

# Community Advisor Grant Program Guidelines 2019

## Grant overview

The Environment Effects Statement (**EES**) process is an assessment of the potential environmental impacts or effects of a proposed development.<sup>1</sup>

The EES process helps statutory decision-makers (Ministers, local government and statutory authorities) to make informed decisions about whether a project with potentially significant environmental effects should proceed. The process can recommend conditions and controls on a project proponent's work proposal to ensure that the risk of harm is minimised.

The Department of Jobs, Precincts and Regions (**the department**) is responsible for the Community Education and Community Advisor Grant Programs, which are being piloted in response to community concerns about their ability to engage in the EES process.

The Community Education Program ran between June 2017 and July 2018. It provided workshops on the EES process to members of the communities affected by:

- Kalbar Resources' proposal to mine mineral sands in the Glenaladale area (**the Fingerboards Mine Proposal**); and
- Hanson's proposed granite quarry in Bunyip North (**the Bunyip North Quarry Proposal**).

The Community Advisor Grant Program will fund access to legal assistance or advice for the public review phase of the EES proceedings. The first round of grant funding is for the Fingerboards Mine Proposal.

The second round of grant funding will be for the Bunyip North Quarry Proposal.

The timing for applications for each proposal will be made public at [earthresources.vic.gov.au/advisor-grants](https://earthresources.vic.gov.au/advisor-grants).

## Program objectives

- To test a method of supporting community stakeholders to participate more effectively in the EES process.
- To build capacity of local communities to engage in the EES process.
- To broaden the range of community members engaging in the EES process, by supporting those who would otherwise be unlikely or unable to participate.

## Eligibility criteria

To be eligible for the Community Advisor Grants, Applicants must meet all the following criteria:

- Applicants must be not-for-profit community organisations that are in the regions impacted by the Fingerboards Mine Proposal or the Bunyip North Quarry Proposal.
- Applicants must be:

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<sup>1</sup> See: <https://www.planning.vic.gov.au/environment-assessment/what-is-the-ees-process-in-victoria>

- an incorporated association registered through [Consumer Affairs Victoria](#) or be affiliated with an umbrella group that is an incorporated association, **OR**
- a registered not-for-profit organisation with the Australian Charities and Not for Profit Commission (ACNC).
- Applicants must have an active ABN. Applicants must be registered for GST if required under Australian taxation law.
- A majority of an Applicant's members must be based geographically near the site/region of the Fingerboards Mine Proposal or the Bunyip North Quarry Proposal.

Joint applications are acceptable, where there is a lead applicant who is both the primary proponent and an eligible applicant. The lead applicant should submit the application.

The department will undertake due diligence checks for all Applicants. This includes for all Applicants in a joint application.

A maximum of two grants will be awarded per Proposal (the Fingerboards Mine Proposal, the Bunyip North Quarry Proposal).

**The following are not eligible to apply:**

- Individuals or trusts (however an incorporated trustee can apply if the application is on behalf of a trust).
- Commonwealth, State and Local Government agencies and bodies.
- Publicly-funded research institutions.
- Private business entities.
- Organisations that themselves offer legal advice or legal assistance.

## Application requirements

Applicants are required to complete an application form which is available at [earthresources.vic.gov.au/advisor-grants](http://earthresources.vic.gov.au/advisor-grants). Information required includes:

- A project budget and cost estimate from the selected law practice or legal centre indicating what legal support the Community Advisor Grant will be used to fund and the associated cost.
- Any Applicant that engages with children will be required to provide information regarding their compliance with the [Child Safe Standards](#). These are compulsory minimum standards under the *Child Wellbeing and Safety Act 2005* that apply to organisations that provide services for children. For more information visit the [Commission for Children and Young People](#).

## Funding

Two grants of up to \$40,000 (GST exclusive) each (\$80,000 total GST exclusive) will be available for participation in the EES process for the Fingerboards Mine Proposal.

Two grants of up to \$40,000 (GST exclusive) each (\$80,000 total GST exclusive) will be available for participation in the EES process for the Bunyip North Quarry Proposal.

Successful Applicants will be required to contribute 10% of the total costs of eligible project expenditure.

