

2022 Community Local Infrastructure Recovery Package

Aboriginal-owned Assets Program Guidelines (version 1.2)

Amended to reflect application closing date extension



Overview

\$207m

Community Local Infrastructure Recovery Package (2022)

\$177m Essential Community Assets Program (ECAP)

Support for medium to longer-term needs

\$44m Aboriginal-owned Assets Program

\$70m Community Assets Program

\$18m Arts & Cultural Assets Program

\$45m Sports Assets Program

\$30m Priority Needs Program (PNP)

Support for short-term needs and planning for longer term community infrastructure projects

\$6m Aboriginal-owned Assets Program

\$12m Arts & Cultural Assets Program

\$12m Sports Assets Program

The Australian and NSW Governments are committed to providing ongoing support for communities impacted by the 2022 severe weather and flood events.

The \$44 million Aboriginal-owned Assets Program (AoAP) is a program under the \$207 million Community Local Infrastructure Recovery Package (CLIRP 2022). The AoAP will support healing of community, cultural and sporting Aboriginal-owned social infrastructure for eligible Aboriginal organisations in severe weather and flood affected Local Government Areas (LGAs) in the medium-long term. The program will provide funding for the repair, restoration, and betterment of directly damaged critical Aboriginal-owned social infrastructure assets.

All projects supported under the program will be jointly funded by the Australian and NSW Governments.

The severe weather and flood events in February and June 2022 have caused significant damage to social infrastructure. These assets play an important role in providing basic social and recreational amenity to local residents and visitors, ensuring community cohesion and helping communities to recover and develop bonds that strengthen resilience for the future. All these attributes are critical elements in the creation and maintenance of strong communities.

Regional communities have existing support to repair public assets under the Disaster Recovery Funding Arrangements (DRFA), however, these measures do not necessarily cover repairing damaged local social infrastructure.

Although some assets may be insured, it is often the case that social infrastructure assets are uninsured or partially insured. Due to the compounding stressors and extent of damage from the severe weather and flood events many social infrastructure owners have faced difficulties in absorbing the cost of social infrastructure repair following natural disasters.

Following the impacts of the severe weather and flood events in February and June 2022, bushfires and the isolation that the COVID-19 pandemic caused, local social infrastructure is needed more than ever to bring people together, provide support and help create a sense of belonging, identity and community.

Program Purpose and Objectives



The purpose of these Program Guidelines is to outline the objectives, eligibility criteria, assessment processes and timeframes for the \$44 million Aboriginal-owned Asset Program.

The AoAP will support the social recovery (healing, wellbeing, resilience, and prosperity) of flood affected Aboriginal communities in eligible LGAs by providing funding for repairs, restoration, and betterment of directly damaged social infrastructure.

The program will be administered by the Department of Regional NSW (the Department) and will commit funding to LGAs considered most impacted for social infrastructure by the 2022 severe weather and flood events (as declared under AGRN 1012 and AGRN 1025). These LGAs are listed at Appendix A.



Consultation and Impact Assessment

The Department conducted analysis to better understand and document the direct damage to social infrastructure from the severe weather and flood events in February and June 2022. This analysis has been supported by direct engagement through state and regional recovery subcommittees and various NSW Government agencies, including consultation with First Nations representatives.

The Department has classified LGAs to be targeted for AoAP funding on the basis of a multi-faceted impact analysis which included consideration of the level of damage to residential and commercial buildings, occurrence of severe weather and flood environmental damage, economic support need following the severe weather and flood events and classification of LGA type; rural, regional, and metropolitan. This analysis and evidence base informs program design principles and ensures that the recovery funding is prioritised to the LGAs that need it most, as well as ensuring that the unique recovery needs of communities are met.

The funding provided under AoAP has been designed to complement existing support measures for public assets in-place under the broader flood recovery packages.

Probity and Governance

An independent probity advisor will provide guidance on issues concerning integrity, fairness and accountability that may arise throughout the submission, assessment, and decision processes. This will help ensure decisions are made with integrity, fairness, and accountability, while delivering value for money for NSW.

All decisions made under this program will be made in accordance with the Program Guidelines and the associated Assessment Criteria.

A Probity Report will be published by the Department at the completion of the Program.



Eligibility Criteria



Eligibility at a Glance

- Funding is available for directly damaged, Aboriginal-owned and/or managed social infrastructure in disaster declared LGAs under AGRN 1012 and AGRN 1025
- LALCs and Aboriginal organisations that own and/or manage community infrastructure are eligible to apply
- LGAs are allocated a funding pool based on the assessed impact to social infrastructure in that LGA
- The majority of funding will be targeted to the 19 most impacted LGAs
 - Only assets that have been directly damaged from 2022 severe weather and flood events from (AGRN 1012 and AGRN 1025) are eligible
 - Project scope can include repair, restoration, or betterment activities
 - If the value of the notional allocation per funding pool is exceeded, or not met, then the funding may be redistributed to one or more eligible LGAs. This will be determined by the Assessment Panel and as per Assessment Criteria.

Eligible Applicants

- Eligible applicants must:
 - Be a Local Aboriginal Land Council (LALC), or
 - Be an Aboriginal and/or Torres Strait Islander Corporation registered under the *Corporations (Aboriginal and/or Torres Strait Islander) Act 2006*, or
 - Be a business, charity, not-for-profit organisation, incorporated under Commonwealth, state or territory legislation, that has at least 51% Aboriginal and/or Torres Strait Islander ownership and/or directorship and is operated for the benefit of Aboriginal and Torres Strait Islander communities
- Be a legal entity, and
- Hold an Australia Business Number (ABN), and
- Be an owner or manager of the directly damaged social infrastructure in an eligible LGA, and
- Have or be able and willing to purchase at least \$20 million in public liability insurance, and
- Enter into a Funding Deed with the Department and be the lead organisation responsible for project implementation.

If successful, Eligible Applicants will be solely responsible for the project's delivery and reporting through a Funding Deed with the Department.

Eligible applicants may partner with non-eligible entities such as local government or community organisations for funding on social infrastructure not owned or managed by the eligible entity. In these instances, the social value of the social infrastructure to the community in question must be demonstrated.

Applicants will be required to engage with relevant stakeholders to ensure that the proposed project has broad community benefit and plays a key role in social cohesion.

Ineligible Applicants

Ineligible applicants include:

- Australian or NSW government agencies
- State Owned Corporations
- Volunteer organisations
- Local councils and joint organisations of councils
- Private, for-profit businesses.

