

Aboriginals Benefit Account Homelands Project Guidelines

Commonwealth policy entity: **Department of the Prime Minister and Cabinet**

Enquiries: If you have any questions, please contact
ABAHomelands@network.pmc.gov.au

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Type of grant opportunity: **Restricted non-competitive**

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1. Aboriginals Benefit Account Homelands Project Processes

The Program is designed to achieve Australian Government objectives

This grant opportunity is part of the Aboriginals Benefit Account (ABA) Grant Program which contributes to the Department of the Prime Minister and Cabinet's Outcome 2. The Department of the Prime Minister and Cabinet works with stakeholders to plan and design the grant program according to the *Commonwealth Grants Rules and Guidelines*.



Grant activities identified and approved by the delegate

Land councils consult with homelands to develop lists of potential funding activities with capped allocations of \$150,000, \$500,000 or \$1 million per homeland. Activities are recommended by the ABA Advisory Committee and approved by the Minister for Indigenous Affairs to be offered as a grant opportunity.



The grant opportunity opens

We publish the grant guidelines on GrantConnect.



You complete and submit a grant application

Indigenous owned or controlled providers will be invited to submit an application for funding to deliver selected activities in one or more homelands.



We assess all grant applications

We assess the application against eligibility criteria and notify you if you are not eligible. If eligible we then assess your application against the assessment criteria including an overall consideration of value for money.



We make grant recommendations

We provide advice to the decision-making delegate on the merits of the application.



Decisions are made to proceed to agreement negotiation

The delegate decides which grant applications proceed to agreement negotiation.



We notify you of the decisions

We advise you of the outcome of your application.



We enter into a grant agreement

We will seek to negotiate a grant agreement with successful applications and, pending successful negotiations, enter into a grant agreement. The type of grant agreement is based on the nature of the grant and proportional to the risks involved.



Delivery of grant

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



Evaluation of program/grant opportunity

We evaluate performance of the specific grant activity and grant opportunity as a whole. We base this on information you provide to us and that we collect from various sources.

1.1 About the grant program

The Aboriginals Benefit Account (the ABA) was established by the Financial Management Legislation Amendment Act 1999 and continued in existence by the *Aboriginal Land Rights (Northern Territory) Act 1976* (Land Rights Act). The ABA is a special account for the purposes of the Public Governance, Performance and Accountability Act 2013.

Subsection 64(4) of the Land Rights Act empowers the Minister for Indigenous Affairs to direct amounts to be debited from the ABA and paid by the Commonwealth to or for the benefit of Aboriginal people living in the Northern Territory.

Subsection 64(5A) of the Land Rights Act empowers the Minister for Indigenous Affairs to, by notice in writing, specify conditions on which a payment of an amount to a person under subsection 64(4) is made. Subsection 64(5B) enables the Minister for Indigenous Affairs, on behalf of the Commonwealth, to recover the whole or part of an amount paid to a person in accordance with subsection 64(4) as a debt if the person breaches a condition specified under subsection 64(5B).

The Land Rights Act provides for an ABA Advisory Committee (ABAAC) to advise the Minister for Indigenous Affairs on beneficial payments from the ABA under subsection 64(4).

The ABA Beneficial Grants Programme facilitates making ABA payments for the benefit of Aboriginal people living in the Northern Territory through a competitive selection process held

twice a year. The ABA Beneficial Grant Funding Guidelines describe how the Commonwealth administers the programme.

The Minister for Indigenous Affairs has approved \$40 million be drawn down from the ABA for the Homelands Project (the Project), a subsidiary project under the ABA Beneficial Grants Programme. The [ABA Beneficial Grant Programme Guidelines](#) have been developed to reflect the processes required to achieve the intended Homelands Project outcomes.

1.2 About the ABA Homelands Project

The Project is a once only strategic ABA Beneficial Grants Programme initiative designed specifically to benefit Northern Territory existing homelands (also known as outstations) and not town camps, townships or remote communities.

The objectives of the Project are to improve living conditions and enhance business and other opportunities in homelands. The Project will run over three years from 2018-2020.

To be eligible to receive funding under the Project, homelands must be:

- Regularly used and maintained for habitation or cultural purposes,
- Engaged with a Community Development Programme (CDP) provider or CDP activities, or demonstrate the potential to become involved in CDP activities, and
- Not be connected to the NT Power and Water Corporation's Indigenous Essential Services water and electricity networks if funding is sought for water and electricity services.

