



MINISTER FOR INDIGENOUS AFFAIRS

Reference: MS18-004773

Senator the Hon Scott Ryan
President of the Senate
Parliament House
CANBERRA ACT 2600

Dear Mr President

I refer to the Senate Order agreed on 13 November 2018 seeking the tabling of documents about Indigenous Advancement Strategy (IAS) funding for cultural education and representation activities to three organisations in the Northern Territory. I am complying in part to this request.

The Department of the Prime Minister and Cabinet (the Department) and my Office conducted a search of files and confirmed there are six documents that meet the terms of part 1(a) and part 1(b) of the Order. This includes three briefs to the Minister provided by the Department in relation to the funding as well as the direct approach funding application from each of the organisations.

The briefs are attached in full with redactions for personal and irrelevant material.

The funding applications have not been included in this response at this time as further consultation with the applicants is required prior to public release. These are commercial-in-confidence documents, and were provided by the applicants on this basis. Release of this information would release commercial information specific to these organisations and would impact future competitive grant funding processes. Therefore, I propose that additional consultation is undertaken, with these documents to be provided as soon as possible or by 21 November 2018.

The Department and my Office's search confirmed that, in response to 1(c) of the Order, there is no other correspondence, briefs, meeting or file notes from, or to, me about the above IAS grants.

I have provided a copy of this letter to Senator McCarthy.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nigel Scullion', with a long horizontal stroke extending to the right.

NIGEL SCULLION
15 November 2018

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PDR: MS18-002516

DEPARTMENT OF THE PRIME MINISTER AND CABINET

PM&C
Secretary
Mr Tongue
Prof
Anderson
Ms Roberts
Mr Bubuan
Mr Hill
Mr Bosvlok
Ms Foote

To: Minister for Indigenous Affairs

IAS FUNDING RECOMMENDATION: DIRECT APPROACH TO THE NORTHERN TERRITORY CATTLEMEN'S ASSOCIATION FOR THE CULTURAL EDUCATION AND REPRESENTATION PROJECT

PMO
Ms Pinkstone

MO
Ms Tim
Mr Peoples

Recommendations - that you:

1. Approve a direct approach to the Northern Territory Cattlemen's Association Incorporated as permitted under the Indigenous Advancement Strategy (IAS) Grant Guidelines for a Cultural Education and Representation Project.

\$150,000

Approved / Not Approved

2. Approve grant funding of ~~\$155,000~~ (GST exclusive) in the 2017-18 financial year from Programme 2.4 Culture and Capability (2.4) to the Northern Territory Cattlemen's Association Incorporated for the Cultural Education and Representation project as detailed in Attachment A

Approved / Not Approved

3. Agree that the Department is responsible for the ongoing administration of this grant, including the ability to effect variations which are not substantial in nature, and which do not include new funding.

Agreed / Not Agreed

NIGEL SCULLION

Date: 18-6-18


Comments:

Key Points:

1. This brief seeks your approval to proceed with a non-competitive, Department Approaches Organisation (direct approach) to the Northern Territory Cattlemen's Association Incorporated (NT Cattlemen's Association) as permitted under the IAS Grant Guidelines and per paragraph 11.5 of the Commonwealth Grants Rules and Guidelines (CGRGs). A direct approach is recommended because the target group for this education and representation project are pastoralists who comprise the NT Cattlemen's Association membership base and no alternative providers are available with similar reach to this cohort.

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2. The proposal is a grant as defined by the CGRGs because it will assist the organisation to better educate and represent its members' interests in relation to Aboriginal issues in the NT, in particular issues related to land rights and the operation of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Land Rights Act). This aligns with the government objective of increasing understanding and respect for Indigenous Australians and their cultures.
3. The proposal has been assessed against the criteria (at Attachment A) outlined in the IAS Grant Guidelines. A simplified assessment process as permitted under Section 6.2 of the IAS Grant Guidelines has been applied to minimise administrative workloads on providers. Further details and merits of the recommended grant, including an assessment of value for money and risk are at Attachment B.
4. The Department recommends funding the proposal. The proposal is recommended because it aligns with the objective of Programme 2.4 to 'promote the unique place of Indigenous cultures in Australian society'. There is a clear need for this stakeholder group to be better informed on Aboriginal issues in the NT and, closely related to this, the history and operation of the Land Rights Act and native title legislation, with a particular focus on pastoral interests. Without this funding, the NT Cattlemen's Association is unable to undertake this project and achieve the proposed outcomes.
5. 
6. You may wish to issue a media release noting your support for NT Cattlemen to better educate its members on Aboriginal issues in the NT and the operation of land rights and native title.
7. The legislative authority for this spending is provided by Items 35 to 39 of Part 4 of Schedule 1AB of the Financial Framework Supplementary Powers Regulations. To approve a grant you must be satisfied that the expenditure is a proper use of relevant money, as detailed in your legislated Ministerial obligations, provided at Attachment C.