Eligible LGAs

The program is targeted to the 19 most impacted disaster declared LGAs in NSW that experienced significant damage to local social infrastructure due to the 2022 severe weather and flood events declared under Australian Government Reference Number (AGRN) 1012 and 1025 (Appendix A).

LGAs not identified as targeted for the purpose of this program, but which have been disaster declared under AGRN 1012 and/or AGRN 1025 are eligible to apply for Pool D funding but must be able to substantiate the impact of the disaster on the community asset and demonstrate strong community need and alignment to program objectives.

The list of disaster declared LGAs under AGRN 1012 and AGRN 1025 can be accessed from the [Natural Disaster Declarations website](#).

Eligible Grant Amounts

Up to \$44 million will be available for grants under the AoAP. Projects must seek a minimum of \$100,000 with a maximum available grant of \$5 million.

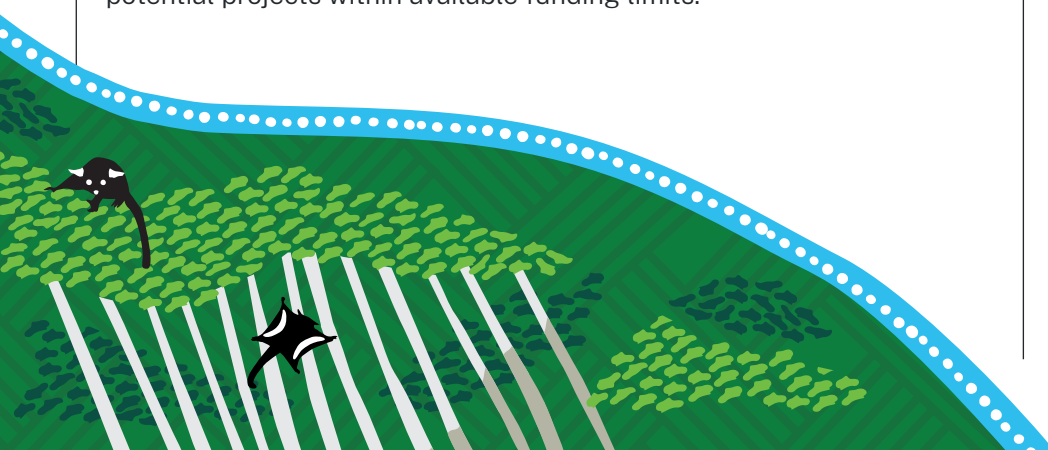
Funding is allocated towards targeted LGAs which have been recognised as the most impacted disaster declared LGAs in NSW that experienced significant damage to social infrastructure due to the 2022 severe weather and flood events (Appendix A).

An impact assessment has been used to determine the level of impact per LGA which corresponds to the eligible funding band. The funding band has been provided in pools to ensure regional connectivity is considered in project development.

Funding decisions made for each LGA within each pool of funding will be determined by the Assessment Panel based on the Program Assessment Criteria and on the level of impact experienced from the severe weather and flood events in February and June 2022.

The table below shows the eligible funding band groupings for the most impacted disaster declared LGAs in NSW.

Notional funding bands support applicants to prioritise and scope potential projects within available funding limits.



Funding Banding

Pool A	Pool B	Pool C	Pool D
<i>\$22 million national allocation</i>	<i>\$10 million national allocation</i>	<i>\$8 million national allocation</i>	<i>\$4 million national allocation</i>
Targeted LGAs	Targeted LGAs	Targeted LGAs	Targeted LGAs
<ul style="list-style-type: none"> • Ballina • Byron • Clarence Valley • Kyogle • Lismore • Richmond Valley • Tweed 	<ul style="list-style-type: none"> • Central Coast • Hawkesbury 	<ul style="list-style-type: none"> • Bellingen • Camden • Cessnock • Glen Innes Severn • Kempsey • Muswellbrook • Nambucca • Narromine • Singleton • Tenterfield 	<p>All other LGAs not listed, yet disaster declared under AGRN 1012 and/or AGRN 1025 are eligible to apply for Pool D funding but must be able to substantiate the impact of the disaster on the community asset and demonstrate strong community need and program alignment.</p>

Please note the funding bands reflect what is available per 'Pool', not per eligible LGA/applicant.

If the repair, restoration, and betterment of directly impacted social infrastructure per eligible Funding Pool does not fulfil the notional allocation, the Assessment Panel may consider redistributing funding to one or more of the other eligible LGAs.

The Assessment Panel may determine that a project in an eligible LGA demonstrates the need for additional funding above what has been notionally allocated. This redistribution is undertaken at the discretion and recommendation by the Assessment Panel. Redistribution ensures that the LGAs unique recovery needs are met whilst ensuring that eligible projects that meet the objective of the Program can be delivered within the AoAP budget.

Projects from applicants in non-targeted LGAs but in an LGA that was disaster declared under AGRN 1012 and/or AGRN 1025 in 2022 (Pool D) may be considered for funding if they can demonstrate need and support for a project in their community with robust alignment to the AoAP criteria.

It is recommended for eligible applicants in non-targeted LGAs to contact the Department at floods.recovery@regional.nsw.gov.au to discuss their project prior to submitting an application.



Eligible Projects

Projects must demonstrate alignment to one or more of the core themes:

- Support the repair, restoration, and betterment of social infrastructure enabling Aboriginal Community cohesion and wellbeing (for projects with the primary focus of Social Capital)
- Support healing, resilience, and connection to and or of significant cultural landscapes and objects (for projects with the primary focus of Natural Capital).
- Support the repair and restoration and betterment of Aboriginal-owned infrastructure, and or enhance resilience against disaster events (for projects with the primary focus of Built Capital)



Projects must:

- **not** be for the repair of infrastructure that meets the definition of an essential public asset in the DRFA
- be for the repair, restoration or betterment of social infrastructure that was directly impacted by the severe weather and flood events in February and June 2022 (declared as AGRN 1012 and/or AGRN 1025)
- be Aboriginal-owned and/or managed
- improve the social infrastructure's resilience to future disasters as applicable through the incorporation of betterment principles
- demonstrate broad community usage and support through community and stakeholder engagement
- support or upgrade of accessibility and inclusion/universal design standards to promote broad access and inclusion for people with disability/the ageing to the social infrastructure align with relevant operational or strategic plans held by an eligible applicant or partnering organisation
- be able to commence construction within 12 months from announcement