The four Northern Territory land councils have statutory responsibilities under the Land Rights Act to support the management of Aboriginal land in the Northern Territory, including management of homelands under Community Living Area and Land Trust arrangements. Given their knowledge of the homelands and their established relationships with residents, land councils are well placed to undertake the consultation stage of the Project. Land councils will develop schedules of homelands for consultation and consult with homelands residents to determine infrastructure requirements (activities).

The land councils submit potential homelands activities to the Department of the Prime Minister and Cabinet for assessment against benefit, need and capacity. In undertaking this assessment we give consideration to each homeland's infrastructure, past and planned infrastructure investment, and the funding available. We then seek formal recommendation of potential activities from the ABAAC. The approval of the delegate is sought for the recommended activities.

Approved homelands activities will be delivered under funding grants to selected Indigenous providers. These Guidelines contain information for providers applying for funding grants.

The Project will be undertaken according to the [Commonwealth Grant Rules and Guidelines](#) (CGRGs).

This document sets out:

- The purpose of the grant opportunity,
- The eligibility and assessment criteria,
- How grant applications are monitored and evaluated, and
- Responsibilities and expectations in relation to the opportunity.

You must read this document before filling out an application.

1.3 ABA Homelands Project outcomes

The Project is intended to:

- Increase local Indigenous employment and training.
- Improve health, safety and wellbeing of homelands residents.
- Increase opportunities for people living on homelands to access services, including education and training.
- Increase capacity for permanent residency on homelands or access to homelands to engage with culture and care for country.

The objectives of the Project are:

- Investment in infrastructure which is identified by homelands residents and complements the Northern Territory Government's (NTG) homelands programmes.
- Capacity development requested by homelands residents that is associated with the infrastructure investment and supports homelands residents to manage the infrastructure.
- Contributing to an increase in local Indigenous employment outcomes. This includes the engagement of Community Development Programme (CDP) job seekers in the delivery of activities. Applicants will need to justify use of non-Indigenous labour.
- Provision of opportunity for Indigenous providers to deliver works.

2. Grant amount

Total funding of \$40 million has been allocated from the ABA for the Project. All funding will be disbursed for homelands activities by June 2020. To deliver cost efficiencies and enable more sustained employment opportunities, funding may be offered by bundling approved activities in a number of homelands into one grant opportunity.

Except in exceptional cases, each homeland funded through the Project will be assigned funding within one of three allocations, capped at \$150,000, \$500,000 or \$1,000,000. Exceptional cases will be situations where homelands can make a case for funding for activities in excess of \$1,000,000, such as for example where high cost infrastructure is required to service a number of related homelands. A strong case will need to be made for exceptions, including justification of need, benefit and capacity to maintain infrastructure.

Consultations with homelands have enabled the development of a prioritised set of activities and funding allocations for each homeland. Homeland activities have been approved to be progressed through this grant opportunity.

If your application is successful, you will be offered the opportunity to enter into a grant agreement with the Department of the Prime Minister and Cabinet.

3. Grant eligibility criteria

We cannot consider your application if it does not satisfy all the eligibility criteria.

3.1 Who is eligible to apply for a grant?

Eligible providers will receive an invitation to apply for funding to deliver activities in homelands in their regions.

To be eligible to submit a grant application you must be an Indigenous-owned or controlled provider with a history of successfully delivering essential services to homelands.

Providers must also satisfy the following criteria to be eligible to receive an invitation to apply for funding:

- Have a legal personality
- Not be bankrupt or subject to insolvency proceedings
- Possess an ABN, or has commenced the process to obtain an ABN, and is registered for GST purposes, and
- Have not been named as non-compliant under the *Workplace Gender Equality Act 2012* (Cth).

Preference will be given to existing Municipal and Essential Services providers who have an established relationship with the homeland(s) in which activities are to be delivered.

The Department will assess the financial viability of providers and their capacity to deliver value for money outcomes.

The Department may approach alternative Indigenous organisations¹ if - after formal assessment of capacity, viability, delivery history and relationship with homelands - it is concluded that funding an existing local provider poses a significant risk to successful delivery of the activities.

3.2 Who is not eligible to apply for a grant?

You are not able to submit an application if you have not been approached through an invitation to apply.

