

# **Critical minerals and high-tech metals exploration program** Grant guidelines

April 2025

#### Published by the Department of Primary Industries and Regional Development

Title: Grant guidelines

First published: April 2025

Department reference number: D25/6437

Amendment schedule				
Date	Version	Amendment		

© State of New South Wales through the Department of Primary Industries and Regional Development 2025. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Primary Industries and Regional Development as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (April 2025) and may not be accurate, current or complete. The State of New South Wales (including Department of Primary Industries and Regional Development), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

# Table of Contents

1. Overview of program	
1.1. Purpose and objectives	6
1.1.1. Purpose	6
1.1.2. Intended recipients	6
1.1.3. Land access arrangements	6
1.1.4. Source agency	6
1.1.5. Delivery of program	6
1.1.6. Type of grant opportunity	6
1.1.7. Value for money	7
1.1.8. Program delivery timeframe	7
1.2. Grant value	7
1.2.1. Co-contributions	8
2. Selection criteria	
2.1. Eligibility criteria	
2.1.1. Eligible applicants	
2.1.2. Eligible projects/activities	
2.1.3. Eligible locations	
2.1.4. Eligible costs	
2.1.5. Ineligible project costs	
2.2. Assessment criteria	
3. Application process	
3.1. How to apply	14
3.1.1. Parameters	
3.1.2. Where to apply	
3.1.3. When to apply	
3.1.4. What to include	
3.1.5. False and misleading information	
3.1.6. After submitting application	
3.2. Getting support	
4. Assessment process	
4.1. Assessment of grant applications	
4.1.1. Stages	