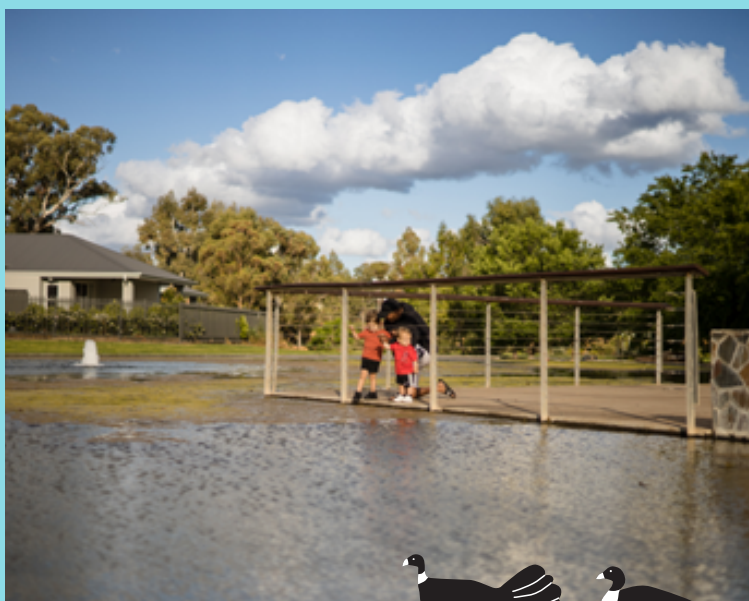
Betterment

A key component of the AoAP Guidelines and intent of the funding is to ensure that any projects funded contain a component of works that support future resilience and enhancement.

Incorporating works that support future resilience and enhancement are built on the principles of Betterment. This includes repairing or building-back an asset that can better withstand future natural disasters while delivering benefits associated with improved resilience and generating productivity, economic and social outcomes. This is made up of the following core values:

1. **Resilience** – Reduce the risk of impact to an asset over its lifecycle to better withstand natural disasters, and improve the ability to respond, recover and adapt after asset disruption.
2. **Productivity** – Maintain or improve the level of service and sustainable function that an asset provides.
3. **Economic** – Achieve net benefits across the asset lifecycle based on the enhanced value proposition and provide a return on investment.
4. **Social** – Maintain or improve a community's ability to function during and after a disruption to an asset.

Further information on how Betterment could relate to your project is available at [RegionalNSW](#).



Examples of eligible activities:

The Table below provides eligible project examples of the repair, restoration, or betterment of directly impacted local social infrastructure that does not provide a function to an essential public asset.

Core Themes:		
<p>Support the repair, restoration, and betterment of social infrastructure enabling Aboriginal Community Cohesion and Wellbeing (Social Capital)*</p>	<p>Support Healing, Resilience, and Connection to and/or of Significant Cultural Landscapes and Objects (Natural Capital)</p>	<p>Support the repair and restoration of Aboriginal-owned or managed infrastructure, and/or enhance resilience against disaster events (Built Capital)</p>
Examples of Eligible Activities:		
<p>Repair, restoration or betterment of:</p> <ul style="list-style-type: none"> recreational and services buildings or social infrastructure including office, libraries, youth and senior citizen facilities, childcare services, tourism and arts and culture facilities, and significant records parks and playgrounds including equipment, furniture, fencing, shades, facilities, and amenities boardwalks, footpaths, walking trails, wharves, and jetties pedestrian bridges, car parks, retaining walls, landscaping, river/creek banks and signage in public spaces amenities and community/ service buildings that complement and support multiple social and recreation facilities road infrastructure Aboriginal-owned and managed 	<p>Healing, resilience, and connection of:</p> <ul style="list-style-type: none"> salvage, repatriation and/or rehousing of significant objects inclusive of an Aboriginal Culture and Heritage Assessment pedestrian and vehicle access to significant cultural landscapes such as weatherproofing roads or upgrading drainage and surfacing etc preservation and disaster-resilience mitigation measures of cultural landscapes and/or objects such as erosion control works, stabilisation works or revegetation etc betterment of cultural sites for responsible usage, signage and interpretation, amenities fencing, restriction of vehicle access etc 	<p>Repair, restoration and/or betterment of:</p> <ul style="list-style-type: none"> Aboriginal-owned and or managed social infrastructure including LALC offices and facilities, Aboriginal day-care centres, Aboriginal medical and aged-care facilities, culture centres, keeping places, archives, amenities etc infrastructure associated with cultural camps including camp kitchens, water tanks, toilets and amenities, shelters, decks etc historic missions and/or reserves including fencing, historic buildings, Aboriginal cemeteries etc tourism and education infrastructure such as walking tracks, interpretative infrastructure, performance and dance spaces, shelters, decks, amenities etc road infrastructure Aboriginal-owned and managed



Examples of ineligible projects:

Ineligible projects under the program include:

- social infrastructure that meet the definition of an essential public asset under the [DRFA 2018](#) including roads, tunnels and utility bridges
- social infrastructure that are associated with the function of an essential public asset under the [DRFA 2018](#) including road furniture and retaining walls
- projects that have been funded through other government grant(s)
- repair projects or elements of repair projects where applicant has claimed and received insurance*
- social infrastructure that was not directly damaged as a result of the 2022 severe weather and flood events
- projects in LGAs not declared in AGRN 1012 and ARGN 1025
- projects that do not relate to the repair, restoration, or betterment of Aboriginal-owned and/or managed social infrastructure
- projects for the primary purpose of asset waste clean-up and/or make-safe works
- projects that would fund the day-to-day operations and/ or business as usual activities of the organisation
- projects that require ongoing funding from the NSW Government
- erosion and sedimentation management projects including coastal and riverbank areas**
- projects that are not aligned to the objective of the program

* Applicants must seek to claim insurance on asset repairs where relevant prior to seeking Government funding. If a social infrastructure owner has not made an insurance claim, the applicant must justify why not. If a social infrastructure received part insurance payout, the unclaimed/ uncovered/ uninsured component only will be considered under the Program.

** except where the erosion and sedimentation management project relate directly to the repair, restoration and/ or betterment of an eligible essential community asset or is the location of a significant Aboriginal cultural site(s) and/or object(s).

Accessibility and Inclusion / Universal Design

People with disability, the aged and those less mobile often experience compounded issues during and after a natural disaster. This includes access to appropriate services, communications, and infrastructure. Building back damaged infrastructure provides a unique opportunity to improve access to social infrastructure.

Applicants must demonstrate consideration of accessibility and inclusion measures in their application.

Projects that go above and beyond the base line compliance standards and enable people with disability and accessibility requirements to participate independently with equity and dignity will be preferred.

Applications are encouraged to utilise [universal design principles](#) within their project design and to demonstrate their commitment to accessibility and inclusion as a key part of their application.



