

**NSW Council Support Payments
Local Government Recovery Grants
Program Guidelines for Highly Impacted Councils –
Companion Animals Support**

Part 1: Summary/Overview

Event Name/s	NSW Severe Weather and Flooding: 22 February 2022 onwards
2022 Floods Economic Recovery Package funding category	Local Council Support Package
Name/title of initiative	NSW Local Government Recovery Grants (Floods) – Highly Impacted Councils - Companion Animals Support
Program completion	30 June 2024
Type of assistance and who will receive support/benefit	Streamlined and immediate funding directly to eight (8) highly impacted local councils (Ballina Shire, Byron Shire, Clarence Valley, Kyogle, Lismore City, Richmond Valley, Tweed Shire and Hawkesbury City Councils), to support pound operations in assisting with reuniting and rehoming pets displaced by the floods in areas impacted by the NSW severe weather and flooding events.
Available Funding	<p>\$375,000 to each highly impacted local council, declared under an eligible disaster event.</p> <p>Where councils are declared under multiple events, a single funding amount (up to \$375,000) will be provided to cover all events.</p>
Description of initiative, including relevant amounts/levels of support; how the assistance will be provided/delivered; and eligibility criteria	<p>The grants provide financial assistance to highly impacted councils towards supporting pound operations in assisting with reuniting and rehoming pets displaced by the floods.</p> <p>Payment will be released to councils to assist them in undertaking immediate recovery and resilience activities, addressing community needs to assist with reuniting and rehoming pets displaced by the floods. Councils must use these grants on measures and activities not eligible through existing Disaster Recovery Funding Arrangements (DRFA) or other government grants.</p> <p>Projects must meet project criteria as outlined in these program guidelines.</p> <p>Councils must submit a Program of Works within three (3) months of receiving funding and provide half yearly reports on how the funds are being spent.</p>
Locations where the initiative will be made available/provided	Funding will be made available to eight (8) highly impacted disaster declared Local Government Areas (LGAs) being: Ballina Shire, Byron Shire, Clarence Valley, Kyogle, Lismore City, Richmond Valley, Tweed Shire and Hawkesbury City Councils.
State/territory administering agency and contact details	<p>Department of Planning and Environment - Office of Local Government (adminstrating agency)</p> <p>Email: grants@olg.nsw.gov.au</p> <p>Phone: 02 4428 4100</p>

Part 2: Recovery Needs

Objective

The objective of the program is to deliver immediate flexible grants to the 8 highly impacted local councils for projects identified by council which support pound operations in assisting with reuniting and rehoming pets displaced by the floods. Funding aims to support restoration, recovery and resilience activities that:

- Are eligible activities consistent with these Guidelines;
- Are not otherwise eligible through existing funding and support measures but can demonstrably strengthen community resilience and reduce the impact future natural disasters will have on communities.

While much work has been undertaken to recognise the importance of pets in the evacuation and immediate recovery environments by the relevant agencies, there is still an increased risk of animals being lost or unable to be rehomed, with potential increases in the level of pets being destroyed.

To manage this risk, the NSW State Government is making funding available to councils for a range of activities that best meet their local community's needs. The program intent is to encourage community and local economic recovery in the short, medium and long-term, and support the broader Government policy directives to improve animal welfare standards and the operations of council pounds including its support of the *Companion Animals Amendment (Rehoming Animals) Act 2021*.

Councils will be responsible for working with the administering agency to ensure funding complements (rather than duplicates) any other forms of recovery assistance being delivered.

Program outcomes

Council will need to demonstrate in their Program of Works how projects aim to contribute to one or more of the following outcomes (See Part 4 and Part 5 for details outlining this requirement):

- Support costs associated with additional animal surrender or rehoming as a result of flooding
- Provide a microgrant program for local animal welfare and rescue organisations to support care and rehoming of companion animals, up to a maximum amount of \$10,000 per organisation. Operations must be within the eligible local government area.
- Support programs to increase desexing and pet registration
- Support repair, maintenance, upgrade and/or new build facilities for council pound operations focussing on disaster recovery and resilience

Part 3: Funding

The Local Government Recovery Grants program is funded by the NSW Government and administered by the Department of Planning and Environment - Office of Local Government (the administering agency).