4.13. Assessment       14         4.14. Decision maker       17         4.2. Notification of application outcome       18         4.2.1. Feedback and appeal       18         4.2.2. Announcements       18         4.3. Publication of grants information       18         5. Successful grant applications       19         5.1. Funding deed       11         5.1.1. Terms and Conditions       11         5.2. Grant payment       20         5.2. Grant payment       21         5.2.1. Reimbursement       21         5.2.2. Reimbursement process       21         5.3. Indicative reporting and acquittal requirements       21         5.4. Evaluation       21         6. Additional information and resources       22         6.1. Complaint handling       22         6.3. Ethical conduct       2         6.3. Conflict of interest management       22         6.3. Conduct       2         6.3. Conduct       2         6.5. These guidelines       22         6.5. No offer       22	4.1.2. Eligibility cull	
4.2. Notification of application outcome       14         4.2.1. Feedback and appeal       18         4.2.2. Announcements       18         4.3. Publication of grants information       18         5. Successful grant applications       11         5.1. Funding deed       11         5.1.1. Terms and Conditions       19         5.1.2. Changes to projects       20         5.2. Grant payment       20         5.2.2. Reimbursement process       20         5.2.3. Tax       20         5.3. Indicative reporting and acquittal requirements       20         5.4. Evaluation       20         6. Additional information and resources       2         6.1. Complaint handling       2         6.3. Ethical conduct       2         6.3.1. Conflict of interest management       2         6.3.2. Confidentiality       2         6.3.3. Conduct       2         6.4. Discretion       2         6.5. These guidelines       2         6.5.1. Changes and publication       2	4.1.3. Assessment	
4.2.1. Feedback and appeal.       14         4.2.2. Announcements.       18         4.3. Publication of grants information       18         5. Successful grant applications.       19         5.1. Funding deed.       11         5.1.1. Terms and Conditions.       19         5.2.2. Grant payment       20         5.2.3. Tax       20         5.2.3. Tax       20         5.3. Indicative reporting and acquittal requirements       20         5.4. Evaluation       20         6.4. Additional information and resources       2         6.3. Ethical conduct       2         6.3. Ethical conduct       2         6.3.1. Conflict of interest management       2         6.3.2. Confidentiality       2         6.3.3. Conduct       2         6.4. Discretion       2         6.5.1. Changes and publication       2	4.1.4. Decision maker	
4.2.2. Announcements	4.2. Notification of application outcome	
4.3. Publication of grants information       18         5. Successful grant applications       19         5.1. Funding deed       11         5.1.1. Terms and Conditions       19         5.1.2. Changes to projects       20         5.2. Grant payment       20         5.2.2. Reimbursement       20         5.2.3. Tax       20         5.4. Evaluation       20         5.4. Evaluation       20         5.4. Evaluation       20         5.4. Evaluation       20         6. Additional information and resources       20         6. Additional information and resources       20         6.3. Ethical conduct       2         6.3. Ethical conduct       2         6.3.1. Conflict of interest management       2         6.3.2. Confidentiality       2         6.3.3. Conduct       2         6.4. Discretion       2         6.5. These guidelines       2         6.5. These guidelines       2	4.2.1. Feedback and appeal	
5. Successful grant applications       14         5.1, Funding deed       14         5.1, Funding deed       14         5.1, Terms and Conditions       14         5.12, Changes to projects       26         5.2, Grant payment       26         5.2.1, Reimbursement       26         5.2.2, Reimbursement process       26         5.2.3, Tax       26         5.4. Evaluation       26         5.4. Evaluation       26         6. Additional information and resources       2         6.1. Complaint handling       2         6.2. Access to information       2         6.3.1. Conflict of interest management       2         6.3.2. Confidentiality       2         6.3.3. Conduct       2         6.4. Discretion       2         6.5. These guidelines       2         6.5.1. Changes and publication       2	4.2.2. Announcements	
5.1. Funding deed.       19         5.1.1. Terms and Conditions.       19         5.1.2. Changes to projects.       20         5.2. Grant payment.       20         5.2.1. Reimbursement       20         5.2.2. Reimbursement process.       20         5.2.3. Tax.       20         5.3. Indicative reporting and acquittal requirements.       20         5.4. Evaluation.       20         6. Additional information and resources       20         6.1. Complaint handling.       21         6.2. Access to information.       22         6.3. Ethical conduct.       22         6.3.1. Conflict of interest management.       22         6.3.2. Confidentiality.       2         6.4. Discretion       22         6.5. These guidelines.       22         6.5.1. Changes and publication       23	4.3. Publication of grants information	
5.1.1. Terms and Conditions.       19         5.1.2. Changes to projects       20         5.2. Grant payment       20         5.2.1. Reimbursement       20         5.2.2. Reimbursement process.       20         5.2.3. Tax.       20         5.3. Indicative reporting and acquittal requirements.       20         5.4. Evaluation.       20         6. Additional information and resources       21         6.1. Complaint handling.       22         6.3. Ethical conduct.       22         6.3.1. Conflict of interest management.       22         6.3.2. Confidentiality       22         6.4. Discretion       22         6.5. These guidelines.       23         6.5.1. Changes and publication       23	5. Successful grant applications	
5.1.2. Changes to projects205.2. Grant payment205.2.1. Reimbursement205.2.2. Reimbursement process205.2.3. Tax205.3. Indicative reporting and acquittal requirements205.4. Evaluation206. Additional information and resources26.1. Complaint handling26.2. Access to information26.3. Ethical conduct26.3.1. Conflict of interest management26.3.2. Confidentiality26.3.3. Conduct26.4. Discretion26.5. These guidelines26.5.1. Changes and publication2	5.1. Funding deed	
5.2. Grant payment       20         5.2.1. Reimbursement       20         5.2.2. Reimbursement process       20         5.2.3. Tax       20         5.3. Indicative reporting and acquittal requirements       20         5.4. Evaluation       20         6. Additional information and resources       20         6.1. Complaint handling       2         6.2. Access to information       2         6.3. Ethical conduct       2         6.3.1. Conflict of interest management       2         6.3.2. Confidentiality       2         6.3.3. Conduct       2         6.4. Discretion       2         6.5. These guidelines       2         6.5.1. Changes and publication       2	5.1.1. Terms and Conditions	
5.2.1. Reimbursement205.2.2. Reimbursement process.205.2.3. Tax205.2.3. Tax205.3. Indicative reporting and acquittal requirements205.4. Evaluation.206. Additional information and resources206.1. Complaint handling26.2. Access to information26.3. Ethical conduct.26.3. Ethical conduct.26.3.1. Conflict of interest management26.3.2. Confidentiality.26.3.3. Conduct26.4. Discretion26.5. These guidelines.26.5.1. Changes and publication2	5.1.2. Changes to projects	
5.2.2. Reimbursement process.       20         5.2.3. Tax       20         5.3. Indicative reporting and acquittal requirements.       20         5.4. Evaluation       20         6. Additional information and resources       20         6.1. Complaint handling       22         6.2. Access to information       22         6.3. Ethical conduct       2         6.3.1. Conflict of interest management       22         6.3.2. Confidentiality.       2         6.3.3. Conduct       2         6.4. Discretion       22         6.5.1. Changes and publication       24	5.2. Grant payment	
5.2.3. Tax205.3. Indicative reporting and acquittal requirements205.4. Evaluation206. Additional information and resources26.1. Complaint handling26.2. Access to information26.3. Ethical conduct26.3.1. Conflict of interest management26.3.2. Confidentiality26.3.3. Conduct26.4. Discretion26.5. These guidelines26.5.1. Changes and publication2	5.2.1. Reimbursement	
5.3. Indicative reporting and acquittal requirements245.4. Evaluation246. Additional information and resources26.1. Complaint handling26.2. Access to information26.3. Ethical conduct26.3.1. Conflict of interest management26.3.2. Confidentiality26.3.3. Conduct26.4. Discretion26.5. These guidelines26.5.1. Changes and publication2	5.2.2. Reimbursement process	
5.4. Evaluation206. Additional information and resources26.1. Complaint handling26.2. Access to information26.3. Ethical conduct26.3.1. Conflict of interest management26.3.2. Confidentiality26.3.3. Conduct26.4. Discretion26.5. These guidelines26.5.1. Changes and publication2	5.2.3. Tax	
6. Additional information and resources       2         6.1. Complaint handling       2         6.2. Access to information       2         6.3. Ethical conduct       2         6.3.1. Conflict of interest management       2         6.3.2. Confidentiality       2         6.3.3. Conduct       2         6.4. Discretion       2         6.5. These guidelines       2         6.5.1. Changes and publication       2	5.3. Indicative reporting and acquittal requirements	
6.1. Complaint handling26.2. Access to information26.3. Ethical conduct26.3.1. Conflict of interest management26.3.2. Confidentiality26.3.3. Conduct26.4. Discretion26.5. These guidelines26.5.1. Changes and publication2	5.4. Evaluation	
6.2. Access to information.26.3. Ethical conduct.26.3.1. Conflict of interest management.26.3.2. Confidentiality.26.3.3. Conduct.26.4. Discretion26.5. These guidelines26.5.1. Changes and publication2	6. Additional information and resources	
6.3. Ethical conduct26.3.1. Conflict of interest management26.3.2. Confidentiality26.3.3. Conduct26.4. Discretion26.5. These guidelines26.5.1. Changes and publication2	6.1. Complaint handling	
6.3.1. Conflict of interest management.26.3.2. Confidentiality.26.3.3. Conduct.26.4. Discretion26.5. These guidelines.26.5.1. Changes and publication2	6.2. Access to information	
6.3.2. Confidentiality26.3.3. Conduct26.4. Discretion26.5. These guidelines26.5.1. Changes and publication2	6.3. Ethical conduct	
6.3.3. Conduct       2         6.4. Discretion       2         6.5. These guidelines       2         6.5.1. Changes and publication       2	6.3.1. Conflict of interest management	
6.4. Discretion       22         6.5. These guidelines       22         6.5.1. Changes and publication       22	6.3.2. Confidentiality	
6.5. These guidelines	6.3.3. Conduct	
6.5.1. Changes and publication	6.4. Discretion	
	6.5. These guidelines	
6.5.2. No offer	6.5.1. Changes and publication	
	6.5.2. No offer	