Complementary Programs

The CLIRP includes complementary programs to the AoAP. Specific funding has been allocated for the repair, restoration and betterment of community, arts and culture, and sports infrastructure assets that will be delivered by the Department of Regional NSW, [Create NSW](#) and the [Office of Sport](#) respectively. DRNSW encourage applicants to consider carefully which program your project best fits.

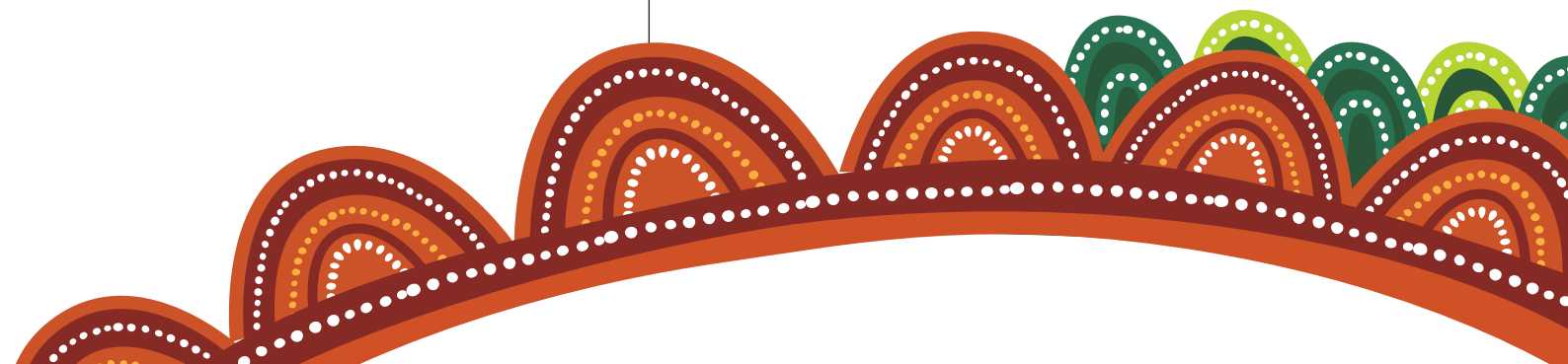
Refer to the [NSW Grants and Funding Portal](#) for other recovery funding programs.



Eligible Costs:

Eligible grant costs include capital and project management costs for:

- works directly related to damage from severe weather and flood events in February and June 2022 (AGRN 1012 and/or AGRN 1025) that have not been covered through other government funding and/or insurance claims
- the delivery of eligible projects, including project management costs up to 15% and contingency and cost escalation costs up to 25% of the requested funding and that are not considered business as usual
- repair and restoration work directly related to severe weather and flood damage that has not yet commenced
- betterment works on directly damaged social infrastructure not yet commenced to support future disaster resilience
- costs associated with planning approvals or other legislative requirements such as heritage requirements including Aboriginal Culture and Heritage Assessments
- costs associated with on ground consultation (such as Country healing and reconnection planning workshops and activities) as part of the proof-of-concept or site planning salary/wages and entitlements for employees specifically engaged for the project(s)
- retrospective costs may be eligible in exceptional circumstances on the basis that the works were required to be undertaken in order to ensure safety and/or accessibility to the public or property. This will be determined at the discretion of the Assessment Panel. It is recommended that applicants submitting retrospective costs contact the Department at floods.recovery@regional.nsw.gov.au to discuss their project prior to applying for funding



Contingency and Project Management costs

The Department recognises that the compounding issues of multiple disaster events have resulted in escalating delivery costs for infrastructure projects. Applicants are encouraged to include both contingency and cost escalation costs up to 25% and project management costs of up to 15% of the total project budget. This will support the viability of projects submitted. Applicants are required to qualify these costs within the application.

Ineligible Costs:

- total and/ or partial project costs already covered by insurance and/or funded through other NSW or Australian Governments programs
- project costs for the primary purpose of asset waste clean-up and/or make-safe works repayment of existing debts or budget deficits
- financing of budget deficits or insurance
- administrative, overhead, operational and/or maintenance costs not related to the project
- improvements or repairs to residences
- business as usual and/or explicitly commercial activities
- salary/wages and on-costs for existing, budgeted employees – unless the work is project specific and above and beyond their business-as-usual remit
- costs related to buying or upgrading non-fixed equipment or supplies unless it is a small component (less than 5%) of a larger fixed project
- costs spent for social infrastructure not located in disaster declared LGAs
- costs that require recurrent or ongoing funding from the NSW Government.



Available Applicant Support Services



The Department is committed to engaging with Aboriginal communities in a manner that is strength-based and focused on the experiences, aspirations and talents held within the Aboriginal community, not the deficits or needs as perceived by others. The objective is to cultivate collaborative relationships and partnerships with affected Aboriginal communities.

Direct support will be provided in-line with the principles of the strength-based approach. It is recognised that all Aboriginal communities and organisations at times are affected by capacity shortages relating to staffing and time. At the same time, it is acknowledged that Aboriginal people and its communities are responsible for their own recovery, and as such applicants will have the ability to direct the support provided. The program respects the different protocols Aboriginal communities observe in its leadership and communication.

All eligible applicants have the ability to access any of the below support services. Acceptance of external support is not a mandatory requirement if an applicant feels they have suitable capacity to prepare a competitive and quality application. Support can be provided in discreet areas depending on the applicant's needs.

The following list provides examples of the different types of support that can be provided. The Department will consider other activities not listed in consultation with the applicant.

Examples of available support services and the assistance provided:

- Development of project scope including intended outcomes and deliverables
- Technical guidance and design informed by the applicant's aspirations
- Technical advice for project costings including sourcing third party quotes for materials, equipment, and services
- Preparation of the application form and project budget
- Support for the application submission through SmartyGrants within specified application timeframes
- Development of project implementation plans as per the project scope and agreed methodology

For these support services to provide maximum benefit to applicants and a strong application, applicants will be expected to actively contribute to the collaborative process of project development and preparation of the funding application.

Applicants are encouraged to contact the Department at floods.recovery@regional.nsw.gov.au for reference to their local Aboriginal Partnership Manager and/or Aboriginal Engagement Officer.