Leonard Hill
Assistant Secretary
Culture Branch
12 June 2018

Policy Officer: Wayne Beswick
Phone no: 02 6152 3532
Consultation: Regional Manager: Top
End and Tiwi Island, Culture Branch,
Grants Policy, Financial Services
Division

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ATTACHMENTS

ATTACHMENT A INDIGENOUS ADVANCEMENT STRATEGY ASSESSMENT
CRITERIA

ATTACHMENT B IAS GRANT PROPOSAL FOR DECISION

ATTACHMENT C MINISTERIAL OBLIGATIONS UNDER RELEVANT
LEGISLATION

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ATTACHMENT A

INDIGENOUS ADVANCEMENT STRATEGY ASSESSMENT CRITERIA

1. **Need – The activity is needed to provide improved outcomes and there is a demand for the activity from the target Indigenous community or group.**
 - a) There is evidence the proposed activity is needed and will support improved outcomes in the target Indigenous community or group.
 - b) The target community or group supports the proposed activity and has been involved in its design.
2. **Quality – The organisation that will deliver the proposed activity is committed to and capable of working with the target Indigenous community or group.**
 - a) The organisation has, or can build, positive relationships with Indigenous Australians, community organisations and other key stakeholders in the delivery of the proposed activity.
 - b) The organisation is able to learn from experience and adapt practices to ensure improved outcomes from the proposed activity.
 - c) The organisation is committed to the employment of Indigenous Australians in the delivery of the proposed activity.
3. **Efficiency – The proposed activity will support the intended outcomes in a way that appropriately manages risk, is cost effective and is coordinated with relevant stakeholders in the target community.**
 - a) It is clear how the proposed activity will achieve the intended outcomes with the available grant funding.
 - b) It is clear how the proposed activity will link with existing activities associated within the target community or group.
 - c) It is clear how the risks associated with the proposed activity will be managed.
 - d) It is clear how the organisation will monitor the performance of the proposed activity and manage the financial aspects of the grant funding.
4. **Effectiveness – The proposed activity can deliver the intended outcomes and sustain the outcomes into the future.**
 - a) There is evidence that the proposed approach has the potential to deliver the identified outcomes.
 - b) It is clear how the intended outcomes of the proposed activity are to be sustained into the future.
 - c) It is clear how the organisation will gather evidence to measure the effectiveness of the proposed activity.

The assessment process also took into account risk and key value for money considerations including:

- a. the available IAS funding envelope;
- b. the relative merits and risks of the application;
- c. the objectives and outcomes to be achieved with the funding;

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- d. how the activity aligns with the Programme outcome and objectives, Government priorities, existing services and service footprint;
- e. the range, size and geographic distribution of the activity and the desirability of ensuring there is an appropriate range and distribution of projects and balance in funding across the priority areas;
- f. the range and relative cost of projects; and
- g. the applicant's performance history and demonstrated ability to deliver the services in the relevant community and capacity to deliver the activities.

Additionally, in not recommending this application the Department has been mindful of the desirability of maintaining a strong presence of Indigenous organisations and to maximise Indigenous employment.