#### Grant guidelines

Note to applicants: Read guidelines in full before submitting your application.

Grant program details			
Opening date and time	9 am on 16 April 2025		
Closing date and time	5 pm on 30 June 2025		
Application outcome date The Department will let applicants know the outcome of their applications by this date.	30 September 2025		
Project delivery timeframe (for successful applications)	Projects must be completed by 30 September 2027 (These timeframes are subject to the terms and conditions of an executed funding deed).		
Decision maker	Deputy Secretary, NSW Resources, Department of Primary Industries and Regional Development		
NSW Government source agency	Department of Primary Industries and Regional Development ('the Department')		
Type of grant opportunity	Open, competitive		
Total program funding	\$2.5 million (GST exclusive)		
Grant amounts	Between \$5,000 (GST exclusive) and \$250,000 (GST exclusive).		
Enquiries/getting support Please use only these details.	Website	nsw.gov.au/critical-minerals-exploration- program	
To maintain the integrity of the	Phone number	(02) 4063 6860	
grant process, do not contact any other NSW Government	Person/position	Leni Baker, Senior Program Officer	
staff.	Email	NSWResources.Programs@dpird.nsw.gov.au	
	Resources	Webinar	

# 1. Overview of program

## 1.1. Purpose and objectives

### 1.1.1. Purpose

The NSW Government established the Critical Minerals and High-Tech Metals Exploration Program ('the Program') to promote investment in NSW minerals, through co-investment in underexplored areas to search for deposits of metallic minerals and critical minerals and high-tech metals.

The Program seeks to encourage exploration in NSW, a pillar of the <u>NSW Government's Critical</u> minerals and high-tech metals strategy 2024–35 ('the Strategy').

The Strategy aims to position NSW as a leader in critical minerals and high-tech metals, generating economic prosperity through exploration, mining, processing, recycling and advanced manufacturing.

## Objectives and outcomes

The objective of the Program is to support the long-term sustainability of the NSW resources sector by encouraging mineral exploration and discovery to:

- ensure a sustainable economic resource pipeline for the state, particularly in greenfield and near mine site areas of the state
- test new geological ideas and models
- identify new deposits of Group 1, 6 and 10 minerals under the Mining Act 1992, with a focus on deposits of NSW Government priority metals as identified in the Strategy
- strengthen relationships between government and industry.