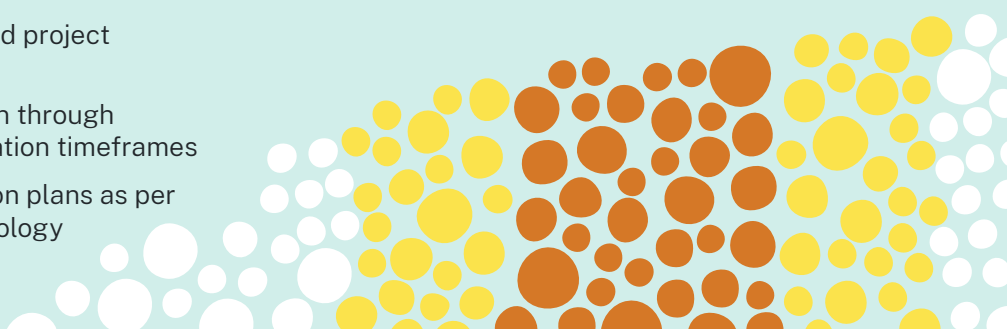
The following list provides examples of what contribution will be needed of applicants. The requirements and level of contribution may vary depending on each project. It is essential that the applicant, within capacity, drives the development of the project and submission and ensures it is in-line with the Aboriginal organisation's and or community's aspirations.

Requirements from applicants:

Applicants are responsible for the projects they submit. Although significant support services will be made available, applicants will be ultimately responsible for the scoping, submission, and delivery of projects.

- Meet with and provide direction to those providing the support services
- Provide project-related documentation, including financial, planning, and historic documentation within agreed timeframes
- Review technical advice and final application before submission within agreed timeframes
- Provide guidance on internal and external consultation process within agreed timeframes

The Department of Regional NSW and applicant support partnership will continue during project delivery, which will include the Department and specialist technical staff assisting eligible applicants in the management of the project design, delivery, and assurance.



Assessment Process

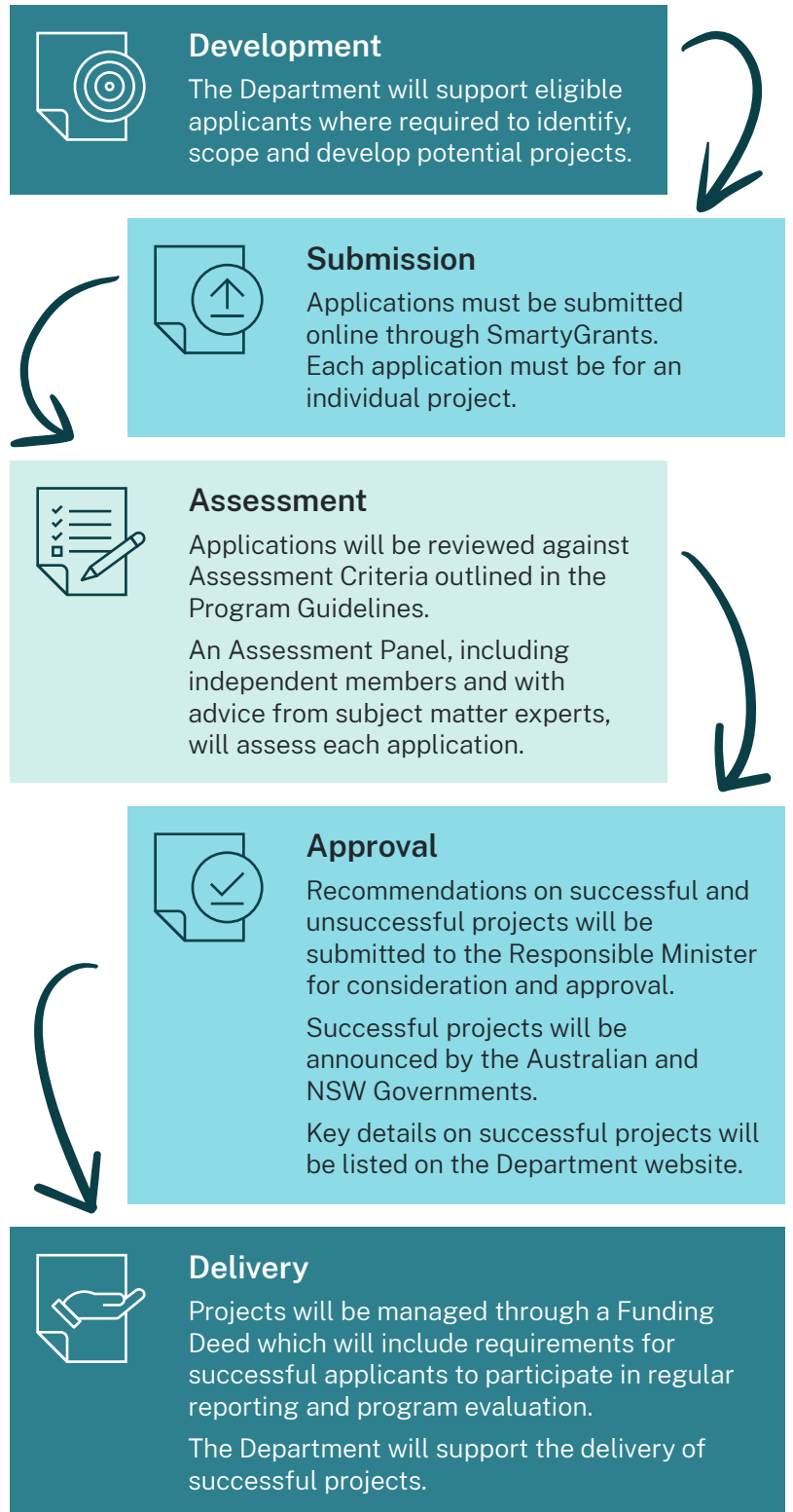
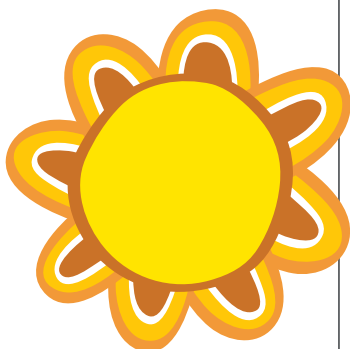


All applications will be assessed by the Department’s Regional Recovery Programs team to confirm eligibility. Subject matter experts will assess community need, resilience, and viability for alignment with the Assessment Criteria. Applicants may be requested to clarify or provide additional information to assist in the assessment process. Once assessed, projects will be provided to an Assessment Panel for consideration.

The Assessment Panel will assess each AoAP application on its alignment with the Assessment Criteria. The Assessment Panel may obtain further subject matter expert advice on the alignment of each application with the Assessment Criteria.

Funding decisions made for each organisation within a fundings pool will be determined by the Assessment Panel based on the Assessment Criteria and on the level of impact experienced from the severe weather and flood events in February and June 2022.