¹ See glossary

4. Eligible grant activities

4.1 What the grant money can be used for

You must use the grant for the activities described in an activities package that we will provide to you. Each package will be tailored to the suite of activities approved for the specific homeland(s).

Eligible activities include:

- New and upgraded essential services infrastructure to provide safe and reliable electricity and water and sewerage supply, reticulation and storage.
- Upgrades and repairs to infrastructure that supports access to a homeland (e.g. roads, bridges, cross-overs, airstrips, barge landings) but do not or are not eligible to receive funding from other sources.
- New or upgraded radio/telephony infrastructure (including mobile phone coverage).
- New and upgraded community infrastructure to improve the amenity of a homeland (e.g. meeting facilities, ablution blocks and fencing).
- Training and capacity development for Indigenous providers and residents to use and maintain infrastructure.

You can only spend grant funds on eligible grant activities as defined in the grant details in your grant agreement.

4.2 What the grant money cannot be used for

Grants are not provided for:

- Creation of new homelands.
- New housing or house upgrades/repairs, except where this is required for an activity (e.g. rewiring an existing house in connection with the installation of a new solar system).
- New infrastructure to support access to a homeland (e.g. roads, bridges, cross-overs, airstrips, barge landings).
- New buildings or building upgrades that support an existing community function or enterprise (e.g. schools, clinics, churches, art centres, stores, Ranger stations) that receive or is eligible to receive funding from other sources for this purpose.
- Vehicles and machinery for personal non-commercial use.
- Direct support for existing local enterprises where alternative funding sources are available.
- Ongoing operational costs for newly installed infrastructure, including for repairs and maintenance.

We cannot provide a grant if you receive funding from another government source for the same purpose.

4.3 Eligible and ineligible expenditure

You can only spend grant funds on expenditure you have incurred on an agreed package of activities, as defined in your grant agreement. You must incur the expenditure between the project start and end date for it to be eligible.

Please note the grant cannot be used for any costs incurred in the preparation of your grant application or related documentation.

5. The grant selection process

We will send a written invitation to selected providers to apply for funding to deliver approved activities in one or more homelands. The invitation will include the scope of the activities and the homelands where they are to be delivered. Invitations may be for one homeland, or to deliver efficiencies and more sustained Indigenous employment, a number of homelands. Invited providers will be provided with a draft grant agreement and a project plan template that will form the basis of the application (refer section 7.4 below). The application will allow you to address areas including delivery methodology, timeframe, Indigenous employment and budget.

We will assess your application against the criteria set out below. Your application will be considered on its merits, based on:

- How well it meets the criteria, and
- Whether it provides value for money.

6. The assessment criteria

You will need to address the following assessment criteria in your application. We will judge your application based on the weighting given to each criterion. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested.

Applications will be assessed against the following criteria:

Criterion 1: Capability. You demonstrate understanding of activities and an ability to work with the identified Indigenous homeland/s:

- Understanding of the technical requirements and complexity of the project/s and the technology and skills required to deliver.
- Legal and regulatory obligations associated with project delivery are identified.
- Demonstrates process used to develop plan with homeland residents.
- Experience and performance with similar projects.
- Indigenous employment and engagement with CDP provider.

Criterion 2: Capacity. Delivery schedule demonstrates how you will be able to manage the delivery alongside ongoing business, including provision for risk and other project dependencies.

Criterion 3: Value for Money. The budget reflects value for money, based on the location, scope and complexity of works and includes all costs associated with delivery.

All assessment criteria are given equal weighting.

There is no word limit for your application.

7. The grant application process

7.1 Overview of application process

You must read the approved works scope and these guidelines before submitting an application. You should also review the draft grant agreement before applying, as payments under this Project are generally conditional on entering into an agreement with the Commonwealth.

You are responsible for ensuring that your application is complete and accurate. If submitted applications are incomplete, we will provide you with an opportunity to address omissions. Giving false or misleading information will exclude you from further consideration.

Please keep a copy of your application and any supporting papers.

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

7.2 Application process timing

All funding available under the Project will be allocated by June 2020. Applications for funding will be accepted until the last day of February 2020.

The Department will review the provider's application and negotiate terms and conditions for award of the grant through a grant agreement. Depending on the value and complexity of the activities to be delivered, the process from application to funding offer may take up to 12 weeks.

Successful applicants must acquit their grant funding within 12 months of execution of a grant agreement.