### 1.1.2. Intended recipients

The intended recipients of grants under the Program include a range of active NSW exploration organisations who hold a relevant mining title in NSW under the *Mining Act* 1992.

#### 1.1.3. Land access arrangements

Applicants must have suitable land access arrangements at the time of application. Applicants will be required to provide evidence of land access arrangements to the Department as part of the application.

### 1.1.4. Source agency

The Program is being delivered by NSW Resources, Department of Primary Industries and Regional Development (the Department) and is funded from the Minerals and Petroleum Investment Fund (Section 292T *Mining Act 1992*).

### 1.1.5. Delivery of program

The Department is administering the Program.

#### 1.1.6. Type of grant opportunity

The type of grant opportunity is open, competitive.

The Program is modelled closely on the former New Frontiers Exploration Program and extends the scope to include exploration geochemistry.

## 1.1.7. Value for money

A key principle of any grant program is to achieve value for money. This is important to ensure that the benefits of the grants are maximised for the people of NSW. Ways in which applicants may contribute to delivering value for money include:

- proposing the most efficient and innovative means of carrying out grant activities
- consider how government objectives and the applicant's identified needs can be mutually achieved
- adopt an effective approach to identifying and managing risks
- collaborate with officials in monitoring and evaluation processes.

The Program is designed to deliver value for money by advancing exploration.

#### 1.1.8. Program delivery timeframe

Each project funded under the Program must be completed within the program delivery timeframe listed in the **Grant program details** and outlined below:

Activity	Timeframe
Applications open	16 April 2025
Applications close	30 June 2025
Assessment process	July–August 2025
Applicants notified of outcome	September 2025 or as soon as possible after a decision has been made at the NSW Government's discretion.
	Successful applicants will be notified by a letter of offer and be required to sign a confidentiality document.
Public announcement	Public announcement by the NSW Government may occur at any time after an applicant has been notified of a successful outcome.
Activities completed	30 September 2027

## 1.2. Grant value

The total of \$2.5 million (ex GST) is available through the Program.

The total funding is divided into 3 project types, exploration geochemistry, exploration geophysics and exploration drilling.

Applicants can submit applications for multiple project and project types, noting that the maximum funding per applicant is limited to \$370,000 (ex GST).

The minimum and maximum funding amounts available per project type are listed in the table below:

Project type	Total funding allocation	Minimum funding per application	Maximum funding per application
Exploration geochemistry	\$350,000	\$5,000	\$50,000
Exploration geophysics	\$500,000	\$20,000	\$70,000
Exploration drilling	\$1,650,000	\$50,000	\$150,000 for projects with a drilling depth of up to 250°m \$250,000 for projects with a drilling depth greater than 250°m

## 1.2.1. Co-contributions

All applicants must provide a co-contribution. Co-contributions must be at least 50% of the total project cost (unless otherwise approved by the Department in writing).

Other NSW Government grants cannot be used as co-contributions.

Quarterly project reporting is described in the funding deed. Reporting requirements in the funding deed must be completed before grant funds will be paid.

To claim, the Department must be invoiced after compulsory reporting is submitted to the Department and the project work has been completed and payments made to contractors. The applicant must invoice the Department and provide evidence of payment of costs for cross-referencing before grant payments will be made.

# 2. Selection criteria

The selection criteria comprise both eligibility criteria and assessment criteria.

All applications will be assessed against the eligibility criteria. Only applications that meet the eligibility criteria will move to the next stage to be assessed against the assessment criteria.

## 2.1. Eligibility criteria

The eligibility criteria cover:

- eligible applicants
- eligible projects/activities
- eligible locations
- eligible costs.

## 2.1.1. Eligible applicants

To be eligible for grant funding, an applicant must meet all the following requirements:

- be one of the following:
  - a company incorporated in Australia
  - a company limited by guarantee
  - an incorporated trustee on behalf of a corporate trust
  - an incorporated association or co-operative
  - a partnership
  - a sole trader
  - an Aboriginal and Torres Strait Islander Corporation incorporated under the *Corporations* (*Aboriginal and Torres Strait Islander*) Act 2006.
- have an Australian Business Number (ABN)
- be registered for GST
- be a fit and proper person/legal entity
- not be insolvent, bankrupt or subject to ongoing legal proceedings
- hold a relevant title under the *Mining Act* 1992
- hold or commit to obtaining public liability insurance of not less than \$20 million per occurrence or hold equivalent or better self-insurance to the satisfaction of the Department, prior to executing a funding deed with the Department
- if applicable, provide evidence of land access agreements in place to undertake the project
- declare in the application form that the applicant is not aware of any issues that could cause reputational or other risks to the NSW Government
- declare in the application form that the applicant is not aware of, or being subject to an active investigation under the *Mining Act* 1992

- be financially viable and able to provide a minimum 50% co-contribution
- be able to demonstrate technical capacity to deliver the proposed project
- have previous project delivery experience

If an applicant's circumstances in relation to the above eligibility criteria change, the applicant must provide updated information by contacting the Department using the Enquiries/getting support details in the Grant program details.

