the Australian Government, including those about this grant opportunity, are subject to the [Freedom of Information Act 1982 \(FOI Act\)](#).

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.

All freedom of information requests must be referred to the Freedom of Information Coordinator in writing.

By mail: The Freedom of Information Coordinator
 National Indigenous Australians Agency
 PO Box 2191
 CANBERRA ACT 2601

By email: foi@niaa.gov.au

14 Consultation

These Guidelines draw on feedback received from previous public consultation processes and the Agency's daily role in working with providers and Indigenous Australians and communities across Australia.

The Agency will continue to review the Guidelines based on our experience in working with Indigenous Australians and communities, as well as the experiences of our grantees. We will also seek advice from Indigenous Australians, communities, and other stakeholders such as representative groups.

15 Glossary

Term	Definition
Agency	The National Indigenous Australians Agency (also referred to as NIAA).
Assessment criteria	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 or ratings.
Commonwealth entity	An Agency of a State, or a Parliamentary Department or Agency, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the <i>Public Governance Performance and Accountability Act 2013</i> .
Commonwealth Grants Rules and Guidelines (CGRGs)	Establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities 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.
Control	<p>Control is related to the people in your organisation that have decision-making authority over strategic direction or governance. For most entities, this will mean your Board or Management Committee. Depending on the legal entity type, control may mean:</p> <ul style="list-style-type: none"> • Directors and Secretary—Company Limited by Shares, Company Limited by Guarantee, Cooperatives • Management Committee and Public Officer—ORIC-Registered Indigenous Corporations, Incorporated Associations • Proprietor/partner—Sole traders, actual person partnerships. <p>Note: for trusts, the trustee will typically be one of the legal entities above.</p>
<i>Corporations Act 2001</i>	An act of the Commonwealth that sets out the laws dealing with business entities in Australia at federal and interstate level. It focuses primarily on companies, although it also covers some laws relating to other entities such as partnerships and managed grant funding schemes. Incorporation can be applied for through the Australian Securities and Investment Commission website.

Term	Definition
<i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i>	The law that establishes the role of the Registrar of Aboriginal and Torres Strait Islander Corporations, now called the Registrar of Indigenous Corporations, and allows Indigenous Australian groups to form corporations. The Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act) replaced the <i>Aboriginal Councils and Associations Act 1976</i> (ACA Act). Under the CATSI Act, laws governing Indigenous corporations have been modernised while retaining special measures to meet the specific needs of Indigenous Australians. Incorporation can be applied for through the Office of the Registrar of Indigenous Corporations (ORIC) website .
Decision maker	The person who makes a decision to award a grant.
Eligibility criteria	Refers to the mandatory criteria, which must be met to qualify for a grant.
Empowered Communities	An Indigenous-designed and led initiative that involves Indigenous leaders, communities and governments working in partnership to set priorities, improve services and apply funding effectively at a regional level. This increases Indigenous ownership to give Indigenous peoples a greater say in decisions that affect them. For further information refer to niaa.gov.au/indigenous-affairs/empowered-communities .
Evaluation	Evaluation is the systematic measurement of the significance, merit and worth of policies and programs, undertaken to understand and improve decisions about investment. Evaluation involves the assessment of outcomes and operations of programs or policy compared to expectations in order to make improvements.
Indigenous Enterprise	An entity with at least 50% Indigenous ownership, as outlined in the Indigenous Procurement Policy .
Indigenous Organisation <i>(Note: This definition is used for administering the Incorporation Requirements only – Refer to Appendix 2)</i>	Aligns with the s29-5 of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 and Part 2 – Regulation 6 of the Corporations (Aboriginal and Torres Strait Islander) Regulations 2017 <ul style="list-style-type: none"> • If the corporation has five (5) or more members—at least 51% of the members are Indigenous Australians. • If the corporation has fewer than five (5) members but more than one (1) member—all of the members, or all but one of the members are Indigenous Australians. • If the corporation has only one (1) member – that member is an Indigenous Australian.

