



Australian Government
Department of Industry,
Innovation and Science

Business

business.gov.au
13 28 46
Delivered by AusIndustry™



Programme Guidelines

National Radioactive Waste Management Facility Community Benefit Programme

Version 1.0 May 2016

Contents

1. Introduction.....	4
2. Programme overview.....	4
2.1 Introduction	4
2.2 Programme objective.....	4
2.3 Programme outcomes	5
3. Grant amount and grant period.....	5
3.1 Grants available	5
3.2 Project duration	5
4. Eligibility criteria.....	5
4.1 Who is eligible?	5
4.2 Eligible projects	5
4.3 Eligible activities.....	5
4.4 Eligible expenditure	6
5. The merit criteria you need to address	6
5.1 Merit criterion 1	6
5.2 Merit criterion 2	6
5.3 Merit criterion 3	6
6. How we assess your application (selection process).....	7
6.1 Final decision	7
7. How to apply	7
7.1 Timing for the application process	8
7.2 Attachments to the application.....	8
7.3 Applications from consortia.....	8
8. If your application is successful	9
8.1 Grant agreement	9
8.2 How the grant will be paid.....	9
8.3 How we monitor your project	9
8.4 Project variations.....	10
8.5 Evaluation	11
8.6 Tax obligations	11
9. Other things you should know	11
9.1 Conflicts of interest.....	11
9.1.1 How we manage conflicts of interest	11
9.2 How we use your confidential information	12
9.2.1 When we may reveal confidential information.....	13
9.3 How we use your personal information	13
9.4 Freedom of information	13
10. Public announcement.....	13

11. Enquiries and feedback	14
Appendix A. Definitions of key terms	15
Appendix B. Guidelines on eligible expenditure	17
How we verify eligible expenditure	17
Plant and equipment expenditure.....	17
Labour expenditure.....	19
Labour on-costs and administrative overhead	17
Contract expenditure.....	19
Other eligible expenditure	20
Appendix C. Ineligible expenditure	20

1. Introduction

These Guidelines set out the funding rules for the National Radioactive Waste Management Facility Community Benefit Programme (the Programme) for applicants. The programme aligns with the requirements of the [Commonwealth Grants Rules and Guidelines](#).¹

The Department of Industry, Innovation and Science is responsible for administering the programme. The programme will run over three years from 2016-19.

We will publish the opening and closing dates of any funding rounds on business.gov.au.

Key terms used in these guidelines are defined in Appendix A.

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

2. Programme overview

2.1 Introduction

The Australian Government is seeking to identify a site for a National Radioactive Waste Management Facility, through a voluntary nomination process. This facility will provide for the management of Australia's low level waste, and intermediate level waste. The [National Radioactive Waste Management Act 2012 \(Cth\)](#)² (the Act) provides for the selection and acquisition of a site for a facility on voluntarily nominated land in Australia, and the establishment and operation of a facility on the selected site. More detail on the site identification process is available on radioactivewaste.gov.au.

On 29 April 2016 the Minister announced that a land nomination at Barndioota, South Australia would be shortlisted for further consideration as a site for the facility. The Programme is to provide financial benefits for Applicants undertaking Projects in communities in and around Barndioota.

Up to \$2 million dollars for 2016-17 will be allocated to the approved nominated site of Barndioota. Applicants can apply for Grant Funds to undertake a Project that will provide a social or economic benefit to the communities within a reasonable proximity of that site. A further amount up to \$2 million dollars for 2017-18 and 2018-19 may be made available if the nomination remains under consideration or is selected as the final site for the National Radioactive Waste Management Facility.

Should the Barndioota site become no longer under consideration we would close the Programme to new applications and the Programme Delegate would not make any further funding decisions on lodged applications .

2.2 Programme objective

The programme aims to assist in mitigating potential impacts and support local communities while the site selection and establishment phases are underway. This programme recognises the disruption and concerns that could arise during the community consultation process and supports local communities in the period before the final site is confirmed.

¹ <http://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines-July2014.pdf>

² <https://www.legislation.gov.au/Details/C2012A00029>

2.3 Programme outcomes

In meeting the Programme objective, the Programme will contribute to the siting and establishment of a National Radioactive Waste Management Facility in accordance with the Act.