This assessment process is shown in the figure to the right.



Assessment



All applications will be assessed by the Department's Regional Recovery Programs team to confirm eligibility and level of alignment with the Assessment Criteria. Once assessed, projects will be provided to an Assessment Panel for consideration.

If an application is missing information or is incomplete, the Department may, in its sole discretion, work with applicants to clarify any missing or incomplete information. However, the Department will not start assessing the application until, in the Department's sole opinion, the application is complete.

Senior representatives from the Department (Chair), Aboriginal Affairs NSW, NSW Reconstruction Authority and an Independent Member will be selected to sit on the Assessment Panel. The Assessment Panel will include Aboriginal and Torres Strait Islander representatives. The National Emergency Management Agency (NEMA) will participate as an observer.

The Assessment Panel will assess each program application on its alignment with the Criteria detailed in the below table. The Assessment Panel may consider broader factors to support the overall recovery program in making any funding recommendations (refer below). During the assessment process:

- applicants may be requested to clarify or provide additional information to assist in the assessment process
- the Assessment Panel may obtain subject matter expert advice on community need and the alignment of the program application with the Criteria

In the event that a funding pool does not have sufficient eligible projects to claim the full notional allocation, the Assessment Panel at its discretion, after consideration of all applications, may seek to redistribute the notional allocation per funding band. The Assessment Panel may redistribute funding to:

- one or more of the other eligible targeted LGAs that have a demonstrated, direct need for funding additional to what has been notionally allocated
- or to a non-targeted LGA who was disaster declared in AGRN 1012 and AGRN 1025 and able to strongly demonstrate need and support for a project in their community with robust alignment to the program criteria.

The Assessment Panel may determine that a project has merit and aligns with the Assessment Criteria, but that additional information on the project's viability and scope would be required prior to establishing a Funding Deed and committing all funds with the applicant for the delivery of the project.



In this instance, the Assessment Panel may determine that the funding for a project be provided in two steps. This would include:

Step 1 –

The applicant is awarded a small portion of the total approved funding through an initial Funding Deed to develop a detailed Project Plan for the project by a mutually agreed third-party provider. This may include the provision of detailed designs or Quantity Survey estimates, which are unlikely able to be developed during the application window.

Upon completion of Step 1, the Regional Recovery Programs team will confirm alignment of the revised Project Plan with the Assessment Panel's determination and the Program Guidelines. If successful, the Department will work with the applicant to implement the second Funding Deed to deliver the project through to completion.

Step 2 –

The applicant executes a second Funding Deed with the Department for the remaining portion of funding to implement and deliver the project as agreed in the Project Plan submitted under Step 1.

In addition, the Assessment Panel may at its discretion recommend:

- a project as only partially eligible and only provided with part-funding.
- additional unallocated funding to a project to bolster asset betterment or deliver better outcomes for the community within the AoAP criteria.
- a project conditionally on the basis that an external, professional project management service be engaged for the project to ensure appropriate affordability and deliverability of recommended projects.
- projects be referred to other funding programs in the NSW or Australian Governments for consideration.

Approval and Notification

The Responsible Minister will be the final approver of both successful and unsuccessful applications recommended by the Assessment Panel.

Once approved, successful and unsuccessful applicants will be notified of the outcome of their application by the Department in writing by letter and/or email.

Key details of successful projects will be listed on the Department website. The Department will provide feedback sessions for unsuccessful applicants.



Assessment Criteria



Once a Program application has been prepared, the eligible applicant will submit the application form via SmartyGrants.

Assessment Criteria	
Category	Detail
Community Need 33.33%	<p>The ability of the project to contribute to social recovery (healing, wellbeing, resilience, and prosperity) based on the significance of the social infrastructure to the community and/or available alternative facilities/services.</p> <p>Demonstrated social significance of the infrastructure including consultation and shows the needs of the community are met.</p> <p>Alignment of the project to relevant operational or strategic plans held by an eligible applicant or partnering organisation.</p> <p>The ability of the project to complement (and not duplicate) other recovery initiatives already funded or underway.</p>
Resilience 33.33%	<p>Demonstration of repairing or restoring the social infrastructure in a manner that will provide built or social capital betterment and resilience to future disasters and community healing.</p> <p>Repairing or restoring the directly damaged asset in a manner that will provide asset betterment and resilience to future disasters.</p> <p>Robust design, inclusivity and material considerations are factored into program design and scope.</p>
Viability 33.33%	<p>The ability of the project to be delivered within the project funding allocated, including appropriate project management, contingency and escalation costs factored into budgets.</p> <p>The ability of the project to commence construction within 12 months from announcement of funding approval by an appropriate delivery organisation, including any subcontractors with relevant experience and demonstrated commercial management and deadline completion.</p> <p>The inclusion of local and social procurement approaches.</p>

Broader factors that may be considered when assessing a suite of projects within an LGA suitable for funding include:

The Assessment Panel may consider broader factors to support the overall recovery package in making any funding recommendations:

- priority of a project(s) to the broader community and level of support for the project(s) beyond the applicant organisation
- variety of project size, scale, type, and focus
- quantum of funding available
- suitability of projects for other government funding opportunities
- alignment with existing NSW and Australian Government policies and strategies.

Successful Applications



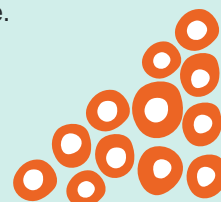
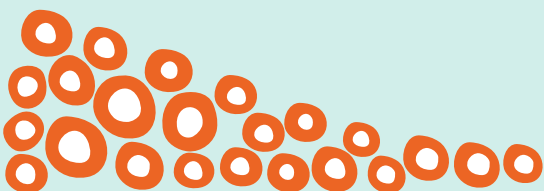
Both successful and unsuccessful applicants will be notified in writing of the outcome of their application. This notification will include any conditions associated with the funding awarded.

Successful applicants will be required to enter into a Funding Deed with the NSW Government prior to receiving funds.

Unsuccessful applicants will be offered an opportunity to be provided with feedback on their application.