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ATTACHMENT C

MINISTERIAL OBLIGATIONS UNDER RELEVANT LEGISLATION

In making your decision you will need to consider your mandatory obligations associated with approving grants presented by the Department. These include:

If you approve expenditure under section 71 of the *Public Governance, Performance and Accountability Act 2013* (PGPA) Act, in relation to a grant or group of grants, you *must* not approve the grant without first receiving written advice from Department staff on the merits of the proposed grant or group of grants before you make your decision. That advice *must* meet the requirements of the Commonwealth Grant Rules and Guidelines (CGRGs) paragraph 4.6:

- 4.6 Officials must provide written advice to Ministers, where Ministers exercise the role of an approver. This advice must, at a minimum:*
- a. explicitly state that the spending proposal being considered for approval is a 'grant';*
 - a. provide information on the applicable requirements of the PGPA Act and rules and the CGRGs (particularly any ministerial reporting obligations), including the legal authority for the grant;*
 - b. outline the application and selection process, including the selection criteria, that were used to select potential grant recipients; and*
 - c. include the merits of the proposed grant or grants relative to the grant guidelines¹ and the key consideration of achieving value with relevant money.²*

If the proposed expenditure of relevant money relates to a grant, where you exercise the role of approver you must also record, in writing, the basis for the approval relative to the grant guidelines and key considerations of value with relevant money. The recommended basis and record for the approval, relative to the grant guidelines and the key consideration of value for money, are set out in this brief. If there is any alternative basis or considerations on which you are basing your decision you should record these in accordance with clause 4.11 of the CGRGs.

If you approve a grant the Department has not recommended (recommended as rejected) or deemed ineligible (recommended as rejected) for funding, you must provide written advice on the basis of your approval for reporting to the Department of Finance in line with the CGRG annual reporting requirement in paragraph 4.13 of the CGRGs, i.e. by 31 March each year for grants approved in the preceding calendar year.

¹ This includes the requirement that a proposed grant be consistent with the policies of the Commonwealth, noting that these policies include the guidelines issued in respect to the relevant granting activity. In this context, the basis for recommending or rejecting each proposed grant should be set out in the assessment material for each grant and should reflect the particular merits of each project in terms of the grant guidelines (including assessment against the eligibility and assessment criteria).

² It is better practice to include this information for any delegate exercising the role of an approver.

Consistent with section 71 of the PGPA Act you must not approve a grant unless, after reasonable enquiry, you are satisfied that these grants would be a proper use of relevant money.

If your approval is not given, or is made conditional on the applicant meeting additional obligations, please advise the reasons for your decision and any conditions placed on the approval, for follow-up by the Department.

For the majority of grants, once the grant is approved, the Secretary or their delegate, will approve the commitment of relevant money under s23 (3) of the PGPA Act and enter into the arrangement pursuant to s23 (1) of the PGPA Act or s32B of the *Financial Framework (Supplementary Powers) Act 1997* (and 32C if applicable) as the case requires. For grants made under specific statutory legislation (such as grants under the *Indigenous Education (Targeted Assistance) Act 2000*) the brief will contain details of the relevant statutory framework and approvals.

The Department is responsible to ensure forward year commitments are recorded in accordance with the PGPA Act. The Department would record any applicable amounts if you approve the grants recommended in this brief.

DEPARTMENT OF THE PRIME MINISTER AND CABINET

PM&C
Secretary
Mr
Tongue
Prof
Anderson
Ms
Roberts
Mr
Bullman
Mr Hill
Mr
Beswick
Ms Poole

To: Minister for Indigenous Affairs

IAS FUNDING RECOMMENDATION: DIRECT APPROACH TO THE AMATEUR FISHERMEN'S ASSOCIATION OF THE NORTHERN TERRITORY (AFANT) FOR THE CULTURAL EDUCATION AND REPRESENTATION PROJECT

PMO
Ms
Pinkstone

Mr
Ms Tim
Mr
Peoples

Recommendation(s) - that you:

1. Approve a direct approach to the Amateur Fishermen's Association of the Northern Territory as permitted under the Indigenous Advancement Strategy (IAS) Grant Guidelines for a Cultural Education and Representation Project.

Approved Not Approved

2. Approve grant funding of \$155,000 (GST exclusive) in the 2017-18 financial year from Programme 2.4 Culture and Capability to the Amateur Fishermen's Association of the Northern Territory for the Cultural Education and Representation project as detailed in Attachment A

Approved Not Approved

3. Agree that the Department is responsible for the ongoing administration of this grant, including the ability to effect variations which are not substantial in nature, and which do not include new funding.