3. Grant amount and grant period

3.1 Grants available

- The minimum grant per applicant is \$5,000.
- The maximum grant per applicant is \$1 million.

3.2 Project duration

- The Project must be completed within 2 years of starting the project and cannot extend past 30 June 2019.
- There is no minimum Project duration.
- We measure Project duration from the Project start date as identified in the Grant Agreement.

4. Eligibility criteria

We cannot consider your application if you do not satisfy all eligibility criteria. Applications will only be considered as eligible while the approved nominated site of Barndioota remains under consideration.

4.1 Who is eligible?

To be eligible you must:

- have an Australian Business Number (ABN)

Eligible applicants must be one of the following:

- a company, incorporated in Australia
- a corporate trustee on behalf of a trust
- a not for profit organisation, including community groups with voting and/or financial membership of at least five individuals
- an Aboriginal and/or Torres Strait Islander organisation, council or incorporated association
- the Flinders Ranges Council

Joint applications are acceptable, provided you have a principal applicant who is the main driver of the project and is eligible as per the list above.

You are **not** eligible to apply if you are:

- an individual, partnership or trust (however, a corporate trustee may apply on behalf of a trust)
- a Commonwealth or state government agency or body (including government business enterprises).

4.2 Eligible Projects

To be eligible your Project must:

- be within 50km radius of Barndioota South Australia plus the remainder of the Local Government Area of the Flinders Ranges Council. A map of the area can be found on business.gov.au.

- include Eligible Activities and Eligible Expenditure
- have at least \$5,000 but no more than \$1 million worth of planned Eligible Expenditure.

4.3 Eligible Activities

Eligible Activities must directly relate to your Project and lead to strengthening social and economic outcomes in your community such as, but not limited to:

- creation of buildings, facilities or infrastructure
- support to improve businesses
- investment in tourism
- feasibility studies

4.4 Eligible Expenditure

We will only fund Eligible Expenditure on an approved Project.

- For guidelines on Eligible Expenditure, see Appendix A.
- For a list of ineligible expenditure, see Appendix B.

We may update the Eligible Expenditure Guidelines. If your application is successful, the version that applies to your Project will be the version in place when your Grant Agreement is signed (by both the Commonwealth and you).

You must incur the Eligible Expenditure between the Project start and end date for it to be eligible. Any expenditure incurred on the project prior to the lodgement of the application will not be considered as part of the grant project.

5. The merit criteria you need to address

To be competitive, you will need to address each merit criterion in your application. We will assess your application against each merit criterion and all assessment criteria are of equal weighting. The Application Form asks questions that relate to the merit criteria below. The amount of detail and supporting evidence you provide in your application should be relative to the Project size, complexity and funding amount requested.

5.1 Merit criterion 1

Capacity and capability to carry out the Project.

Applicants should demonstrate that they have access to the skills and expertise necessary to manage and undertake the Project.

5.2 Merit criterion 2

The benefit to the community the Project will achieve.

- Describe the community the project is intended to benefit and the proximity of that community to the nominated site of Barndioota.
- Tell us how your Project aims to strengthen community outcomes in particular by assisting your community in adapting to potential impacts and supports your community while the site selection and establishment phases are underway.
- Provide evidence of community support for the Project.
- Describe how the Project will continue to benefit the community once it is completed

- e. Describe how the Project may use local contractors and suppliers.

5.3 Merit criterion 3

The value for money offered by your Project.

- a. Describe how the Project cost is consistent with proposed activities.
- b. Describe your level of commitment to the Project including level of in-kind and/or cash contributions.

6. How we assess your application (selection process)

We first assess your application against the eligibility criteria. Only eligible applications will proceed to the merit assessment stage.

If your application is eligible, we then assess it against other eligible applications in the funding round in a competitive process based on merit.

We will refer your application to the Regional Consultative Committee in the region. The Regional Consultative Committee is a committee of community representatives with local knowledge. Membership is drawn from the local community after a call for nominations and selected to provide broad community views of the Projects. We will give the Regional Consultative Committee a summary of your proposed Project and ask for their views about the likely benefits and impacts on the community.