## 2.1.2. Eligible projects/activities

#### The project/activities must meet all the following requirements to be eligible:

- align with the objectives of the Program
- support exploration for Group 1, 6 and 10 minerals under the Mining Act 1992
- deliver, or have the potential to deliver, significant benefits to NSW
- be completed by 30 September 2027.

#### The following will not be eligible for funding:

- resource definition drilling that is not exploration
- works that have been completed prior to the date the Department notifies applicants of successful application by a letter of offer
- rehabilitation of sites
- research and academic studies
- exploration for minerals not in Group 1, 6 and 10 minerals under the *Mining Act* 1992
- geotechnical surveys.

#### 2.1.3. Eligible locations

Projects must be located in New South Wales.

#### 2.1.4. Eligible costs

The project costs must support the objectives of the Program.

Direct third-party costs of drilling, geophysical or geochemical survey costs as charged by a contractor and described in the relevant invoices are eligible for funding. The work must be directly related to the target described in the application.

Some examples of eligible project costs:

- Exploration geochemistry
  - Survey costs including data acquisition and supporting costs
  - Sampling costs including contractor costs
  - Analysis and assay costs
- Exploration geophysics
  - Study costs including supporting costs

#### Grant guidelines

- Acquisition and data processing
- Exploration drilling
  - Costs relating to drilling including supporting costs such as mobilisation
  - Drilling costs
  - Sampling costs including drill hole sampling and assays

### 2.1.5. Ineligible project costs

The following project costs are ineligible for funding:

- any expenditure incurred prior to the date the Department notifies applicants of successful application by a letter of offer
- capital works costs, civil costs, licence applications
- repayment of existing debts and/or budget deficits
- purchase of non-fixed assets
- capital and operational costs of existing equipment which may be used in the project
- statutory fees and charges, including overhead charges such as insurance and leases
- ongoing costs for business administration, operation or maintenance, including staff salaries
- costs associated with grant applications, monitoring and administration costs, including any funding provided to professional services to support application submission
- costs relating solely to marketing, advertising or product promotion, including education and information campaigns
- costs which require ongoing funding from the NSW Government, beyond the delivery timeframe for the Program
- legal costs
- staff training and development costs.

## 2.2. Assessment criteria

Applications that have met the eligibility criteria will be assessed against the assessment criteria.

The table below lists the assessment criteria, the supporting evidence required and the weighting of the criteria.

Applicants must address all of the assessment criteria.

Criteria	Specific information and evidence required	Weighting
Grant will achieve value for money by advancing exploration	Demonstration of how the project will test sound geological models and innovative concepts and ideas. An overview of the geology and past exploration in the region the project will occur.	30%

	Provision of a budget for the proposed project, including the dollar amount being requested and does the project represent value for money. Details of how the proposed project will impact the overall exploration program. Description of how the proposed project will advance exploration. For example, does the project test an area previously untested, undrilled, under- drilled or where previous work was ineffective?	
Applicant has sufficient capability, experience and skills (i.e. applicant has the capacity and technical expertise to deliver the project within budget and timeframes)	<ul> <li>Demonstration of the applicant's capacity to design and deliver the proposed activities including:</li> <li>demonstrated skills and capacity to deliver the project through past performance in delivering similar projects (for example, detailing managerial capability to carry out the project)</li> <li>demonstrated experience, capability and arrangements to deliver the proposed project.</li> </ul>	20%
Deliverability and technical merit	Description of the work already undertaken to define the exploration targets. Including an exploration rationale, relevant plans, cross sections and previous surveys that have identified the proposed targets. Provision of a detailed work program and anticipated information to be acquired as part of the project, such as element suite to be assayed, downhole geophysical methods and modelling, petrology, geochronology, isotopic analysis. An overview of the geology and past exploration in the region of the proposed project. Demonstrated readiness to commence the proposed project, including status of any required data or approvals	25%

	(where applicable) and ability to deliver within the program timeframes.	
Consistency of the proposal with the objectives of the Program and NSW Government priorities or policies	Alignment of the proposed project with the intent and objectives of the Critical minerals and high-tech metals exploration program.	25%
	Alignment with the Critical minerals and high-tech metals strategy and other NSW Government priorities, including whether the project targets one or more of the identified NSW priority metals: rare earth elements and niobium, scandium, cobalt, copper and silver.	
	Total	100%

# 3. Application process

## 3.1. How to apply

### 3.1.1. Parameters

Applicants can submit multiple applications.

Each application must cover only one project.