Agreed Not Agreed

NIGEL SCULLION

Date: 31/5/2018


Comments:

Key Points:

1. This brief seeks your approval to proceed with a non-competitive, Department Approaches Organisation (direct approach) to Amateur Fishermen's Association of the Northern Territory (AFANT) as permitted under the IAS Grant Guidelines and per paragraph 11.5 of the Commonwealth Grants Rules and Guidelines (CGRGs). A direct approach is recommended because the target group for this education and representation project are recreational fishers in the Northern Territory (NT) who comprise the AFANT membership base and no alternative providers are available with similar reach to this cohort.
2. The proposal is a grant as defined by the CGRGs because it will assist the organisation to better educate and represent its members' interests in relation to Aboriginal issues in the NT, in particular issues related to land rights and the operation of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Land Rights Act). This aligns with the government

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objective of increasing understanding and respect for Indigenous Australians and their cultures.

3. The proposal has been assessed against the criteria (at Attachment A) outlined in the IAS Grant Guidelines. A simplified assessment process as permitted under Section 6.2 of the Indigenous Advancement Strategy (IAS) Grant Guidelines has been applied to minimise administrative workloads on providers. Further details and merits of the recommended grant, including an assessment of value for money and risk are at Attachment B.
4. The Department recommends funding the proposal. The proposal is recommended because it aligns with the objective of Programme 2.4 Culture and Capability to 'promote the unique place of Indigenous cultures in Australian society'. There is a clear need for this stakeholder group to be better informed on Aboriginal issues in the NT and, closely related to this, the history and operation of the Land Rights Act, with a particular focus on sea and freshwater country. This has been demonstrated by recent NT media on NT land claims which has attracted negative, uninformed comment from members of the recreational fishing community. Without this funding, AFANT are unable to undertake this project.
5. 
6. You may wish to issue a media release noting your support for AFANT to better educate its members on Aboriginal issues in the NT and the operation of the land rights, following recent uninformed comments by some members of this community.
7. The legislative authority for this spending is provided by Items 35 to 39 of Part 4 of Schedule 1AB of the Financial Framework Supplementary Powers Regulations. To approve a grant you must be satisfied that the expenditure is a proper use of relevant money, as detailed in your legislated Ministerial obligations, provided at Attachment C.

Ryan Bulman
A/g First Assistant Secretary
Housing, Land and Culture
30 May 2018

Policy Officer: Wayne Beswick
Phone no: 02 6152 3532
Consultation: Regional Manager Top
End and Tiwi Island, Culture Branch,
Grants Policy, Financial Services
Division,

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ATTACHMENTS

**ATTACHMENT A INDIGENOUS ADVANCEMENT STRATEGY ASSESSMENT
CRITERIA**

ATTACHMENT B IAS GRANT PROPOSAL FOR DECISION

**ATTACHMENT C MINISTERIAL OBLIGATIONS UNDER RELEVANT
LEGISLATION**

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ATTACHMENT A

INDIGENOUS ADVANCEMENT STRATEGY ASSESSMENT CRITERIA

1. **Need – The activity is needed to provide improved outcomes and there is a demand for the activity from the target Indigenous community or group.**
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 - b) The target community or group supports the proposed activity and has been involved in its design.
2. **Quality – The organisation that will deliver the proposed activity is committed to and capable of working with the target Indigenous community or group.**
 - a) The organisation has, or can build, positive relationships with Indigenous Australians, community organisations and other key stakeholders in the delivery of the proposed activity.
 - b) The organisation is able to learn from experience and adapt practices to ensure improved outcomes from the proposed activity.
 - c) The organisation is committed to the employment of Indigenous Australians in the delivery of the proposed activity.
3. **Efficiency – The proposed activity will support the intended outcomes in a way that appropriately manages risk, is cost effective and is coordinated with relevant stakeholders in the target community.**
 - a) It is clear how the proposed activity will achieve the intended outcomes with the available grant funding.
 - b) It is clear how the proposed activity will link with existing activities associated within the target community or group.
 - c) It is clear how the risks associated with the proposed activity will be managed.
 - d) It is clear how the organisation will monitor the performance of the proposed activity and manage the financial aspects of the grant funding.
4. **Effectiveness – The proposed activity can deliver the intended outcomes and sustain the outcomes into the future.**
 - a) There is evidence that the proposed approach has the potential to deliver the identified outcomes.
 - b) It is clear how the intended outcomes of the proposed activity are to be sustained into the future.
 - c) It is clear how the organisation will gather evidence to measure the effectiveness of the proposed activity.