We will then assess your application against the merit criteria and compare it to other eligible applications before recommending which Projects to fund. Our assessment will also take into account the Regional Consultative Committee's view of your application.

To be recommended for funding the Project must score highly against each merit criterion. While we assess all applications against the same merit criteria, we will score your application relative to the Project size, complexity and grant amount requested. Larger and more complex Projects should include more detailed evidence.

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

6.1 Final decision

The Minister or the Programme Delegate decides which applications to approve taking into account our recommendations and the availability of Grant Funds. (The Programme Delegate is the AusIndustry general manager who is responsible for administering the Programme.)

If you are successful, you will receive a written offer.

If you are unsuccessful, we will notify you in writing and give you an opportunity to discuss the outcome with us. You can submit a new application for the same Project (or a similar Project) in any future funding rounds. You should include new or more information to address the weaknesses identified in your previous application. If a new application is substantially the same as a previous ineligible or unsuccessful application we may refuse to accept it for merit assessment.

The decision by the Minister or the Programme Delegate is final in all matters.

Decisions will not be reviewed.

7. How to apply

Before applying you should read and understand these Programme Guidelines, the online Application Form and the Grant Agreement. View the [Grant Agreement](#) at business.gov.au.

You can only submit an application during a funding round. We will publish the [opening and closing date](#) for each round on business.gov.au.

The Department will ensure that there is staff available locally to assist you with your application, particularly if you are having difficulty in accessing any of the online material about the Programme.

To apply, you must:

- complete the National Radioactive Waste Management Facility Community Benefit Programme Application Form
- provide all the information that is needed for us to assess your application
- address all eligibility and merit criteria, ensuring each requirement has been considered
- ensure all attachments are included.

The Application Form is available:

- online on [business.gov.au](#) or
- in hard copy if that is your preferred option by ringing the contact centre on 13 28 46.

You can submit your Application Form either:

- online on [business.gov.au](#)
- by email to CBP@industry.gov.au or
- by mail to AusIndustry, GPO 9839, Adelaide, SA 5001.

When you submit your application we will provide you with a receipt number. If you submit:

- an online application you will be sent a link where you can enter your email address to receive acknowledgment and a copy of your complete application
- by email or mail, you will receive acknowledgment of your application within 10 working days.

You are responsible for making sure your application is complete and accurate. We will investigate false or misleading information and may stop your application from being considered for the Programme. If you find an error in your application after submitting it you should phone us immediately on 13 28 46.

If we find an error or information that is missing we may ask for clarification or additional information from you. However we can also refuse any additional information, or requests to change submissions from you after the application closing time.

If you need further guidance around the application process or if you are unable to submit an application online [contact us](#) at business.gov.au or call the contact centre on 13 28 46.

7.1 Timing for the application process

We will publish the opening and closing dates of any funding rounds on business.gov.au.

7.2 Attachments to the application

The following documents may be included with your application

- Project plan

- budget plan
- supporting letters from the community and end users
- trust deed (where applicable)

You can attach supporting documentation to the Application Form in line with the instructions provided.

7.3 Applications from consortia

We recognise that some organisations may want to join together as a group to form consortia to deliver activities. If you are submitting a joint application for funding or submitting an application on behalf of a consortium, you must appoint a lead entity. Only the lead entity will enter into, and be responsible for the Grant Agreement with the Commonwealth. The lead entity must complete the Application Form and identify all other members of the proposed consortium in their application. The application should also include a letter of support from each of the other organisations involved in the proposal. Each letter of support should include:

- an overview of how the organisation will work with the lead entity and any other consortium members to successfully complete the Project
- an outline of the relevant experience and/ or expertise the organisation will bring to the consortium
- the roles/ responsibilities the organisation will undertake, and the resources it will contribute (if any)
- details of a nominated management level contact offer
- details of the lead entity

8. If your application is successful

8.1 Grant Agreement

You must enter into a Grant Agreement with the Department of Industry, Innovation and Science, acting on behalf of the Commonwealth. A sample [Grant Agreement](#) is available on business.gov.au.