7.3 Completing the grant application

You must submit your grant application via email to ABAHomelands@network.pmc.gov.au.

Please contact ABAHomelands@network.pmc.gov.au if you experience any difficulties emailing your documents. The Department of the Prime Minister and Cabinet will not accept applications for this grant opportunity by fax or mail.

You must make sure that your application is complete and accurate and submitted in accordance with these Guidelines.

If you find a mistake in your application after it has been submitted, you should contact ABAHomelands@network.pmc.gov.au straight away. The Department of the Prime Minister and Cabinet may ask you for more information, as long as it does not change the substance of your application.

7.4 The application

Your application will consist of a project plan. This must include the following information:

- Details and specifications of the proposed delivery of the approved activities
- Detailed budget
- Delivery schedule
- Indigenous employment plan
- Risk management plan
- Plan for handover to residents on completion

A project plan template will be provided to you on GrantConnect. This will need to be completed and submitted.

7.5 Questions during the application process

If you have any questions during the application period, please contact ABAHomelands@network.pmc.gov.au. The Department of the Prime Minister and Cabinet will respond to emailed questions within three working days.

Answers to questions may be posted on GrantConnect.

8. Assessment of grant applications

8.1 Who will assess applications?

An assessment team will assess each application on its merit. The assessment team will be made up of two officers from the Department of the Prime Minister and Cabinet and a moderator where required.

The following criteria will be used to assess applications, using a ranking scale of 1 to 7:

- **Capability:** the applicant's understanding of activities and an ability to work with residents and other stakeholders of the identified homeland(s).
- **Capacity:** demonstration of how the applicant will be able to manage the activity alongside ongoing business, including provision for risk and other project dependencies.

- Value for Money: the budget reflects value for money, based on the location, scope and complexity of works and includes all costs associated with delivery.

The following will also be taken into account in assessing the merits of applications:

- Conflicts of interest: the applicant has identified any perceived or actual conflict of interest, and if so, the applicant's proposed mitigation strategies.
- Potential for the applicant to deliver activities in a number of homelands, to deliver cost efficiencies and enable more sustained employment opportunities.
- The applicant has confirmed the scope of activities with relevant homelands residents and residents have agreed to the applicant accessing the homeland(s).
- Secure tenure has been or is being arranged for fixed assets over \$500,000.
- An acknowledgment that the operator of machinery and other portable assets provided for a homeland will enter into formal agreement with the Commonwealth to ensure the assets are used for their stated purpose.

External advisors may also be asked to inform the assessment process. Any advisor who is not an Australian Public Servant will be treated as the Commonwealth entity's staff in accordance with Part 1, section 2.8 of the CGRGs. Advisors may include officers of the Northern Territory Government and a professional cost estimator who may be consulted for expert advice.

The assessment team may seek 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 team may also consider information about you or your application that is available through the normal course of business.

If the selection process identifies unintentional errors in your application, you may be contacted to correct or explain the information.

8.2 Who will approve grants?

The Minister for Indigenous Affairs has delegated certain decision-making powers under the Land Rights Act to senior executive staff in the Department of the Prime Minister and Cabinet's Northern Territory Network. Upon receipt and assessment of grant applications for activities the Minister for Indigenous Affairs has approved for negotiation, the assessment team will make recommendations to the Minister or delegated senior executive.

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

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

The delegate must not approve funding if they reasonably consider the program funding available across financial years will not accommodate the funding offer, and/or the application does not represent value for money.

The Department will provide unsuccessful applicants an opportunity to receive reasons for the decision. Unsuccessful applicants may be able to seek judicial review of the decision, and are entitled to engage in the Departmental Complaints Process

9. Notification of application outcomes

You will be advised of the outcomes of your application in writing, following a decision by the Departmental delegate. If you are successful, you will also be advised about any specific conditions attached to the grant.

If you are unsuccessful, we will notify you in writing and give you an opportunity to discuss the outcome.

9.1 Feedback on your application

If you are unsuccessful, you may ask for feedback from the Department of the Prime Minister and Cabinet within 30 days of being advised of the outcome. The Department of the Prime Minister and Cabinet will give written feedback within one month of feedback being requested.