The assessment process also took into account risk and key value for money considerations including:

- a. the available IAS funding envelope;
- b. the relative merits and risks of the application;
- c. the objectives and outcomes to be achieved with the funding;

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- d. how the activity aligns with the Programme outcome and objectives, Government priorities, existing services and service footprint;
- e. the range, size and geographic distribution of the activity and the desirability of ensuring there is an appropriate range and distribution of projects and balance in funding across the priority areas;
- f. the range and relative cost of projects; and
- g. the applicant's performance history and demonstrated ability to deliver the services in the relevant community and capacity to deliver the activities.

Additionally, in not recommending this application the Department has been mindful of the desirability of maintaining a strong presence of Indigenous organisations and to maximise Indigenous employment.

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Organization Name	Project Title	Project Description	Grant process (e.g., Department approval, application, community and)	State	Project Location	Total Funding Requested (GT Total Funding Recommended) (EST. Amt.)	US Programs	Funding level of award (e.g., grant)	Outcomes expected (e.g., number of children)	Other relevant information	Approval/Disapproval/Exception
American Fisheries & Aquaculture Forum Territory (AFAT)	AFAT Education Project on Project	AFAT will educate and represent its members' interests in relation to Abolition of the western territory, including taking awareness among recreational fishermen in the RT and providing them with information on their rights in the RT. AFAT will also provide effective participation in processes mandated by the RT. AFAT will also ensure AFAT members, select committee and members increase their effectiveness in the RT, and effectively contribute to resolution of hot topics in the RT.	Department Approvals	RT	Dorado	\$160,000	2.4. Culture & Disability	2078	Meets the AA Assessment Criteria	Meets - recent comments by members of the National Recreation Fishing community were addressed and respect for Abolition and respect for Indigenous Fisheries and their culture" (except those programs 2.4. Culture in the RT recreational fishing community) is the RT in the context of representing activity member interests in relation to Abolition of fishing, and is supported by the AFAT CEO, President and Secretary.	Meets - recent comments by members of the National Recreation Fishing community were addressed and respect for Abolition and respect for Indigenous Fisheries and their culture" (except those programs 2.4. Culture in the RT recreational fishing community) is the RT in the context of representing activity member interests in relation to Abolition of fishing, and is supported by the AFAT CEO, President and Secretary.
AFAT	AFAT Education Project on Project	AFAT will educate and represent its members' interests in relation to Abolition of the western territory, including taking awareness among recreational fishermen in the RT and providing them with information on their rights in the RT. AFAT will also provide effective participation in processes mandated by the RT. AFAT will also ensure AFAT members, select committee and members increase their effectiveness in the RT, and effectively contribute to resolution of hot topics in the RT.	Department Approvals	RT	Dorado	\$160,000	2.4. Culture & Disability	2078	Meets the AA Assessment Criteria	Meets - recent comments by members of the National Recreation Fishing community were addressed and respect for Abolition and respect for Indigenous Fisheries and their culture" (except those programs 2.4. Culture in the RT recreational fishing community) is the RT in the context of representing activity member interests in relation to Abolition of fishing, and is supported by the AFAT CEO, President and Secretary.	Meets - recent comments by members of the National Recreation Fishing community were addressed and respect for Abolition and respect for Indigenous Fisheries and their culture" (except those programs 2.4. Culture in the RT recreational fishing community) is the RT in the context of representing activity member interests in relation to Abolition of fishing, and is supported by the AFAT CEO, President and Secretary.
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AFAT	AFAT Education Project on Project	AFAT will educate and represent its members' interests in relation to Abolition of the western territory, including taking awareness among recreational fishermen in the RT and providing them with information on their rights in the RT. AFAT will also provide effective participation in processes mandated by the RT. AFAT will also ensure AFAT members, select committee and members increase their effectiveness in the RT, and effectively contribute to resolution of hot topics in the RT.	Department Approvals	RT	Dorado	\$160,000	2.4. Culture & Disability	2078	Meets the AA Assessment Criteria	Meets - recent comments by members of the National Recreation Fishing community were addressed and respect for Abolition and respect for Indigenous Fisheries and their culture" (except those programs 2.4. Culture in the RT recreational fishing community) is the RT in the context of representing activity member interests in relation to Abolition of fishing, and is supported by the AFAT CEO, President and Secretary.	Meets - recent comments by members of the National Recreation Fishing community were addressed and respect for Abolition and respect for Indigenous Fisheries and their culture" (except those programs 2.4. Culture in the RT recreational fishing community) is the RT in the context of representing activity member interests in relation to Abolition of fishing, and is supported by the AFAT CEO, President and Secretary.