Term	Definition
	<p>Note that “member” is used as a term for ownership and may vary between entity types (e.g. “shareholder” for co-operatives).</p> <p><u>and</u></p> <p>Aligns with s246-5 of the Act—<u>a majority of the directors must be Indigenous.</u></p>
Grant	<p>Is defined by CGRGs paragraph 2.3 as an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth:</p> <p>(a) under which relevant money or other CRF money is to be paid to a grantee other than the Commonwealth; and</p> <p>(b) which is to help achieve one or more of the Australian Government policy outcomes while assisting the grantee to achieve its objectives.</p>
Grant activity	<p>The project/tasks/services the grantee is required to undertake with the grant money. It is described in the Grant Agreement.</p>
Grant agreement	<p>Sets out the relationship between the parties to the agreement, and specifies the details of the grant.</p> <p>A grant agreement comprises the Head Agreement, the Project Schedule and any documents attached or incorporated by references into either of those documents.</p> <p>The Head Agreement sets out the general terms and conditions that apply to all Remote Australia Strategies funded projects for a particular grantee.</p> <p>The Project Schedule sets out specific terms and conditions that apply to particular projects.</p>
GrantConnect	<p>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.</p>
Grantee	<p>An individual/organisation that has been awarded a grant.</p>
Key Performance Indicator	<p>A measure that provides information about the extent to which the activities or services meet agreed performance requirements.</p>

Term	Definition
Management	<p>Management refers to the responsibility for the day-to-day operation of the funded organisation. It includes:</p> <ul style="list-style-type: none"> • the CEO (or equivalent) • the people occupying the highest positions in relation to: <ul style="list-style-type: none"> ○ service delivery ○ finances ○ operations (e.g. property, ICT), and/or ○ human resources.
Owners	<p>Depending on legal entity type, “Owners” may be based on your:</p> <ul style="list-style-type: none"> • Members—ORIC-Registered Indigenous Corporations, Companies Limited by Guarantee, Incorporated Associations • Shareholders—Companies Limited by Shares, Cooperatives • Proprietors/partners—Sole traders, actual person partnerships • Beneficiaries—Trusts <p>If you are a for-profit entity, ownership relates to those who draw a financial benefit from the entity (other than a salary/wage). For not-for-profits, “benefit” is a broader term that may include social/cultural benefits or maintaining an asset or rights (including native title).</p>
Remote	<p>The Agency generally applies the Accessibility/Remoteness Index of Australia (ARIA)+ to define remote areas, except where otherwise indicated. ARIA is widely accepted as Australia’s most authoritative geographic measure of remoteness. ARIA measures the remoteness of a populated locality by its physical distance by road to the nearest urban centre.</p> <p>Please see the map at Figure A for a geographic representation of remote areas defined under ARIA.</p> <p>The Agency recognises there are some communities located within inner or outer regional areas that may be considered remote that fall outside the definition of remote explained above. These may be communities that have limited access to government services or standards of infrastructure.</p>

Term	Definition
Selection process	<p>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.</p>
Value with money	<p>Value with money in this document refers to a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official will consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none"> • the quality of the grant activity/s proposed • fitness for purpose of the proposal in contributing to government objectives • that the absence of a grant is likely to prevent the grantee and government's outcomes being achieved, and • the potential grantee's relevant experience, and performance history. <p>Value with money is sometimes referred to as 'value with relevant money' or 'value for money'.</p>

Appendix 1: IAS Program information

About the Indigenous Advancement Strategy

The Indigenous Advancement Strategy (IAS) is one way the Australian Government funds and delivers programs for Indigenous Australians, to address the targets under the National Agreement on Closing the Gap. There are a number of grant opportunities under the IAS, including the grants process outlined in these guidelines.