You will have 30 days from the date of offer to execute a Grant Agreement with the Commonwealth ('execute' means both you and the Commonwealth have signed the agreement). During this time we will work with you to finalise details. We may withdraw the offer if both parties do not execute the Grant Agreement within this time. Under certain circumstances we may extend this period.

We will not make any grant payments until there is an executed Grant Agreement in place. We are not responsible for any of your Project expenditure until a Grant Agreement is in place. If you choose to start your Project before you have an executed Grant Agreement, you do so at your own risk.

The Commonwealth may recover Grant Funds if there is a breach of the Grant Agreement.

8.2 How the grant will be paid

The Grant Agreement will state the:

- maximum Grant Funds to be paid
- milestones of the Project

We will not exceed the maximum Grant Funds under any circumstances. If you incur extra Eligible Expenditure, you must meet it yourself.

We will make an initial payment on execution of the Grant Agreement. The size of the initial payment will be in line with the size of your grant. The initial payment will be:

- 90 per cent for grants between \$5,000 to \$250,000
- 50 per cent for grants between \$250,001 to \$1 million.

We will make subsequent payments progressively based on your progress reports.

Ten per cent of the total Grant Funding is set aside for the final payment. We will pay this when you submit a satisfactory final report.

8.3 How we monitor your Project

We will monitor the progress of your Project by assessing reports you submit.

You must submit progress and financial reports in line with the Grant Agreement. We will expect you to report on:

- progress against agreed Project milestones
- contributions of participants directly related to the Project
- Eligible Expenditure of Grant Funds.

The amount of detail you provide in your reports should be proportionate to the Project size, complexity and grant amount. We will provide you with templates during the Grant Agreement process and may conduct site visits if necessary.

Progress reports must:

- include the evidence of completion of Project Activities and Eligible Expenditure that has been agreed on
- show the total Eligible Expenditure incurred to achieve the milestone
- be submitted within 4 weeks of completing a milestone (you can submit reports ahead of time if you have completed the milestone).

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

At the completion of the Project, a final report is submitted.

Final reports must:

- include the agreed evidence
- identify the total Eligible Expenditure incurred for the Project
- be submitted within four weeks of completing the Project.

Assurance requirements for larger Projects and/or Projects deemed to be higher risk may include an independently audited financial acquittal report. A financial acquittal report will verify that the grant was spent as identified in the Grant Agreement. Details on the financial acquittal report can be found attached to the sample Grant Agreement.

8.4 Project variations

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

- changing Project milestones
- extending the timeframe for completing the Project but within the maximum two year period
- changing Project activities

Note the Programme does not allow for:

- an increase to the agreed amount of Grant Funds

If you want to propose changes to the Grant Agreement, you must put them in writing **before** the Grant Agreement end date. We will **not** consider changes after the Grant Agreement end date.

If a delay in the Project causes milestone achievement and payment dates to move to a different financial year, you will need a variation to the Grant Agreement. We can only move funds between financial years if there is enough funding in the relevant year to allow for the revised payment schedule.

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

- how it impacts the Project outcome
- consistency with the Programme objective and any relevant policies of the Department
- changes to the timing of grant payments
- availability of Grant Funds

8.5 Evaluation

We may conduct an evaluation of the Programme to determine the extent to which the funded activity is contributing to the objectives and outcomes of the Programme. You may be required to provide information to assist in this evaluation. This may include completing surveys or attending focus groups, within twelve months of the completion of your Grant Agreement.

8.6 Tax obligations

Grants are subject to the Goods and Services Tax (GST). We will increase your grant payments to pay for GST if you are registered for GST.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#)³. We do not provide advice on tax.

On payment of Grant Funds we will provide you with a recipient created tax invoice (RCTI).

9. Other things you should know

9.1 Conflicts of Interest

For staff, technical experts and others who help to manage, assess and evaluate the programme, a conflict of interest can exist if there is a conflict between:

- their programme duties, roles and responsibilities; and
- their private interests (where these interests could inappropriately influence the way they manage the programme).