TOTAL REQUESTED AMOUNT

\$160,000

\$160,000

\$160,000

MINISTERIAL OBLIGATIONS UNDER RELEVANT LEGISLATION

In making your decision you will need to consider your mandatory obligations associated with approving grants presented by the Department. These include:

If you approve expenditure under section 71 of the *Public Governance, Performance and Accountability Act 2013* (PGPA) Act, in relation to a grant or group of grants, you *must* not approve the grant without first receiving written advice from Department staff on the merits of the proposed grant or group of grants before you make your decision. That advice *must* meet the requirements of the Commonwealth Grant Rules and Guidelines (CGRGs) paragraph 4.6:

- 4.6 Officials must provide written advice to Ministers, where Ministers exercise the role of an approver. This advice must, at a minimum:*
- a. explicitly state that the spending proposal being considered for approval is a 'grant';*
 - a. provide information on the applicable requirements of the PGPA Act and rules and the CGRGs (particularly any ministerial reporting obligations), including the legal authority for the grant;*
 - b. outline the application and selection process, including the selection criteria, that were used to select potential grant recipients; and*
 - c. include the merits of the proposed grant or grants relative to the grant guidelines¹ and the key consideration of achieving value with relevant money.²*

If the proposed expenditure of relevant money relates to a grant, where you exercise the role of approver you must also record, in writing, the basis for the approval relative to the grant guidelines and key considerations of value with relevant money. The recommended basis and record for the approval, relative to the grant guidelines and the key consideration of value for money, are set out in this brief. If there is any alternative basis or considerations on which you are basing your decision you should record these in accordance with clause 4.11 of the CGRGs.

If you approve a grant the Department has not recommended (recommended as rejected) or deemed ineligible (recommended as rejected) for funding, you must provide written advice on the basis of your approval for reporting to the Department of Finance in line with the CGRG annual reporting requirement in paragraph 4.13 of the CGRGs, i.e. by 31 March each year for grants approved in the preceding calendar year.

¹ This includes the requirement that a proposed grant be consistent with the policies of the Commonwealth, noting that these policies include the guidelines issued in respect to the relevant granting activity. In this context, the basis for recommending or rejecting each proposed grant should be set out in the assessment material for each grant and should reflect the particular merits of each project in terms of the grant guidelines (including assessment against the eligibility and assessment criteria).

² It is better practice to include this information for any delegate exercising the role of an approver.

Consistent with section 71 of the PGPA Act you must not approve a grant unless, after reasonable enquiry, you are satisfied that these grants would be a proper use of relevant money.

If your approval is not given, or is made conditional on the applicant meeting additional obligations, please advise the reasons for your decision and any conditions placed on the approval, for follow-up by the Department.

For the majority of grants, once the grant is approved, the Secretary or their delegate, will approve the commitment of relevant money under s23 (3) of the PGPA Act and enter into the arrangement pursuant to s23 (1) of the PGPA Act or s32B of the *Financial Framework (Supplementary Powers) Act 1997* (and 32C if applicable) as the case requires. For grants made under specific statutory legislation (such as grants under the *Indigenous Education (Targeted Assistance) Act 2000*) the brief will contain details of the relevant statutory framework and approvals.

The Department is responsible to ensure forward year commitments are recorded in accordance with the PGPA Act. The Department would record any applicable amounts if you approve the grants recommended in this brief.