The IAS contributes to the Agency's Outcome 1: *Indigenous—Improve results for Indigenous Australians, including in relation to school attendance, employment and community safety, through delivering services and programs, and through measures that recognise the special place that Indigenous peoples hold in this nation.*

Under the IAS, grant opportunities are available under the following six programs:

- 1.1 Jobs, Land and Economy
- 1.2 Children and Schooling
- 1.3 Safety and Wellbeing
- 1.4 Culture and Capability
- 1.5 Remote Australia Strategies
- 1.6 Research and Evaluation

Program 1.5 Remote Australia Strategies

Program Objectives

The Remote Australia Strategies Program (RAS) addresses the disproportionate disadvantage of Aboriginal and Torres Strait Islander peoples in remote Australia. The objective of the RAS program is to support the achievement of outcomes across the IAS priority areas of schooling, employment and community safety in remote areas.

A definition of remote is provided in the Glossary and illustrated in the map below (Figure A). The Agency recognises there are some communities located within inner or outer regional areas that may be considered remote that fall outside the definition of remote explained in the Glossary. These may be communities that have limited access to government services or infrastructure. Applications from these communities will be considered on their merits on a case-by case basis.

Description

To address the multiple dimensions of disadvantage that many remote Aboriginal and Torres Strait Islander communities face, the government is working to refocus remote Aboriginal and Torres Strait Islander funding to create a genuine partnership between government and Aboriginal and Torres Strait Islander peoples and to tailor solutions to local circumstances.

Along with other programs under the IAS, the RAS program supports the government's key priorities of increased participation in education and work, and ensuring safe communities. RAS does this by providing opportunities to complement existing services, enable innovation and leverage further grant funding. It can also be used to address identified gaps in service delivery and infrastructure for remote communities.

Wherever possible, projects funded under RAS should be led by communities, delivered through Aboriginal and Torres Strait Islander organisations and support Aboriginal and Torres Strait Islander employment outcomes. Applicants are also encouraged to leverage off investment from other funding sources, such as state and territory governments.

Program outcomes

The desired outcomes of the RAS program are to support local priorities and contribute to improved education, employment and community safety outcomes in remote areas through:

- Delivery of flexible, tailored local solutions in remote areas.
- Improved infrastructure in remote areas.

Activities that contribute to the program outcomes

1. *Flexible, tailored local solutions*

Tailored local solutions are community-led initiatives that support local and regional innovations.

These activities must address a clearly identified community need and be aligned with the government's priority areas of education, employment and safe and functioning communities. For example, activities that provide increased opportunities for home ownership in remote Australia can address economic development through the growth of personal assets and employment through the provision of accommodation for working households.

The activity should either be:

- supported by robust evidence of the ability of the activity to achieve measurable outcomes, and/or
- designed with a built in evaluation and performance measurement systems that will demonstrate the achievement of the activity's outcomes.

These activities may be a precursor to further funding applications under other program streams of the IAS.

Out-of-Scope

Out-of-scope activities include:

- Activities that are clearly the responsibility of other Australian Government departments or agencies, state, territory or local governments, for example police and health services.
- Activities that do not lead to outcomes that support improved Aboriginal and Torres Strait Islander school attendance and attainment, employment and community safety.

2. *Remote Infrastructure*

Infrastructure is one of the foundations that support improved Aboriginal and Torres Strait Islander school attendance and attainment, employment and community safety. Activities that can be funded through the RAS Program include:

- New, discrete infrastructure projects.
- Urgent critical repairs and replacements for infrastructure in remote Indigenous communities that will impact positively on the health, well-being and environmental safety of community members.
- Support for renewable energy systems that contribute to identifiable outcomes under the IAS.
- Temporary accommodation facilities so residents of remote communities can access critical services such as hospitals and dialysis clinics, or that address issues such as overcrowding, homelessness, or safety.
- Increased access to, maintenance of and training in telecommunications, including infrastructure that builds on existing services to increase access or coverage and digital literacy and/or cyber safety training.