Private interests include an individual's own personal, professional or business interests or the interests of individuals or groups they are closely associated with. This includes relatives, friends or other affiliations.

A conflict of interest can be:

- real (or actual)
- apparent (or perceived)

³ www.ato.gov.au

- potential.

A real (or actual) conflict of interest exists when a person's private interests or their programme duties, roles and responsibilities **could** improperly influence how they manage, assess and evaluate the programme.

An apparent (or perceived) conflict of interest exists where it **appears or is perceived** by a third party that someone's private interests or their programme duties, roles and responsibilities could improperly influence how they manage, assess and evaluate the programme, even if a real or actual conflict has not, or cannot, be established.

A potential conflict of interest exists when someone has a private interest and an actual conflict of interest **could** arise if they make any decisions related to the programme.

9.1.1 How we manage conflicts of interest

We manage Conflicts of Interest according to the *APS Code of Conduct (section 13 (7) of the Public Service Act 1999)*. We publish our Conflict of Interest policy on the [Department of Industry, Innovation and Science⁴](#) website.

Programme Delegates and other officials must declare any Conflicts of Interest. A delegated authority receives all declarations and assesses them to determine whether a Conflict of Interest exists and whether it is significant. In the event that a Conflict of Interest is found, that individual will be advised what they must do to manage the conflict. For example, if a Conflict of interest is a cause for concern, that official will not take part in the assessment of applications under the Programme.

If the Minister cannot make a decision under the Programme without a Conflict of Interest arising, the Parliamentary Secretary will become the final decision maker.

9.2 How we use your confidential information

We'll treat the information you give us confidentially if it meets **all** of the four conditions below:

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

We'll use the information you give us according to Australian laws, including the:

- *Public Service Act 1999* (Cth)
- *Public Service Regulations 1999* (Cth)
- *Privacy Act 1988* (Cth)
- *Crimes Act 1914* (Cth)
- *Criminal Code Act 1995* (Cth).

4

<http://www.industry.gov.au/AboutUs/InformationPublicationScheme/Ourpolicies/Pages/Library%20Card/ConflictofInterestInsideTradeExpectationsofInnovationEmployees.aspx>

9.2.1 When we may reveal confidential information

We may reveal Confidential Information:

- to employees and contractors of our Department, so we can research, assess, monitor and analyse our programmes and activities
- to other Commonwealth, state, territory or local government agencies in Programme reports and consultations
- to the Auditor-General, Ombudsman or Privacy Commissioner
- to the responsible Minister or Parliamentary Secretary
- to a House or a Committee of the Australian Parliament.

We may also reveal Confidential Information if:

- we are required or allowed by law to reveal it, or
- you agree to the information being revealed **before** we reveal it, **or**
- someone other than us has made the Confidential Information public.

9.3 How we use your Personal Information

We treat your Personal Information according to the Australian Privacy Principles (APPs) and the *Privacy Act 1988*. This includes letting you know:

- what Personal Information we collect
- why we collect your Personal Information
- who we give your Personal Information to.

We collect Personal Information from you, and may give that information to our employees and contractors, the Regional Consultative Committee, and other Commonwealth employees and contractors, so we can:

- manage the Programme
- research, assess, monitor and analyse our programmes and activities.

We, or our Minister, may:

- announce the names of successful applicants to the public
- publish personal information on the Department's websites.

Please read our [Privacy Policy](#)⁵ on the Department of Industry, Innovation and Science website for more information on:

- what is Personal Information
- how we collect, use, store and reveal your Personal Information
- how you can access and correct your Personal Information.

9.4 Freedom of information

The *Freedom of Information Act 1982* (FOI Act) applies to all documents we create, receive or store about the Programme. If someone requests a document under the FOI Act, we will release it (though we may need to consult with you and/or other parties first) **unless** it meets one of the exemptions set out in the FOI Act.

⁵ <http://www.industry.gov.au/Pages/PrivacyPolicy.aspx>

10. Public announcement

The Minister may publicly announce successful Projects and may include:

- name of your business
- title of the Project
- description of the Project and its aims
- amount of Grant Funding awarded.