Applicants can submit applications for multiple project types, noting that the maximum funding per applicant is limited to \$370,000.

If an applicant is applying for multiple project types or multiple projects of the same type, a separate application is required to be lodged for each project and type.

### 3.1.2. Where to apply

Applicants must submit their applications through SmartyGrants.

### 3.1.3. When to apply

Applicants must submit their applications by 5 pm 30 June 2025, as listed in the **Grant program details**.

The Department retains discretion to extend the closing date and time, and to accept late applications in extenuating circumstances.

Applicants cannot reopen or amend applications after the closing date and time.

#### 3.1.4. What to include

Each application must include the following documents listed in the application form:

- Organisation details including ABN, and an explanation of primary activities
- Contact information for the key contact on the project
- Details of current Public Liability Insurance Policy or confirmation that Public Liability Insurance Policy of at least \$20 million will be taken out prior to the execution of the Funding Deed
- Details of the relevant title under the *Mining Act* 1992 where the work is proposed to be undertaken, including information about the licence holder/s
- Identification of the exploration target and commodity types
- Alignment of the project with the intent of the Program
- Details of how the proposed project will impact the overall exploration program
- Overview of the geology and past exploration in the region
- Details of the work already undertaken in the region to define targets, including an exploration rationale, plans, cross sections or previous surveys that have identified the proposed targets
- A project plan, including:
  - Start date, expected end date and delivery milestones

- Activity details such as area to be studied, number of drillholes, estimated number of metres to be drilled, assay information, or survey techniques
- A map of the project/prospect location
- Anticipated information to be acquired as part of the program
- Details of how the proposed project will advance exploration
- Detail of how the project will test sound geological models and innovative concepts and ideas
- A project budget based on quotes, detailed estimates, reasonable assumptions or previous costs, based on experience with similar projects
- Total project cost
- Grant funding amount being requested
- Identification of risks, potential consequences and mitigation measures that will be put into place to manage risks.

A <u>Project Plan template</u> is available.

The maximum individual file size that can be uploaded is 25 MB. PDF files are preferred.

Individuals and organisations will have a maximum of 2GB of storage available for all stored files. For a full list of supported file types, please see the <u>SmartyGrants website</u>.

## 3.1.5. False and misleading information

Applicants must not include false or misleading information in their applications. If an application contains false or misleading information, the Department may deal with the application it determines and may, for example, determine that the application is ineligible.

### 3.1.6. After submitting application

Applicants will receive a confirmation email once the application is submitted.

The Department may contact applicants to verify information or seek further information.

## 3.2. Getting support

Applicants can obtain support in preparing their applications, for example, technical support with online forms and practical guidance on how to complete an application by contacting the Department at <u>NSW.Resources@dpird.NSW.gov.au</u>.

# 4. Assessment process

## 4.1. Assessment of grant applications

## 4.1.1. Stages

Determining which applications are successful involves 3 stages:

- eligibility cull
- assessment
- decision-making.

Please note that the Department typically receives far more applications than it can support. Applicants are not guaranteed funding, even if the application is of high merit. Further, successful applications may not be funded to the full amount requested.

At any stage, applicants may be referred to other, more suitable NSW Government programs. Applicants may need to update their applications to meet the criteria of the referred program.

The Department may ask applicants to provide additional information to assist the assessment process. Advice may be sought from other government agencies or subject matter experts to assist in the assessment of applications. Confidentiality will be maintained throughout the process.

## 4.1.2. Eligibility cull

Staff from the Department will assess the applications against the eligibility criteria.

The Department may ask applicants to provide additional information to assist the assessment process. Advice may be sought from other government agencies to assist in the eligibility assessment. Confidentiality will be maintained throughout the process.

Applications that have met the eligibility criteria will move to the next stage.

### 4.1.3. Assessment

The Department will assess eligible applications against the assessment criteria.

The Department may seek advice from other NSW Government agencies and other sources such as probity advisors.

Applications will be moderated and reviewed by an assessment panel convened by the Department (Assessment review panel) to ensure consistency in assessment. Each application will be assessed on its merit and compared to other eligible applications before a recommendation is made in writing to the decision maker.

A review of previous compliance and reporting commitments will be undertaken as part of the assessment process and will be provided to the Assessment review panel for consideration.

Applicants may be contacted during this step to clarify information provided in their application. The Department will notify applicants if additional information and supporting material is required and the timeframes in which it is required.

#### 4.1.3.1. Assessment review panel

The Assessment review panel will include representation from the Department of Primary Industries and Regional Development and an independent member from another organisation. In addition, an independent probity advisor will also be present during panel meetings. The Assessment review panel may request advice from industry experts, either internal or external to the NSW Government, to aid assessment.

#### 4.1.3.2. Assessment process

The Department will assess each application on its merits and competitively against the other applications and provide recommendations to the Assessment review panel.