The Australian Government will only provide funding for infrastructure when the following conditions are met:

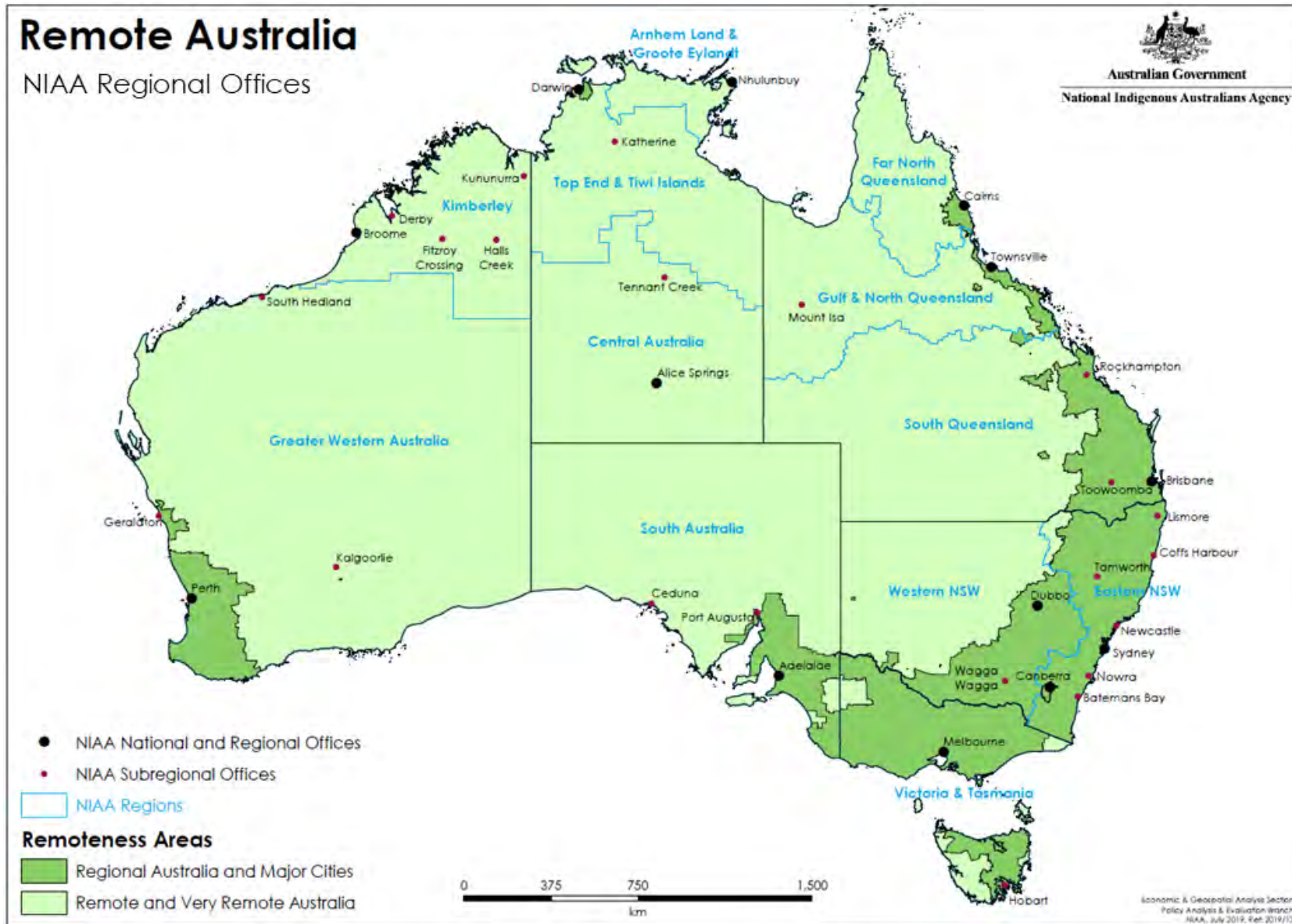
- There is a clear understanding of who owns the asset and who will be responsible for ongoing repairs, maintenance, and other costs.
- Secure land tenure is in place.
- Any associated costs including but not limited to rates, insurance, or connection to essential services, such as power, water and sewerage, have been considered and factored into the budget and project timeframes, the Commonwealth will generally not provide funding for ongoing service costs.
- The construction complies with all relevant Commonwealth and state or territory legislation.
- The Agency may consider contributing grant funding where there is a co-contribution from an Aboriginal and Torres Strait Islander community; from state, territory or local government; or from the private or not-for-profit sectors; for proposals that meet IAS objectives.