10. Successful grant applications

10.1 The grant agreement

The Department of the Prime Minister and Cabinet will seek to negotiate the terms of an agreement with the applicant within six weeks. During these negotiations there will also be an opportunity to tailor the scope and delivery of activities. Once these negotiations have concluded, the Departmental delegate may approve entering into a grant agreement.

If you are successful, we will provide you with a legally binding grant agreement with the Commonwealth, represented by Department of the Prime Minister and Cabinet. The Department of the Prime Minister and Cabinet will use the *Commonwealth Standard Grant Agreement*. Standard terms and conditions for the grant agreement will apply and cannot be changed. A schedule may be used to outline the specific grant requirements and conditions attached to the grant will be identified.

If there are unreasonable delays in finalising a grant agreement, the grant offer may be withdrawn.

Where a grantee fails to meet the obligations of the grant agreement, the Department of the Prime Minister and Cabinet may terminate the funding agreement.

You should not make financial commitments or begin delivering activities until a grant agreement has been executed by the Commonwealth.

10.2 How the grant will be paid

The grant agreement will state the maximum grant amount to be paid. Grant funding will be paid upon achieving agreed milestones.

We will make an initial payment on execution of the grant agreement. Subsequent payments will be made progressively based on your progress reports.

10.3 Grant agreement variations

We recognise that unexpected events may affect the progress of a project. In these circumstances, you can request a project variation, including:

- Changing project milestones
- Extending the timeframe for completing the project but within the maximum period for the ABA Homelands Project

Proposed changes to the executed grant agreement must be submitted in writing to the Departmental contact nominated in the grant agreement as soon as the need for a variation is identified, and before the grant agreement end date. For further information contact ABAHomelands@network.pmc.gov.au.

We will not consider changes after the grant agreement end date.

You should not assume that a variation request will be successful. Requests will be considered in the context of:

- How the request affects the outcome.
- Consistency with the programme policy objective and any relevant policies of the Department.
- Changes to the timing of grant payments.
- Availability of programme funds.

11. Announcement of grants

Awarded grants will be listed on the GrantConnect website 21 calendar days after the date of effect² as required by Section 5.3 of the *CGRGs*.

12. Delivery of grant activities

12.1 Your responsibilities

You must deliver the selected activities in accordance with any conditions on payment.

² See glossary

The Grant Agreement will set out the following requirements:

- Reporting requirements.
- Record keeping and acquittal requirements
- Requirements for managing the activity efficiently and effectively.

12.2 The Department's responsibilities

The Department will:

- Administer the payment in accordance with the conditions specified in the Grant Agreement; and
- Evaluate the Grant Recipient's performance.

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

12.3 Grant payments and GST

Payments will be made as set out in the grant agreement. Payments will be GST Inclusive.

Before any payments are made, you must provide:

- A tax invoice for the amount of the payment (the Australian Government's default invoice process is Recipient Created Tax Invoices)
- Evidence that you have achieved the associated milestone
- Any other conditions of payment (e.g. evidence of purchase of equipment, satisfactory progress report, approvals, and any other documentation).

If you receive a grant, you should consider speaking to a tax advisor about the effect of receiving a grant before you enter into a grant agreement. You can also visit the Australian Taxation Office website at www.ato.gov.au for more information.

12.4 Evaluation

The Department of the Prime Minister and Cabinet will evaluate the performance of the grant activity to measure how well the outcomes and objectives have been achieved.

A Performance Management Framework will be used to measure how well the outcomes and objectives of the Project have been achieved. This will include six monthly KPI reporting on delivery, timeliness, Indigenous employment and community satisfaction and expenditure reporting and acquittal of funds. The Department will also use site visits and end of works evaluation by residents to measure how well the outcomes and objectives of the Project have been achieved.

Your grant agreement requires you to provide information to help with this process.

13. Probity

The Department will conduct the Project ethically, honestly and fairly, and in accordance with the requirements of the Land Rights Act and other relevant legislation (such as the Public Governance, Performance and Accountability Act 2013), these Guidelines and other applicable Government policies.

Note: These Guidelines may be changed from time-to-time by the Department. Revised Guidelines will be published on the GrantConnect website at <https://www.grants.gov.au/> Should this occur, all invited applicants will automatically be notified via GrantConnect.

13.1 Complaints process

We may provide unsuccessful or ineligible applicants with reasons for the application not being successful or the organisation being ineligible. Any opportunity for individualised feedback will be set out in the advice to the applicant on the outcome of the grant funding process.