The Assessment review panel may consider principles including, for example:

- alignment with the Strategy, including whether the project targets one or more of the identified NSW Government priority metals: rare earth elements and niobium, scandium, cobalt, copper and silver
- the total amount of funding available
- previous and current compliance with relevant legislation and policy
- previous funding received under NSW Government funded projects
- viability of the outcomes
- geographical spread
- industry impact
- other factors deemed relevant or important in a regional context
- any personal, business and/or probity risks that could cause reputational or other risk to the NSW Government
- suitability of a project for other government funding opportunities
- alignment with other immediate and long-term NSW Government policies and strategies

The Assessment review panel may consider input from other NSW Government agencies or other sources (such as regulatory bodies and probity advisors).

#### 4.1.3.3. Recommendations

The Assessment review panel

- will make written recommendations to the decision maker
- may recommend a lesser amount of funding or defer a recommendation pending further information
- may also recommend specific funding condition(s), where appropriate.

#### 4.1.4. Decision maker

The Deputy Secretary, NSW Resources, Department of Primary Industries and Regional Development as listed in the **Grant program details**.

The decision maker will review the availability of grant funds, the recommendations of the assessment team and, where relevant, the outcomes of the eligibility cull.

The decision maker may take other factors into account including advice from a probity advisor and issues that could cause reputational or other risks to the NSW Government.

In limited circumstances, the decision maker may waive selection criteria, for example, where not doing so would: lead to perverse or unfair outcomes; be contrary to the policy intent; or damage the reputation and integrity of the Program.

#### 4.1.4.1. Final decision

The decision maker's decision is final in all matters, including:

- the approval to award a grant
- the amount awarded
- the terms and conditions of the grant.

## 4.2. Notification of application outcome

The Department will send successful applicants a letter of offer.

Successful applicants may be required to sign a confidentiality undertaking, promising to keep the outcome of the application process confidential until the NSW Government makes a public announcement.

Successful applicants will be required to sign funding deeds with the Department. See Section 5.

Reporting to the Australian Stock Exchange by successful applicants in relation to any Critical minerals and high-tech metals exploration program project must be first reviewed by the Department via <u>NSWResources.Programs@dpird.nsw.gov.au</u>.

The Department will notify unsuccessful applicants in writing of the outcome of their applications.

## 4.2.1. Feedback and appeal

The Department will offer unsuccessful applicants feedback if requested.

There is no mechanism to appeal the decision maker's decisions.

## 4.2.2. Announcements

The NSW Government may publicly announce the outcome of funding applications at its discretion.

## 4.3. Publication of grants information

Key information about the grants awarded will be published on <u>the NSW Government Grants and</u> <u>Funding Finder</u>, in accordance with the requirements of the Grants Administration Guide.

This information, plus information submitted in applications and related correspondence, may be open access information under the *Government Information (Public Access) Act 2009* (NSW), which must be made publicly available unless there is an overriding public interest against disclosure of the information. Information that is commercially sensitive may be withheld.

The NSW Government may use information submitted in applications and in funding deeds for promotional material and to develop case studies.

# 5. Successful grant applications

Successful applicants must execute a funding deed with the Department.

Until the funding deed is executed (and the applicant has met any other funding conditions) no costs will be deemed as eligible and there is no promise of funding.

Importantly, this means that costs incurred after receiving a letter of offer will be eligible for funding; however, they cannot be claimed until both the applicant and the Department have signed a funding deed. Any financial commitments made before the funding deed is executed are at the applicant's own risk.

## 5.1. Funding deed

A sample funding deed is available <u>on our website</u>. The Department has discretion to amend and update this sample funding deed.

The Department will tailor the template funding deed for each project to include the grant instalment amounts, activities, deliverables, timeframes and any special conditions.

## 5.1.1. Terms and Conditions

The funding deed will set out the grant recipient's obligations including to:

- meet activity timeframes and deliver the project on time
- notify the Department of any delays
- be responsible for project cost overruns
- repay grant funds which are not spent in accordance with the funding deed
- repay unspent grant funds
- submit progress reports
- meet monitoring and acquittal requirements
- maintain insurances
- acknowledge the grant as per the Funding acknowledgement guidelines for recipients of NSW Government grants available on the NSW Government website.
- provide data
- participate in Program evaluation and audits, including to determine the extent to which the project has contributed to the Program objectives
- keep records for 7 years
- advise the Department of any changes to the grant recipient's legal status.

The funding deed will include the Department's termination rights, including if the grant recipient has engaged in conduct that might cause reputational damage to the NSW Government or has provided misleading information in its application.

## 5.1.2. Changes to projects

After funding deeds are executed, the Department may consider requests for variations to projects only in limited circumstances.