We will also publish details of successful Projects on the [Department of Industry, Innovation and Science](#)⁶ website as per the requirement of the *Commonwealth Grants Rules and Guidelines*.

11. Enquiries and feedback

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

We may publish questions you ask us with our answer on our website as Frequently Asked Questions.

The AusIndustry [Customer Service Charter](#) is available at business.gov.au. AusIndustry uses customer satisfaction surveys to improve its business operations and service.

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

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

Head of Division
AusIndustry - Business Services
GPO Box 9839
CANBERRA ACT 2601]

You can also contact the [Commonwealth Ombudsman](#)⁷ with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

⁶ <http://www.industry.gov.au/Pages/default.aspx>

⁷ <http://www.ombudsman.gov.au/>

Appendix A. Definitions of key terms

In these *Guidelines* unless otherwise defined:

Applicant means an entity that submits an *application* for National Radioactive Waste Management Facility Community Benefit Programme *funding*.

Application Form means the document issued by the *Programme Delegate* that *applicants* use to apply for funding under the *programme*.

AusIndustry means the division of the same name within the *department*.

Conflict of Interest means the exercise of a power or making of a decision by a person in a way that may be, or may be perceived to be, influenced by either a material personal interest (whether financial or non-financial) or a material personal association.

Department means the *Department* of Industry, Innovation and Science.

Eligible Activities means the activities undertaken by a *grantee* in relation to a *project* that are eligible for funding support. This is decided by the *Programme Delegate* in accordance with these *guidelines* and the *grant agreement*.

Eligible Applicant means an *applicant* that satisfies the requirements described in section 0 of these *guidelines*.

Eligible Application means an application or proposal for *grant funding* under the *programme* that the *Programme Delegate* has determined is eligible for assessment in accordance with these *guidelines*.

Eligible Expenditure means the expenditure incurred by a *Grantee* on a *project* and which is eligible for funding support. This is decided by the *Programme Delegate* in accordance with these *guidelines* and the *grant agreement*.

Eligible Expenditure Guidelines means the *Guidelines* which outline what is accepted as eligible expenditure under the programme. This is decided by the *Programme Delegate* and may be updated from time to time.

Grant agreement means a single agreement for a grant received under the *programme* for a *project*.

Grant Funding or **Grant Funds** means the funding made available by the Commonwealth of Australia to successful *applicants* under the *programme*.

Grantee means an entity that has been offered funding and has entered into a *grant agreement* with the Commonwealth in relation to the *programme*.

Minister means the Minister for Resources, Energy and Northern Australia.

Personal Information means the same as in the *Privacy Act 1988 (Cth)*.

Programme means the National Radioactive Waste Management Facility Community Benefit Programme.

Programme Delegate means an employee of the *department* who is authorised by the *Minister*, or is otherwise duly authorised, to carry out the relevant functions in respect of the *programme*.

Programme Guidelines or Guidelines means these *guidelines* that the *Minister* gives to the *department* to provide a framework to operate and administer the *programme*, as in force from time to time.

Project means a project described in an *application* for the National Radioactive Waste Management Facility Community Benefit Programme *grant funding*.

Regional Consultative Committee means the body established by the *department*

Appendix B. Guidelines on Eligible Expenditure

This section provides guidelines on the eligibility of expenditure. We will update these guidelines from time to time, so you should make sure you have the current version from the business.gov.au website before preparing your application.

The Programme Delegate makes the final decision on what is Eligible Expenditure and may give additional guidance on Eligible Expenditure if required.

To be eligible, expenditure must:

- be incurred by the Grantee within the Project period
- be a direct cost from the Project
- be incurred by the Grantee for approved Project audit activities
- meet the Eligible Expenditure Guidelines.

How we verify Eligible Expenditure

If your application is successful, we will ask you to verify the Project budget that you provided in your application when negotiating your grant agreement. You may need to provide evidence for major cost items such as labour, plant and equipment commissioning. Evidence can include:

- quotes
- purchase orders
- supply agreements
- sales catalogues
- details of all employees working on the Project, including name, title, function, time spent on the Project and salary.