Out-of-Scope

Out-of-scope activities include Infrastructure that is generally the responsibility of other Australian Government departments or agencies, state, territory or local governments or other relevant entities – such as private companies and non-government organisations, for example:

- Major roads and bridges.
- Major telecommunications infrastructure, the responsibility of the [Department of Infrastructure, Transport, Regional Development and Communications](#).

Figure A: Indigenous Advancement Strategy—remoteness areas



Appendix 2: Incorporation requirements

Subject to certain exceptions, under the Strengthening Organisational Governance Policy all organisations receiving grant funding totalling \$500,000 (GST exclusive) or more in any single financial year from the NIAA are required to:

- Incorporate under Commonwealth legislation—Indigenous organisations will be required to incorporate under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) and other organisations will be required to incorporate under the [Corporations Act 2001](#).
- Maintain these arrangements while they continue to receive any IAS funding.

The incorporation requirements apply to grant funding under grant agreements or variations executed on or after 1 July 2014. Grants for capital works and funding sourced through procurement activities are not included in the calculation of applicable funding.

Statutory bodies, government bodies, and organisations operating under a specific piece of legislation are excluded from the requirements and do not have to apply for an exemption.

Indigenous organisations already incorporated under the [Corporations Act 2001](#) do not have to change their incorporation status. However, all other Indigenous organisations in scope of this policy must incorporate under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) so they can access the assistance and support available under the Act.

Organisations will need to comply with this requirement as part of their grant agreement. Non-compliance will constitute a breach and may result in the termination of the grant agreement.

Organisations will have a six-month transition period to comply with the incorporation requirement from the execution of the Grant Agreement or variation of an existing grant agreement. At the Commonwealth's discretion extended transition periods may be granted to organisations if the organisation has applied for an extension in writing and can provide evidence that they have made reasonable attempts during the six month period to transition, but are unable to meet this requirement in that time.

Organisations may apply for an exemption from the requirement to incorporate under the Strengthening Organisational Governance Policy. Applications for exemption must be submitted using the process outlined by the Agency. Details about the exemptions policy and the Application for Exemption form can be found on the Agency's website.

Exemptions will be considered where an organisation can demonstrate at least one of the following:

1. That grant funding received from the Indigenous Affairs Group within the Agency is a small portion of its total revenue, and as such changing incorporation status may unfairly impose additional requirements on its operations and business model.
2. It is required to incorporate under specific non-Commonwealth legislation as part of its licensing arrangements or funding received through other sources.

Applications for exemption will be considered on a case-by-case basis, and will take into consideration information demonstrating that the organisation is well-governed, high-performing and low risk.

Applications for exemption from the requirements should be lodged through the Agreement Manager in the NIAA Regional Office. Applications should be lodged within the transition period, as soon as practicable once an offer of funding has been made. Organisations will be expected to comply with the requirements within the transition period should an exemption not be granted.

Support for Indigenous organisations transferring to the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) is available through the Office of the Registrar of Indigenous Corporations (ORIC). This includes assistance in developing a rulebook, guidance on the process to transfer incorporation, and access to pro bono legal assistance through the LawHelp service.

Organisations required to transfer their incorporation from state and territory legislation to either the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) or the [Corporations Act 2001](#) may incur some additional, one-off costs for independent legal advice and accountancy services to support the transfer of incorporation. **To assist those organisations required to transfer their incorporation status, the Agency will provide a one-off \$10,000 (GST exclusive) payment upon receipt of evidence that the transfer has occurred.**

Please refer to the [Agency's website](#) at <https://www.niaa.gov.au/indigenous-affairs/grants-and-funding/incorporation-requirements> for further information.