## 5.2. Grant payment

#### 5.2.1. Reimbursement

The grant is a reimbursement of up to 50% of eligible third-party costs for exploration drilling, geophysical or geochemical surveys.

Any costs exceeding the grant amount are the responsibility of the grant recipient, even if these were unexpected.

Reimbursement is limited to 50% of total project expenditure, up to the approved grant amount.

Detail of eligible and ineligible costs is covered under item 2.1 Eligibility criteria of these guidelines.

## 5.2.2. Reimbursement process

Grant recipients are required to submit quarterly progress reports, final reports, and any additional documents as part of mandatory reporting obligations.

To claim payment, the grant recipient must submit an invoice to the Department along with proof of completed work and payments made to contractors.

The funding deed outlines the reporting requirements and conditions for receiving instalments, including the completion of specified activities and the submission of required reports and evidence.

## 5.2.3. Tax

Grants are GST exclusive. GST will be applied on top of the grant value when payment is made.

Grants are assessable income for taxation purposes, unless exempted by taxation law. Grant recipients should seek independent professional advice about taxation obligations or seek assistance from the Australian Taxation Office. The NSW Government does not provide advice on individual taxation circumstances.

## 5.3. Indicative reporting and acquittal requirements

The Department will monitor how grant recipients are spending their grants and how their projects are progressing.

Grant recipients will be required to submit quarterly progress reports, final reports and other information to the Department.

Grant recipients will be required to inform the Department if their circumstances change.

## 5.4. Evaluation

The Department will monitor the funded projects against the purpose and objectives of the Program.

Grant recipients will be required to participate in evaluation, such as surveys and reporting.

# 6. Additional information and resources

## 6.1. Complaint handling

If applicants have any concerns about the Program or individual applications, please contact the Department in writing using the contact information at Enquiries/getting support in the **Grant program details**.

Any complaints or concerns will be managed in accordance with the Department's complaints handling policy.

If applicants do not agree with the way the Department handled an issue, applicants may contact the <u>NSW Ombudsman</u>.

## 6.2. Access to information

The GIPA Act provides for the proactive release of government information by agencies and gives members of the public an enforceable right to access government information held by an agency (this includes ministerial offices). Access to government information is only restricted if there is an overriding public interest against disclosure.

The NSW Legislative Council has the power to order the production of state papers by the Executive Government. Standing Order 52 provides that the House may order documents to be tabled by the NSW Government in the House. The Cabinet Office coordinates the preparation of the papers – that is, the return to order. The return to order may contain privileged and public documents. Privileged documents are only available to members of the Legislative Council.

Note that documents submitted as part of a grant application may be subject to an application under the GIPA Act or an order for papers under Standing Order 52.

If applicants require further information about the GIPA Act and/or Standing Order 52, please contact the Department using the contact information at Enquiries/getting support in the **Grant program details**.

## 6.3. Ethical conduct

## 6.3.1. Conflict of interest management

Applicants (and their officers and staff) must declare any perceived, potential or real conflicts of interest in respect of the grant opportunity on the application form.

Where there is a conflict of interest detrimental to the grant opportunity, applicants must put mitigation measures in place. The Department may require individuals not to participate in the application or delivery stage.

## 6.3.2. Confidentiality

All applicants (successful and unsuccessful) must keep the outcome of the grant opportunity confidential until the NSW Government makes a public announcement.

## 6.3.3. Conduct

Applicants must not participate in any anti-competitive conduct.

Applicants must not offer any gifts, benefits or hospitality to any NSW Government employee at any time. Any inducement contravening this condition may result in an applicant's application not being considered.

## 6.4. Discretion

The NSW Government may, at its absolute discretion, and without limiting any other rights which it may have, do all or any of the following at any time without giving notice or reasons:

- require additional information from an applicant
- change any of the requirements of these guidelines
- alter or vary any process, procedure or timing related to the grant
- suspend or terminate the grant opportunity
- negotiate with one or more preferred applicants without prior notice to any other applicant
- terminate any negotiations being conducted with any applicant
- re-advertise for new applicants
- consider any non-conforming application
- terminate an applicant's further participation in the grant opportunity for any reason (including if the Department considers that an application contains false or misleading statements or may damage the reputation of the Department or the Program)
- not proceed to execute any funding deed.

## 6.5. These guidelines

#### 6.5.1. Changes and publication

Where significant changes are made in relation to the grant opportunity, the Department will revise these guidelines and make them available on our <u>website</u>.

The Department may issue an addendum to these guidelines. The addendum becomes part of these guidelines.

The Department will publish these guidelines and any revised versions and/or addenda on <u>the NSW</u> Government Grants and Funding Finder.

#### 6.5.2. No offer

These guidelines are not an offer, recommendation or invitation by the Department in respect of any grant. There is no funding commitment until both a successful applicant and the Department execute a funding deed.

April 2025