Successful applicants should note:

- The NSW Government makes no binding funding commitment to an applicant unless and until both parties sign a Funding Deed
- successful applicants will be required to participate in regular reporting during the delivery and at the completion of the project(s)
- successful applicants will be required to participate in a program evaluation after the project has commenced to determine the extent to which their projects have contributed to the objectives of the AoAP
- successful applicants will be required to provide evidence of how projects resulted in measurable benefits consistent with the objectives of the AoAP
- the Australian and NSW Governments may choose to publicly announce grant funding of projects. Successful applicants may be requested to keep the grant confidential for a period of time if an announcement is to be made by the Australian and NSW Governments
- if successful, the Australian and NSW Governments reserve the right to use recipient and project information in media regarding the Program. Information may be used in the form of press releases, case studies, promotional material and in response to media enquires relevant to the Program.
- successful applicants will be required to enter into a Funding Deed with the NSW Government.
- successful applicants will be required to nominate a lead organisation to sign the Funding Deed. The lead organisation will be responsible for ensuring the Program projects are delivered, management of the funding monies, and reporting.
- under the Funding Deed entered into with the NSW Government, successful applicants will be responsible for ensuring the AoAP projects are delivered, appropriate management of the funding monies, and reporting requirements
- successful applicants will be required to submit project progress reports to the NSW Government and auditing documentation as outlined in the Funding Deed
- grants will be paid via milestone payments set out in the Funding Deed and timing and requirements will vary depending on the scope and timelines of the project
- requests for variations or changes to the project will only be considered in limited circumstances
- successful applicants will be required to pay back unspent funds or those funds which have not been spent and/or cannot be evidenced as spent in accordance with the Funding Deed
- the Department reserves the right to undertake an audit of grant funding within seven years. Funding recipients are required to keep an appropriate paper trail for audit and assurance purposes
- all awarded grants will be GST exclusive.



Key dates

Applications open

Thursday 2 March 2023

Applications close

Thursday 29 June 2023 (2pm AEST)

Assessment process

July - August 2023

Application outcome date

Monday 11 September 2023

Funding Deeds executed with Successful Applications

Contracting processes will commence once an Applicant has signed and returned their letter of offer and confidentiality agreement.

Project completion

By 30 May 2025

In extenuating circumstances, late applications may be accepted at the sole discretion of the Department.



Monitoring and Evaluation

Evaluating government programs enables the success of programs to be robustly assessed, provides confidence in program integrity and informs program improvements and future investment. Funding recipients may be required to partake in the evaluation of AoAP. Monitoring and evaluation of the AoAP will be undertaken in-line with best practice to determine the effectiveness of AoAP including the NSW Government Program Evaluation Guidelines and the requirements set out in the NSW Treasury TC18-03 Program Evaluation. Evaluation elements, including data collection to support evaluation will be embedded into AoAP to ensure the ability to assess effectiveness.

The evaluation will assess:

- the effectiveness of program design, implementation and delivery of AoAP objective(s)
- the progress towards achieving program outcomes
- the alignment of delivered program outcomes to AoAP objective(s).

The AoAP evaluation will be one component of the overall evaluation of the NSW 2022 CLIRP.



Terms and Conditions

Public Acknowledgement

Under the Disaster Recovery Funding Arrangements (DRFA), all projects under the AoAP must appropriately acknowledge and recognise that it is jointly funded by the Australian Government and the NSW Government under the Disaster Recovery Funding Arrangements. The announcement of assistance must be done jointly by the Australian and NSW Governments, unless otherwise agreed.

Prior agreement must be reached with the Australian Government on the nature and content of any subsequent events, announcements, promotional material or publicity relating to DRFA assistance measures. This includes but is not limited to media releases, events, social media, signage and advertising.

To obtain the required agreement, AoAP grant recipients must contact the Department at floods.recovery@regional.nsw.gov.au, and the Department will in turn liaise with NSW Reconstruction Authority and Australian Government representatives regarding the events, announcements, promotional material or publicity.

Publications must include both the Australian and NSW Governments' logos and the following disclaimer: 'Although funding for this product has been provided by both the Australian and NSW Governments, the material contained herein does not necessarily represent the views of either governments.'

Government Information (Public Access) Act

Applicants should be aware that information submitted in applications and all related correspondence, attachments and other documents may be made publicly available under the Government Information (Public Access) Act 2009 (NSW). Information that is deemed to be commercially sensitive will be withheld. The Government Information (Public Access) Act 2009 (NSW) makes government information accessible to the public by:

- requiring government agencies to make certain sorts of information freely available
- encouraging government agencies to release as much other information as possible
- giving the public an enforceable right to make access applications for government information
- restricting access to information only when there is an overriding public interest against disclosure.

Ethical Conduct

Applicants must not participate in any anti-competitive conduct.

It is a condition of the grant program application process that no gifts, benefits or hospitality are to be made to any Department/Agency employee at any time. Any inducement in contravention of this condition may result in an applicant's proposal not being considered.

Complaints

Any concerns about AoAP or individual project submissions please write to floods.recovery@regional.nsw.gov.au. If you do not agree with the way the Department handled the issue, you may wish to contact the NSW Ombudsman via ombo.nsw.gov.au

Conflicts of Interest

There may be a requirement for a conflict-of-interest declaration to be submitted with all proposals or in the application form.

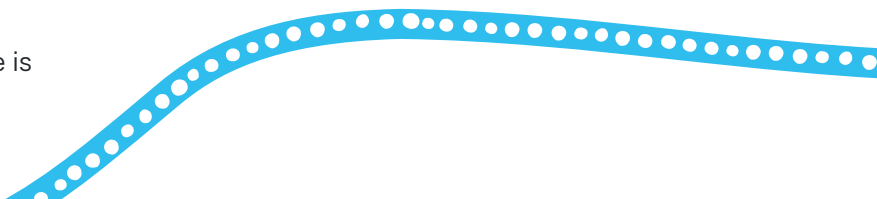
Where a conflict-of-interest detrimental to the assessment process is identified, mitigation measures must be put in place, or an individual may be asked not to participate in the application, assessment or delivery stage of the process.

Confidentiality

Funding decisions and assessment outcomes must be kept confidential until announced by the Australian and NSW Government. Applicants will be required to provide a confidentiality undertaking. This means they must keep the outcome of the application process confidential until the Australian and NSW Government makes a public announcement.

Upon entering into a Funding Deed, details about the funding deed may be made publicly available (subject to information which the Department/Agency deems to be commercial in confidence).

The applicant agrees not to disclose any confidential information pertaining to the grant program application or funding deed without prior written consent of the Department.



Getting Support

Frequently asked questions and other resources to assist with applications are available at nsw.gov.au/2022CLIRP.

If you require assistance or advice with your application, please contact floods.recovery@regional.nsw.gov.au or 1300 679 673 for a referral to the appropriate team.

Disclaimer

Before applying for funding under this program or making any decision, recipients should seek advice from their legal, business and financial advisers to determine their eligibility for, and the terms of the funding.