The Department's Complaints Procedures apply to complaints about the Project. All complaints about a grant process must be lodged in writing.

Any questions about grant decisions for the Project should be sent to complaints@pmc.gov.au

If you disagree with the way the Department has handled a complaint, you may complain to the Commonwealth Ombudsman. The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Department of the Prime Minister and Cabinet.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072

Email: ombudsman@ombudsman.gov.au

13.2 Conflict of interest

Applicants (including their subcontractors) are required to:

- Identify and declare any existing or potential conflict of interest (including both actual and perceived conflicts of interest) that may apply to its application, or its provision of activities.
- Describe the procedures and methods it intends to implement to manage any actual, potential or perceived conflict of interest.

A conflict of interest arises where a person makes a decision or exercises a power in a way that may be, or may be perceived to be, influenced by either material personal interests (financial or non-financial) or material personal associations. Examples of when conflicts of interest arise include where:

- Decision makers or Departmental staff involved in spending activities, have a direct or indirect interest in the applicant, which may influence the selection of a particular funded activity.
- Members of expert or advisory panels or committees, (such as members of the Aboriginals Benefit Account Advisory Committee or any of the Northern Territory land councils), have a direct or indirect interest in informing a decision about expenditure or providing advice on grants.
- An applicant has a direct or indirect interest, which may influence the selection of their particular funded activity during the application processes. Conflicts may also arise when undertaking the funded activity.

All parties involved in or associated with activities for the Project have an obligation to disclose all potential, perceived or actual, conflicts of interest related to the spending of the funded activity.

Applicants will be asked to declare, as part of their application, any perceived or existing conflicts of interests or that, to the best of their knowledge, there is no conflict of interest.

If an applicant later identifies that there is an actual, apparent, or potential conflict of interest or that one might arise in relation to an application, the applicant must inform the Department in writing immediately.

The Department has appropriate mechanisms in place for identifying and managing potential or actual internal conflicts of interest such as requiring assessment staff to sign a conflict of interest declaration prior to undertaking the assessment of applications.

13.3 Privacy: confidentiality and protection of personal information

We treat your personal information according to the 13 Australian Privacy Principles and the *Privacy Act 1988*. This includes letting applicants know:

- What personal information has been collected.
- Why personal information is collected.
- Who has access to personal information.

You are required, as part of the application process, to declare their ability to comply with the *Privacy Act 1988*, including the Australian Privacy Principles and impose the same privacy obligations on any subcontractors engaged to assist with the activity. The Australian Government's consent in writing must be requested before disclosing confidential information.

Personal information can only be disclosed to someone else if the applicant is given reasonable notice of the disclosure; where disclosure is authorised or required by law or is reasonably necessary for the enforcement of the criminal law; if it will prevent or lessen a serious and imminent threat to a person's life or health; or if the applicant has consented to the disclosure.

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

The Department may reveal confidential information to:

- The Committee and other Commonwealth employees and contractors to help manage the programme effectively.
- Employees and contractors of the Department to research, assess, monitor and analyse programmes 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 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.

The Department 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, including the:

- *Public Service Act 1999*
- *Public Service Regulations 1999*
- *Public Governance, Performance and Accountability Act 2013*
- *Privacy Act 1988*
- *Crimes Act 1914*
- *Criminal Code Act 1995*

The Department will treat provided information as sensitive and therefore confidential if it meets all of the four conditions below:

1. The information is clearly as confidential and there is an explanation why it should be treated as confidential.
2. The information is commercially sensitive.
3. Revealing the information would cause unreasonable harm to the applicant or someone else.
4. The information is provided on an understanding that it will stay confidential.

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

13.4 Freedom of information

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

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

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

By mail: Freedom of Information Coordinator
 Department of the Prime Minister and Cabinet
 PO Box 6500
 CANBERRA ACT 2600

By email: foi@pmc.gov.au

14. Consultation

The Project framework was developed from a 2012 discussion paper initiated by the ABA Advisory Committee on the need for investing in Northern Territory homelands from an allocation from the Aboriginals Benefit Account.

Consultations on the framework have since taken place with the ABA Advisory Committee, who formally endorsed a Project Plan in July 2017.

Discussions have taken place over 2016 and 2017 with the Northern Territory Government and the four Northern Territory land councils.