Community Advisor Grants can only be used to engage legal services to assist the Applicant to participate in the EES process for the Fingerboards Mine Proposal or the Bunyip North Quarry Proposal.

Funding will be paid directly to the Applicant, with monies to be released based on milestones outlined in the Grant Agreement.

## Eligible project activities

Eligible project expenditure includes the following activities:

- Legal advice or assistance in drafting submissions or written comments on the final EES for the Proposals.
- Legal representation in the event a public inquiry is initiated and there is an opportunity for verbal submissions from the public regarding the EES.

Community Advisor Grants must only be spent on eligible project expenditure.

## Ineligible project activities

The Community Advisor Grants cannot be used for:

- Provision or payment of expert witnesses or the engagement of non-legal advice or assistance.
- Any activities that are not directly related to the Applicant engaging in the EES processes for the Fingerboards Mine Proposal or the Bunyip North Quarry Proposal.
- Costs related to preparing an application for Community Advisor Grants.
- Retrospective activities, that is where expenditure is incurred prior to receipt and acceptance of a letter of offer.

## Assessment process

Applicants are encouraged to consider carefully whether they can meet the program requirements, including a 10% contribution to total costs, and how they will perform against the assessment criteria, before committing resources to develop an application.

Applications will be assessed against the following criteria:

- Demonstrating high levels of community representation by the Applicant/s in relation to regions affected by the Proposals, and the Applicant's relevance to the potential effect of the Proposal on the community.
- Showing substantial potential impact from the Proposal on the community cohort represented by the Applicant organisation.
- Demonstrating capability to progress the project and a commitment to participating in the EES process.

- Demonstrating a need for government funding to enable the Applicant/s to participate in the EES process, including information about the likelihood of participation if the application for a Community Advisor Grant is unsuccessful.

The Minister for Resources or their delegate will approve the allocation of grant funding at their sole and absolute discretion. The Minister's decision is final. There is no right of appeal. Feedback will be provided to unsuccessful applicants by the department.

Shortlisted applicants may be contacted to provide additional supporting documentation and information.

There is no guarantee that a funding application will be supported, or that the amount of funding requested will be offered.

All Applicants will be advised in writing of the outcome of their application.

## Approval and grant agreement

The Minister for Resources or their Delegate will approve the allocation of grant funding at their sole and absolute discretion. The Minister's decision is final. There is no right of appeal. Feedback will be provided to unsuccessful applicants by the department.

Successful Applicants will be required to enter a Grant Agreement with the department which is based on the department's standard terms <https://providers.dhhs.vic.gov.au/victorian-common-funding-agreement>. The details and milestones will be agreed by the department and will form the basis of payment milestones in the Grant Agreement, if the Applicant is successful.

## Payment processes

The department will make periodic payments according to the payment schedule agreed under the Grant Agreement, upon receipt of the relevant supporting evidence.

## Confidentiality

Any personal information provided by the Applicant will be collected by the department for the purposes of administering the grant program. This information may be provided to other Victorian Government bodies for the purposes of assessing applications. If confidential personal information about third parties is included in an application, Applicants are required to ensure that those third parties are aware of the contents of this confidentiality statement.

Any personal information collected, held, managed, used, disclosed or transferred will be in accordance with the provisions of the *Privacy and Data Protection Act 2014* (VIC) and all other applicable laws.

The department is committed to protecting the privacy of personal information. The department's Privacy Policy can be found online at <https://djpr.vic.gov.au/privacy>. Enquiries about access to information should be directed to the department's Privacy Unit by phone on (03) 9651 9749 or email [privacy@ecodev.vic.gov.au](mailto:privacy@ecodev.vic.gov.au).

## How to apply

- For information about how to apply visit [earthresources.vic.gov.au/advisor-grants](http://earthresources.vic.gov.au/advisor-grants)
- Applications close 5pm on 22 July 2019.

## Enquiries

For **general enquiries** about the Community Advisor Grant Program visit the website [earthresources.vic.gov.au/advisor-grants](http://earthresources.vic.gov.au/advisor-grants) or email [CommunityAdvisor.Grant@ecodev.vic.gov.au](mailto:CommunityAdvisor.Grant@ecodev.vic.gov.au)