Payment to councils

An upfront payment of up to \$375,000 as set out in the Grant Acknowledgement Schedule (the Schedule) will be released to each eligible council.

Receipt of the funding is conditional upon Council:

- Returning the signed Schedule by 5pm Friday 8 July 2022
- Providing a Program of Works within 3 months from the receipt of the funds
- Ensuring that funds are not be transferred across funding streams without written permission from the Office of Local Government
- Submitting half yearly progress reporting (See Section 5 for details outlining the Program of Works and Reporting requirements)
- Providing an acquittal report by 30 June 2024
- Returning any unspent or uncommitted funds as at 30 June 2024
- Allowing the administering agency and the NSW Government to communicate the outcomes of the funding provided as set out in these Guidelines

Expenditure of funds on eligible project costs can occur prior to submission of Program of Works. Council will be required to pay back unspent and uncommitted funds which have not been spent in accordance with these program guidelines or any funds which are not acquitted by 30 June 2024.

Part 4: Eligibility Criteria

Projects must meet the project criteria for expenditure to be consider eligible under the grants program.

Eligible Councils

Eligible applicants are the highly impacted NSW disaster declared councils being Ballina Shire, Byron Shire, Clarence Valley, Kyogle, Lismore City, Richmond Valley, Tweed Shire and Hawkesbury City Councils.

Ineligible Councils

All other NSW local councils not listed under eligible applicants.

Project location

Projects seeking funding must be delivered in an eligible LGA.

Projects that provide benefit across multiple eligible LGAs are considered eligible (i.e. LGAs can combine funds for eligible projects). Where the Council/s is not the owner of the land on which the project will be delivered, landowner's consent will be required as part of the Program of Works.

Project criteria

Councils will be required to submit a Program of Works within three (3) months of receiving funding(see Part 5 outlining Council Program of Works).

The Program of Works should detail all eligible projects that are planned for delivery and council must demonstrate how each eligible project meets the project criteria outlined below.

Eligible projects

Projects should contribute to recovery initiatives that are not otherwise eligible under the Disaster Recovery Funding Arrangements 2018 (DRFA) or other government grants and are already fully funded or underway.

To be eligible projects must:

- Meet all eligibility criteria outlined in Part 4 of these program guidelines
- Be complete or committed by 30 June 2024
- Align with one or more of the following program outcomes:
 1. Support costs associated with additional animal surrender or rehoming as a result of flooding
 2. Provide a microgrant program for local animal welfare and rescue organisations to support care and rehoming of companion animals, up to a maximum amount of \$10,000 per organisation. Operations must be within the eligible local government area.
 3. Support programs to increase desexing and pet registration
 4. Support repair, maintenance, upgrade and/or new build facilities for council pound operations focussing on disaster recovery and resilience
- For infrastructure projects, not meet the definition of *essential public asset* in the DRFA and be eligible for reimbursement under the DRFA.
- All eligible projects be acquitted by 30 June 2024.

Examples of ineligible projects

Ineligible projects include those that:

- fund the day-to-day operations and/or business as usual activities of the organisation
- for infrastructure assets that meet the definition of an *essential public asset* and are eligible for reimbursement under the DRFA
- are fully funded through other government grant(s), assistance and/or insurance claims
- duplicate other recovery initiatives already funded or underway
- are located outside of the eligible LGAs
- require ongoing funding from NSW or Australian Government
- are not aligned to the objective and outcomes of the program
- have exclusive private benefits or provide direct commercial and/or exclusive private benefit to an individual or business
- include improvements or repair to residences

Eligible expenses

Eligible expenses must be directly related to delivering the approved project and may include:

- extraordinary local government labour costs for ongoing/budgeted staff directly associated with delivering the eligible project. Including base wage, overtime, plus on costs to a maximum of 32.19% (on-costs including superannuation, workers compensation, and long service leave, if applicable, etc).
- fixed-term temporary staff or casual staff