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PDR: MS18-003682

DEPARTMENT OF THE PRIME MINISTER AND CABINET

PM&C
Secretary
Mr Tongue
Prof
Anderson
Ms Roberts
Mr Bullman
Mr Hill
Mr Beswick
Ms Poole

To: Minister for Indigenous Affairs

IAS FUNDING RECOMMENDATION: DIRECT APPROACH TO THE NORTHERN TERRITORY SEAFOOD COUNCIL FOR THE CULTURAL EDUCATION AND REPRESENTATION PROJECT

PMO
Ms Pinkstone

MO
Mr Peoples

Recommendations - that you:

1. Approve a direct approach to the Northern Territory Seafood Council as permitted under the Indigenous Advancement Strategy (IAS) Grant Guidelines for a Cultural Education and Representation Project.

Approved / Not Approved

2. Approve grant funding of \$150,000 (GST exclusive) in the 2018-19 financial year from Programme 2.4 Culture and Capability to the Northern Territory Seafood Council for the Cultural Education and Representation project as detailed in Attachment A.

Fund / Not Fund

3. Agree that the Department is responsible for the ongoing administration of this grant, including the ability to effect variations which are not substantial in nature, and which do not include new funding.

Agreed / Not Agreed

NIGEL SCULLION

Date 1.9.18

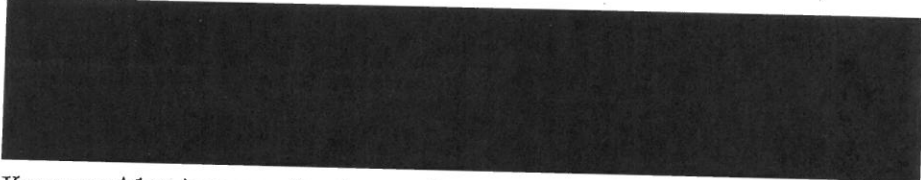
Comments:

Key Points:

1. This brief seeks your approval to proceed with a non-competitive, Department Approaches Organisation (direct approach) to the Northern Territory Seafood Council (NT Seafood Council) as permitted under the IAS Grant Guidelines and per paragraph 11.5 of the Commonwealth Grants Rules and Guidelines (CGRGs). A direct approach is recommended because the target group for this education and representation project is the commercial fishing sector who comprise the NT Seafood Council's membership base and no alternative providers are available with similar reach to this cohort.

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2. The proposal is a grant as defined by the CGRGs because it will assist the organisation to better educate and represent its members' interests in relation to Aboriginal issues in the NT, in particular issues related to native title legislation and the operation of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Land Rights Act). This aligns with the government objective of increasing understanding and respect for Indigenous Australians and their cultures.
3. The proposal has been assessed against the criteria (at Attachment B) outlined in the IAS Grant Guidelines. A simplified assessment process as permitted under Section 6.2 of the IAS Grant Guidelines has been applied to minimise administrative workloads on providers. Further details and merits of the recommended grant, including an assessment of value for money and risk are at Attachment A.
4. The Department recommends funding the proposal. The proposal is recommended because it aligns with the objective of Programme 2.4 to 'promote the unique place of Indigenous cultures in Australian society'. There is a clear need for this stakeholder group to be better informed on Aboriginal issues in the NT and, closely related to this, the history and operation of the Land Rights Act and native title legislation, with a particular focus on commercial fishing. Without this funding, the NT Seafood Council is unable to undertake this project and achieve the proposed outcomes.
5. 
6. You may wish to issue a media release noting your support for NT Seafood Council to better educate the commercial fishing sector on Aboriginal issues in the NT and the operation of land rights and native title. We will work directly with your office to facilitate this.
7. The legislative authority for this spending is provided by Items 35 to 39 of Part 4 of Schedule 1AB of the Financial Framework Supplementary Powers Regulations. To approve a grant you must be satisfied that the expenditure is a proper use of relevant money, as detailed in your legislated Ministerial obligations, provided at Attachment C.