The Grant Agreement will also include details of the evidence you may need to provide when you achieve certain milestones in your Project. This may include evidence related to Eligible Expenditure, including:

- supply agreements
- leasing or purchasing arrangements
- invoices
- associated payments.

If requested, you will need to provide the agreed evidence along with your milestone achievement reports.

You must also keep payment records of all Eligible Expenditure, and must be able to explain how the costs relate to the agreed Project milestones and activities. At any time, we may ask you to provide records of the expenditure you have paid. If you do not provide these records when requested, the expense may not qualify as Eligible Expenditure.

Plant and equipment expenditure

We consider costs of acquiring, or construction of, plant and equipment, as well as any related commissioning costs as Eligible Expenditure. You must list commissioning costs as a separate item within the Project budget in the Application Form, and on reports of expenditure during Project milestones.

We cannot consider any expenditure paid before the Project start date as Eligible Expenditure. We cannot consider any related commissioning and installation costs of plant and equipment paid for before the start date as Eligible Expenditure.

You may purchase, lease (finance lease or operating lease under certain conditions) or build plant and equipment. You can only claim as Eligible Expenditure the purchase price of capital items, taking out any costs related to financing, including interest. You can also claim related freight and installation costs.

Eligible Expenditure for plant and equipment will normally need to be on your balance sheet.

We will only consider costs for plant and equipment not on your balance sheet under certain circumstances. We will only consider costs with an operating lease to be Eligible Expenditure if:

- the plant or equipment will be integrated into your manufacturing process; and
- you cannot transfer the plant or equipment and the lease period is at least 4 years.

Where staged payments are required to purchase capital items (for example deposits, payment on installation, or payment on commissioning), you can claim the Grant Funds for the items progressively in multiple milestone payments up to the end of the Project period. Alternatively, you can choose to claim the full amount in a single milestone payment, when you pay for the capital item.

For leased items, you will need to show an executed copy of the lease which identifies the capital cost of the item and the lease period. You can receive a single payment of the full grant entitlement when:

- you have received the capital item
- you have entered into a formal lease agreement, and
- you have made the initial payment.

You may show expenditure on plant and equipment by providing evidence of:

- purchase price
- payments (e.g. tax invoices and receipts from suppliers confirming payment)
- commitment to pay for the capital item (e.g. supplier contract, purchase order or executed lease agreement)
- receipt of capital items (e.g. supplier or freight documents)
- associated costs such as freight and installation (e.g. supplier documents)
- the capital item on your premises (e.g. date stamped photographic evidence).

If you claim expenditure for the construction of plant and equipment, it is limited to:

- the costs of materials
- direct construction labour salary costs
- contractor costs
- freight and establishment costs.

Evidence for Eligible Expenditure on construction may include purchase orders, invoices, payment documentation, photographic evidence (date stamped) of the capital item in your premises and details of labour costs.

Grant Funds paid for capital items may affect your tax obligations. We recommend that you obtain independent professional advice on tax related matters.

Labour expenditure

Eligible Expenditure for labour covers the direct labour costs of employees you directly employ on the core elements of the agreed Project. We consider a person an employee when you pay them a regular salary or wage, out of which you make regular tax instalment deductions.

We consider costs for technical, but not administrative, Project management activities to be Eligible Expenditure. However, these costs are limited to 10 per cent of the total amount of Eligible Expenditure claimed.

We do not consider expenditure for leadership or administrative staff (such as CEOs, CFOs, accountants and lawyers) to be Eligible Expenditure for labour, even if they are doing Project management tasks.

Eligible salary expenditure includes an employee's total remuneration package as stated on their Pay As You Go (PAYG) Annual Payment Summary submitted to the Australian Taxation Office (ATO). We consider salary-sacrificed superannuation contributions as part of an employee's salary package to be Eligible Expenditure if the amount is more than what the Superannuation Guarantee requires.

The maximum salary for an employee, director or shareholder, including packaged components that you can claim through the Programme is \$150,000 per financial year.

For periods of the Project that do not make a full financial year, the maximum salary amount you can claim will be reduced in proportion to the amount of time in the part financial year the Project was taking place.

You can only claim salary costs as Eligible Expenditure when an employee is working directly on agreed Project activities during the agreed Project period.