- hire of contractors
- travel and accommodation expenses (allowance or actuals)
- communications technology costs including extraordinary mobile plans or internet services
- project costs related to buying or upgrading capital items, equipment or supplies up to 5% of total grant value external plant hire/rental costs
- extraordinary local government owned plant operating costs (fuel only)
- extraordinary materials and consumables (e.g. stationery, catering, advertising, promotion, printing)
- project delivery costs, including program and service development, project management, design, supervision and inspection/superintendent costs
- temporary office accommodation costs (where required) that are not council owned

Ineligible expenses

Expenses that cannot be claimed include, but are not limited to:

- project costs related to buying or upgrading capital items, equipment or supplies (greater than 5% of total grant value)
- financing, including debt financing, or insurance
- legal costs
- project costs that are reimbursable under other approved/awarded funding sources
- additional hire of staff to project manage works related to essential public assets which are eligible for reimbursement under the DRFA
- site rental costs for infrastructure projects and environmental projects
- for community programs, rental costs not directly associated with the program
- costs relating to depreciation of plant and equipment
- business-as-usual operational costs and expenditure, including core business responsibilities and ordinary wages and plant costs of local/state government agencies
- in-kind contributions
- ongoing costs/recurrent funding that is required beyond the stated timeframe of the project (e.g. administration, operation, maintenance or repairs)
- purchase of land
- loss of revenue on council owned buildings or any other building

Part 5: Administrative Arrangements

Program of Works

The administering agency will provide Council with a Program of Works template and be available to provide advice to Councils in preparing and submitting the relevant information. Council must comply with all legislative and regulatory requirements that may apply in relation to the application of the funding received, and if applied to a project, including obtaining all necessary approvals, licences and permissions.

Council will be required to pay back funds which have not been spent in accordance with these program guidelines or any uncommitted funds which are not acquitted by 30 June 2024.

Project information and supporting documents which may be required as part of the

Program of Works, may include but is not limited to:

- project name
- project description
- socio-economic benefits of project
- requested funding
- council contribution (if any)
- estimated total project cost
- locations of proposed site/s (for infrastructure projects)
- proposed project start date and approximate project duration
- a completed project plan including a risk plan
- cost estimates/quotes
- options analysis
- cost benefit analysis
- results of investigation/consultation
- letters of support, as appropriate
- evidence confirming funding sources
- evidence of land ownership/tenure
- scope works and key milestones
- letter of offer/employment for temporary staff
- a copy of completed Cultural Heritage Management Plan, Vegetation Assessments, Environmental Management Plans, etc. as appropriate or evidence that these types of plans are not required.

The administering agency may request additional information from Council or from any other source. Council must supply any such information promptly upon request. Nothing in these Guidelines displaces obligations on the Council under the *Local Government Act 1993* or precludes the administering agency from exercising functions and powers available to it under that Act.

Where there is uncertainty or unintended outcomes arising from the project eligibility requirements, a practical approach will be taken to resolve issues. Final determination will be made at the discretion of the administering agency, with advice and recommendations from relevant government agencies.

The administering agency may refer projects to other funding programs for consideration.

Requests for variations or changes to the project will only be considered by the administering agency in limited circumstances.

Councils should be aware that information submitted in Program of Works and all related correspondence, attachments and other documents may be made publicly available under the *Government Information (Public Access) Act 2009* (NSW). Information that is deemed to be commercially sensitive will be withheld.

Complaint handling

Contact grants@olg.nsw.gov.au in the first instance.

Reporting

Council must submit project progress reports to the administering agency on a half yearly basis. Reports should, where possible, include information (reporting activity)

such as:

- actual expenditure reported against the approved capped amount (e.g. general ledger or transaction listing)
- percentage of scope of works completed
- delivery against project milestones and outcomes
- any variances in scope, cost or time

The administering agency may request funding information and progress reports outside of the reporting activity if required.

Monitoring and Evaluation

Councils must participate in a program evaluation which is undertaken during and/or after completion of the project to determine the extent to which their projects have contributed to the objectives of the funding. The evaluation will require Councils to provide evidence of how projects have resulted in a measurable benefit to the community that is consistent with the objectives of the Local Government Recovery grants program.