The Department does not guarantee or warrant and accepts no legal liability whatsoever arising from or connected to, the accuracy, reliability, currency or completeness of any material contained in this publication. Information in this publication is provided as general information only and is not intended as a substitute for advice from a qualified professional.

The Department recommends that users exercise care and use their own skill and judgment in using information from this publication and that users carefully evaluate the accuracy, currency, completeness and relevance of such information. Users should take steps to independently verify the information in this publication and, where appropriate, seek professional advice.

The program documents are subject to change at any time at the discretion of the Department, in consultation with NSW Reconstruction Authority and the National Emergency Management Authority.



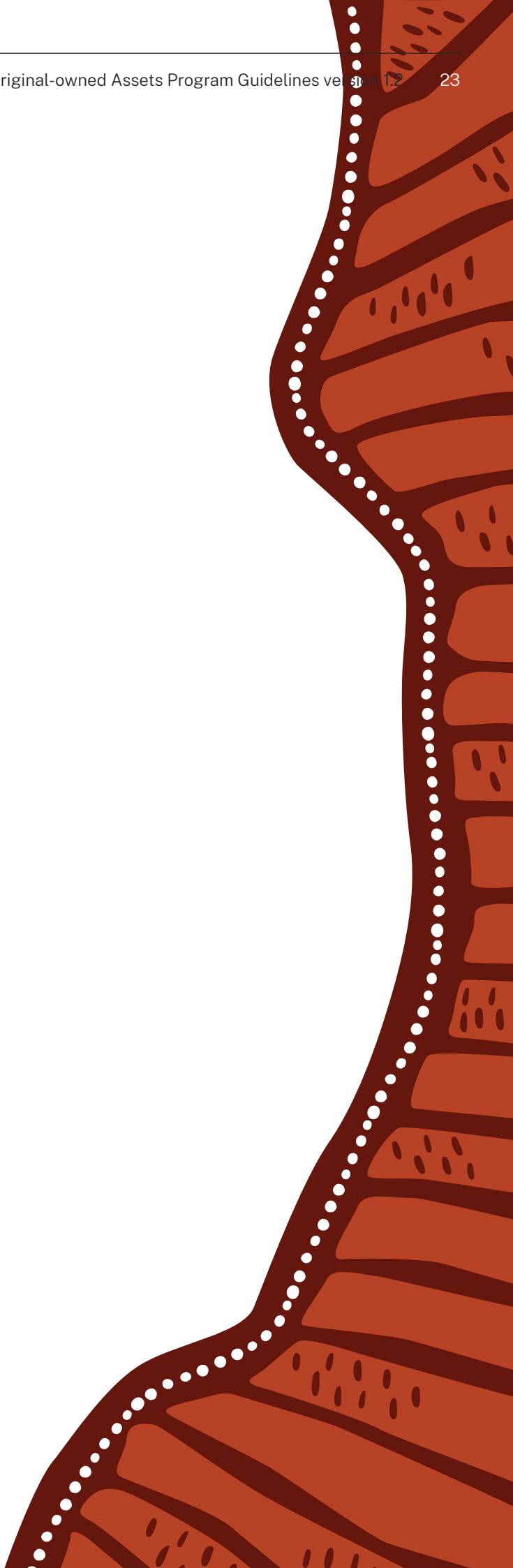
Appendix A

Eligible LGAs

The NSW Government through NSW Reconstruction Authority and in partnership with the Australian Government has declared 75 NSW LGAs as impacted by a natural disaster following the severe weather and flooding events of February and June 2022. The declaration and list of disaster declared LGAs is outlined within the Australian Government Reference Number (AGRN) 1012 and 1025 at nsw.gov.au/disaster-recovery/natural-disaster-declarations.

The following 19 LGAs are targeted for the Program as disaster declared and assessed as highly impacted as Pool A, Pool B and Pool C:

- Ballina
- Bellingen
- Byron
- Camden
- Central Coast
- Cessnock
- Clarence Valley
- Glen Innes Severn
- Hawkesbury
- Kempsey
- Kyogle
- Lismore
- Muswellbrook
- Nambucca
- Narromine
- Richmond Valley
- Singleton
- Tenterfield
- Tweed



Appendix A

Eligible organisations in the following LGAs are eligible to apply for Pool D funding but must be able to substantiate the impact of the disaster on the community asset and demonstrate strong community need and program alignment.

- Armidale
- Bayside
- Bega
- Blacktown
- Blue Mountains
- Bogan
- Brewarrina
- Bourke
- Cabonne
- Cowra
- Campbelltown
- Canterbury Bankstown
- Coffs Harbour
- Cumberland
- Dubbo
- Dungog
- Eurobodalla
- Fairfield
- Georges River
- Goulburn Mulwaree
- Hornsby
- Inner West
- Kiama
- Ku-ring-gai
- Lake Macquarie
- Lithgow
- Liverpool
- Maitland
- Mid Coast
- Mid-Western
- Newcastle
- Northern Beaches
- Oberon
- Parkes
- Parramatta
- Penrith
- Port Macquarie Hastings
- Port Stephens
- Queanbeyan Palerang
- Randwick
- Ryde
- Shellharbour
- Shoalhaven
- Snowy Monaro
- Strathfield
- Sutherland
- The Hills
- Upper Hunter
- Upper Lachlan
- Walgett
- Warren
- Waverley
- Willoughby
- Wingecarribee
- Wollondilly
- Wollongong

Definitions

Betterment – repairing or building-back an asset that can better withstand future natural disasters while delivering benefits associated with improved resilience and generating productivity, economic and social outcomes.

Built Capital – the design, building and maintenance of physical infrastructure in a community (or accessible to people living in the community) including its function and aesthetic value.

Country – a description of the lands, waterways, and seas to which Aboriginal people are connected including concepts of law, place, custom, language, spiritual belief, cultural practice, material sustenance, family, and identity.

Cultural landscape – a place or area valued by an Aboriginal group (or groups) because of their long and complex relationship with that land that expresses their unity with the natural and spiritual environment. It embodies their traditional knowledge of spirits, places, land uses, and ecology.

Healing – see Social recovery

Natural Capital – the world's stocks of natural assets, and the services that flow from them, which include geology, soil, air, water, and all living things.

Social Capital – networks together with shared norms, values and understandings that facilitate cooperation within or among groups.

Social recovery – the restoring or improving of livelihoods, health, and cultural systems and activities after a disaster to foster healing, wellbeing, resilience, and prosperity for the affected community.

Social Infrastructure – the facilities, spaces, services, and networks that support the quality of life and wellbeing of our communities.

2022 CLIRP – 2022 Community Local Infrastructure Recovery Program.

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