Nicolle Power
A/g Assistant Secretary
Culture Branch
31 August 2018

Policy Officer: Wayne Beswick
Phone no: 02 6152 3532
Consultation: Land Branch, Regional
Manager Top End and Tiwi Islands
Region, Grants Policy, Financial
Services Division

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ATTACHMENTS

ATTACHMENT A IAS GRANT PROPOSAL FOR DECISION

**ATTACHMENT B INDIGENOUS ADVANCEMENT STRATEGY ASSESSMENT
CRITERIA**

**ATTACHMENT C MINISTERIAL OBLIGATIONS UNDER RELEVANT
LEGISLATION**

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Indigenous Advancement Strategy (IAS) grant proposal for decision

Organization name	Project title	Project description	Grant approach to deliver outcomes (innovative approaches or community-led)	Priority location	Project location	Project funding (k\$)	Other funding (k\$)	Total funding (k\$)	Project start date	Project end date	Project duration (months)	Project status	Project description	Project description	Project description	
Northwest Territory Aboriginal Council	Cultural Enterprise and Representation Project	Funding is sought by the Northern Territory Government for the Northwest Territory Aboriginal Council to develop a cultural enterprise and representation project. The project aims to increase the visibility of the Northwest Territory Aboriginal Council and its members' interests in relation to cultural heritage and representation. The project will involve the development of a cultural enterprise and representation project, including the creation of a cultural enterprise and representation project. The project will involve the development of a cultural enterprise and representation project, including the creation of a cultural enterprise and representation project.	Community-led	NT	NT	\$110,000	\$50,000	\$160,000	24	24	24	Recommended	Meets the IAS Assessment Criteria	Meets the IAS Assessment Criteria	Meets the IAS Assessment Criteria	
	Total funding amount requested					\$50,000	\$50,000	\$100,000								

ATTACHMENT B

INDIGENOUS ADVANCEMENT STRATEGY ASSESSMENT CRITERIA

1. **Need – The activity is needed to provide improved outcomes and there is a demand for the activity from the target Indigenous community or group.**
 - a) There is evidence the proposed activity is needed and will support improved outcomes in the target Indigenous community or group.
 - b) The target community or group supports the proposed activity and has been involved in its design.
2. **Quality – The organisation that will deliver the proposed activity is committed to and capable of working with the target Indigenous community or group.**
 - a) The organisation has, or can build, positive relationships with Indigenous Australians, community organisations and other key stakeholders in the delivery of the proposed activity.
 - b) The organisation is able to learn from experience and adapt practices to ensure improved outcomes from the proposed activity.
 - c) The organisation is committed to the employment of Indigenous Australians in the delivery of the proposed activity.
3. **Efficiency – The proposed activity will support the intended outcomes in a way that appropriately manages risk, is cost effective and is coordinated with relevant stakeholders in the target community.**
 - a) It is clear how the proposed activity will achieve the intended outcomes with the available grant funding.
 - b) It is clear how the proposed activity will link with existing activities associated within the target community or group.
 - c) It is clear how the risks associated with the proposed activity will be managed.
 - d) It is clear how the organisation will monitor the performance of the proposed activity and manage the financial aspects of the grant funding.
4. **Effectiveness – The proposed activity can deliver the intended outcomes and sustain the outcomes into the future.**
 - a) There is evidence that the proposed approach has the potential to deliver the identified outcomes.
 - b) It is clear how the intended outcomes of the proposed activity are to be sustained into the future.
 - c) It is clear how the organisation will gather evidence to measure the effectiveness of the proposed activity.

The assessment process also took into account risk and key value for money considerations including:

- a. the available IAS funding envelope;
- b. the relative merits and risks of the application;
- c. the objectives and outcomes to be achieved with the funding;

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- d. how the activity aligns with the Programme outcome and objectives, Government priorities, existing services and service footprint;
- e. the range, size and geographic distribution of the activity and the desirability of ensuring there is an appropriate range and distribution of projects and balance in funding across the priority areas;
- f. the range and relative cost of projects; and
- g. the applicant's performance history and demonstrated ability to deliver the services in the relevant community and capacity to deliver the activities.

Additionally, in recommending this application the Department has been mindful of the desirability of maintaining a strong presence of Indigenous organisations and to maximise Indigenous employment.

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Additionally, in not recommending this application the Department has been mindful of the desirability of maintaining a strong presence of Indigenous organisations and to maximise Indigenous employment.

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