Appendix 3: Application checklist

Before you submit an application, it is recommended the following checklist be used to ensure the application is complete and contains the information needed for the application and assessment process.

	Where relevant, the proposal has been discussed with the Aboriginal and Torres Strait Islander groups who will be involved in the project and with other groups with an interest in the project.
	Eligibility requirements set out in the Grant Opportunity Guidelines are met.
	Where applicable, evidence can be provided to demonstrate incorporation and/or Indigeneity status.
	IAS objectives and outcomes are understood and the proposed activity(s) contributes to the outcomes of the IAS.
	The assessment criteria are understood and met.
	The draft grant agreement has been read. Applicants must confirm they will accept the terms of the grant agreement, if successful. If you are not able to accept the terms of the agreement, you should discuss this with the NIAA Regional Office before completing the application form.
	The name and contact details of two referees who can support the claims made in the application against the assessment criteria can be provided.
	If the applicant has a current NIAA grant agreement, have the Provider Reference Number ready. The 'Provider Reference Number' can be found on the grant agreement.

Completing the application form

	Ensure every section of the application form is completed.
	Complete the application form in English.
	Complete the 'Declaration' section of the application form. Ensure all fields are completed including the checkboxes. The applicant, or person authorised to act on behalf of the applicant, should type their full name in the online signature field.

Joint (consortia) applicants:

	Ensure the nominated lead organisation (the applicant) is a legal entity capable of entering into a grant agreement with the Commonwealth.
	Ensure the nominated lead organisation (the applicant) is a legal entity capable of entering into a grant agreement with the Commonwealth. Attach a letter of support from each consortia organisation.

Non-government applicants who do not have a current grant agreement with NIAA

If you are a non-government applicant and do not have an existing grant agreement with NIAA you will need to attach the following supporting documentation:

	A copy of the applicant's most recent financial statements, such as an audited expenditure report, income and expenditure statement, or a balance sheet.
	A copy of the applicants Certificate of Incorporation where relevant. Organisations registered with Australian Charities and Not-for-profits Commission are exempt from this requirement.
	If the applicant is not able to quote an ABN as required in the application form they will be required to provide a copy of a completed 'Statement by a supplier (reason for not quoting an ABN to an enterprise)' form that can be found on the ATO website.

10 QUESTIONS BY MEMBERS

Members are invited to raise any questions.

11 GENERAL BUSINESS

Call for any other general business.

12 CONFIDENTIAL ITEMS

Recommendation

THAT pursuant to section 99(2) and 293(1) of the Local Government Act 2019 and section 51(1) of the Local Government (General) Regulations 2021 the meeting be closed to the public to consider the Confidential items of the Agenda.

Moved:

Seconded:

12.1 Code of Conduct Complaint Against Councillor

This report will be dealt with under Section 293(1) of the *Local Government Act 2019* and Regulation 51(1)(f) of the *Local Government (General) Regulations 2021* as it contains information in relation to a complaint of a contravention of the code of conduct.

12.2 Section 19 Leasing Arrangements

This report will be dealt with under Section 293(1) of the *Local Government Act 2019* and Regulation 51(1)(c)(iv) of the *Local Government (General) Regulations 2021* as it contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

12.3 CEO Recruitment Process

This report will be dealt with under Section 293(1) of the *Local Government Act 2019* and Regulation 51(1)(a) and 51(1)(c)(iv) of the *Local Government (General) Regulations 2021* as it contains information that would, if publicly disclosed, be likely to prejudice the interests of council or some other person.

Return to open session:

13 NEXT COUNCIL MEETING

The next Ordinary Meeting of Council be held on 29 November 2021 at the Belyuen Council Offices, Belyuen commencing at 5:00PM.