15. Glossary

Term	Definition
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 granting activity, to determine applicant rankings.
commencement date	The expected start date for the grant activity.
completion date	The expected date that the grant activity must be completed and the grant spent by.
date of effect	This will depend on the particular grant. It can be the date in which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable.
decision maker	The person who makes a decision to award a grant.
double dipping	Double dipping occurs where a grant recipient is able to obtain a grant for the same project or activity from more than one source.
eligibility criteria	The principles, standards or rules that a grant applicant must meet to qualify for consideration of a grant. Eligibility criteria may apply in addition to assessment criteria.
Commonwealth entity	A Department of State, or a Parliamentary Department, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the PGPA Act.
cost shifting	Involves 'substitution of effort' by the Commonwealth for activities of another organisation or level of government. For example, cost shifting occurs where the Commonwealth provides a grant for an activity that would usually be paid for by a state, territory, or local government, such as municipal services.
grant	a grant is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth:

Term	Definition
	<p>a) under which relevant money or other CRF money, is to be paid to a recipient other than the Commonwealth; and</p> <p>b) which is intended to assist the recipient achieve its goals; and</p> <p>c) which is intended to help address one or more of the Australian Government's policy objectives; and</p> <p>under which the recipient may be required to act in accordance with specified terms or conditions.</p> <p>CGRGs section 2.3</p>
grant activity	Is the project /tasks /services that the Grantee is required to undertake with the grant money. It is described in the Grant Agreement.
grant agreement	Grant agreement means the contract template used by Australian Government entities to set out the mutual obligations relating to the provision of the grant. The Australian Government is standardising and streamlining grant agreements between the Commonwealth and grant recipients to allow grant recipients to engage more easily and efficiently with the Commonwealth.
grant opportunity	A notice published on GrantConnect advertising the availability of Commonwealth grants.
grant program	May be advertised within the 'Forecast Opportunity' (FO) section of GrantConnect to provide a consolidated view of associated grant opportunities and provide strategic context for specific grant opportunities
grantee	An individual/organisation that has been awarded a grant.
homelands	Homelands or outstations are small and remote discrete locations used by Aboriginal people for residence and/or for cultural purposes.
Indigenous organisation	<ol style="list-style-type: none"> 1. An Indigenous Organisation as defined in the <i>Corporations (Aboriginal and Torres Strait Islander) (CATSI) Act 2006</i>. Organisations seeking to meet eligibility through this option will need to meet the <i>CATSI Act 2006</i> requirement at Subsection 246-5(1), which states that a majority of the directors of an Aboriginal and Torres Strait Islander corporation must be individuals who are Aboriginal and Torres Strait

Term	Definition
	<p>Islander persons. Furthermore, the <i>CATSI Act 2006</i> requirements for different size corporations are:</p> <ol style="list-style-type: none"> a. In a corporation with five or more members, 51 per cent of the members have to be Aboriginal or Torres Strait Islander people b. In a corporation with fewer than five members but more than one member, all of the members, or all but one of the members, have to be Aboriginal or Torres Strait Islander people c. In a corporation with only one member, that member has to be an Aboriginal or Torres Strait Islander person <p>2. OR An Indigenous-Focused organisation through ownership, control, or employment:</p> <ol style="list-style-type: none"> a. At least 50% of the entity is owned by Indigenous people; or b. Effective control: at least 50% of the organisation's board, management or similar (e.g. senior leadership team) is filled by Indigenous people; or c. At least 50% of the organisation's employees are Indigenous, including in positions of authority over key business decisions regarding finances, operations, personnel and strategy of CDP service provision. <p>3. OR A Local Community organisation:</p> <ol style="list-style-type: none"> a. A local council; or b. In rare circumstances, the organisation can demonstrate strong, regular involvement of local Indigenous communities, groups or leaders, including evidence of involvement of local communities and Indigenous people in the planning, design and implementation of activities; and cultural competence, that result in services that meet the community needs and demographics.
PBS Program	<p>Described within the entity's Portfolio Budget Statement, PBS programs each link to a single outcome and provide transparency for funding decisions. These high level PBS programs often comprise a number of lower level, more publicly recognised programs, some of which will be Grant Programs. A PBS Program may have more than one Grant Program associated with it, and each of these may have one or more grant opportunities</p>
selection criteria	<p>Comprise eligibility criteria and assessment criteria.</p>

Term	Definition
selection process	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.