Public Acknowledgement

Council agrees to publicly communicate the outcomes of the funding provided to Council in accordance with these Guidelines and in accordance with the Funding Acknowledgement Guidelines for recipients of NSW Government Grants (the Funding Acknowledgement Guidelines) available at <https://www.nsw.gov.au/branding/sponsorship-and-funding-acknowledgment-guidelines/funding-acknowledgment-guidelines>

Council authorises the administering agency and the State of New South Wales to use information Council supplies in its reporting pursuant to these guidelines for promotional purposes, including:

- the use of Council's name;
 - details and/or aggregate sums of the funding provided;
 - the title and description of the projects undertaken with the use of the funding including any related grant;
- but subject to any confidentiality restriction which has been requested by Council and agreed to by the administering agency.

Council must allow representatives of the State of New South Wales to use any promotional material it either obtains through its own processes or those provided by council in any media platform for the promotion of this funding package.

- Obtaining prior agreement from the administering agency to public announcements, promotional materials or other publicity materials referencing the source of the funding as set out in the Funding Acknowledgement Guidelines.

The NSW Government may use any information submitted by a Council for promotional material. Information may be used in the form of press releases, case studies, promotional material and in response to media enquires relevant to the Local Government Recovery grants program.

Assurance and acquittal

Council must maintain and make available accurate audit records which must remain available for seven years from the end of the financial year the claim is acquitted to the NSW Government.

For assurance purposes, the NSW Government may at any time, via the administering agency, request documentation to evidence the compliance with any aspect of these Guidelines.

Councils must consent to the administering agency conducting an audit of grant funding within a period of up to seven years from the release of funding to council, and council must retain relevant documentary evidence to be provided onrequest, should they be selected for audit. Documentary evidence to be retained includes:

- Contract documentation, authorisations and approvals related to the project(s)
- All financial records relating to the expenditure of the funding
- Payment receipts for completed works
- Bank records or ledgers
- Any and all acquittal reports
- Statutory Declaration from authorised delegate

Penalties apply where false or misleading information is provided.

Part 6: Definitions

Animal Welfare or Rescue Organisation means a council or any other operator of a council pound, or the Animal Welfare League NSW, or the Cat Protection Society of NSW Limited, or the Royal Society for the Protection of Cruelty to Animals NSW, or any other organisation that is designated as a rehoming organisation by the Departmental Chief Executive under section 88B of the *Companion Animals Act 1998*.

Organisations currently approved as a designated rehoming organisation under section 88B of the *Companion Animals Act 1998* can be found on the Office of Local Government website:

<https://www.olg.nsw.gov.au/public/dogs-cats/information-for-professionals/information-for-animal-rescue-organisations/>

Community Infrastructure means key community infrastructure owned/managed by non-council community groups. It must be demonstrated that this infrastructure plays a key role in providing one or more of the following:

- basic social and recreational amenity to local residents and visitors
- help support and/or safeguard community cohesion
- support the delivery of social support networks
- support local and Indigenous-owned businesses through procurement

Disaster Recovery Funding Arrangements 2018 (DRFA) means the joint Commonwealth-State costsharing arrangements, these can be viewed online via disasterassist.gov.au/disaster-arrangements.

Essential Public Asset (under the DRFA) means an asset that must be a transport or public infrastructure asset that is an integral part of a state infrastructure and normal functioning of a community. Examples of assets that are **not** considered to be essential public assets are:

- Private roads
- Roads on Crown Land that are not Crown Roads
- Sporting or recreational or community facilities (for example, playgrounds and

associated facilities)

- Beaches, coastal areas and riverbanks
- Religious establishments
- Cemeteries
- Memorials

Reconstruction means the restoration or replacement of an infrastructure asset.

Unspent or uncommitted funds includes that part of any funding paid to a council which as at 30 June 2024 council is not obliged to pay to any person under an agreement to provide or deliver an eligible project (or a defined element of such a project) being a binding arrangement entered into prior to 30 June 2024 and having a delivery date no later than 31 December 2024.