Labour on-costs and administrative overhead

Salary costs can be increased by an additional 30% allowance to cover on-costs such as employer paid superannuation, payroll tax and workers compensation insurance, and overheads such as office rent and the provision of computers and this will be considered to be Eligible Expenditure related to labour.

You should calculate salary costs using the formula below:

$$\text{Eligible salary costs} = \text{Annual salary package} \times \frac{\text{Weeks spent on project}}{52 \text{ weeks}} \times \text{percentage of time spent on project}$$

Figure 1 – Formula to calculate eligible salary costs

You cannot base labour costs on an estimation of the employee's worth. If you have not exchanged money (either by cash or bank transactions) we will not consider the cost to be Eligible Expenditure.

We will only consider salaries paid to principals and/or their relatives as Eligible Expenditure when the ATO has assessed tax payable on the salary.

Evidence you will need to provide can include:

- details of all personnel working on the Project, including name, title, function, time spent on the Project and salary
- ATO payment summaries, pay slips and employment contracts.

Contract expenditure

Eligible Expenditure on contract activities is the cost of any agreed Project activities that you contract others to do. These can include contracting:

- another organisation
- an individual (who is not an employee, but engaged under a separate contract).

All contractors must have a written contract prior to starting any project work—for example, a formal agreement, letter or purchase order which specifies:

- the nature of the work to be performed
- the applicable fees, charges and other costs payable.

Invoices from contractors must contain:

- a detailed description of the nature of the work
- the hours and hourly rates involved
- any specific plant expenses paid.

Invoices must directly relate to the agreed Project, and the work must qualify as an Eligible Expense as if you had claimed it directly (without engaging a contractor). The costs must also be reasonable and appropriate for the activities performed.

We will require evidence of contractor expenditure that may include:

- an exchange of letters (including email) setting out the terms and conditions of the proposed contract work
- purchase orders
- supply agreements
- invoices and payment documents.

As stated in the Grant Agreement, you are required to ensure all Project contractors keep a record of the costs of their work on the Project. You may be required to obtain and provide a contractor's records of its costs of doing Project work. If you do not provide such records, the relevant contract expense may not qualify as Eligible Expenditure.

Other Eligible Expenditure

Other Eligible Expenditures for the Project may include:

- commissioning
- building modifications – note that if you own the modified asset, modifications to leased buildings may be eligible, for example installing a fume cupboard. You must use the leased building for activities related to your Project. The building modifications should directly contribute to the Project.
- staff training that directly supports the achievement of Project outcomes
- costs of acquiring intellectual property and technology
- costs you incur in order to obtain planning, environmental or other regulatory approvals during the Project period. However, associated fees paid to the Commonwealth, state, territory and local governments are not eligible.
- contingency costs up to a maximum of 10% of the eligible project costs. Note that we make payments based on actual costs incurred.

Other specific expenditures may be eligible as determined by the Programme Delegate.

Evidence you need to supply can include supplier contracts, purchase orders, invoices and supplier confirmation of payments.

Appendix C. Ineligible expenditure

Template instructions: This appendix outlines the ineligible expenditure for typical competitive AusIndustry programmes.

Examples of ineligible expenditure include:

- financial costs, including interest
- costs incurred to prepare the application
- depreciation of plant and equipment
- maintenance costs
- costs of purchasing, leasing, depreciation of, or development of land
- infrastructure development costs, including development of road, rail, port or fuel delivery networks beyond the Project site
- site preparation activities which are not directly related to, or for, the main purpose of transitioning to higher value and/or niche manufacturing
- opportunity costs relating to any production losses due to allocating resources to the agreed Project
- costs of manufacturing production inputs
- costs related to obtaining resources used on the Project, including interest on loans, job advertising and recruiting, and contract negotiations
- routine operational expenses, including communications, accommodation, office computing facilities, printing and stationery, postage, legal and accounting fees and bank charges
- costs related to preparing the grant application, preparing any Project reports and preparing any Project variation requests
- activities you paid for using non-cash considerations

Other specific expenditure may be deemed ineligible by the Programme Delegate.